

UBC Civil Engineering 402
Administration of Construction in BC

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1. WHO REGULATES AND ADMINISTERS CONSTRUCTION?

- (a) **Federal Government? (www.CCBFC.org) National Building Code?**
- (b) **Provinces? BC Local Government Act (LGA)**
- (c) **Municipalities?**
 - **LGA, s.694(1)(e) Building Permits & Inspection**
 - **LGA, s.694(1)(d) Occupancy Permits**
 - **LGA, s.699(2) Geotechnical P.Eng. Certification may be required**
 - **LGA, s.699(6) Conditional Geotechnical Certification**
 - **LGA, s.692 B.C. Building Code**
 - **LGA, s.700 Contravention of Bylaws - Filing in LTO**
- (d) **LGA, s.1 "Municipality" excludes Vancouver**
- (e) **Workers Compensation Board**
- (f) **APEGBC and AIBC**
- (g) **Other Agencies: e.g. CSA, NRC, ANFPA, ULC, BCCA**
- (h) ***Homeowner Protection Act* and Office**

2. B.C. BUILDING CODE, 2006

- (a) **Division A, 1.4, Definitions (Application)**
- (b) **Division C, Administration**
- (c) **Division C, 2.2, Professional Design and Review**
- (d) **Division C, 2A.6 to 8, Duties of Owner & Professionals: Letters of Assurance**
- (e) **Division C, 2.2.7: Duties on Termination of Registered Professional important**
- (f) **Certified Professional Program: Code Specialists**
- (g) **Part 3, Safety and Accessibility**
- (h) **Part 4, Structural Design (Thoroughly Revised in 2005)**
- (i) **Part 5, Environmental Separation ("Building Envelope")**
- (j) **Part 6, Heating, Ventilation and Air Conditioning (Technical)**
- (k) **Part 7, Plumbing (Used to be separate, now combined)**
- (l) **Part 8, Safety Measures (Fire and Public Safety)**
- (m) **Part 9, Housing and Small Buildings (Self-Contained code)**
- (n) **Part 10: Upgrades**
- (o) **Appendices: Explanatory Information**

3. MUNICIPAL LIABILITY IN INSPECTION

- (a) Duty of Care: LGA, s.694 Building Regulations**
 - *Harnett v. Wailea* [1989] B.C.J. No. 497
 - *Rothfield (& Vernon) v. Manolakous (1989)*, 41 B.C.L.R. (2d) 374 (S.C.C.)
- (b) Standard of Care: Reasonableness**
 - *Petrie v. Groome* (1991), 4 M.P.L.R. (2d) 182 (B.C.S.C.)

4. LIMITS ON LIABILITY

- (a) LGA, s.285 Limitation - Must Sue within 6 Months**
- (b) LGA, s.286 Must Notify within 2 Months**
- (c) LGA, s.755.1 No Personal Liab'y - Muni. Officers**
- (d) LGA, s.289 No Liability - Failure to Enforce Building Regs**
- (e) LGA, s.290 No Liability - Relied on Designer**
- (f) Vancouver Charter, s.294(8) No Cause of Action: Inspection and Approvals**