

Section 1.4. Obligations of the Owner and Contractor

1.4.1. Obligations of the Owner

1.4.1.1. Right of Entry of Chief Building Official

1) The *owner* shall allow the *Chief Building Official* to enter any *building* or premises at any reasonable time for the purpose of administering and enforcing this By-law.

1.4.1.2. Permit Required

1) The owner shall obtain all *permits* or approvals prior to commencing the work to which they relate.

1.4.1.3. Compliance with Permit

1) The *owner* shall comply with all conditions of a *permit* or a staged *permit*.

1.4.1.4. Posting a Permit

1) The *owner* shall ensure that the *permit* authorizing the work, or a true copy of the *permit*, is posted conspicuously on the site or is affixed to the exterior of the *building* during the entire *project*.

1.4.1.5. Compliance with By-law and other enactments

- 1) The *owner* shall comply with this By-law and all other applicable enactments.
- 2) The *owner* shall ensure that all work, *construction*, or *occupancy* is carried out in accordance with this By-law and all other applicable enactments.
- 3) The owner shall ensure that the *occupancy* of a *building* or part of a *building* complies with the *occupancy permit*.
- 4) The issuance of a *permit*, the acceptance of plans and supporting documents submitted for a *permit*, or the making of inspections by the *Chief Building Official* shall not relieve the *owner* of a *building* from the full responsibility for carrying out the work or having the work carried out in accordance with this By-law and all other applicable enactments.
- 5) The *owner* shall ensure that all underground storage tanks on the subject property that are intended for the storage of heating oil but have not been used for over 2 years are removed and any associated contamination is remediated to the applicable standards as prescribed in the Contaminated Sites Regulation. All work must be completed in accordance with the requirements of the Vancouver Fire By-law.

1.4.1.6. Compliance with Stop Work Order

1) The *owner* shall not carry out work or *construction* or suffer, permit or allow work or *construction* to be carried out in contravention of a stop work order issued by the *Chief Building Official*.

1.4.1.7. Compliance with Development Permit Plans

1) The *owner* shall ensure that the plans and supporting documents submitted for a *permit* conform substantially with the approved Development Permit plans and supporting documents, except that where differences exist, the *owner* shall make application for a “Development Permit Amendment” as required by the Zoning and Development By-law.

1.4.1.8. Owner's Undertaking

1) The *owner* shall submit a completed *Owner's Undertaking* letter to the *Chief Building Official* in support of and prior to the issuance of a *permit*, in the applicable form set out in Schedules E-1 and E-2 at the end of this Part.

1.4.1.9. Letters of Assurance

1) When required by this By-law, the *owner* shall provide to the *Chief Building Official* any applicable letters of assurance in the forms set out in Schedules A, B, C-A and C-B at the end of Part 2 of Division C of Books I and II of this By-law or in the forms set out in Schedules D and C-D at the end of Part 5 of Division B of Book I (General) of this By-law.

1.4.1.10. Project Directory

(See Note A-1.4.1.10.)

1) The *owner* shall, prior to commencing work, give notice in writing to the *Chief Building Official*, of the name, address, electronic mail address and telephone number of the *owner*, the *constructor* or other person in charge of the work, the *designer* reviewing the work, and any inspection or testing agency engaged to monitor the work.

2) During the course of the *construction*, the *owner* shall give immediate notice in writing to the *Chief Building Official*, of any change in employment of persons listed in the notice given pursuant to Sentence (1).

1.4.1.11. Other Notices

1) The *owner* shall give such other notices to the *Chief Building Official* as may be required by the *Chief Building Official*, by this By-law, or by another enactment.

1.4.1.12. Construction Safety

1) Where a *Construction Safety Plan* is required by Section 8.2 of Division B of Book I (General) of this By-law, the *owner* shall:

- a) prior to commencing work, ensure that the *Construction Safety Plan* has been submitted to the *Chief Building Official*, and
- b) during *construction*, ensure that the *Construction Safety Plan* is posted at all times and is amended from time to time in accordance with the requirements of this By-law.

2) Where a *building* is required by Subsection 2.2.7. of Division C of Book I (General) of this By-law to be professionally designed and reviewed, the *owner* shall, prior to commencing work, ensure that the *contractor* provides a full-time *construction safety officer* at the worksite.

1.4.1.13. Plans Required on Site

1) The *owner* shall ensure that the plans and specifications on which the issuance of the *permit* was based are available at the worksite for inspection during working hours by the *Chief Building Official*.

1.4.1.14. Site Cleared of Debris

1) The *owner* shall ensure that upon completion of *demolition* procedures, all debris and fill is cleared and the site levelled or graded, to the satisfaction of the *Chief Building Official*.

1.4.1.15. Tests to Establish Compliance

(See Note A-1.4.1.15.)

1) Where required by the *Chief Building Official* the *owner* shall make or have made, at the *owner's* expense, tests or inspections, as necessary to establish compliance with this By-law and shall promptly provide a copy of all such tests or inspection reports to the *Chief Building Official*.

1.4.1.16. Up-to-Date Survey

- 1) The *owner* shall provide to the *Chief Building Official* a survey, which has been certified by a registered land surveyor no more than 30 days before the date of delivery of the survey to the *Chief Building Official*
 - a) in the case of an *existing building* and site, if required by the *Chief Building Official* to substantiate the *building* location and size, above, at and below ground level, relative to the site,
 - b) in the case of an *existing building* and site, if required by the *Chief Building Official* to establish the relationship of the *building* to neighbouring grades, and
 - c) in the case of all new *buildings*, upon completion of foundations and footings and before any further *construction*, and the survey must include the elevation of a bench mark on the front of the foundation wall, to substantiate its size, location, and elevation relative to the site and to neighbouring grades.

1.4.1.17. Covering Work Prior to Inspection, Site Review or Field Review

- 1) The *owner* shall not cover work prior to inspection, site review or *field review*.

1.4.1.18. Request for Inspection

- 1) The *owner* shall give at least 24 hours notice to the *Chief Building Official* when requesting an inspection of work that is required or ordered to be inspected.

1.4.1.19. Uncovering Work

- 1) The *owner* shall uncover any work that has been covered without inspection, when required to do so by the *Chief Building Official*. (See Note A-1.4.1.19.(1).)
- 2) An *owner* who is required to uncover work by the *Chief Building Official* shall uncover and replace such work at the *owner's* expense.

1.4.1.20. Reinspection

- 1) If the *Chief Building Official* discovers faulty or incomplete work or faulty materials during an inspection, the *owner* shall apply for a reinspection.
- 2) Every applicant for a reinspection of a *project* shall pay the applicable reinspection fees set out in the Fee Schedule, prior to the reinspection.

1.4.1.21. Report of Building, Demolition or Excavation Failure

- 1) When a *building*, *demolition* or excavation failure occurs which causes or has the potential to cause injury or loss of life, the *owner* shall
 - a) immediately report the failure to the *Chief Building Official*,
 - b) submit a report, if required to do so by the *Chief Building Official*, in accordance with Article 1.5.3.1., and
 - c) carry out any repairs or remedial work required by the *Chief Building Official*.

1.4.1.22. Removing Unsafe Conditions

- 1) When a *building* or part thereof is in an *unsafe condition*, the *owner* shall forthwith take all necessary action to put the *building* in a safe condition.

1.4.1.23. Damage to City Property

- 1) The *owner* is responsible for the cost of repair of any damage to *City* property or works located thereon that occurs as a result of undertaking work for which a *permit* or a street use permit was required.

1.4.1.24. Requirements Regarding Street Addresses

(Refer to Book I (General) of this Bylaw.)

1.4.1.25. Requirements regarding Professional Design and Review

1) In addition to the obligations listed in this section, the *owner* of a *building* to which the provisions of Part 2 of Division C of Book I (General) of this By-law apply, shall also comply with the *owner's* obligations in that Part.

1.4.2. Obligations of the Contractor**1.4.2.1. Construction Safety**

1) The *contractor* shall ensure that all requirements of this By-law relating to *construction* safety are complied with, and shall ensure that every sub-*contractor* of the project has retained a *trades safety coordinator* as required by Sentence (2).

2) Every sub-*contractor* shall retain a qualified *trades safety coordinator* whose responsibilities shall include appropriate training of all persons working for the sub-*contractor* at the worksite in safe *construction* and installation practice.

3) The *trades safety coordinator* shall provide certification respecting training to the *Chief Building Official* upon request.

1.4.2.2. Work on Public Property

1) The *contractor* shall ensure that no excavation or other work is undertaken on public property, and that no *building* is erected or materials stored thereon, without first having obtained approval in writing from the appropriate government authority.

1.4.2.3. Compliance with By-law and Other Enactments

1) The *contractor* shall ensure that all work, *building*, *construction*, or *occupancy* is carried out in accordance with this By-law and with all other applicable enactments.

1.4.2.4. Right of Entry of Chief Building Official

1) The *contractor* shall allow the *Chief Building Official* to enter any *building* or premises at any reasonable time for the purpose of administering and enforcing this By-law.

1.4.2.5. Compliance with Stop Work Order

1) The *contractor* shall not carry out work or *construction*, or suffer, permit or allow work or *construction* to be carried out, in contravention of a stop work order issued by the *Chief Building Official*.