

## CITY OF KELOWNA

### BYLAW NO. 9316

#### **A bylaw to regulate gas work and the use of gas equipment in the City of Kelowna in accordance with the provisions of Safety Standards Act, SBC 2003, Chapter 39.**

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WHEREAS pursuant to Sections 5 and 6 of the Safety Standards Act, SBC 2003, Chapter 39 the Municipal Council of the City of Kelowna may enter into an administrative agreement with the minister responsible for the Safety Standards Act to administer provisions of the Act and the Regulations;

NOW THEREFORE, the Council, in open meeting assembled, enacts as follows:

#### PART 1 – SHORT TITLE

1.1 This Bylaw may be cited for all purposes as the “City of Kelowna Gas Bylaw No. 9316”.

#### PART 2 – DEFINITIONS

2.1 In this bylaw the following words and terms have the meanings set out in the Safety Standard Act SBC 2003, Chapter 39 and Regulations passed pursuant thereto as amended or re-enacted from time to time:

*B.C. Natural Gas And Propane Code, Field Safety Representative, Gas, Gas-Fitter, Provincial Safety Manager, Regulated Work, Vent.*

2.2 “Act” means the Safety Standards Act, SBC 2003, Chapter 39, as amended or re-enacted from time to time;

2.3 “Gas Equipment” means anything used or designated to be used in connection with gas and includes piping, appliances, fuel containers and vents;

2.4 “Gas Work” means the installation, alteration, repair, or maintenance of gas equipment and any related construction work:

(a) in a fully detached dwelling serviced by an individual service meter and supplied with gas at a pressure of 14.0 kPa gauge or less, and

(b) in any premises other than a fully detached dwelling, if the premises are supplied with gas at a pressure of 14.0 kPa or less and the total load for the individual meter is 120KW or less;

2.5 “Local Safety Manager” means:

(a) the Manager of Inspections Services, or

(b) his designate

as appointed by Council;

2.6 “Permit” means written authorization issued by a *safety officer* pursuant to the provisions of Section 6 of this Bylaw to perform gas work;

- 2.7 “Regulations” means the Safety Standards General Regulation and the Gas Safety Regulation as amended or re-enacted from time to time;
- 2.8 “Safety Officer” means:
- (a) the Inspections Supervisor, or
  - (b) Plumbing and Gas Inspector.

### PART 3 – GENERAL REGULATION

- 3.1 Nothing in this Bylaw relieves a person from the obligation to comply with the *Act*, *Regulations*, or other applicable legislation.

### PART 4 – PROHIBITIONS

- 4.1 (a) No person may do any *gas work* without a *permit* for such work unless exempted by the *Regulations* enacted pursuant to the *Act*;
- (b) No person may do gas work except in accordance with:
- (i) the *Act*;
  - (ii) the *Regulations*;
  - (iii) this Bylaw;
  - (iv) the terms and conditions of permit or order issued pursuant to this Bylaw;
  - (v) any directives that may be made by the *Provincial Safety Manager* pursuant to the *Act*; and
  - (vi) standards of care, skill and workmanship normally provided by a knowledgeable and experienced gas fitter performing similar work;
- (c) After *gas work* has been done on *gas equipment*, no person may conceal the *gas equipment* upon which the work was done without the written authorization of a *safety officer*;
- (d) No person may do any work at variance with the description, plans and supporting documents for the work for which a *permit* has been issued unless the *safety officer* has authorized the change in writing;
- (e) No person may submit false or misleading information in relation to a *permit* or an application for a *permit* under this Bylaw; and
- (f) No person may obstruct the *safety officer* in the execution of his duties under the *Act*, *Regulations*, or this Bylaw;

### PART 5 – POWERS OF THE SAFETY OFFICER

- 5.1. (a) In addition to the powers set out in this Bylaw, a *safety officer* has the Powers of a *safety officer* under the Act and Regulations;
- (b) A *safety officer* may keep records of applications received, permits and orders issued, inspections and tests made, and may retain copies of all papers and documents connected with the administration of this Bylaw;
- (c) A *safety officer* may enter any premises at a reasonable time for the purpose of inspecting the gas equipment at, kept, or used there;
- (d) Where a *safety officer* determines that the *gas work*, whether in progress or completed, does not conform with the *Act, Regulations*, or this Bylaw, or is dangerous to a person or property, a *safety officer* may order the owner of, or person in charge of, the *gas work* or both:
- (i) to stop the *gas work*; or
  - (ii) to do work to bring the *gas work* into compliance with the *Act, Regulations* and this Bylaw; or
  - (iii) both (i) and (ii)
- within the time stated in the order;
- (e) Where a *safety officer* determines that *gas equipment* does not conform to the *Act, Regulations* or this Bylaw, or is dangerous to a person or property, a *safety officer* may order the owner or person in charge of the gas equipment or both:
- (i) to discontinue the use or operation of the *gas equipment* or any activity that could make the use of the *gas equipment* unsafe;
  - (ii) to do work to bring the *gas equipment* into compliance with the *Act, Regulations* and this Bylaw;
  - (iii) to disconnect the *gas equipment*; or
  - (iv) any combination or all of (i), (ii) and (iii),
- within the time stated in the order;
- (f) In the event of fire, storm or other emergency, a *safety officer* may order the owner or person in charge of *gas equipment* or both, to disconnect or remove the *gas equipment* within the time stated in the order if, in the opinion of a *safety officer*, life or property is likely to be endangered by the existence or operation of such *gas equipment*;
- (g) A *safety officer* may order the owner of any property on or in which there are any unused *gas equipment* to remove the same within the time stated in the order;
- (h) An order issued pursuant to this Bylaw may be served by:
- (i) attaching a copy of the order on the premises where the *gas work* is being done or *gas equipment* is located; or

- (ii) by serving a copy of the order on the owner, occupier of the premises or persons in charge of the *gas work* or *gas equipment*;
- (i) A *safety officer* may revoke a *permit* if:
  - (i) there is a violation of any provisions of the *Act, Regulations*, this Bylaw, the terms and conditions of a *permit*, an order issued by a *safety officer*, or
  - (ii) it is determined that information declared on the permit application is false or misleading.

## PART 6 – PERMITS

- 6.1
- (a) The application for a *gas permit* must be in the form prescribed by the local *safety manager* and must be signed by the applicant;
  - (b) An applicant for an installation *permit* for a *gas system* or proposed *gas system* must, if required by a *safety officer*, provide drawings in support of the application and pay any required fees;
  - (c) The application for a *gas permit* shall be valid for six (6) months unless a *safety officer*, upon written request, gives written consent to an extension of the application. The extension shall not exceed six (6) months;
  - (d) A *safety officer* may issue a *permit* for *gas work* following the review of a completed application if the *safety officer* determines that:
    - (i) all required information has been submitted;
    - (ii) the proposed *gas work* will comply with the requirements of the *Act, the Regulations* and this Bylaw;
    - (iii) the *gas equipment* to be installed or affected by the work will comply with the requirements of the *Act, the Regulations* and this Bylaw; and
    - (iv) the appropriate fee has been paid;
  - (e) The *permit* may be issued subject to such terms and conditions as a *safety officer* deems necessary to ensure compliance with the *Act, Regulations* and this Bylaw;
  - (f) Subject to Section 6 (g) the fees payable for *permits* and inspections are set out in Schedule "A" of this Bylaw;
  - (g) If any *gas work* for which a *permit* is required by this Bylaw has been commenced before a *safety officer* has issued a *permit*, the *permit* applicant for the proposed installation shall pay double the fee prescribed and set out in Schedule "A" to this Bylaw;
  - (h) A *safety officer* may refuse to issue a *permit* for *gas work* if the existing *gas equipment* on the premises does not conform to the provisions in the *Act, Regulations*, or this Bylaw;
  - (i) Every *permit* is issued upon the condition that:

- (i) the work must commence within six (6) months from the date of issuance of the *permit* and must be completed within two (2) years of the date of issuance of the *permit*, and
- (ii) once the work has started, it must be carried out actively without suspension;
- (j) The *permit* shall lapse if either of the conditions in subsection (i) is not met, unless a *safety officer* gives written consent to a work interruption or construction time extension, neither of which shall exceed six (6) months.

#### PART 7 – INSPECTIONS

- 7.1
- (a) On the completion of and before covering each phase of *gas work* under an installation *permit*, the holder of the *permit*, the *gas fitter* or the *field safety representative* that represents the holder of the *permit*, must immediately inform a *safety officer* that the work has been performed in accordance with the *Act* and request an inspection;
  - (b) On final completion of the *regulated work* authorized by a *permit*, the holder of the *permit* must immediately complete a notification of completion, installation or alteration form and mail or deliver the completed form to a *safety officer*;
  - (c) Unless otherwise provided in the installation *permit*, if the holder of an installation *permit* complies with section (a) and (b), an installation *permit* issued for regulated work in respect of a gas system is sufficient authorization for the use of the gas system;
  - (d) Sub-section (c) does not apply to a homeowner who performs regulated work under this section.

#### PART 8 – VIOLATIONS

- 8.1
- (a) Every person who:
    - (i) violates;
    - (ii) causes, authorizes or permits any act or thing to be done in violation of; or
    - (iii) neglects or refrains from doing any act or thing required to be done byany provisions of the *Act*, *Regulations*, this Bylaw, terms or conditions of the permit, or order of *safety officer* commits an offence and is liable to a fine of not less than \$250 and not more than \$2000 for each offence.
  - (b) Each day that a violation is permitted to exist shall constitute a separate offence.

#### PART 9 – REPEAL

- 9.1 “The City of Kelowna Gas Bylaw No. 6206-88”, and all amendments thereto are hereby repealed.

#### PART 10 – EFFECTIVE DATE OF BYLAW

10.1 This bylaw shall come into force and effect and is binding on all persons upon the date of adoption.

Read a first, second and third time by the Municipal Council this day of \_\_\_\_\_, 2004.

Adopted by the Municipal Council of the City of Kelowna this day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



City of Kelowna  
1435 Water Street  
Kelowna, B. C., V1Y 1J4  
Tel 250-862-3353 Fax 250-863-3314

**Schedule A Gas  
Permit Fees**

SCHEDULE "A"

DEFINITIONS:

In this Schedule, the following definitions apply:

COMMERCIAL:

Includes industrial, institutional, warehouses, sports facilities, restaurants, small businesses, office facilities, multi-unit dwellings (apartments, condominiums).

MULTI-UNIT DWELLING:

Means any building or buildings in a complex which contain multiple individual residential dwelling units, each of which is occupied or intended to be occupied as a permanent residence of one family, and includes an apartment building and condominium townhouse.

SINGLE FAMILY DWELLING:

Means any detached building that is occupied, or intended to be occupied, as a permanent residence of one family.

SLIDING SCALE:

May only be applied to commercial and multi-unit Installations.

*NOTE: All calculations of fees pursuant to any formula set out in the Schedule shall be calculated to the nearest dollar*

SURVEYS

- |    |   |         |
|----|---|---------|
| 1. | Survey of plans or designs, each hour or portion of an hour | \$86.00 |
|----|---|---------|

PERMITS - RESIDENTIAL

**Note:** A gas piping only permit requires that the line be capped or plugged and be pressure tested. An installation permit is required for the connection and firing of appliances.

2. Residential permit fees for installation, alteration, repair or replacement (includes cost of any initial inspection as conducted)

(a) FOR A SINGLE FAMILY DWELLING:

**Schedule "A" - Page 2**

(i)	installation of one or two appliances including vent and gas piping	\$45.00
(ii)	each additional appliance including vent and gas piping	\$23.00
(iii)	vent or gas piping only, per dwelling	\$34.00
(iv)	replacement (similar type, except water heaters) or repair of a gas appliance	\$34.00

FOR MULTIPLE APPLIANCES USE 2(a)(i) and (ii)

(v)	water heater replacement (by decal only), per unit (see Section 5 - Decals)	\$19.00
(vi)	replacement of water heater by homeowner	\$34.00
(vii)	alteration of gas piping (required where appliances already in service, includes gas leak repair, seismic valves, etc.)	\$34.00
(viii)	connection of gas piping to a new or used certified mobile building with existing appliances	\$34.00
(ix)	homeowner - (upon satisfactory completion of homeowner data sheet)	fees as above

(b) FOR A BUILDING CONTAINING MULTIPLE UNIT DWELLINGS:

(i)	If the appliances in a building are of the domestic type and are installed in individual residential units, the fee will be calculated using Table 2, per appliance, vent and associated piping (includes vents)	see Table 2
(ii)	vent only	\$34.00
(iii)	gas piping only	
	(a) first 50 m (163.75 ft.) or part thereof	\$54.00
	(b) for each additional 50 m (163.75 ft.) or part thereof	\$33.00

**PERMITS - COMMERCIAL INSTALLATIONS**

3. Permit fees for installation, alteration repair or replacement (includes cost of any initial inspection as conducted) for commercial installations, other than single family dwellings

(a)	each appliance including vent and gas piping, with an input as set out in Table 1	See Table 1
(b)	temporary heating appliances, and the piping connecting them per site (with an input as set out in Table 1)	\$43.00
(c)	vent only	\$54.00



Schedule "A" - Page 3

- (d) gas piping only
  - (i) first 50 m (163.75 ft.) or part thereof \$54.00
  - (ii) for each additional 50 m (163.75 ft.) or part thereof \$33.00
- (e) for replacement (similar type) or repair of gas appliances having an input up to and including 409,600 BTU/hr. See Table 3

SPECIAL INSPECTIONS

- 4. Special inspection fees are determined as follows:
  - (a) for an inspection required as a result of a deficiency in, or inadequacy of, an installation located in any premises, each hour or portion of an hour \$86.00
  - (b) for an inspection of an appliance or installation of a gas system for which the required permit was not taken out, each hour or portion of an hour \$86.00
  - (c) for an inspection conducted outside regular business hours, **\$86.00** per hour or portion of an hour, **\$602.00 per day**, with a minimum fee **\$129.00**, plus reasonable and necessary expenses incurred by the inspector

DECALS

- 5. Fee for:
  - (a) a decal applied to a residential dwelling unit replacement water heater up to 50,000 BTU input \$19.00
  - (b) a decal applied to an air-conditioning unit installed on an existing hot air system in a residential dwelling unit \$19.00

**Schedule "A" - Page 4**  
**SCHEDULE "A"**

**TABLE 1**

**COMMERCIAL PERMITS**  
Section 3(a) of Schedule A

<b>BTU/HR (1,000'S BTU)</b>	<b>FEE (\$)</b>
1-10	57.00
11-30	60.00
31-60	63.00
61-90	67.00
91-120	73.00
121-150	75.00
151-200	84.00
201-250	92.00
251-300	97.00
301-350	105.00
351-400	112.00
401-450	117.00

(input in BTU's = kW x 3413)

**Schedule "A" - Page 5**

**TABLE 2**

**SLIDING SCALE FOR MULTI-UNIT DWELLINGS (SINGLE BUILDING)**

Section 2(b)(i) of Schedule "A"

No. of Appliances	Fee \$	No. of Appliances	Fee \$	No. of Appliances	Fee \$	No. of Appliances	Fee \$	No. of Appliances	Fee \$
1	35	21	482	41	588	61	694	81	800
2	71	22	487	42	593	62	699	82	805
3	106	23	492	43	598	63	704	83	809
4	141	24	497	44	603	64	709	84	815
5	176	25	503	45	609	65	715	85	820
6	212	26	508	46	614	66	720	86	826
7	247	27	514	47	620	67	726	87	832
8	282	28	518	48	624	68	730	88	836
9	318	29	524	49	630	69	736	89	841
10	353	30	529	50	635	70	741	90	847
11	365	31	535	51	641	71	747	91	852
12	377	32	540	52	646	72	752	92	858
13	390	33	545	53	651	73	757	93	862
14	403	34	550	54	656	74	762	94	868
15	415	35	556	55	662	75	768	95	873
16	427	36	561	56	667	76	773	96	879
17	439	37	567	57	673	77	779	97	884
18	452	38	571	58	677	78	783	98	889
19	464	39	577	59	683	79	789	99	894
20	476	40	582	60	688	80	794	100	900

For more than 100 appliances, add \$5.00 per appliance

**TABLE 3**

**SLIDING SCALE FOR REPLACEMENT OR REPAIR OF COMMERCIAL APPLIANCES HAVING AN INPUT UP TO AND INCLUDING 409,600 BTU/HR**

Section 3(e) of Schedule A

No. of Appliances	Fee \$	No. of Appliances	Fee \$	No. of Appliances	Fee \$	No. of Appliances	Fee \$	No. of Appliances	Fee \$
1	54	11	559	21	738	31	818	41	900
2	108	12	578	22	745	32	827	42	908
3	162	13	597	23	754	33	835	43	916
4	216	14	616	24	762	34	843	44	924
5	270	15	635	25	770	35	851	45	932
6	324	16	654	26	779	36	859	46	941
7	378	17	673	27	786	37	867	47	948
8	432	18	691	28	794	38	876	48	956
9	486	19	710	29	803	39	883	49	965
10	540	20	730	30	811	40	892	50	973