

**TSLEIL-WAUTUTH NATION**

**AMENDMENT #3 TO TSLEIL-WAUTUTH NATION BUILDING BY-LAW 2001**

**WHEREAS** we the Chief and Council of the Tsleil-Waututh Nation (the “Nation”) enacted the *Tsleil-Waututh Nation Building By-law 2001* on December 19, 2001;

**AND WHEREAS** the Minister of Indian Affairs and Northern Development approved the Building Bylaw on February 20, 2002;

**AND WHEREAS** the Chief and Council deem it advisable and in the best interests of the Nation to further amend the Bylaw as set out below;

**AND WHEREAS** the Chief and Council of the Nation are empowered to amend the Building Bylaw pursuant to Part 3 of the Land Code;

**NOW THEREFORE** the Chief and Council of the Nation enact as follows:

1. The *Tsleil-Waututh Nation Building Bylaw 2001*, as amended, is hereby further amended as follows:
  - a. Section 2, Definition of “Certified Professional” is amended by deleting the paragraph in its entirety and replacing it with the following paragraph:

““Certified Professional” means an Architect or Professional Engineer who has been recognized as qualified as a Certified Professional by the Architectural Institute of British Columbia or the Association of Professional Engineers and Geoscientists of the Province of British Columbia;”
  - b. Section 2, Definition of ““Certified Professional Program Manual” or “Tsleil Waututh Certified Professional Manual”” is amended by deleting the paragraph in its entirety and replacing it with the following paragraph:

““Certified Professional Program Manual” or “Tsleil Waututh Certified Professional Manual” means the British Columbia Certified Professional Program Practice and Procedure Manual Edition #2;”
  - c. Section 2, Definition of “Field Review” is amended by deleting the words “Certified Professional” and substituting the words “Registered Professional”.
  - d. Section 2, Definitions is amended by adding the following paragraph:

“Letters of Assurance” means those letters of Registered Professionals in the forms set out in the schedules of the Building Code;”
  - e. Section 2, Definitions is amended by adding the following paragraph:

““Site Review” means the activities necessary in the Certified Professional’s professional judgement to ascertain that the construction of the project substantially complies, in all material respects, with the requirements of the British Columbia Building Code and the requirements of the building permit and monitors for compliance if a development permit has been issued for the project;”

- f. Section 9 is amended by deleting the section in its entirety and replacing it with the following section:

“The Certified Professional shall, in respect of the project for which they made or is making application for a Building Permit, provide Code Coordination as defined in section 10 of this Bylaw and provide the Authority Having Jurisdiction with all applicable Site Review reports in an acceptable form at the earliest reasonable opportunity, or upon reasonable request of the Authority Having Jurisdiction.”

- g. Section 10 is amended by deleting the section in its entirety and replacing it with the following section:

“10. With respect to section 9, Code Coordination includes the following tasks,

- a. ascertain that the required Registered Professionals of record for the project have been retained to provide design review and Field Review in accordance with the Building Code;
- b. obtain the necessary Letters of Assurance of professional design and commitment for Field Review from the Registered Professionals of record for the project and deliver the originals of same to the Authority Having Jurisdiction when applying for the building Permit;
- c. obtain the necessary documents required to support the building permit application, in a form prescribed by the Authority Having Jurisdiction, and deliver the documents to the Authority Having Jurisdiction when applying for the building Permit;
- d. apply for a building Permit in accordance with the processes described within this Bylaw;
- e. provide design review of the plans and supporting documents prepared by each of the Registered Professionals of record for the project;
- f. ascertain that the Registered Professionals of record have incorporated in their plans and supporting documents, the requirements of the Building Code;

- g. ascertain that the Building Code requirements governing the project are compatible between the plans and supporting documents prepared by each of the Registered Professionals of record;
- h. provide Site Review of the components of the plans and supporting documents prepared by each of the Registered Professional on record for the project;
- i. keep records of all Site Reviews by the Certified Professional and of any corrective action required and taken as a result of these Site Reviews and provide the Authority Having Jurisdiction a list of significant known unresolved discrepancies in an acceptable form upon reasonable request of the Authority Having Jurisdiction;
- j. monitor Field Review activities of the Registered Professional of record;
- k. monitor and report to the Authority Having Jurisdiction on significant events and changes in the project;
- l. submit a monthly summary progress report to the Authority Having Jurisdiction during construction of the project;
- m. consult with the Authority Having Jurisdiction if any unresolved variances in interpretation of the Building Code arise between the Certified Professional and the Registered Professional of record;
- n. consult with the Authority Having Jurisdiction if any unresolved issues with respect to the Building Code arise between the Certified Professional and the contractor;
- o. review relevant shop drawings with respect to the requirements of the Building Code;
- p. notify the Authority Having Jurisdiction in a timely manner of any significant unknown, unresolved contraventions of the Building Code, this Bylaw or building Permit requirements;
- q. obtain the necessary Letters of Assurance of professional Field Review and compliance from the Registered Professional of record or the project and deliver the originals of same to the Authority Having Jurisdiction when applying for occupancy for the project;
- r. obtain the other necessary documents required to support the occupancy application and deliver same to the Authority Having Jurisdiction when applying for occupancy for the project;

- s. apply for the occupancy approval for the project in accordance with the process as described in this Bylaw and in the form prescribed by the Authority Having Jurisdiction; and
- t. apply the Certified Professional stamp to all relevant documents that are submitted to the Authority Having Jurisdiction.”

2. This law may be cited as the *TWN Building Bylaw Amendment #3, 2019*

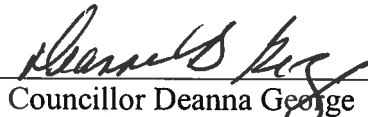
3. This law comes into place and takes effect on the date of its enactment.

Read a first time the	<u>23</u>	day of	<u>July</u>	2019
Special Membership Meeting held the	<u>20</u>	day of	<u>August</u>	2019
Read a second time the	<u>20</u>	day of	<u>August</u>	2019
Read a third time the	<u>3</u>	day of	<u>September</u>	2019


This law is hereby enacted at a duly convened meeting of the Council of the Tsleil-Waututh Nation this 3rd day of September, 2019.

Voting in favour of this law are the following Members of the Council.

  
 Chief Leah George-Wilson

  
 Councillor Deanna George

  
 Councillor Justin George

  
 Councillor Vanessa Gonzalez

  
 Councillor Curtis Thomas

  
 Councillor Jennifer Thomas