



THE DISTRICT OF NORTH VANCOUVER

DEMOLITION WASTE REDUCTION BYLAW

BYLAW 8582

Effective Date – January 1, 2023

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws below. The amending bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

Original Bylaw

Bylaw 8582

Date of Adoption

June 27, 2022

Amending Bylaw

N/A

Date of Adoption

N/A

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the principal bylaw (Demolition Waste Reduction Bylaw – Bylaw 8582). The number of any amending bylaw that has been repealed is not referred to in this consolidation.

The Corporation of the District of North Vancouver

Bylaw 8582

A bylaw to regulate the disposal of demolition waste

The Council for The Corporation of the District of North Vancouver enacts as follows:

Citation

1.1. This bylaw may be cited as “Demolition Waste Reduction Bylaw 8582, 2022”.

Definitions

2.1. In this bylaw:

building inspector means a person appointed to that position by the *District* and an authorized designate;

Bylaw Enforcement Officer means the person appointed to that position by the *District* whose duties include the enforcement of bylaws;

Chief Building Official means the Assistant General Manager, Regulatory Review and Compliance or a person designated in writing by the Manager Development Services to act in his/her place and is the “building inspector” under the *Community Charter*;

compliance report means a report in a form specified by and satisfactory to the *Chief Building Official* demonstrating compliance with this bylaw;

deconstruction means the systematic dismantling of a building, typically in the opposite order to which it was constructed;

disposal means the disposal of building materials at a landfill or incinerator facility;

District means the Corporation of the District of North Vancouver or the geographic area within the municipal boundaries of the *District*, as the context requires.

green demolition permit means a permit issued pursuant to this bylaw that authorizes demolition of a building or structure;

reuse means further or repeated use of the building materials and includes storage for such purpose;

residential building includes all buildings used as one or two family dwellings, as well as accessory buildings on the same lot or site;

salvage means removing materials such that they are protected from damage and kept intact so that they can be *reused*;

waste diversion security deposit means the deposit prescribed in section 4.1 to secure compliance with this bylaw;

wood salvage plan means a plan acceptable to the *Chief Building Official* for the *salvage* of wood from the demolition of a *residential building*.

Application

- 3.1. Nothing in this bylaw precludes or relieves a person from complying with any provision of the *District's Construction Bylaw 8271, 2017*, as amended or replaced, any other *District* bylaws or any applicable federal, provincial or local government laws or regulations.
- 3.2. Neither the review nor the acceptance of a *compliance report* constitutes a representation, warranty, assurance or statement by the *District* that the owner has complied with the *Construction Bylaw 8271, 2017*, as amended or replaced, this bylaw or any other *District* bylaw or any other applicable enactment, law or regulation respecting safety.

Green Demolition Permit

- 3.3. A person must not cause, permit or allow the demolition of a *residential building* constructed in whole or in part before 1950 without a valid *green demolition permit*. The *Chief Building Official* has the authority to determine the age of the *residential building* based on *District* records or other evidence satisfactory to the *Chief Building Official*.
- 3.4. The holder of a *green demolition permit* must:
 - a) not cause, permit or allow the *disposal* of building materials that are required to be *reused* or *salvaged*, except in accordance with this bylaw;
 - b) ensure that all building materials that are required to be *reused* or *salvaged* pursuant to a *green demolition permit* are reused on site, stored for the purpose of future reuse, or sold or donated for *reuse*.

Application for Green Demolition Permit

- 3.5. An applicant for a *green demolition permit* must submit an application in a form acceptable to the *Chief Building Official* that demonstrates that the building materials will be *salvaged* as prescribed in section 3.6 of this bylaw. The application must be submitted together with:

- a) a *wood salvage plan*;
 - b) the *waste diversion security deposit* required in accordance with section 4.1 of this bylaw;
 - c) the applicable non-refundable fees prescribed in the *Fees and Charges Bylaw*.
- 3.6. Where an application for a *green demolition permit* relates to a *residential building* that was constructed in whole or in part before 1950, the *residential building* must be demolished by means of *deconstruction*, resulting in the *salvage* of at least 3.5 kg or 2.6 board feet of reclaimed lumber per square foot of finished floor space.

Records

- 3.7. Every person who demolishes a building pursuant to a *green demolition permit* must keep original records of the removal, *reuse*, *salvage*, and *disposal* of building materials governed by the *green demolition permit*, including payment receipts, donation receipts, weigh bills, inspection reports, confirmation letters, and sampling reports, until the *waste diversion security deposit* has been refunded to them in accordance with section 4.2, and in no case for less than 180 days.
- 3.8. The *Chief Building Official* may demand that a person who demolished a building pursuant to a *green demolition permit* produce any or all of the original records required under section 3.7.

Waste Diversion Security Deposit

- 4.1. The applicant for a *green demolition permit* must provide a *waste diversion security deposit* in the form of cash or irrevocable letter of credit in a form satisfactory to the *District* in the amount of \$15,000.00 to secure compliance with the terms and conditions of the *green demolition permit* and the provisions of this bylaw.
- 4.2. The *waste diversion security deposit* will be refunded to the person or entity who deposited it depending on the degree of compliance with the terms and conditions of the *green demolition permit* as determined by the *Chief Building Official* in accordance with the table set out in Schedule A to this bylaw.

Authority of Chief Building Official

- 5.1. The *Chief Building Official* has the authority to issue *green demolition permits* in accordance with this bylaw and may impose terms and conditions on *green demolition permits* and such conditions must be complied with by the *green*

demolition permit holder. Such condition may include but are not limited to conditions regarding:

- a) notifications and notices;
- b) safety;
- c) demolition requirements;
- d) timing of demolition;
- e) deadlines for completion of demolition;
- f) reviews and inspections; and
- g) compliance with this bylaw, the *Construction Bylaw* and other enactments.

5.2. Where, in the opinion of the *Chief Building Official*, compliance with this bylaw imposes unnecessary hardship, the *Chief Building Official* may relieve the holder of a *green demolition permit* from strict adherence to this bylaw, provided the *Chief Building Official* first considers the:

- a) cost of compliance;
- b) diligence of the permit holder in seeking compliance; and
- c) quality of the building material that will not be *reused*, or *salvaged* as a result of any relief granted.

5.3. The *Chief Building Official* may grant an exemption from a condition of a *green demolition permit* required under this bylaw, including but not limited to in the following circumstances:

- a) when an applicant has applied for a building permit to move a structure;
- b) when the *residential building* has been determined by the *Chief Building Official* to be dangerous and is required to be abated by demolition; and
- c) in the case of a pre-1950 *residential building*, when a *residential building* has been determined by the *Chief Building Official* to be unsuitable for *deconstruction* because the building is structurally unsafe or is otherwise hazardous to human life or because most of the material of the building is not suitable for *reuse*.

- 5.4. An applicant may request an exemption under section 5.3 by submitting a written request for exemption, together with supporting documentation, when submitting a *green demolition permit* application.

Compliance reports

- 6.1. Every person issued a *green demolition permit* must, within 90 days of the completion of the *deconstruction*, submit the following to the *Chief Building Official*:
- a) a *compliance report* confirming that the building was demolished and that the building materials were *reused*, or *salvaged* in accordance with the *green demolition permit* and this bylaw; and
 - b) legible copies or scans of original records required under section 3.7.
- 6.2. The holder of a *green demolition permit* must not cause, permit or allow the submission of a false or inaccurate *compliance report*.
- 6.3. The *Chief Building Official* may require the submission of a satisfactory *compliance report* prior to issuing a building permit in relation to a site where a *green demolition permit* was issued.
- 6.4. The *Chief Building Official* may suspend a building permit issued in relation to a site where a *green demolition permit* imposed under this bylaw was issued if:
- a) no *compliance report* has been submitted;
 - b) a *compliance report* was submitted in contravention of this bylaw; or
 - c) the *deconstruction* or demolition were carried out in contravention of the *green demolition permit* or this bylaw.

ENFORCEMENT

Inspection

- 7.1. *Bylaw Enforcement Officers*, *Building Inspectors* or any other person lawfully authorized to enforce this bylaw may at any reasonable time enter upon any property for the purposes of inspection to determine compliance with the provisions of this bylaw or a *green demolition permit* issued pursuant to this bylaw.

Obstruction

- 7.2. A person must not interfere with, delay, obstruct or impede the *Chief Building Official, Building Inspectors, Bylaw Enforcement Officers* or other person lawfully authorized to enforce this bylaw in the performance of duties under this bylaw.

Violations

- 7.3.
- (a) A person who:
 - i. contravenes a provision of this bylaw;
 - ii. causes, consents to, allows or permits an act or thing to be done contrary to this bylaw;
 - iii. neglects or refrains from doing anything required by a provision of this bylaw; or
 - iv. fails to comply with any order, direction or notice given under this bylaw,commits an offence and is subject to the penalties imposed by this bylaw and the *Offence Act*.
 - (b) Each instance that a contravention of a provision of this bylaw occurs and each day that a contravention occurs or continues shall constitute a separate offence.
 - (c) A person found guilty of an offence under this bylaw is subject to a fine of not less than \$250.00 and not more than \$50,000.00 for every instance that an offence occurs or each day that it occurs or continues, plus the costs of prosecution.

Designation of Bylaw

- 7.4. This Bylaw is designated pursuant to section 264 of the *Community Charter* as a Bylaw that may be enforced by means of a ticket in the form prescribed.

Enforcement Authority

- 7.5. The *Chief Building Official, Building Inspectors* and *Bylaw Enforcement Officers* are designated to enforce this bylaw by means of a ticket pursuant to sections 264 of the *Community Charter*.

Ticketing

- 7.6. The words or expressions listed below in the designated expression column are authorized to be used on a ticket issued under section 264 of the *Community Charter* to designate an offence against the respective section of this bylaw appearing opposite in the section column. The amounts appearing in the fine

column are the fines set pursuant to section 264 of the *Community Charter* for contravention of the respective section of the bylaw appearing opposite in the section column:

Designated Expression	Section	Fine
Demolish <i>residential building</i> without permit	3.3	\$1,000.00
Dispose of building materials contrary to bylaw	3.4(a)	\$1,000.00
Fail to <i>reuse</i> building materials per <i>green demolition permit</i>	3.4(b)	\$1,000.00
Fail to <i>deconstruct</i> as required	3.6	\$1,000.00
Fail to keep <i>salvage</i> records	3.7	\$500.00
Fail to submit records	3.9	\$500.00
Fail to comply with <i>green demolition permit</i> conditions	5.1	\$750.00
Fail to submit <i>compliance report</i> or records	6.1	\$500.00
Submit false <i>compliance report</i>	6.2	\$1,000.00

Severability

- 7.7. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this Bylaw.

Schedule A
Waste Diversion Security Deposit Refund Rate

Amount of Wood Salvaged	Amount of Deposit Refunded
3.5 kg or 2.6 board feet of reclaimed lumber per square foot of finished floor space or more	100%
2.5 kg to 3.49 kg or 1.9 board feet to 2.59 board feet of reclaimed lumber per square foot of finished floor space	50%
Less than 2.5 kg or 1.9 board feet of reclaimed lumber per square foot of finished floor space	0%