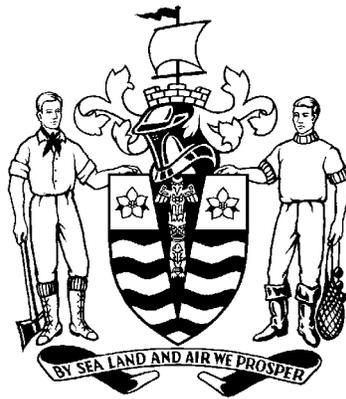


CITY OF VANCOUVER BRITISH COLUMBIA



BUILDING BOARD OF APPEAL BY-LAW NO. 6135

This By-law is printed under and
by authority of the Council of
the City of Vancouver

(Consolidated for convenience only
to January 17, 2023)

BY-LAW NO. 6135

**A By-law to establish the Building Board of Appeal
and to set out its procedures**

**[Consolidated for convenience only,
amended to include By-law No. 13600,
effective January 17, 2023]**

THE COUNCIL OF THE CITY OF VANCOUVER, in open meeting assembled,
enacts as follows:

1. This By-law may be cited as the "Building Board of Appeal By-law".
2. APPOINTMENT
 - 2.1 A "Building Board of Appeal" shall be appointed by Council from time to time. Such Building Board of Appeal shall consist of two divisions as follows:
 - (a) a division to deal with appeals pursuant to this By-law (hereinafter referred to as the "the Board"); and
 - (b) a division to deal with appeals from the *Parking By-law* (hereinafter referred to as the "Parking Variance Board").
3. MEMBERSHIP
 - 3.1 The Board shall consist of 5 members, one appointed from each of the following associations:
 - (a) one member of the Law Society of British Columbia;
 - (b) one member of the Architectural Institute of British Columbia;
 - (c) one member of the Association of Professional Engineers and Geoscientists of British Columbia who is a consultant in Fire and Life Safety; and
 - (d) two members of the Association of Professional Engineers and Geoscientists of British Columbia who are qualified by virtue of their training and experience to provide expertise in the areas of:
 - (e) structural,
 - (f) mechanical,
 - (g) electrical,
 - (h) building enclosure, and
 - (i) geotechnical.
 - 3.2 Council may establish remuneration for the Board members.

3.3 Any member of the Board may be removed by a resolution of Council passed by not less than two-thirds of all its members.

3.4 Each member appointed to the Board shall hold office for a term of 4 years or until a successor is appointed, but a person may be reappointed for a further term or terms.

3.5 The members of the Board shall elect a Chairperson and Vice-Chairperson who shall serve for a period of one year in this position, unless the appointment is earlier revoked by Council.

3.6 In the event of death, resignation or removal from office of any member of the Board, a successor shall be appointed in the same manner and from the same association for the unexpired portion of the term.

3.7 Three members of the Board shall constitute a quorum.

4. SCOPE AND OPERATION

4.1 The Board is empowered to consider an appeal made from any decision of the City Building Inspector pursuant to:

- (a) the Building By-law in respect of any item referred to in Article 3.1.1.2. of Division C; and:
- (b) the Standards of Maintenance By-law in respect of any item referred to in Section 24 of that By-law.

4.2 In all cases the Board may allow or refuse an application for a hearing, or allow, vary or deny an appeal, but in each appeal, it shall take into account the general safety, health, and public welfare of occupants and give due consideration to economic, social and aesthetic concerns when determining the appropriate degree of protection necessary for the safety, health and welfare of the building occupants and the public.

5. PROCEDURES

5.1 The Chairperson shall fix a convenient time and place for the hearing of appeals, but need not convene the Board more often than once in any two week period.

5.2 The Board shall consider information submitted by the appellant, the City Building Inspector, and any other qualified persons or consultants, whose information might, in the opinion of the Board, assist them in reaching a decision.

5.3 Proceedings at the hearing shall be informal.

5.4 The Board may adjourn a hearing from time to time as it sees fit.

5.5 The Board shall consider and decide each appeal and notify the appellant of its decision in writing as promptly as possible.

5.6 The Board shall not re-hear an appeal covering the identical grounds or principles upon which the Board has already rendered a decision.

5.7 Subject to the provisions of this By-law, the Board shall determine its own procedure.

5.8 Where in any appeal, a tie vote results, the appeal shall stand refused.

5.9 The decision of the Board is final and binding.

6. DUTIES OF SECRETARY

