

CITY OF VANCOUVER BRITISH COLUMBIA



CERTIFICATION OF PROFESSIONALS BY-LAW NO. 6203

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

(Consolidated for convenience only
to July 23, 2019)

BY-LAW NO. 6203

**A By-law to provide for the
Certification of Professional Engineers
and Architects pursuant to
Section 306(z) of the Vancouver Charter**

**[Consolidated for convenience only,
amended to include By-law No. 12513
effective November 1, 2019]**

Whereas Section 306(z) of the Vancouver Charter authorizes the Council of the City of Vancouver to make a By-law providing for the establishment of a system of certification for building design and construction;

The Council of the City of Vancouver, in open meeting assembled, enacts as follows:

1. This By-law may be cited as the "Certification of Professionals By-law".

2. In this By-law

"Approved Course" means a course of study in the application of the City of Vancouver's Building By-law the content of which has been approved by the City Building Inspector;

"Architect" means a person registered or licensed under the *Architects Act* as a member of the Architectural Institute of British Columbia;

"Certified Professional" means an Architect or Engineer who has been recognized as qualified as a Certified Professional by the City Building Inspector pursuant to this By-law; and

"Engineer" means a person registered under the *Engineers and Geoscientists Act* as a professional engineer.

3. If the City Building Inspector believes that an Architect or Engineer is proficient with the provisions of the City of Vancouver's Building By-law, the City Building Inspector may, by entering such person's name in a Register of Certified Professionals, recognize the Architect or Engineer as qualified as a Certified Professional.

4. Before recognizing an individual as qualified as a Certified Professional, the City Building Inspector may require that the Architect or Engineer attend one or more approved courses and attain at least the minimum grade designated by the City Building Inspector in an examination approved by the City Building Inspector.

5. The City Building Inspector may disqualify, by removing from the Register of Certified Professionals the name of any person who:

- (a) if an architect, ceases to be a member of, or licensed by, the Architectural Institute of British Columbia or, if an engineer, ceases to be registered or licensed as a professional engineer under the provisions of the *Engineers and Geoscientists Act*;
- (b) fails, when required by the City Building Inspector, to demonstrate a satisfactory familiarity with the provisions of the Building By-law as the same may be amended from time to time;
- (c) submits to the City Building Inspector a certificate or letter of assurance which is in any material way inaccurate;
- (d) fails to disclose to the City Building Inspector any deviations from, or violations of the Building By-law of which the Certified Professional is aware, on any project with which the Certified Professional is connected; or
- (e) does or fails to do anything, whether as a Certified Professional or otherwise, with the intent of misleading or concealing something from the City Building Inspector or a member of the City Building Inspector's Department.

6. Where a building is evaluated for compliance with Part 3 of the Building By-law, a Certified Professional may make application for a Certified Professional Building Permit which shall be made in the manner and form prescribed by the City Building Inspector and shall include the appropriate letters of confirmation which are attached to and form part of this By-law and are labelled as CP-1, CP-2, and CP-3.

7. After receiving a properly completed Certified Professional Building Permit Application accompanied by the required letters of confirmation, the City Building Inspector may accept the letters as satisfactory evidence of compliance and conformity with the Building By-law and issue a building permit based thereon, and upon completion of the building the City Building Inspector may issue an occupancy permit based on the CP-2 "Confirmation of Completion" letter by the Certified Professional that the building as built conforms to the accepted plans for which letters of confirmation were received.

7A. A Certified Professional must include with a Certified Professional Building Permit Application evidence satisfactory to the City Building Inspector that the Certified Professional holds Professional Errors and Omissions insurance in the amount of not less than \$1,000,000 (one million dollars) per claim.

8. A Certified Professional who has submitted to the City Building Inspector a CP-1 "Confirmation of Commitment" letter on the basis of which a Building Permit was issued, shall forthwith advise the City Building Inspector of any and all work on the project which fails to comply with the Building By-law and shall, at least once in every 30 days following the date of issuance of the Permit, submit a report to the City Building Inspector indicating the progress made on the project.

9. A Certified Professional who has submitted to the City Building Inspector a CP-1 "Confirmation of Commitment" letter, on the basis of which a Building Permit was issued, shall forthwith advise the City Building Inspector when he or she has ceased to be retained, or of the date upon which he or she will cease to be retained by the owner.

10. Notwithstanding anything contained in the Building By-law, where a Certified Professional has been discharged by the owner, or where the Certified Professional resigns or otherwise is unable or unwilling to provide "field reviews" as defined in the letter of Certification of Design set forth in Schedule A hereto, the City Building Inspector may stop work on the project and may revoke the Building Permit in respect to the project for which the Certified Professional was retained. Where a Building Permit is revoked pursuant to this section, no work other than remedial work necessary, in the opinion of the City Building Inspector, to remove any hazards, shall be done on the project unless specifically authorized by the City Building Inspector.

11. Nothing herein shall relieve the Owner or the Certified Professional from any obligation or responsibility set forth in the Building By-law.

12. Neither anything herein contained, nor the acceptance by the City Building Inspector of a Certificate, nor the issuance of a Building Permit or Occupancy Permit shall relieve the Owner or Certified Professional from full and complete compliance with the Building By-law or any other by-law of the City of Vancouver, and the City may enforce all provisions of such by-laws by the issuance of stop-work orders, injunctions, prosecution or such other means as are available at law.

13. Where the City Building Inspector accepts the certificate of a Certified Professional neither the City nor the City Building Inspector nor any other City employee shall be liable for any loss, damage or expense caused or contributed to because a building in respect of which a certificate is issued is unsafe or does not comply with the Building By-law or other applicable by-laws.

14. This By-law comes into force and takes effect on the date of its passing.

DONE AND PASSED in open Council this 1st day of September, 1987.

(Signed) Gordon Campbell
Mayor

(Signed) Maria Kinsella
City Clerk

Schedule A

	Schedule CP-1 Confirmation of Commitment by Owner and Certified Professional <small>Certified Professional Program An Alternate Building Permit Process</small>
---	---

- Notes:
1. This letter is endorsed by the Architectural Institute of British Columbia and the Association of Professional Engineers and Geoscientists of British Columbia.
 2. The phrase Building By-law where used in this letter means the Vancouver Building By-law.
 3. Words in italics are given the same meaning as defined in the Vancouver Building By-law.
 4. Words in "quotations" are defined herein.

To: *Chief Building Official* Date: _____

Project Address: _____ Building Permit No.: _____

In signing and submitting this document to the *Chief Building Official* the *owner* confirms that the *owner* has authorized the *Certified Professional*, to undertake "code coordination" and the undersigned *Certified Professional* ("CP") confirms that the CP will undertake "code coordination" with respect to the above noted project for which a building permit is sought.

"Code coordination" includes the following tasks:

1. act on behalf of the *owner* as the *owner's* representative in matters involving the City of Vancouver in relation to the building permit, related project construction and related occupancy permit;
2. ascertain that the required "Registered Professionals of Record" for the project have been retained to provide *design* and *field review* in accordance with the Building By-law;
3. 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 *Chief Building Official* when applying for the building permit for the project;
4. obtain the other necessary documents required to support the building permit application and deliver same to the *Chief Building Official* when applying for the building permit for the project;
5. apply for and obtain a building permit for the project in accordance with the process as described in the Building By-law;
6. provide "design review" of the plans and supporting documents prepared by each of the "Registered Professionals of Record" for the project;
7. ascertain that the "Registered Professionals of Record" have incorporated in their plans and supporting documents, the requirements of the "Building By-law" Division A; Division B Parts 1 and 3; and Division C;
8. ascertain that the Division A; Division B, Parts 1 and 3; and Division C Building By-law requirements governing the project are compatible between the plans and supporting documents prepared by each "Registered Professional of Record";
9. provide "site review" of the components of the plans and supporting documents prepared by each of the "Registered Professionals of Record" for the project;
10. keep records of all "site reviews" by the CP and of any corrective action required and taken as a result of these "site reviews". Discrepancies noted during "site reviews" must be tracked and the resolution of these discrepancies noted such that a list of significant unresolved discrepancies can be provided at any time;
11. "monitor field review activities" of the "Registered Professionals of Record";
12. monitor and report on significant events and changes in the project;
13. submit a monthly summary progress report to the *Chief Building Official* during construction of the project;
14. consult with the *Chief Building Official* if any unresolved variances in interpretation of the Building By-law arise between the CP, and the "Registered Professionals of Record";
15. consult with the *Chief Building Official* if any unresolved issues with respect to the Building By-law arise between the CP and the contractor;

Project _____ Date: _____
 Address: _____ Building Permit No.: _____

"Code coordination" (cont'd):

16. review relevant shop drawings with respect to the requirements of Division A, Division B, Parts 1 and 3 and Division C of the Building By-law;
17. notify the *Chief Building Official* in a timely manner of any significant known, unresolved contraventions of the Building By-law or Building Permit requirements;
18. obtain the necessary letters of Assurance of Professional *Field Review* and Compliance from the "Registered Professionals of Record" for the project and deliver the originals of same to the *Chief Building Official* when applying for the occupancy permit for the project;
19. obtain the other necessary documents required to support the occupancy permit application and deliver same to the *Chief Building Official* when applying for the occupancy permit for the project;
20. apply for occupancy approval for the project in accordance with the process as described in the Building By-law; and
21. apply the CP stamp to all relevant documents that are submitted to the *Chief Building Official*. Affixing his or her CP stamp to a document confirms that the CP has provided the relevant portion of "code coordination" applicable to that document.

"Design review" means the activities necessary to ascertain that the design of the project will substantially comply, in all material respects, with the requirements of Division A; Division B, Parts 1 and 3; and Division C of the Building By-law.

"Monitoring field review activities" means ascertaining that the "Registered Professionals of Record" are providing *field reviews* as required by Div C, Part 2 of the Building By-law, and includes keeping records of all *field review* reports prepared by each Registered Professional of Record. The owner will instruct each "Registered Professional of Record" to highlight in his or her field review reports any significant variation from the documents accepted in support of the building permit and any corrective action as needed. The CP will review the variations highlighted in the *field review* reports and notify the *Chief Building Official*, in a timely manner, of significant unresolved variations from the documents accepted in support of the building permit.

"Registered Professional of Record" means a *registered professional* retained to undertake design work and *field review* pursuant to Schedules B and C-B of Subsection 2.7 in Division C of the Building By-law.

"Site review" means the activities necessary in the CP's professional judgment to ascertain that the construction of the project substantially complies, in all material respects, with the requirements of Division A; Division B, Parts 1 and 3; and Division C of the Building By-law and the requirements of the building permit and monitoring for compliance with the development permit issued for the project.

In addition to "code coordination" the undersigned *owner* and CP also acknowledge that:

1. If the project involves future tenant improvement works, and the base *building* occupancy is not achieved prior to commencement of the tenant improvement works, the involvement of the CP may be required; and,
2. The *owner* and the CP are each required to notify the *Chief Building Official* on or before the date the CP ceases to be retained by the *owner*. It is understood that work on the above project will cease as of the effective date of such termination, until such time as a new appointment is made, and a *Stop Work Order* shall be posted upon the said project by the *Chief Building Official*.

Project _____ Date: _____
 Address: _____ Building _____
 Permit No.: _____

NOTE: This letter must be signed by the *owner* or the *owner's* appointed agent and by the CP. An agent's letter of appointment must be attached. If the owner is a corporation, the letter must be signed by a signing officer of the corporation and the signing officer must set forth his or her position in the corporation.

Owner Information (please print):

Owner's Name: _____ Name and title of Signing Officer, or Agent (if Applicable): _____
 Address: _____ Tel: _____
 City: _____ Email: _____
 Postal Code: _____ Signature: _____

Owner's or Owner's appointed agent's Signature (If owner is a corporation the signature of a signing officer must be given here. If the signature is that of the agent, a copy of the document that appoints the agent must be attached.)


NOTE: A **Certified Professional** means an Architect or Professional Engineer who has been recognized as qualified as a **Certified Professional** by the **Chief Building Official** pursuant to the Certification of Professionals By-law.

Certified Professional (please print):

Name: _____ Name of Firm: _____
 Address: _____ Tel: _____
 City: _____ Email: _____
 Postal Code: _____ Signature: _____

(Affix *Certified Professional's* stamp here)

(Affix *Certified Professional's* professional seal here)

 <p>CITY OF VANCOUVER</p>	<p>Schedule CP-2 Confirmation of Completion of Code Coordination</p> <p style="font-size: small;">Certified Professional Program An Alternate Building Permit Process</p>
---	---

- Notes:
1. This letter is endorsed by the Architectural Institute of British Columbia and the Association of Professional Engineers and Geoscientists of British Columbia.
 2. Words in italics are given the same meaning as defined in the Vancouver Building By-law.
 3. Words in quotations are defined in Schedule CP-1.

To: *Chief Building Official* Date: _____

Project Building _____

Address: _____ Permit No.: _____

I confirm that I have fulfilled my obligations for “code coordination” as outlined in my previously submitted Schedule CP-1 entitled **Confirmation of Commitment by *Owner* and *Certified Professional***.

I enclose the relevant occupancy permit documents as listed on the attached **Occupancy Permit Submission Documents Checklist**.

NOTE: A *Certified Professional* means an Architect or Professional Engineer who has been recognized as qualified as a *Certified Professional* by the *Chief Building Official* pursuant to the Certification of Professionals By-law.

Certified Professional:

Name: _____	Name of Firm: _____
Address: _____	Tel: _____
City: _____	Email: _____
Postal Code: _____	Signature: _____

(Affix *Certified Professional's* stamp here)

(Affix *Certified Professional's* professional seal here)

	<p>Schedule CP-3 Confirmation of Tenant Improvement Compatibility</p> <p style="font-size: small;">Certified Professional Program An Alternate Building Permit Process</p>
---	--

- Notes:
1. This letter is endorsed by the Architectural Institute of British Columbia and the Association of Professional Engineers and Geoscientists of British Columbia.
 2. Words in italics are given the same meaning as defined in the Vancouver Building By-law.
 3. Words in quotations are defined in Schedule CP-1.
 4. The phrase "Building By-law" where used in this letter means the Vancouver Building By-law.

To: *Chief Building Official* Date: _____

Base Building Base Building

Project Address: _____ Permit No.: _____

Specific Location of Tenant Improvement: _____

I confirm that I have reviewed the drawings on the attached list to ascertain that the tenant improvement design is substantially compatible with the original building by-law concepts for the base *building*.

I confirm that the construction of the base *building* shell space for this tenant improvement is essentially complete with the exception of the items indicated on the attached list.

NOTE: A ***Certified Professional*** means an Architect or Professional Engineer who has been recognized as qualified as a ***Certified Professional*** by the *Chief Building Official* pursuant to the Certification of Professionals By-law.

Certified Professional:

Name: _____	Name of Firm: _____
Address: _____	Tel: _____
City: _____	Email: _____
Postal Code: _____	Signature: _____

(Affix *Certified Professional's* stamp here)

(Affix *Certified Professional's* professional seal here)