

*Change of Use or Occupancy.*

34. When a building has been erected pursuant to a permit issued under this by-law, no person shall thereafter, without the previous written consent of the Council, use or occupy such building or any part thereof, or cause or permit such building or any part thereof to be used or occupied, for any purpose not set out in the application for such permit :

Provided that this clause shall not apply if the fresh purpose would not, if it had been the purpose set out in the application for a permit, have given the Council the right under this by-law to require any additional or other requirement as to design, construction, material, or otherwise besides the requirements subject to compliance with which the permit was deemed to be granted.

35. When a building has been erected pursuant to a permit issued under this by-law, no person shall, without the previous written consent of the Council, affix thereto or place therein or in any part thereof, or cause or permit to be so affixed or placed, any dead load or floor-load exceeding in weight the maximum loads assumed in making any calculations submitted to the Council in connection with the application for such permit.

36. Any consent applied for under the two last preceding clauses hereof may be granted or withheld in the discretion of the Council ; and the Council in granting any such consent may impose such conditions as to the period for which the building or any part thereof may be used under such consent, or as to the period during which or the amount by which the said assumed maximum loads may be exceeded, or as to any other matter as it may in its discretion think fit.

## PART VI.—OFFENCES AND PENALTIES.

*Offences.*

37. Every person is guilty of a breach of this by-law who—

- (i) Erects any building without first obtaining a building permit from the Council under this by-law ; or
- (ii) Causes or permits any building to be erected if a building permit in that behalf has not first been obtained from the Council ; or
- (iii) Assists or is concerned in the erection of any building for the erection of which a building permit has not first been obtained from the Council ; or
- (iv) Erects any building, or causes or permits any building to be erected or assists or is concerned in the erection of any building otherwise than on the site shown in the application, or otherwise than subject to compliance in every respect with the plans, elevations, cross-sections, and specifications submitted to and approved by the Council ; or
- (v) Uses or occupies, or causes or permits to be used or occupied, a building or any part thereof contrary to the provisions of clause 34 of this by-law ; or
- (vi) Affixes or places to or in a building or any part thereof any dead load or floor-load contrary to the provisions of clause 35 of this by-law ; or
- (vii) Uses or occupies, or causes or permits to be used or occupied, a building or any part thereof, or affixes or places to or in a building or any part thereof any dead load or floor-load contrary to any condition imposed in a consent pursuant to clause 36 of this by-law.

38. Every person who is guilty of a breach of this by-law is subject to the penalties prescribed in section 360 of the said Act.

*Power to demolish.*

39. The Council or any officer thereof authorized by the Council in that behalf may pull down, remove, or alter any work, material, or thing erected or being in contravention of this by-law, and may recover from the person committing the breach all expenses incurred by the Council in connection with such pulling-down, removal, or alteration.

## APPENDIX II.—DRAFT CLAUSES FOR INCORPORATION IN A UNIFORM CODE FOR THE DOMINION.

**NOTE.**—These draft clauses are not in by-law form and are subject to alteration. They are issued for discussion only, pending the preparation of a Dominion Building Code. It is intended, however, that the General Earthquake Building By-law should be adopted immediately.

**CAUTION.**—The working unit stresses now proposed are in some important instances substantially higher than those at present in general use. It is important, therefore, that a competent structural engineer be engaged on all buildings of any considerable magnitude. The engineer must have made a study of the resistance of monolithic frames to combined vertical and horizontal forces, and should have some control over the inspection during construction. The workmanship must be up to best engineering practice.