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MANAGER'S REPORT NO.	69
COUNCIL MEETING	1979 10 15

RE: BURNABY BUILDING BY-LAW NO. 6333
INSURANCE - OVERHANGING SIGNS

Following is a report from the Chief Building Inspector regarding a proposal to delete a section from the Building By-Law.

RECOMMENDATION:

1. THAT the recommendation of the Chief Building Inspector be adopted.

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TO: MUNICIPAL MANAGER

1979 OCTOBER 04

FROM: CHIEF BUILDING INSPECTOR

RE: BURNABY BUILDING BY-LAW NO. 6333
INSURANCE - OVERHANGING SIGNS

RECOMMENDATION

1. THAT Burnaby Building By-law No. 6333 be amended by deleting therefrom Section 5.(1), Subsection (c).

REPORT

Burnaby Building By-law provides in Section 5.(1)(c) that:

"5. (1) Every person shall

- (c) prior to obtaining a permit for a sign, canopy, awning, marquee or other form of street occupancy, obtain public liability and property damage insurance in respect of the said sign, canopy, awning, marquee or other form of street occupancy and file with the Building Inspector a Certificate of Insurance in the form prescribed in Appendix B attached hereto."

A copy of Appendix B is attached hereto.

The above provision of the Building By-law came into effect in 1965 when a former By-law No. 540 (1926 vintage) was repealed and replaced by the first of a series of building by-laws based on use of the National Building Code.

In practise, on receipt of the required policies, it has been customary for the Building Department to forward them to Treasury for examination as to adequacy, and to see that they are renewed when due. Now that this procedure is in the process of being turned over to the Legal Department, which has

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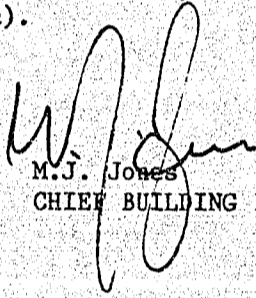
assumed Treasury's responsibilities for insurance matters, a review has been made to see whether or not the policies are indeed necessary to safeguard the Corporation's interests. It has been concluded that they are not.

The Corporation's insurance consultant, Block Bros. & Robertson Ltd., advises that the Corporation's liability insurance adequately covers the Corporation in the event of mishap arising from various forms of street occupancy, such as overhanging signs, as may be granted by the Corporation by permit.

Under the circumstances, it is recommended that Burnaby Building By-law No. 6333 be amended by deleting therefrom Section 5.(1)(c). This change will result in a saving of the staff time involved in processing the policies. The Municipal Solicitor concurs in this recommendation.

It is therefore recommended:

THAT Burnaby Building By-law No. 6333 be amended by deleting therefrom Section 5.(1), Subsection (c).


M.J. Jones
CHIEF BUILDING INSPECTOR

MJJ:lm
Enc.

c.c. MUNICIPAL SOLICITOR
MUNICIPAL TREASURER

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APPENDIX "B"

INSURANCE CERTIFICATE

The _____
being an Insurance Company licensed to conduct business in the Province of British Columbia hereby certify that: _____
_____ is
the holder of a Bodily Injury and Property Damage Liability Policy No. _____
_____ which has been issued in respect of _____
_____ located at: _____
and is in full force and effect and shall not be cancelled, expire or be terminated without 30 (thirty) days prior notice in writing has been filed with The Corporation of the District of Burnaby, B.C. hereinafter referred to as the Corporation.

A permit having been granted by the Corporation for the installation and maintenance of a _____
at any time during the currency of this policy, the said policy has been issued to indemnify the Corporation against loss by reason of accidents which might result therefrom and it is hereby understood and agreed that the insurance provided by this policy shall first be used to indemnify the Corporation against all loss, costs, expenses, damages and claims arising from the liability imposed by law upon the said Corporation for damage on account of bodily injuries accidentally sustained including death resulting therefrom as well as for property damage sustained by the said Corporation and for all property damage for which the said Corporation may be held liable by reason of the construction, installation, maintenance, use, non-repair, servicing, or removal of the said _____ provided that
the insurer's liability shall not in any event exceed in amount the limits named in this policy.

The legal liability shall be:

Public Liability: One Person:	\$ 50,000.00
Two or more Persons:	\$100,000.00
Property Damage:	\$ 10,000.00

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Any terms, conditions, agreements, or exclusions contained in the policy shall not be held applicable to the prejudice of the said Corporation.

Policy shall remain in full force and effect and shall not be cancelled, expired, or be terminated without 30 (thirty) days' prior notice in writing having been filed with the Corporation.

NOTE: (1) If more than one sign, company or metal awning is involved, their names and locations must appear on an attached listing.