

**SCHEDULE "E"**  
**OWNER'S UNDERTAKINGS**

- NOTE 1:** To be submitted prior to issuance of a **building permit**.  
**NOTE 2:** Only an original Schedule printed by the **City** of Kelowna or an unaltered photocopy of this Schedule is to be completed and submitted.

**City** of Kelowna  
1435 Water Street  
Kelowna, BC  
V1Y 1J4

Attention: Building & Permitting Branch Manager

Dear Sirs:

Re: Address  
**Building Permit** Application No.  
(the "Project")

In consideration of the **City** accepting and processing the above application for a **building permit**, and as required by the **City's Building** Bylaw No. 7245, the following representations, warranties, and indemnities are given to the **City**.

1. That I am:  
( ) the **Owner** of the above property; or  
( ) authorized by the **Owner** of the property described above to make this application

2. That I have authorized:

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
Address (Print)

to make application for the above **permit** on my behalf.

3. That I will comply with or cause those whom I employ to comply with the **Building Code** and all bylaws of the **City** and other statutes and regulations in force in the **City** relating to the development, **work**, undertaking or permission in respect of which this application is made.
4. That I understand and acknowledge that I am fully responsible for carrying out the work, or having the work carried out, in accordance with the requirements of the **Building Code**, the **Building** Bylaw and all other bylaws of the **City**.

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**CITY OF KELOWNA BUILDING BYLAW**

If Owner is company:

Party(ies) Signature(s)  
(FULL COMPANY NAME)  
By its authorized signatory(ies):

Witness Information

\_\_\_\_\_  
(full name of signatory)

\_\_\_\_\_  
Name (Print)

\_\_\_\_\_  
(full name of signatory)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address (Print)

\_\_\_\_\_  
Occupation (Print)

The above must be signed by the **Owner** or his appointed **Agent**. The signature must be witnessed. If the **Owner** is a company, the authorized signatory(ies) must sign.

Please note the following provisions from the **Building** Bylaw:

**1.4 Duty of Care**

1.4.1 This bylaw does not create a duty of care in respect of the **City, Council** members, the **Building Inspector**, or employees or **Agents** of the **City** in respect of:

- (a) issuance of a **permit** under this bylaw;
- (b) review of the plans and supporting documents;
- (c) inspections made by the **Building Inspector** or failure to make such inspections; or
- (d) enforcement or failure to enforce the **building code** or the provisions of this bylaw.

**1.5 Cause of Action**

1.5.1 Neither a failure to administer or enforce, nor incomplete or inadequate administration or enforcement of the **building code** or the provisions of the bylaw, nor any error, omission or other neglect in relation to the issuance of a **permit** under this bylaw, the review of the plans and supporting documents, or inspections made by the **Building Inspector** shall give rise to a cause of action in favour of any **Person**, including the **Owner**.

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1.6 **Warranty of Representation**

1.6.1 Neither the issuance of a **permit** under this bylaw, the review of the plans and supporting documents, nor inspections made by the **Building Inspector** shall in any way constitute a representation, warranty or statement that the **building code** or this bylaw has been complied with and no **Person** shall rely on any of the above listed matters as establishing compliance with the **building code** or this bylaw.

1.7 **Owner's Responsibility**

1.7.1 It shall be the full responsibility of the **Owner** or his **Agent** to carry out the **work** or have the **work** carried out in substantial accordance with the requirements of the **building code**, this bylaw and the other bylaws of the **City** and neither the issuance of a **permit** under this bylaw, the review of plans and supporting documents, nor inspections made by the **Building Inspector** shall relieve the **Owner** or his **Agent** from this responsibility.