

**IN THE MATTER OF THE *ENGINEERS AND GEOSCIENTISTS ACT*  
R.S.B.C., 1996, c. 116, as amended**

- and -

**IN THE MATTER OF RICHARD O. VISSCHER, P.Eng.**

**CONSENT ORDER**

Dated for reference July 27, 2012.

**WHEREAS** Richard O. Visscher, P.Eng. ("Mr. Visscher"), was served with a Notice of Inquiry dated June 6, 2012 that contained the following allegation:

**AND TAKE NOTICE** that the allegation against you is that contrary to the *Act*, you have demonstrated unprofessional conduct in your sealed, signed and dated January 26, 2011 structural drawings for 2 concrete tilt-up panel/open web steel joist/metal deck roof system buildings on [REDACTED] Kelowna, British Columbia ("Structural Drawings") which did not meet the requirements of the 2006 British Columbia Building Code (2006 BCBC). In particular, the Structural Drawings contained one or more of the following deficiencies:

1. the seismic base shear was not calculated in accordance with section 4.1.8.11 of the 2006 BCBC;
2. the diaphragm was not designed for the correct load due to the error in the base shear calculation, but even if the load was correct the diaphragm was not designed correctly in accordance with section 4.1.8.15 of the 2006 BCBC;
3. the interior columns are undersized based on the incorrect use of class H steel sections rather than class C steel sections;
4. the lack of details for the steel beam/column connections;
5. the tilt-up panel design is incomplete; the section marks are not consistent between panels and details, section B/S8 does not exist, but is called up for a critical leg, it is not possible to determine opening size and

location as these are not dimensioned anywhere and details C and E show the same inadequate reinforcing for wind out plane loading; and

6. the centre leg of panels 6 and 7 carry well over 50% of the load for the panels and have no connection to the slab for either in plane or out of plane forces.

**AND WHEREAS** the Association of Professional Engineers and Geoscientists of British Columbia ("Association") and Mr. Visscher wish to resolve this matter by consent in order to avoid the need for a disciplinary inquiry.

**AND WHEREAS** Mr. Visscher admits the allegation in the Notice of Inquiry.

**THEREFORE** by consent, this Order is hereby made, pursuant to the *Engineers and Geoscientists Act (Act)*, specifically s. 32.1.

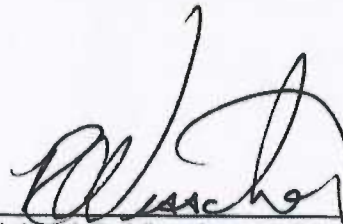
- (a) Mr. Visscher is hereby reprimanded;
- (b) Mr. Visscher will have a condition imposed on his membership in the Association that from the reference date of the Consent Order he not practice professional engineering except under the direct supervision of another member of the Association, approved in advance and in writing by the Registrar of the Association. The costs of this supervision are to be borne by Mr. Visscher. The supervising engineer must provide reports every 90 days to the Registrar about Mr. Visscher's work under supervision. This supervision will be for at least 12 months and will continue until Mr. Visscher has successfully completed the BC Codes and Practices examination (70% passing grade) and a final report has been provided to the Registrar from the supervising engineer acceptable to the Registrar. If the Registrar is not satisfied with the final report, all reports of the supervising engineer will be provided to the Discipline Committee review panel to determine if the supervision of Mr. Visscher should continue and for how long, in accordance with section 34 of the *Act*;
- (c) Mr. Visscher shall pay the Association's legal costs up to a limit of \$3,000 (they are currently \$2,571.72) within 60 days of the reference date of the Consent Order;
- (d) Mr. Visscher will pay a fine to the Association of \$10,000, payable to the Association within 60 days of the reference date of the Consent Order;
- (e) If the fine is not paid within 60 days Mr. Visscher's membership will be suspended until such time as the fine is paid and during such suspension the condition in paragraph (b) will be suspended, and any engineering services Mr. Visscher provides, if any, through another member of the Association will have to be supervised by the supervisor approved in paragraph (b); and
- (f) If the costs are not paid within 60 days the Discipline Committee may order that, without a further inquiry, pursuant to the *Act* section 35 (5), Mr. Visscher's membership

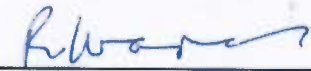
will be suspended until such time as the costs are paid and during such suspension the condition in paragraph (b) will be suspended, and any engineering services Mr. Visscher provides, if any, through another member of the Association will have to be supervised by the supervisor approved in paragraph (b).

This Consent Order has the same force and effect as an Order made under section 33(2) of the Act and may be dealt with under section 34 of the Act if conditions in the Consent Order are not met.

This Consent Order is approved and accepted by Mr. Visscher and a member of the Discipline Committee this 16<sup>th</sup> day of July, 2012.

  
Mahdi Nazdinejad P.ENG  
Witness

  
Richard O. Visscher, P.Eng.

  
Roy Wares, P.Eng.  
Chair, Discipline Committee