

BYLAW NO. 2007-06

A BYLAW RESPECTING BUILDING

The Council of the R.M. of Aberdeen No. 373 in the Province of Saskatchewan enacts as follows:

1.0 SHORT TITLE

1) This bylaw may be cited as the Building Bylaw.

2.0 INTERPRETATION/LEGISLATION

- 1) “Act” means The Uniform Building and Accessibility Standards Act being Chapter U-1.2 of the Statutes of Saskatchewan, 1983-84 and amendments.
- 2) “Administrative Requirements” means The Administrative Requirements for Use with The National Building Code.
- 3) “Authorized Representative” means a building official appointed by the local authority pursuant to subsection 5(4) of the Act or the municipal official.
- 4) “Local Authority” means the Rural Municipality of Aberdeen No. 373.
- 5) “Regulations” means regulations made pursuant to the Act.
- 6) Definitions contained in the Act and Regulations shall apply in this bylaw.

3.0 SCOPE OF THE BYLAW

- 1) This bylaw applies to matters governed by the Act and the Regulations, including the National Building Code of Canada, and the Administrative Requirements.
- 2) Notwithstanding subsection (1), references and requirements in the Administrative Requirements respecting matters regulated by the Act and Regulations shall not apply.
- 3) Notwithstanding subsection (1), references and requirements in the Administrative Requirements respecting occupancy permits shall not apply except as and when required by the local authority or its authorized representative.

4.0 GENERAL

- 1) A permit is required whenever work regulated by the Act and Regulations is to be undertaken.
- 2) No owner or owner’s agent shall work or authorize work or allow work to proceed on a project for which a permit is required unless a valid permit exists for the work to be done.
- 3) The granting of any permit that is authorized by this bylaw shall not:
 - a) entitle the grantee, his successor or assigns, or anyone on his behalf to erect any building that fails to comply with the requirements of any building restriction agreement, bylaw, act and/or regulation affecting the site described in the permit, or

- b) make either the local authority or its authorized representative liable for damages or otherwise by reason of the fact that a building, the construction, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use or occupancy of which has been authorized by permit, does not comply with the requirements of any building restriction agreement, bylaw, act and/or regulation affecting the site described in the permit.

5.0 BUILDING PERMITS

- 1) Every application for a permit to construct, erect, place, alter, repair, renovate or reconstruct a building shall be in Form A, and shall be accompanied by two sets of the plans and specifications of the proposed building, except that when authorized by the local authority or its authorized representative plans and/or specifications need not be submitted. One set of the submitted plans shall be returned to the applicant together with any comments from the local authority and/or its authorized representative.
- 2) If the work described in an application for building permit, to the best of the knowledge of the local authority or its authorized representative, complies with the requirements of this bylaw, the local authority, upon receipt of the prescribed fee, shall issue a permit in Form B.
- 3) The local authority may, at its discretion, have plan review, inspection and other services for the purpose of enforcement of the Act and Regulations provided by building officials designated by the minister to assist the local authority pursuant to subsection 4(4) of the Act.
- 4) The local authority may, at its discretion, have plan review, inspection and other services provided by a person, firm or corporation employed under contract to the local authority.
- 5) The permit fee for construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be based on the following fee schedule.

a) Building Permit Fee Schedule

- i) One-unit dwellings and accessory buildings for one-unit dwellings:
 - a) 0-\$300,000 construction value
\$6.00 per \$1,000 of value
 - \$301,000-3,000,000 construction value
\$5.00 per \$1,000 of value
 - over \$3,000,000 construction value
\$4.00 per \$1,000 of value
 - b) minimum building permit fee: \$100
- ii) All other buildings:
 - a) 0-\$150,000 construction value
\$6.00 per \$1,000 of value
 - \$150,000-500,000 construction value
\$5.00 per \$1,000 of value
 - \$500,000-3,000,000 construction value
\$4.00 per \$1,000 of value
 - over \$3,000,000 construction value
\$3.50 per \$1,000 of value
 - b) minimum building permit fee: \$200
- iii) Moved-in buildings: \$300.00 pre-move inspection fee in addition to the above-noted building permit fees.
- iv) Farm buildings **excluding farm residences** are exempt from the above-noted fees.

- b)
 - i) In addition, the applicant shall deposit \$1,000.00 with the local authority as a Performance Bond.
 - ii) If the applicant completes the work as authorized by the Building Permit and is issued a Certificate of Completion by the local authority or it's authorized representative within the time limits as stated, the sum deposited shall be refunded
- 6) The local authority may estimate the value of construction for the work described in an application for building permit, for the purpose of evaluating a permit fee, based on established construction costs, owner's statement of costs or constructor's contract values, or similar methods selected by the local authority.
- 7) Approval in writing from the local authority or its authorized representative is required for any deviation, omission or revision to work for which a permit has been issued under this section.
- 8) All permits issued under this section expire:
 - a) twelve(12) months from date of issue if work is not commenced within that period, or
 - b) if work is suspended for a period of six (6) months without prior written agreement of the local authority or its authorized representative.
- 9) The local authority may, at its discretion, rebate a portion of a permit fee where work is reduced in scope or discontinued, or where other exceptional circumstances occur.

6.0 DEMOLITION OR REMOVAL PERMITS

- 1) a) The fee for a permit to demolish or remove a building shall be \$10.00.
 - b)
 - i) In addition, the applicant shall deposit \$300.00 with the local authority to cover the cost of restoring the site after the building has been demolished or removed to such condition that it is, in the opinion of the local authority or its authorized representative, not dangerous to public safety.
 - ii) If the applicant who demolishes or removes the building restores the site to a condition satisfactory to the local authority or its authorized representative, the sum deposited, or portion thereof, shall be refunded.
- 2) a) Every application for a permit to demolish or remove a building shall be in Form C.
 - b) In addition, every application to remove a building from its site and set it upon another site in the local authority shall be in Form A.
- 3) Where a building is to be demolished and the local authority or its authorized representative is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, the local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the demolition in Form D.
- 4) Where a building is to be removed from the local authority, and the local authority or its authorized representative is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, the local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form D.

- 5) a) Where a building is to be removed from its site and set upon another site in the local authority, and the local authority or its authorized representative is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, and the building when placed on its new site and completed, to the best of the knowledge of the local authority or its authorized representative, will conform with the requirements of this bylaw, the local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form D.
- b) In addition, the local authority, upon receipt of the fee prescribed in Section 5(5), shall issue a permit for the placement of the building in Form B.
- 6) All permits issued under this section expire six (6) months from the date of issue except that a permit may be renewed for six (6) months upon written application to the local authority.

7.0 ENFORCEMENT OF BYLAW

- 1) If any building or part thereof or addition thereto is constructed, erected, placed, altered, repaired, renovated or reconstructed in contravention of any provision of this bylaw, the local authority or its authorized representative may take any measures as permitted by Part V of the Act for the purpose of ensuring compliance with this bylaw including, but not limited to:
 - a) entering a building,
 - b) ordering production of documents, tests, certificates, etc. relating to a building,
 - c) taking material samples,
 - d) issuing notices to owners that order actions within a prescribed time,
 - e) eliminating unsafe conditions,
 - f) completing actions, upon an owner's non-compliance with an order, and adding the expenses incurred to the tax payable on the property, and
 - g) obtaining restraining orders.
- 2) If any building, or part thereof, is in an unsafe condition due to its faulty construction, dilapidated state, abandonment, open or unguarded condition or any other reason, the local authority or its authorized representative may take any measures allowed by subsection (1).
- 3) The owner of a building for which a permit has been issued or for which actions are being taken in compliance with an order shall give notice in writing to the local authority as required in Section 17.2 of the Act including, but not limited to:
 - a) on start, progress and completion of construction,
 - b) of change in ownership prior to completion of construction, and
 - c) of intended partial occupancy prior to completion of construction.

8.0 SUPPLEMENTAL BUILDING STANDARDS

- 1) Any plan submitted for a wood basement shall have the design approval and certification of an architect or professional engineer registered in the province of Saskatchewan, except when deemed unnecessary by the local authority or its authorized representative because it conforms to CSA S406.

9.0 SPECIAL CONDITIONS

- 1) Notwithstanding the requirements of the Regulations, an architect or professional engineer registered in the province of Saskatchewan shall be engaged by the owner for assessment of design and inspection of construction or certification of a building or part of a building where required by the local authority or its authorized representative.
- 2) An up-to-date plan or survey of the site described in a permit or permit application prepared by a registered land surveyor shall be submitted by the owner where required by the local authority or its authorized representative.
- 3) It shall be the responsibility of the owner to ensure that change in property lines and/or change in ground elevations will not bring the building or an adjacent building into contravention of this bylaw.
- 4) It shall be the responsibility of the owner to arrange for all permits, inspections and certificates required by other applicable bylaws, acts and regulations.

10. PENALTY

- 1) Any person who contravenes any of the provisions of this bylaw shall be liable to the penalties provided in Section 22 of the Act.
- 2) Conviction of a person or corporation for breach of any provision of this bylaw shall not relieve him from compliance therewith.

11. REPEAL OF BYLAWS

- 1) Bylaw No. 9408 is hereby repealed.

Enacted pursuant to Section 14 of
The Uniform Building and Accessibility Standards Act

Reeve

Administrator

Certified a true Copy of
Bylaw No. 2007-06 adopted by
Resolution No. 255/07 of the
R.M. of Aberdeen No. 373 Council
October 15, 2007.

Gary Dziadyk (Administrator)

Real Hamoline (Reeve)

**Form A to
BYLAW NO. 2007-06
RURAL MUNICIPLITY OF ABERDEEN NO. 373
Application for a Building Permit**

_____, 20 _____

I hereby make application for a permit to:

_____ construct _____ alter _____ reconstruct

A building according to the information below and to the plans attached to this application.

Legal Description: _____

Owner: _____

Address: _____

Contractor: _____

Nature of work: _____

Intended use of building: _____

Size of Building: Length _____ Width _____ Height _____

Construction Details:

Please attach the following information (plans):

- Foundation** – overall size of the foundation; size and location of footings, piles, foundation walls; size and location of openings for doors, and windows; foundation drainage.
- Floor Plan** – size and location of interior and exterior walls; exits; fire separations; doors (including door swings and hardware); stairs; windows; barrier-free entrances; barrier-free washrooms; other barrier-free facilities; built-in furnishings.
- Structural Plans** – size, material and location of columns; beams; joists; studs; rafters; trusses; masonry walls; poured in place and precast concrete walls and floors; related structural details.
- Elevations** – views of all sides of the building; height of finished grade; exterior finishing materials; size and location of doors and windows; location of chimneys.
- Cross-Sections and Details** – cut through views of the building; lists of all materials cut through including structural and finishing materials; vertical dimensions; stair dimensions and handrails; height of finished grade; wind, water and vapor protection; insulation.
- Mechanical Plans** – description and location of heating, ventilating and air-conditioning equipment; size and location of ductwork; location of fire dampers; location of plumbing fixtures and piping; size and location of sprinkler system equipment (if applicable).
- Electrical Plans** – type and location of lighting; electrical panels; fire alarm systems; location of exit lights, and emergency lighting (if applicable).

Estimated cost of building (excluding site) \$ _____

Floor area of building (excl unfinished basement) _____ sq meters

Fee for building permit \$ _____

I hereby agree to comply with the bylaw of the municipality respecting buildings and acknowledge that it is my responsibility to ensure compliance with the Building Bylaw of the Municipality, the National Building Code and any applicable Act or Regulations regardless of any review of drawings or inspections that may or may not be carried out by a building official of the Municipality.

Signature of Applicant

**Form B to
Bylaw 2007-06
RURAL MUNICIPALITY OF ABERDEEN NO. 373
Building Permit # _____**

_____, 20 _____

Permission is hereby granted to _____

to construct

alter

reconstruct

a building to be used as a _____

on _____

in accordance with the application dated _____, 20 _____

This permit expires twelve months from the date of issue if the work is not commenced within that period or if the work is suspended for a period of six months. Below, please provide a sketch showing:

- a) Dimensions and lot lines of parcel(s) or lots
- b) Dimensions and locations of all existing and proposed building (including sewage disposal system and well) showing distances from lot lines.
- c) Location of power, gas or telephone lines, railways and municipal roads
- d) Topographical features (water courses, ponds, drainage ditches, swamps, wooded areas).
- e) Adjoining land uses e.g. residential, agricultural, pasture, etc.
- f) North directional arrow.

This permit is issued under the following conditions:

All items noted in the remarks section of the attached Plan Examination Report must be complied with.

Any deviation, omission or revision to the approved application requires the approval of Council or its authorized representative.

Estimated cost of building \$ _____

Authorized Representative

**Form C to
Bylaw 2007-06
RURAL MUNICIPALITY OF ABERDEEN NO. 373
Application for a Permit to Demolish or Move a Building**

_____ , _____

I hereby make application for a permit to demolish a building now situated on:

The demolition will commence on _____ , _____ .

and will be completed on _____ , _____ .

OR

I hereby make application for a permit to move a building now situated on:

to

or _____ out of the municipality.

The building has the following dimensions:

_____ Length _____ Width _____ Height

The building mover will be _____

and the date of the move will be _____ , _____

The building will be moved over the following route:

Site work (filling, final grading, landscaping, etc.) which will be done after the demolition or removal of the building includes:

I hereby agree to comply with the provisions of the Building Bylaw of the Municipality and to become responsible and pay for any damage done to any property as a result of the moving of the said building, and to deposit such sum as may be required by Section 6.1.b of the said bylaw. I acknowledge that it is my responsibility to ensure compliance with any other applicable bylaws, Acts and regulations, and to obtain all required permits and approvals prior to removing the building.

Signature of Applicant

**Form D to
Bylaw 2007-06
RURAL MUNICIPALITY OF ABERDEEN NO. 373
Permit to Demolish or Move a Building**

_____ , _____

Permission is hereby granted to _____ to
(name of applicant)

_____ Demolish OR _____ Move

a building now situated on _____
to _____
or out of the municipality to _____
in accordance with the application dated _____ , _____

This permit expires six months from the date of issue

This permit is issued under the following conditions:

Any deviation, omission or revision to the approved application requires approval of the local authority or its authorized representative.

Permit Fee \$ _____

Deposit Fee \$ _____

Date

Authorized Representative