

BYLAW NO. 4 /2018

A BYLAW OF THE RURAL MUNICIPALITY OF LEASK NO. 464, IN THE PROVINCE OF SASKATCHEWAN RESPECTING BUILDINGS

The Council of the Rural Municipality of Leask No. 464 in the Province of Saskatchewan enacts as follows:

1. SHORT TITLE

This bylaw may be cited as the Building Bylaw.

2. INTERPRETATION/LEGISLATION

2.1 “Act” means The Uniform Building and Accessibility Standards Act being Chapter U-1.2 of the Statutes of Saskatchewan, 1983-84 and amendments.

2.2 “Regulations” means regulations made pursuant to the Act.

2.3 “Administrative Requirements” means the Administrative Requirements for use with the National Building Code.

2.4 “Local Authority” means the Rural Municipality of Leask No. 464.

2.5 “Council” means the council of the Rural Municipality of Leask No. 464

2.6 “Authorized representative” means a building official appointed by the local authority pursuant to subsection 5(4) of the Act or the municipal official.

2.7 “Work” means any construction, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building.

2.7 Definitions contained in the Act and regulations shall apply in this bylaw.

3. SCOPE OF THE BYLAW

3.1 This bylaw applies to matters governed by the Act and Regulations, including the *National Code of Canada* and the Administrative Requirements.

3.2 Notwithstanding the definition of farm building as per the Act, this bylaw applies to all residential occupancies including one and two unit dwellings associated with farming operations.

3.2 Notwithstanding subsection (1) references and requirements in the Administrative Requirements respecting matters regulated by the Act and Regulations shall not apply.

3.3 Notwithstanding subsection (1) references and requirements in the Administrative Requirements respecting “occupancy permits” shall not apply except as and when required by Council or its authorized representative.

3.4 An accessory building not greater than 10 m² (108 ft²) is exempt from this bylaw provided it does not create a hazard.

4. GENERAL

4.1 A permit is required whenever work regulated by the Act and Regulations is to be undertaken.

4.2 No owner or agent of the owner 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.

4.3 The granting of any permit which 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 any municipal official or any inspector appointed by the local authority liable for damages or otherwise by reason of the fact that a building, the placement, erection, construction, alteration, repair, renovation, reconstruction demolition, relocation removal, use or occupancy of which has been authorized by permit, does not comply with the requirements of any such building restriction agreement, bylaw, Act and/or regulation affecting the site described in the permit.

5. BUILDING PERMITS

- 5.1 Every Application for a permit to erect, place, construct, alter, repair, renovate, or reconstruct a building shall be in a form provided by the local authority, and shall be accompanied by two sets of the plans and specification of the proposed building, except that when authorized by an inspector plans and specifications need not be submitted.
- 5.2 If the work described in an Application for Building Permit, to the best of 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 a form provided by the local authority and return one (1) set of submitted plans to the applicant.
- 5.3 The permit fee for construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be based on the following conditions:
 - a) a permit administration fee for the handling, processing and issuance of a building permit; plus
 - b) the service fees for plan review, field inspection of construction and enforcement services; plus
 - c) a maintenance fee(s) charged by the Saskatchewan Assessment Management Agency.
 - d) permit fees will be collected prior to the permit being issued and subject to applicable taxes.
- 5.4 Approval in writing from Council or its authorized representative is required for any deviation, omission or revision to work for which a permit has been issued under this section.
- 5.5 All permits issued under this section expire:
 - a) 24 months from date of issue, or
 - b) 6 months from date of issue if work is not commenced within that period, or
 - c) If work is suspended for a period of six months, or
 - d) If work is suspended for a period of longer than six months, by prior written agreement of the Council or its authorized representative.
- 5.6 Where a permit has expired as per subsection 5.5 the owner can make application to the local authority or its authorized representative for the renewal of the permit. Such renewal may be subject to a building permit renewal fee equal to fees required in subsection 5.3 or some alternate renewal fee.
- 5.7 Council 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. BUILDING OFFICIAL

- 6.1 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.
- 6.2 Council may, at its discretion, have plan review, inspection and other services for the purpose of enforcement of the Act and Regulations provided by an inspector or inspectors designated by the minister to assist the local authority pursuant to subsection 4(4) of the Act.

- 6.3 When necessary, the building official may require the owner/contractor of a building to engage an architect or professional engineer, registered in the Province of Saskatchewan, for an assessment of design and inspection of construction, or certification of a building or part of a building.
- 6.4 The building official may require the owner or contractor to supply additional plans, drawings or specifications pertaining to a building project where, in his opinion, the plans are unclear or do not comply to the minimum standards of the National Building Code, the Act or the Building Bylaw.

7. OBLIGATIONS of the OWNER

- 7.1 Every owner is responsible to obtain all required permits and approvals prior to commencement of the work to which they relate.
- 7.2 No person shall occupy a building until it has been approved for occupancy by the building official.
- 7.3 It shall be the responsibility of the owner to ensure that changes in ground elevations or changes in property lines will not bring the building or an adjacent building into contravention of this bylaw or the Zoning Bylaw.
- 7.4 It shall be the responsibility of the owner to arrange for all permits, inspections, and certifications required by other applicable Acts and regulations.

8. BUILDING INSPECTIONS

- 8.1 Pursuant to section 16(1)(a) of the Act, the building official may, at its discretion, inspect any building within the local authority at any time during any reasonable hour of the day.
- 8.2 Inspections may include, but shall not be limited to:
- a) Foundation inspection
 - b) Framing inspection
 - b) Final inspection
 - c) Basement development pre-inspection
 - d) Pre-move inspection
- 8.3 For all buildings requiring a permit, the owner, or its authorized agent, shall be required to notify the building official at least 24 hours in advance of the following:
- a) when the foundation is ready to be poured
 - b) prior to backfill
 - c) when a superstructure is to be placed on the foundation
 - d) when the building is ready for a framing inspection
 - e) when the building is substantially completed and prior to occupancy
- 8.4 The building official may require additional inspections at any time throughout the construction project.
- 8.5 Final Inspection and Approval for Occupancy
A building shall not be approved for occupancy until the local authority is satisfied that all outstanding infractions, as noted on the building official's final inspection report, have been corrected.

9. DEMOLITION OR REMOVAL PERMITS

- 9.1 The permit fee to demolish or move a building shall be as prescribed by local authority.
- 9.2 In addition, the applicant shall deposit with the local authority the sum of \$1,500.00 in the form of cash or certified cheque 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 Council or its authorized representative, not dangerous to public safety. Restoration of the site shall include the removal of all cement from said premises. If the applicant who demolishes or removed the building

restores the site to a condition satisfactory to the Council or its authorized representative, the sum deposited, or portion thereof, shall be refunded.

- 9.3 Every application for a permit to demolish or remove a building shall be in a form provided by the local authority.
- 9.4 Where a building is to be demolished and the local authority 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 a form provided by the local authority.
- 9.5 Where a building is to be removed from the local authority, and the local authority 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 a form provided by the local authority.
- 9.6
 - a) Where a building is to be removed from its site and set upon another site within the local authority, and the local authority is satisfied that there are not 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 Council 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 a form provided by the local authority.
 - b) In addition, the local authority, upon receipt of the fee prescribed in section 5.3, shall issue a permit for the placement of the building in a form provided by the local authority.
- 9.7 All permits issued under this section expire six months from the date of issue except that a permit may be renewed for six months upon written application to the local authority.

10 ENFORCEMENT OF BYLAW

- 10.1 If any building, or part thereof, or addition thereto is erected constructed, reconstructed, altered, removed or placed in contravention of any provision of this bylaw, the Council 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 which 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.
- 10.2 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 Council or its authorized representative may take any measures allowed by subsection 10.1.
- 10.3 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.

11. PENALTY

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

12. REPEAL

Bylaw No. 10/2014 is hereby repealed.

“SEAL”

Len Cantin

Reeve

Judy Douglas

Administrator

Read a first and second time the
8th day of August, 2018.

Read a third time and adopted
this 12 day of September, 2018

Len Cantin

Reeve

Judy Douglas

Administrator

FORM A
RURAL MUNICIPALITY OF LEASK NO. 464, SASKATCHEWAN
APPLICATION FOR BUILDING PERMIT

Date: _____

I hereby make application for a permit to:

_____ construct }
_____ alter } a building according to the information below and to the plans
_____ reconstruct } and documents attached to this application.

Civic Address or location of work: _____

Legal Description: Lot _____ Block _____ Plan _____

Owner: _____ Address: _____ Phone: _____

Designer: _____ Address: _____ Phone: _____

Contractor: _____ Address: _____ Phone: _____

Nature of Work: _____

Intended use of building: _____

Size of building: _____ Length _____ Width _____ Height _____

Number of: Storeys _____ Fire Escapes _____

If public building, state: width of stairways: _____ Number: _____

width of exits: _____ Number: _____

Construction Details

Footings _____ Material _____ Size _____

Foundations _____ Material _____ Size _____

Exterior Walls _____ Material _____ Size _____

Roof _____ Material _____ Size _____

Studding _____ Material _____ Size _____

Footings _____ Material _____ Size _____

Floor Joists _____ Material _____ Size _____

Girders _____ Material _____ Size _____

Rafters _____ Material _____ Size _____

Chimneys _____ Material _____ Size _____

Thickness _____ No. _____

Heating _____ Material _____ Size _____

Foundation Soil Classification and Type _____

Floor area of building (excluding unfinished basement) _____

I hereby agree to comply with the bylaw of the local authority respecting building and acknowledge that it is my responsibility to ensure compliance with the Building Bylaw of the local authority, 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 an inspector.

Date

Signature of Owner or Agent

FORM B

RURAL MUNICIPALITY OF LEASK NO. 464, SASKATCHEWAN

Building Permit No. _____

Permission is hereby granted to _____ for a _____

at Lot _____ Block _____ Plan No. _____ in accordance with the building plan comments in the attached document.

This permit expires six months from the date of issue if work is not commenced within that period, or if work is suspended for a period of six months, and two years after date of issue in all other cases unless otherwise authorized by the local authority or its authorized representative.

Required Inspections: as per attached Plan Examination Report from the Building Official.

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

Estimated cost of building \$ _____ Permit Fee \$ _____

Date

Authorized Municipal Official

FORM C

RURAL MUNICIPALITY OF LEASK NO. 464, SASKATCHEWAN
APPLICATION FOR A PERMIT TO MOVE OR DEMOLISH A BUILDING

DATE: _____

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

Civic Address or Location: _____

Lot _____ Block _____ Plan _____

The demolition will commence on _____, 20 _____, and will be completed on _____, 20 _____.

OR

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

Civic Address or Location: _____

Lot _____ Block _____ Plan _____

TO

Civic Address or Location: _____

Lot _____ Block _____ Plan _____

OR

_____ out of the Rural Municipality of Leask No. 464.

The building has the following dimensions:

Length: _____ Width: _____ Height: _____

The building Mover will be _____ and the date of the move will be _____, 20 _____.

The building will be moved over the following route: _____

The site work (removal of concrete, filling, final grading, landscaping, etc.) which will be done after removal of the building includes:

I hereby agree to comply with the provisions of the Building Bylaw of the local authority and to become responsible and pay for any damage done to any property as a result of the demolition or moving of the said building, and to deposit the sum of \$1,500.00 by cash or certified cheque. 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 demolishing or moving the building.

Date

Signature of Owner or Agent

FORM D

RURAL MUNICIPALITY OF LEASK NO. 464, Saskatchewan

MOVING OR DEMOLITION PERMIT NO. _____

Permission is hereby granted to: _____ to

_____ move

Or

_____ demolish

A building now situated on:

Civic Address or Location _____

Lot _____ Block _____ Plan _____

To

Civic Address or Location _____

Lot _____ Block _____ Plan _____

In accordance with application dated _____, 20 _____. 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 Council on its authorized representative.

Date

Authorized Municipal Official