

**RURAL MUNICIPALITY OF NORTH BATTLEFORD NO. 437**

**BYLAW 6-2016**

**A BYLAW RESPECTING BUILDING**

The Council of the R.M. of North Battleford No. 437, in the Province of Saskatchewan enacts as follows:

**SHORT TITLE**

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

**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) "Administrative Requirements" means *The Administrative Requirements for Use with The National Building Code*.  
  
(3) "Authoritative Representation" means a building official appointed by the local authority pursuant to subsection 5 (4) of the Act or the municipal official.  
  
(4) "Building Official" means a building official appointed pursuant to Section 5 of the Act.  
  
(5) "Local Authority" means the Rural Municipality of North Battleford No. 437  
  
(6) "Regulations" means regulations made pursuant to the Act.

**SCOPE OF THE BYLAW**

3. (1) This bylaw applies to matters governed by the Act, 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 Regulation 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.

## **GENERAL**

4. (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 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 it's 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 of 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.
- (4) A farm building, as defined and referenced by the Act and Regulations, is exempt from this bylaw.

## **BUILDING PERMITS**

5. (1) Every application for a permit to construct, erect, place, 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 including site plans and specifications of the proposed building, except that when authorized by the Building Official plans and/or specifications need not be submitted. Each site plan is to include all side yards, front yard, and rear yard setbacks and list any existing buildings.
- (2) A Building Official may require submission of an up-to-date real property report or survey prepared either before construction begins or upon completion of work by a registered land surveyor, as a condition of permit approval.
- (3) 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 a form provided by the local authority and return a "Plan Review Letter" to the applicant with conditions.

(4) 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 a Building Official or Building Officials designated by the Minister to assist the local authority pursuant to the subsection 4 (4) of the Act.

(5) 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) The permit fee for construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be based on the following:

(a) A permit administration fee for the processing, handling and issuance of a building permit fee equal to 10% of the service provider's fee; plus

(b) The service provider's fees for plan review, field inspection of construction and enforcement services in accordance with the agreement between the provider of building official services and the local authority; plus

(c) A maintenance fee charged by the Saskatchewan Assessment Management Agency.

(d) All permit fees will be collected prior to the permit being issued and subject to applicable taxes.

(7) Construction which commences prior to the issuance of a building permit will be subject to a special inspection fee. The special inspection fee will be calculated as double the amount of the fees as prescribed by the authorized representative fee schedule.

(8) Should an applicant cancel the building permit application after the Building Official has started the review of their application, the applicant will be charged the same as the service provider's inspection fee plus 10% administration costs.

(9) All permits issued under this section expire

(a) as per subsection 5 (10), or

(b) six 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.

(10) All permits issued under this section expire two years from the date of issue however for larger projects such as commercial and industrial buildings, the Building Official may provide an extension of that timeline while issuing the permit.

(11) The Building Official 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, owners statement of costs or constructor's contract values, or similar methods selected by the Building Official.

## **DEMOLITION OR REMOVAL PERMITS**

6. (1) The fee for a permit to demolish or remove a building shall be a fee of \$100.00.

(2) Every application for a permit to demolish or remove a building shall be made in a form provided by the local authority.

(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 outstanding with respect to the building or land on which the building is situated, the local authority, upon receipt of the fee, shall issue a permit for the demolition in a form provided by the local authority.

(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 outstanding with respect to the building or land on which the building is situated, the local authority, upon receipt of the fee, shall issue a permit for the removal in a form provided by the local authority.

(5) (a) Where a building is to be removed from its site and set upon another site in the municipality, 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 be in a form provided by the local authority with the requirements of this bylaw, the local authority, upon receipt of the fee, 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 6 (1), shall issue a permit for the placement of the building in a form provided by the local authority.

(6) 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.

## **ENFORCEMENT OF BYLAWS**

7. (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.

## **SUPPLEMENTAL BUILDING STANDARDS**

8. Every application for a permit to construct, erect place, alter, repair, renovate or reconstruct a building, where the design falls into Section 8 of the Uniform Building and Accessibility Standards Regulations, must be accompanied with the "Commitment for Field review" letter completed by the design professional including their scope of work. That design professional must also complete a "Letter of Assurance" once the project is complete and prior to occupying the building. The letters will be in a prescribed form, available from the local authority.

**SPECIAL CONDITIONS**

- 9. (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 where required by the local authority or its authorized representative.
- (2) It shall be the responsibility of the owner to ensure that change in property lines will not bring the building or adjacent building/s into contravention of this bylaw.
- (3) It shall be the responsibility of the owner to ensure that 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.

**PENALTY**

- 10. (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. This bylaw shall come into force and take effect on the date of approval provided by the Ministry of Government Relations.
- 12. Bylaw No. 1-90 is hereby repealed.

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



A handwritten signature in black ink, appearing to be "D. B. ...", written over a horizontal line.

Reeve

A handwritten signature in black ink, appearing to be "Debbie Asinault", written over a horizontal line.

Administrator

Certified a true copy of bylaw number 6-2016 adopted by Resolution of council on the 13<sup>th</sup> day of September, 2016

Rebbie Asanuet.

Administrator



**APPROVED**  
In accordance with Clause 23.1(3)(a) of  
The Uniform Building and Accessibility Standards Act

*[Signature]*

Executive Director  
Building Standards and Licensing  
Ministry of Government Relations

Oct 17 / 2016  
Date