

Building Bylaw
BYLAW NO. 1 – 2020
A BYLAW RESPECTING BUILDINGS

The Resort Village of Pebble Baye in the Province of Saskatchewan enacts as follows:

SHORT TITLE

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

INTERPRETATION/LEGISLATION

2.
 - A. Act” means *The Uniform Building and Accessibility Standards Act* being Chapter U-1.2 of the Statutes of Saskatchewan, 1983-84 and amendments.
 - B. Administrative Requirements” means *The Administrative Requirements for Use with The National Building Code of Canada*.
 - C. Authorized representative” means a building official appointed by the local authority pursuant to subsection 5(4) of the Act or the municipal official.
 - D. Local authority” means the Rural Municipality of Shellbrook No. 493.
 - E. Regulations” means regulations made pursuant to the Act.
 - F. Value of construction” means the total costs to the owner for the building construction in its completed form and includes the cost of design, all building work, materials of construction, building systems, labour and profit of the contractor and subcontractors.
 - G. Work” means any construction, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building.
 - H. Definitions contained in the Act and Regulations shall apply in this bylaw.

SCOPE OF THE BYLAW

3.
 - A. This bylaw applies to matters governed by the Act and the Regulations, including the *National Building Code of Canada*, and the Administrative Requirements.
 - B. Notwithstanding subsection (1), references and requirements in the Administrative Requirements respecting matters regulated by the Act and Regulations shall not apply.
 - C. 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.
 - D. Notwithstanding the exemption for farm buildings, this bylaw regulates all residential occupancies, dwelling units, and houses situated on farmland.
 - E. An accessory building not greater than 10 m² (108 ft²) is exempt from this bylaw provided it does not create a hazard.

GENERAL

4.
 - A. A permit is required whenever work regulated by the Act and Regulations is to be undertaken.
 - B. 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.

- C. 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.

BUILDING PERMITS

5. A. 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 one paper (hard) copy, as well as electronic plans and specifications of the proposed building or structure.
- B. A Licensed Building Official may require submission of an up to date plan or survey prepared either before construction begins or upon completion of work by a registered land surveyor, as a condition of permit approval.
- C. 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 one set of submitted plans to the applicant.
- D. 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.
- E. 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.
- F. 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.
- G. All permits issued under this section expire:
- i. twelve months from date of issue,
 - ii. if work is suspended for a period of six months,
 - iii. if work is suspended for a period of longer than six months by prior written agreement of the local authority or its authorized representative, or
 - iv. six months from date of issue if work is not commenced within that period.

BUILDING PERMIT AND CODE ENFORCEMENT FEES

6. A. The permit fee for construction, erection, placement, alteration, repair, renovation or

reconstruction of a building shall be based on a fee schedule approved by council cited as the Building Permit Fee Schedule.

- B. Permit fees charged for the original building permit application approval are good for a period of twelve months on an open permit regardless of how far work has progressed, and the owner is responsible for all additional costs of enforcement after this period.
- C. Permits fees are non-refundable for expired permits, cancelled permits, or permits where scopes of work are reduced, except that the local authority, at its discretion may choose to refund part of a permit fee.
- D. 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.
- E. Where a permit has expired as per Section 5(G), the owner is required to apply for a permit renewal and is responsible for all applicable fees at the discretion of the local authority.
- F. Where it is determined that work has commenced for which a permit has not been issued, the permit fees will be doubled.
- G. The local authority, at its discretion, may charge fees to an owner where incurred by a service provider for administration, compliance measures, or enforcement measures, of the Building Bylaw.

DEMOLITION AND REMOVAL PERMITS

- 7. A. The fee for a permit to demolish or remove a building shall be \$100.00. A \$1,000.00 refundable deposit will need to be paid prior to the issuance of the permit.
- B. In addition, the applicant shall deposit with the local authority such sums as the local authority deems appropriate to ensure the site is restored, 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.
- C. 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.
- D. Every application for a permit to demolish or remove a building shall be in a form provided by the local authority.
- E. 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 a form provided by the local authority.
- F. 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 a form provided by the local authority.
- G. 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 a form provided by the local authority.

- H. 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 BYLAW

8. A. 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:
- i. entering a building,
 - ii. ordering production of documents, tests, certificates, etc. relating to a building,
 - iii. taking material samples,
 - iv. issuing notices to owners that order actions within a prescribed time,
 - v. eliminating unsafe conditions,
 - vi. completing actions, upon an owner's non-compliance with an order, and adding the expenses incurred to the tax payable on the property and,
 - vii. obtaining restraining orders.
- B. 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 (A).
- C. 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:
- i. on start, progress and completion of construction,
 - ii. of change in ownership prior to completion of construction, and
 - iii. of intended partial occupancy prior to completion of construction.
- D. Application of energy efficiency standards for renovations and alterations to existing buildings is at the discretion of the local authority.

SUPPLEMENTAL BUILDING STANDARDS

9. A. Every application for a permit to construct, erect, place, alter, repair, renovate or reconstruct a building, where the design falls into subsection 8(1) and 8(2) of *The Uniform Building and Accessibility Standards Regulations*, must be accompanied with a "Commitment for Field Review letter completed by a design profession and detailing their scope of work. The design professional must also provide a "Letter of

Assurance” upon completion of the project and prior to the building being occupied.

SPECIAL CONDITIONS

10. A. 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.
- B. 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.
- C. 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.
- D. 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

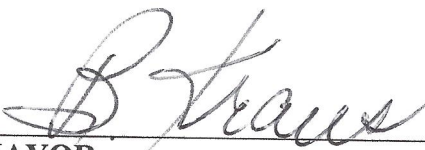
11. A. Any person who contravenes any of the provisions of this bylaw shall be liable to the penalties provided in Section 22 of the Act.
- B. Conviction of a person or corporation for breach of any provision of this bylaw shall not relieve him from compliance therewith.

SUPERCEDE BYLAW REPEALED

12. A. Bylaw no. 1-19999, 2-06 & 2-2015 are hereby repealed.

Read three times by unanimous consent of Council this 27 day of April, 2020

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



MAYOR



ADMINISTRATOR