

BUILDING BYLAW NO. 2 of 2021

The Council of the Rural Municipality of Big Arm, No. 251 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 of Canada*.

(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 Big Arm, No. 251 and its elected Council.

(5) "Municipal official" means the clerk or administrator of the municipality or their designate.

(6) "Regulations" means the Uniform Building and Accessibility Standards Regulations made pursuant to the Act.

(7) "Farm building" means buildings as defined in *The Uniform Building and Accessibility Standards Act* but excludes one and two-unit dwellings.

(8) "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.

(9) "Definitions" contained in the Act and Regulations shall further apply in this bylaw.

SCOPE OF THE BYLAW

3. (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) *Farm buildings* are exempt from the provisions of this bylaw.

GENERAL

- (1) A permit is required whenever work regulated by the Act or 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.

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

BUILDING PERMITS

5. (1) (a) No person shall commence or cause to be commenced the construction, addition, alteration, renovation, repair, relocation or reconstruction of a building without first having obtained a valid building permit from the Local Authority.

(b) Failure to apply for the required permit may result in the issuance of a "Stop Work Order". Where a Stop Work Order is issued, the permit fees may be double the amount set out in subsection 5(8).

(2) No building permit shall be issued unless a Development Permit, where required, has first been applied for and obtained from the Local Authority. Building permits shall be subject to any conditions stated on the Development Permit.

(3) Whenever the character of the proposed work requires the technical expertise of an Architect or Engineer, the Local Authority or Authorized Representative may, at its discretion, require as a condition of the application that all drawings and specifications, or any part thereof, be prepared, reviewed, sealed, dated and signed by a Professional Engineer or Architect registered or licensed to practice in the Province of Saskatchewan.

(4) Every application for a permit to construct, erect, place, alter, repair, renovate or reconstruct a building shall be on a form as required by the Local Authority or its Authorized Representative, and shall be accompanied by two sets of paper plans and specifications and/or one set in electronic format (PDF) for the proposed project, or as required by the Local Authority or its Authorized Representative, except that when authorized by the Local Authority or its Authorized Representative plans and/or specifications need not be submitted.

(5) 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 municipal official, upon receipt of the prescribed fee, shall issue a permit on a form provided by the Local Authority and return one set of submitted plans and/or a plan review report to the applicant.

(6) 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.

(7) 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.

(8) 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 of one hundred and twenty-five dollars (\$125.00) dollars for the processing, handling and issuance of a building permit; plus
- b) The service 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.
- e) Service fees in accordance with clause (b) above are based upon the construction project proceeding in a timely and competent manner. Additional inspection fees may be incurred

in excess of the permit fee. Any additional fees charged, plus building official travel costs and GST, shall be due upon issuance of an invoice from the Local Authority.

- f) No person shall occupy a new building without first receiving occupancy approval in writing from the Local Authority or its Authorized Representative. Occupancy without prior approval may result in an additional investigation fee.
- g) It is the responsibility of the owner, or owner's agent, to ensure that all required inspections are called for. Failure to do so may result in additional costs to the owner for any follow-up work that may be required by the Authorized Representative as a result of the missed inspection.

(9) The Local Authority or its Authorized Representative 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 the definition of *value of construction* as per subsection 2(8).

(10) 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.

(11) All permits issued under this section expire:

- (a) Twenty-four (24) months from the date of issue; or
- (b) six (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 (6) months or longer, unless there is prior written approval from the Local Authority or its Authorized Representative of such suspension, or
- (d) if work is terminated and there is written approval from the Local Authority or its Authorized Representative.

(12) If a building permit expires and construction is not completed in accordance with the Act and the Regulations, then the owner can make application to the Local Authority for an extension or renewal of the permit. Such extension or renewal may be subject to a building permit renewal fee equal to fees required in subsection 5(8) or some alternate renewal fee.

(13) The Local Authority may revoke a permit if, after written notice is given to the permit holder:

- (a) there is contravention of any condition under which the permit was issued;
- (b) the permit was issued in error; or
- (c) the permit was issued on the basis of incorrect information.

(14) 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.

DEMOLITION OR REMOVAL PERMITS

- o. (1) No person shall demolish or remove, or cause to be demolished or removed, any building without first having obtained a permit from the Local Authority.
- (2) (a) The fee for a permit to demolish or remove a building shall be fifty (\$50.00) dollars.
 - (b) The fee for an inspection upon completion of the demolition or removal of a building shall be \$100.00, and shall be payable in advance, when the permit is applied for. Any additional inspections will require an additional inspection fee of \$100.00.
 - (c) (i) In addition, the applicant shall deposit with the Local Authority the following sum of one thousand (\$1,000.00) dollars 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.
- (3) Every application for a permit to demolish or remove a building shall be on a form provided by the Local Authority.
- (4) Where a building is to be demolished or removed from the geographical jurisdiction of 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 Municipal Official, upon receipt of the fee and deposit prescribed, shall issue a permit for the demolition or removal on 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 geographical jurisdiction of 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 Municipal Official, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal on a form provided by the Local Authority.

(b) In addition, the Municipal Official, upon receipt of the fee prescribed in subsection 5(8), shall issue a building permit for the placement of the building on the new site.

(6) The owner shall ensure that all building components, substructures or framework located below ground level have been removed and disposed of in the proper manner.

(7) Waste material generated from a demolition, including any and all concrete from a basement and/or foundation, shall not be buried on the site, but shall be removed from the site and disposed of at an approved location.

(8) Upon completion of a demolition, the owner shall:

(a) Remove all rubbish and building materials from the property;

(b) Fill and level any excavation on the property with clean non-expansive fill, to an elevation compatible with abutting properties; and

(c) Ensure that the property is left in a safe and sanitary condition.

(9) Should it become necessary to close or block any road, street, lane, or sidewalk during demolition, the owner or owner's agent shall obtain the prior written approval of the Local Authority.

(10) During demolition, the owner shall supply and maintain, at his own expense, all warning signs, barricades, fences or other services that may be required to warn the public and/or protect the public from the work in progress.

(11) All permits issued under this section expire six (6) 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

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 7(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. Void.

SPECIAL CONDITIONS

- 9. (1) 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) A real property report 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. Failure to do so may result in the issuance of a Stop Work Order at additional fees, as noted in subsection 5(8).
- (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, certificates and documents required by the Local Authority or its Authorized Representative, as well as 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 the person from compliance herewith.

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

This Bylaw comes into force upon approval by the Ministry of Government Relations – Building and Technical Standards Branch.



Mull Van

Reeve

[Signature]
Administrator

This Bylaw 2 of 2021 Received 3rd Reading
And adoption (Resolution 159/2021
at the Regular Meeting of Council on the
14th day of May, 2021.



Certified a true copy of Bylaw 2 of 2021
adopted by resolution of Council on the
14th day of May, 2021.

Mull Van
Reeve

[Signature]
Administrator

[Signature]
Administrator

APPLICATION FOR BUILDING PERMIT

I hereby make application for a permit to _____ construct
_____ alter a building according to
_____ reconstruct
the information below and to the plans and documents attached to this application.

Civic address or location of work _____
Legal description — Lot _____ Block _____ Plan _____
Owner _____ Address _____ Telephone _____
Designer _____ Address _____ Telephone _____
Contractor _____ Address _____ Telephone _____
Nature of work _____
Intended use of building _____
Size of building _____ Length _____ Width _____ Height _____
Number of storeys _____ Fire escapes _____
Number of stairways _____ Width of stairways _____
Number of exits _____ Width of exits _____

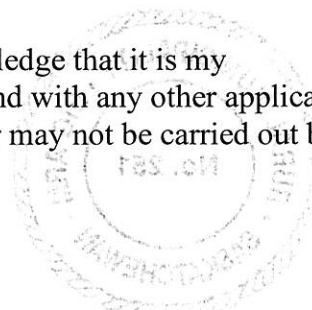
Foundation Soil Classification and Type _____
Footings _____ Material _____ Size _____
Foundations _____ Material _____ Size _____
Exterior Walls _____ Material _____ Size _____
Roof _____ Material _____ Size _____
Studs _____ Material _____ Spacing _____
Floor Joists _____ Material _____ Spacing _____
Girders _____ Material _____ Spacing _____
Rafters _____ Material _____ Spacing _____
Chimneys _____ Number _____ Size _____
_____ Material _____ Thickness _____
Heating _____ Lighting _____ Plumbing _____

Estimated value of construction (excluding site) \$ _____
Building area (area of largest storey) _____ square metres
Fee for building permit \$ _____

I hereby agree to comply with the Building Bylaw of the local authority and acknowledge that it is my responsibility to ensure compliance with the Building Bylaw of the local authority and with any other applicable bylaws, acts and regulations regardless of any plan review or inspections that may or may not be carried out by the local authority or its authorized representative.

Date

Signature of Owner or Owner's Agent

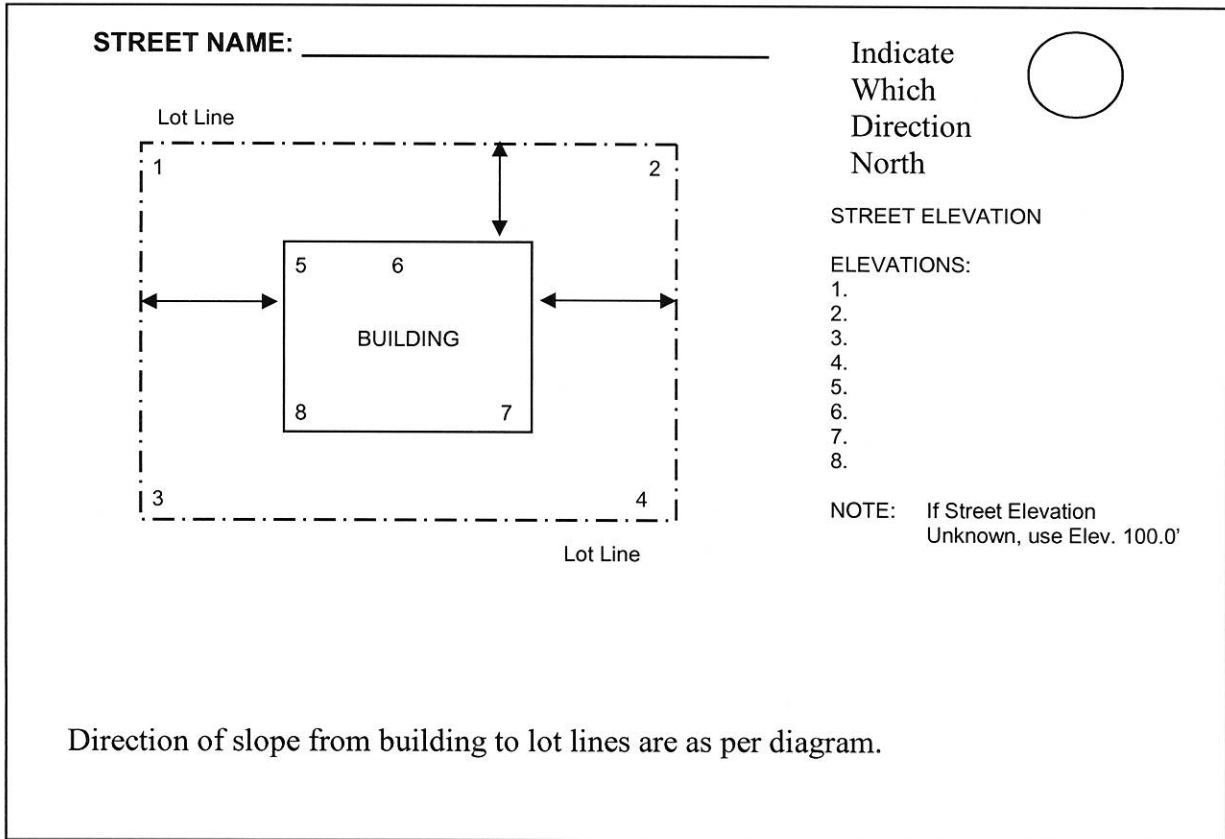


FORM B to Bylaw No. 2 of 2021

Rural Municipality of Big Arm, No. 251, Saskatchewan

BUILDING PERMIT # _____

Permission is hereby granted to _____
 to _____ a building to be used as a _____
 on civic address or location _____
 Lot _____ Block _____ Plan _____ in accordance with the
 application dated _____. **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, unless otherwise authorized by the local authority or its authorized representative.**
 Grade lines of the building site are to be as indicated below and as shown on the diagram.



This permit is issued subject to the following conditions:

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

Estimated value of construction \$ _____

Permit fee \$ _____

Date

Signature of Authorized Representative

FORM C to Bylaw No. 2 of 2021

Rural Municipality of Big Arm, No. 251, Saskatchewan

APPLICATION FOR A PERMIT TO DEMOLISH OR MOVE A BUILDING

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 municipality _____

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 (filling, final grading, landscaping, etc.) which will be done after removal of the building includes _____

I hereby agree to comply with the Building Bylaw of the local authority and to be 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 such sum as may be required by Section 6(2)(c) of the Building 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 demolishing or moving the building.

Date

Signature of Owner or Owner's Agent

FORM D to Bylaw No. 2 of 2021

Rural Municipality of Big Arm, No. 251, Saskatchewan

DEMOLITION OR MOVING PERMIT # _____

Permission is hereby granted to _____ to

_____ Demolish **OR** _____ 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 municipality _____

in accordance with the application dated _____, 20 _____. **This permit expires six months from the date of issue.**

This permit is issued subject to 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

Signature of Authorized Representative

