

Local Authority
VILLAGE OF LIBERTY
BYLAW NO. 8 of 2022
A BYLAW RESPECTING BUILDINGS

The Council of the Village of Liberty
in the Province of Saskatchewan enacts as follows:

SHORT TITLE

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

PURPOSE OF THE BUILDING BYLAW

- 2 (1) The purpose of this building bylaw is to provide for the administration and enforcement of the Act, the regulations, *The National Building Code of Canada*, *The National Energy Code of Canada for Buildings*, ministerial interpretations and Saskatchewan Construction Standards Appeal Board orders and building official orders within the local authority.

INTERPRETATION/LEGISLATION

- 3 (1) Definition contained in *The Construction Codes Act*, *The Building Code Regulations* and *The Energy Code Regulations* shall apply in this building bylaw.
- (2) “**Act**” means *The Construction Codes Act*.
- (3) “**building official**” means a person who holds a building official license.
- (4) “**competent person**” means a person who is recognized by the local authority as having:
(a) a degree, certificate or professional designation; or
(b) the knowledge, experience and training;
necessary to design or review the design of a proposed work.
- (5) “**farm building**” means, subject to the regulations, a building that:
(a) does not contain a residential occupancy;
(b) is located on land used for an agricultural operation as defined in *The Agricultural Operations Act*; and
(c) is used for the following purposes:
(i) the of housing livestock;
(ii) the production, storage or processing of primary agricultural and horticultural crops or feeds;
(iii) the housing, storage or maintenance of equipment or machinery associated with an agricultural operation;
(iv) any other prescribed purpose.
- (6) “**local authority**” means the Village of Liberty and its elected council.
- (7) “**NBC**” means the edition and provisions of *The National Building Code of Canada*, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and the regulations.
- (8) “**NECB**” means the edition and provisions of *The National Energy Code of Canada for Buildings*, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and *The Energy Code Regulations*.
- (9) “**occupancy certificate**” means a certificate issued with respect to the approved use or occupancy of a building.
- (10) “**owner**” means:
(a) any person who has any right, title, estate or interest in land, improvements or premises other than that of a mere occupant, tenant or mortgagee;
(b) any person, firm, or corporation that controls the property under consideration; or
(c) if the building is owned separately from the land on which the building is located, the owner of the building.
- (11) “**owner’s representative**” means any person, company, employee or contractor who has authority to act on behalf of the owner.
- (12) “**permit**” means written authorization issued by the local authority or its building official in the form of a building permit.
- (13) “**permit fees**” means as defined in this building bylaw.
- (14) “**plan review**” means the examination of building drawings and related documents by a building official to ascertain whether those drawings and documents meet the requirement of the Act and the regulations.

- (15) “**regulations**” means *The Building Code Regulations* and *The Energy Code Regulations*.
- (16) “**SAMA fee**” means a fee charged to the local authority by the Saskatchewan Assessment Management Agency with respect to the work.
- (17) “**service provider**” means the company the appointed building official represents.
- (18) “**value of construction**” means the total costs to the owner for the work in its completed form and includes the cost of all building work, materials of construction, building systems, labour, overhead, and profit of the contractor and subcontractors.
- (19) “**work**” means any construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy, or reconstruction of a building.

SCOPE OF THE BYLAW

- 4 (1) This building bylaw applies to all work undertaken or to be undertaken within the geographical jurisdiction of the local authority.
- (2) The provisions of this building bylaw apply to buildings greater than 10 m² (107.6 ft²) in building area except as otherwise exempted by the Act or the regulations.
- (3) Retaining walls attached to a structure or free standing greater than 600 mm (2 ft) in differential grade height on lands not used for agricultural purposes.
- (4) An accessory building not greater than 10 m² (107.6 ft²) is exempt from this building bylaw provided it does not create a hazard and provided it does not have sleeping accommodations.
- (5) Decks under 600 mm (2 ft) in differential grade height on lands for residential use are deemed as patios exempt from this building bylaw.

PERMIT FEE AND PAYMENT

- 5 (1) The permit fee shall be determined by the local authority, and may include the following:
 - (a) an administration fee as described in the Schedules for the processing, handling and issuance of a permit;
 - (b) any deposit as described in the Schedules;
 - (c) the service fee charged to the local authority by a building official engaged to review, inspect and enforce the standards of construction as per the agreement between the local authority and building official and as described in the service provider agreement;
 - (d) the SAMA fee; and
 - (e) all applicable taxes.
- (2) The owner or the owner’s representative may be invoiced by the local authority for additional fees as described in the service provider agreement as determined by the local authority or service provider. The additional fees may include charges for:
 - (a) varying conditions or scope of a permit;
 - (b) occupancy without prior written approval from the local authority or building official;
 - (c) failure of the owner or owner’s agent to ensure that all inspections are scheduled and completed by the building official;
 - (d) issuance of building official’s orders;
 - (e) additional service fees required to review, inspect and enforce the standards of construction;
 - (f) renewing, revoking, extending, varying the conditions of, cancelling or reinstating a permit;
 - (g) costs incurred by the local authority to remedy the building into a safe condition or demolish the building or bring the building into compliance with the Act and Regulations;
 - (h) the cost to register an interest in lands through Land Titles Registry; and
 - (i) other fees as determined by the local authority to be reasonable for administering and enforcing the Act and Regulations.
- (3) The deposit may be refunded, on request by the owner or the owner’s representative, if the local authority or building official deem the work satisfactorily complete.
- (4) The local authority may, at its discretion, rebate a portion of a permit fee or additional fees where work is reduced in scope or discontinued, or where other exceptional circumstances occur.
- (5) The local authority may double the permit fee if work commences prior to obtaining a permit.
- (6) For a demolition or removal permit, the applicant shall provide a refundable deposit to the local authority to cover the cost of restoring the site after the building, as described in the Schedules. The local authority shall hold the refundable deposit until, in the opinion of the local authority or the building official, the conditions are not dangerous to public safety.
- (7) The building official may establish the value of construction for the work described in the application for a permit, for the purpose of determining the permit fee or additional fees, based on established current construction costs, the owner’s or the owner’s representative statement of costs or constructor’s contract values, or similar methods selected by the building official.

- (8) The permit fee and additional fees are the amounts due and are a debt due to the local authority and may be recovered from the owner of the land or premises in or on which the work or service was carried out.
- (9) If amounts due are not paid within 30 days of the date the local authority notifies the owner or owner's representative of the amount due, the local authority may add the amount due to the owner's property taxes, as per the Act.
- (10) Where the local authority refuses to issue or revokes a permit, the local authority shall refund any fee or deposits paid as part of the application for the permit, less administration and service fees.

GENERAL DUTIES OF THE OWNER

- 6 (1) The duties of the owner or the owner's representative as applicable, includes but not limited to:
 - (a) ensuring that the building and work is in accordance with the standards of construction;
 - (b) It shall be the responsibility of the owner or the owner's representative to arrange for all permits, inspections and certificates required by any other applicable bylaws, Acts and regulations.
 - (c) not commencing or cause to be commenced work without first having obtained a valid permit from the local authority;
 - (d) complying with the terms and conditions of the permit;
 - (e) complying with the terms and conditions of the plan review;
 - (f) ensuring all notifications required by this building bylaw are given to the local authority;
 - (g) ensuring all inspections are scheduled and completed by the building official;
 - (h) not enclosing prior to inspection, the work that requires inspection by a building official;
 - (i) paying all cost associated with showing compliance with the construction code;
 - (j) not occupying the building or part of the building before the issuance of an occupancy certificate by the local authority or the building official pursuant to clause 16(11)(h) of the Act;
 - (k) obtaining prior written approval from the local authority before closing or blocking any road, street, lane, or sidewalk;
 - (l) supplying and maintaining, at their own expense, all warning signs, barricades, fences or other services that may be required to warn the public and protect the public from the work;
 - (m) fill and level any excavation on the property with clean non-expansive fill, to an elevation compatible with abutting properties; and
 - (n) ensuring that the property is left in a safe, neat and tidy condition, including removing all rubbish and building materials to an approved location. For greater clarity, this includes not burying on the site any waste material, including concrete from demolition of a basement or foundation, or below ground level substructures or framework.
 - (o) arranging for all permits, inspections and certifications required by any other applicable bylaws, Acts and the regulations, and ensuring all copies of any inspection or review reports conducted by others are made available to the building official or local authority;
- (2) If intending to construct a farm building exempt from this building bylaw, the owner or the owner's representative shall provide to the satisfaction of the local authority that the building satisfies the definition of farm building in this building bylaw. For greater clarity, as per the Act, a farm building does not include a residential occupancies.

PERMITS – GENERAL CONDITIONS

- 7 (1) Permits shall be subject to any geotechnical requirements stated by the local authority.
- (2) Permits will be required for retaining walls attached to a structure or free standing that is greater than 600 mm (2 ft) in differential grade height on lands not used for agricultural purposes. An architect or engineer will be required to design such structures.
- (3) The granting of any permit by this building 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 Act, the regulations or bylaw affecting the site described in the permit; or
 - (b) make either the local authority or the building official liable for damages or losses in the event that a building does not comply with the requirements of any Act, the regulations or bylaw regardless of whether or not occupancy has been authorized by a permit.
- (4) Approval in writing from the local authority or building official is required for any deviation, omission or revision to the work.

PERMITS - APPLICATION AND ISSUANCE

- 8 (1) Every application for a permit for work shall be in a form as required by the local authority or its building official, and shall be accompanied by a minimum of one set of plans and specifications in electronic format (PDF) of the proposed building and work.
- (2) The owner or owner's representative consents to the use of email for communications.
- (3) Whenever the proposed work requires the technical expertise of an architect or engineer, the local authority or building official may require that all drawings and specifications, or any part thereof, be prepared or reviewed, sealed, dated and signed by an architect or engineer.
- (4) Where a building is to be demolished or removed, the local authority shall not issue a permit until 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.

- (5) The application for a permit shall be reviewed and approved by the building official. The building official will return an approved plan review, showing all required inspections by the building official.
- (6) The local authority shall issue a permit if:
 - (a) All permit fees, deposits and any applicable taxes have been paid; and
 - (b) If the work described in the application for a permit, to the best of the knowledge of the local authority or building official, complies with the requirements of the building bylaw, the Act, the regulations.

PERMITS - REFUSAL TO ISSUE AND REVOCATION

- 9 (1) The local authority may refuse to issue a permit if:
 - (a) the proposed work described on the permit application would contravene;
 - (i) the Act;
 - (ii) the regulations;
 - (iii) an order of the appeal board;
 - (iv) a written interpretation of the minister pursuant to section 8 of the Act; or
 - (v) the local authority's building bylaw
 - (b) the person who designed or reviewed the design of a proposed building that is within the scope of Part 9 of the NBC is not a competent person;
 - (c) the person who designed or completed a design review of a proposed building that is within the scope of the NECB is not an architect or engineer;
 - (d) the application for a permit is incomplete;
 - (e) any fees, deposits or bonds required pursuant to the local authority's building bylaw for the issuance of a permit have not been paid for; or the proposed work described on the permit application would contravene and other Act, regulations or bylaw that applies to the proposed work
- (2) The local authority may revoke a permit issued pursuant to the Act:
 - (a) if the holder of the permit requests in writing that it be revoked;
 - (b) if the permit was issued on mistaken, false or incorrect information;
 - (c) if the permit was issued in error;
 - (d) subject to subsection (2), if, after 6 months after the permit's issuance, the work for which the permit was issued has not, in the opinion of the local authority's building official, been seriously commenced and no written agreement for the delay has been given by the local authority; or
 - (e) subject to subsection (2), if the work for which the permit was issued is, in the opinion of the local authority's building official, substantially suspended or discontinued for a period of more than 6 months after the permit's issuance and no written agreement for the delay has been given by the local authority.
- (3) If the local authority revokes a permit pursuant to subsection (1) it shall provide written notice to the permit holder as to the reasons for the revocation.
- (4) Where the local authority refuses to issue a permit pursuant to subsection (1), the local authority shall:
 - (a) provide written notice to the applicant as to the reasons for the local authority's refusal to issue a permit; and
 - (b) refund any fee or deposit paid as part of the permit application for work pursuant to the Act, less any fees paid for:
 - (i) plan review; and
 - (ii) permit application or administration

PERMITS - EXPIRY

- 10 (1) All permits shall expire on the date stated in the permit, or if no date is stated, the earliest of the following:
 - (a) 24 months from the date of issue;
 - (b) 6 months from date of issue if work is not commenced within that period;
 - (c) 6 months from date of last inspection by a building official where work has not seriously progressed to the satisfaction of the building official and without prior authorization from the local authority;
- (2) All permits issued for demolition; removal expire 6 months from the date of issue.
- (3) If the owner wishes to terminate the work, the owner or the owner's representative must first receive written approval for the local authority to terminate the permit.
- (4) If the permit expires, but not all of the work is complete, the owner or the owner's representative shall apply to the local authority in writing requesting:
 - (a) to extend the term of the permit. The local authority may extend the permit to a maximum of 24 months; or
 - (b) vary the conditions of the permit
 - (c) revoke the permit
- (5) The expiration of a permit does not relieve the owner or owner's representative from the obligation to put the building in safe condition, demolish the building or complete the work approved in the permit.

PERMITS – ENFORCEMENT

- 11 (1) The local authority or building official may take any measures as permitted in the Act or the regulations for the purpose of ensuring compliance with the standards of construction.
- (2) Failure to obtain a permit or follow the terms of the permit, including ensuring that all inspections are scheduled and completed by the building official, may result in the issuance of a building official's order, in accordance with section 25 of the Act.
- (3) The building official may direct the local authority to register an interest in the lands through Land Titles

Registry if a building official's order was not adhered to, in accordance with section 20 of the Act.

NOTIFICATION

- 12 (1) Before commencing work, the owner or owner's representative shall give notice to the local authority, in writing, of:
- the contractor or other person in charge of the work;
 - the designer of the work;
 - the person or firm reviewing the work to determine whether or not the work conforms to the design;
 - any inspection or testing agency that is engaged to monitor the work;
 - the date the work is intended to commence;
 - when the excavation is to be commenced;
 - when the foundation is to be placed;
 - when a superstructure is to be placed on the foundation;
 - any other event at the time required by the permit under which work has been undertaken; and
 - any other specified event at the specified time.
- (2) The owner or owner's representative must call for all inspections set out by the building official in the plan review.
- (3) Failure to provide notice and ensure that all inspections are scheduled and completed by the building official could result in destructive testing efforts requested by the building official at the cost of the owner or the owner's representative.
- (4) During the course of the work, the owner or owner's representative shall give notice to the local authority in writing of any:
- change in, or termination of, the employment of a person or firm listed in subsection (1);
 - intent to do any work requiring inspections by the building official;
 - intent to enclose any work requiring inspection by a building official;
 - proposed or undertaken deviations from the plans approved and permitted by the local authority;
 - the completion of the work;
 - change in ownership, or change in address of the owner or the owner's representative that occurs before the completion as soon as the change occurs; and
 - intention to occupy the building or portions of the building prior to the issuance of occupancy.
- (5) A real property report of the site prepared by a registered land surveyor shall be submitted by the owner or owner's representative for principal buildings and dwellings required by the local authority. Failure to do so may result in the issuance of a stop work order with additional fees.

NOTICE OF A FAILURE

- 13 (1) The owner, owner's representative or owner's agents, contractors, employees or successors or the registered owner of the land on which the building is situated shall submit a written report to the local authority of the occurrence of the following that causes or has the potential to cause serious injury or loss of life:
- structural failure of the building or part of the building;
 - failure of any equipment, device or appliance that is regulated by the Act or the regulations.
- (2) The report must be submitted to the local authority within 15 days after the occurrence of the failure. The report must contain:
- the name and address of the owner;
 - the address or location of the building involved in the failure;
 - the name and address of the constructor of the building; and
 - the nature of the failure.
- (3) On receipt of the report, the local authority may require an owner or owner's representative to:
- provide other information that the building official or local authority may consider necessary;
 - complete any additional work that is necessary to ensure immediate compliance.

ENFORCEMENT OF STANDARDS OF CONSTRUCTION

- 14 (1) The local authority or the building official may take any measures as permitted by section 24, 25 or 26 of the Act and sections 13 and 14 of the regulations for the purposes of ensuring compliance with this building bylaw.
- (2) If any work to a building or part thereof or addition thereto is in contravention of any provision of the standards of construction, the local authority may take any measures as permitted by the Act for the purpose of ensuring compliance, including, but not limited to:
- at any reasonable hour enter land or a building;
 - be accompanied into a building by a person having special or expert knowledge on any matter to which this Act or the regulations relate;
 - ordering production of documents, tests, certificates, etc. relating to a building;
 - inspect and take material samples, equipment, or appliance being used for the work;
 - ordering actions to be completed within a prescribed time;
 - eliminating unsafe conditions;
 - completing actions, upon an owner's non-compliance with an order, and adding the expenses incurred to the tax payable on the property; and
 - obtaining restraining orders.
- (3) If any building or part thereof or addition thereto is in an unsafe condition due to faulty work, dilapidated state, abandonment, open or unguarded condition or any other reason, the local authority may take any measures allowed by the Act.

BUILDING DESIGN REQUIREMENTS

- 15 (1) The owner or owner's representative that undertakes to or has constructed a building that is within the scope of Parts 3, 5, 6 and 7 of the NBC shall have an architect or engineer:
 - (a) complete the design or design review and inspection of the building and all buildings systems;
 - (b) provide a Commitment for Field Review letter as part of the permit application for work; and
 - (c) provide an Assurance of Field Review and Completion letter, on completion of the work, providing assurance that the work conforms to the architect's or engineer's design and the standards of construction.

- (2) The owner or owner's representative that undertakes to or has constructed a building with a structure that is within the scope of Part 4 of the NBC shall have an architect or engineer:
 - (a) complete the design or design review of the structure;
 - (b) complete an inspection of construction of the structure to ensure compliance with the design;
 - (c) complete the reviews required by the NBC;
 - (d) provide a Commitment of Field Review letter as part of the permit application for work; and
 - (e) provide an Assurance of Field Review and Completion letter, on completion of the work, providing assurance that the work conforms to the architect's or engineer's design and the standards of construction.

- (3) Foundations for residential occupancies including modular homes with A277 certification shall be designed pursuant to subsection (2).

- (4) The owner or owner's representative that undertakes to or has constructed a building that is within the scope of Part 9 of the NBC shall have a competent person:
 - (a) complete the design or review of designs of the building;

- (5) The owner or owner's representative that undertakes to or has constructed a building with a structure that is within the scope of the NECB shall have an architect or engineer:
 - (a) complete the design or design review of the structure;
 - (b) complete an inspection of construction of the structure to ensure compliance with the design;
 - (c) complete the reviews required by the NECB;
 - (d) provide a Commitment of Field Review letter as part of the permit application for work; and
 - (e) provide an Assurance of Field Review and Completion letter, on completion of the work, providing assurance that the work conforms to the architect's or engineer's design and the standards of construction.

- (6) On the request of the local authority or building official, the owner or owner's representative shall ensure copies of any inspections or review reports made pursuant to this section are made available to the local authority or building official.

- (7) No owner or owner's representative shall cause or allow the ground elevations of a building to be changed so as to place in contravention of the NBC. This includes the building or part of the building, or an adjacent building.

- (8) If the property boundaries of a building lot are changed so as to place a building or part of a building in contravention of the NBC, the regulations or bylaws, the owner or owner's representative shall immediately alter the building or part of the building to bring it into compliance with the NBC.

PENALTY

- 16 (1) Any person who contravenes any of the provisions of this building bylaw may be subject to the penalties provided in Part 8 of the Act.

- (2) Conviction of a person or corporation for breach of any provision of this building bylaw shall not relieve the person or corporation from compliance the standards of construction.

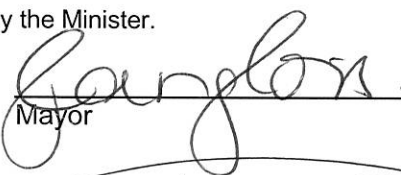
REPEAL OF PREVIOUS BUILDING BYLAW

- 17 (1) On enactment of this building bylaw, all previous building bylaws, including building bylaw amendments, are repealed.

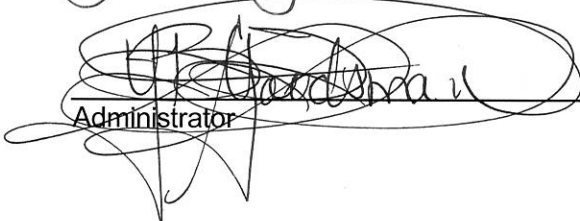
Enactment pursuant to Section 17 of the *Construction Code Act*.

- 18 This Bylaw comes into force upon approval by the Minister.





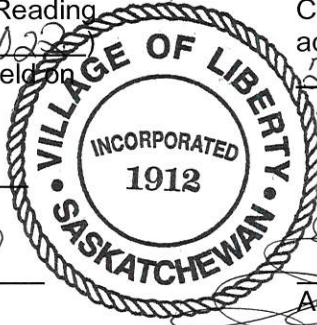
Mayor



Administrator

This Bylaw 8 of 2022 Received 3rd Reading
And adoption (Resolution 226/2022)
At the Regular Meeting of Council held on
23 day of November 2022.

Certified a true copy of Bylaw No. 8 of 2022
adopted by resolution of Council on the
23 day of November, 2022.



Langlois
Mayor

[Signature]
Administrator

[Signature]
Administrator

APPROVED
In accordance with Clause 17(6)(A) of
The Construction Codes Act
[Signature]
Building and Technical Standards
Ministry of Government Relations
December 8, 2022
Date

Schedule B: Commercial Permit Fees

A) Value of Construction Fees:

$$\text{VOC}^1 \times \$ / \$1,000$$

B) Minimum Fees:

Project Type	Type	Administration Fee	Deposit
Principal Building		\$100	
Addition		\$100	
Renovation / Tenant Improvements		\$100	
Accessory Building² (No living space or permanent heat source)	Insulated	\$100	
	Not Insulated	\$100	
Barrier-Free Washroom		\$100	
Barrier-Free Ramp		\$100	
Solar Panels (PV or Domestic Hot Water)		\$100	
Demolition & Removal		\$100	\$1000

VOC¹: Value of Construction. Total value of building in its completed form. Includes: cost of design, building work, materials of construction, building systems, labour and overhead, and profit of the contractor and subcontractors. Altus Group Guide for Canadian Cost of Construction used if project appears to be under valued.

Accessory Building²: Examples include detached garages, boat houses, pole buildings, etc. If permanent heat source needed, additional fees may apply.

Appendix "B" - Building Permit Application

Municipality: _____

Building Permit Application under *The Construction Codes Act*

Applicant Information (permit applicant can be an agent of the owner)

Company	
Primary Contact	
Address	
Phone and Email	

Permit Information

Project Location	
Project Description	
Project type (check one)	<input type="checkbox"/> New Construction <input type="checkbox"/> Addition, Alteration, Repair or Renovation to Existing Building <input type="checkbox"/> Temporary Structure <input type="checkbox"/> Relocation of an Existing Building <input type="checkbox"/> Demolition of an Existing Building
Attached	Code analysis <input type="checkbox"/> Yes <input type="checkbox"/> No Construction Plans and Specifications <input type="checkbox"/> Yes <input type="checkbox"/> No
Building Area and Height	J
Value of Construction	\$

For Office Use Only

Tax Roll Number	
Permit Fees	

Owner Information (include all owners listed on the property title or attach in a separate sheet)

Company	
Project Contact	
Address	
Phone and Email	

General Contactor Information (a building owner can be identified as a self-contractor)

Company		
Project Contact Address		
Phone and Email		

Lead Designer (this is the individual responsible for the overall design...all other designers should be a separate sheet attached to this application)

Company		
Project Contact		
Address		
Phone and Email		

Declaration by Applicant

<p>I hereby declare that the above statements contained within this application and attached drawings are true and correct. I agree that where required, a Development Permit must be issued in order for the Building Permit to be valid. Neither document relieves the owner, the applicant, or the owner's agent from complying with all municipal bylaws and/or Provincial and Federal acts and regulations including the National Building Code (NBC) and the National Energy Code for Buildings (NECB) and the National Plumbing Code (NPC), and that it is my responsibility to ensure compliance with such legislation, regulations, bylaws and codes regardless of any plan review or inspections that may or may not be carried out by the building official, local authority or its authorized representatives. I agree that no construction shall commence without proper permits and approvals.</p>		
Name		
Signature		
Date		

Notes:

A Code Analysis provides detailed information on provision of the NBC, NECB or NPC that apply to the specific project demonstrating design and construction is intended to meet minimum requirements.

Value of Construction is the total cost to the owner for the building construction in its completed form and includes the cost of all building work, materials of construction, building systems, labour and overhead and profit of the contractor and subcontractors.

Building area means the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the outside surface of exterior walls and the centre line of firewalls.

Building height (in storeys) means the number of storeys contained between the roof and the floor of the first storey.

Appendix "C" - Building Permit

Municipality:

Building Permit under *The Construction Codes Act*

Permit Information

Permit Number	
Project Description	
Project Location	
Building Area and Height	area in square meters height in storeys
Code Application	Part 3 Part 9 NECB Section 9.36
Permit Fees	\$ calculated from permit fee bylaw

Applicant

Company	
Project Contact	
Address	
Phone and Email	

Permit Requirements

Building Official	
Approval Signature	
Date	

Notes:

"major occupancy" means

- A1 - Assembly occupancies intended for the production and viewing of the performing arts
- A2 - Assembly occupancies not elsewhere classified in Group A
- A3 - Assembly occupancies of the arena type
- A4 - Assembly occupancies in which the occupants are gathered in the open air
- B1 - Detention occupancies in which persons are under restraint or are incapable of self-preservation because of security measures not under their control
- B2 - Treatment occupancies
- B3 - Care occupancies
- C - Residential occupancies
- D - Business and personal services occupancies
- E - Mercantile occupancies
- F1 - High-hazard industrial occupancies
- F2 - Medium-hazard industrial occupancies
- F3 - Low-hazard industrial occupancies

Part 3 applies to all buildings more than three storeys in building height or more than 600m² in building area and some smaller buildings that have Group A, Group B or Group F, Division 1 major occupancies.

Part 9 applies to buildings three storeys or less in building height and 600m² or less in building area with Group C, Group D, Group E and Group F, Divisions 2 and 3 major occupancies.

NECB means the National Energy Code for Buildings and applies to all buildings except one- and two-unit dwellings.

Section 9.36 means the portion of the National Building Code of Canada that applies energy efficiency standards to one and two unit dwelling and certain other small buildings.

Where permit requirements are attached, they become part of the approved building permit.

Permit fees are calculated from a fee bylaw adopted pursuant to subsection 17(3) of the CC Act.

Appendix "D" – Order to Comply

Municipality:

Order to Comply (OTC) under *The Construction Codes Act* (the CC Act)

Issued to	
Property Location	
Project Description	
Permit Number	
Inspection Date	

Contravention(s)

Pursuant to subsection 24(1) of the CC Act, *The Building Code Regulations*, (the BC Regulations) the National Building Code (NBC), The National Energy Code for Buildings (NECB) and Building Bylaw No. _____ the following contraventions are noted.

1
2
3

Order to Comply

Pursuant to subsection 25(1), (2), (3), (4) or (S) of the CC Act, the BC Regulations, the NBC, the NECB and Building Bylaw No. _____, you are hereby ordered to comply as follows:

1
2
3
Compliance with this order is required on or before _____, 20__

Failure to Comply

Failure to comply with the order by the date provided may result in the commencement of legal enforcement as provided by *The Construction Codes Act*. See sections 39 and 40 of the CC Act

Issued by

Building Official	Licence No.
Signature	Phone
Date	Email

Right of Appeal

An owner of a building may appeal an order made pursuant to subsection 31(1) of *The Construction Codes Act* within **15 days** after service of the order by submitting a request for hearing form to the Chief Codes Administrator and providing a deposit. For appeal information contact Building and Technical Standards Branch, Saskatchewan Ministry of Government Relations.
Email: btstandards@gov.sk.ca Phone 306-787-4113.

Basic Requirements for an Order to Comply

The OTC must identify the local authority (LA) where the order originated. This may include other pertinent information such as the civic address, postal code and contact information of the LA.

The OTC must be identified and captioned such as "Building Official Order" or "Order to Comply".

The OTC must be sent to those identified in section 25 of *The Construction Codes Act* as applicable. This includes:

- the owner of the building or his agents, contractors, employees, successors or assigns or the registered owner of the land on which the building is situated," (excerpt).
- Where there is joint ownership or multiple owners, efforts must be made to issue the OTC to all owners.

Contravention:

Include:

- Reference to subsection 24(1) of the CC Act which provides the power of the building official.
- Reference to the applicable legislation, codes and the building bylaw.
- A description of the project.
- The project address or legal description.
- The date of inspection.
- The contravention(s) and references to supporting legislation, codes or building bylaw described in sufficient detail so the recipient understands what is at issue.

Order to Comply:

Include:

- Reference to subsection 25 and the specific provisions under which the order is written.
- A description of what is necessary to achieve compliance including option.
- The date of compliance is required as determined necessary by the building official.

Failure to Comply:

Include information regarding the consequences for failure to comply by the assigned date. This could include the specific enforcement measures the local authority and the building official and building official will take.

Order Issued By:

Include:

- Provide information regarding the date of the OTC and the name of the BO responsible for inspection and who created the OTC.
- Provide contact information for the BO responsible for the OTC and ensure the OTC is signed by the BO.

Right of Appeal

Include:

- Details regarding the right of appeal as referenced by section 31 the CC Act.
- The 15 day deadline for submitting a Request for Hearing application after service of the order.
- The deposit required to process a Request for Hearing.
- Who to contact for additional information.

