

CONSOLIDATED WORKING COPY

BYLAW #657/93

A BYLAW OF THE TOWN OF NIPAWIN IN THE PROVINCE OF SASKATCHEWAN RESPECTING BUILDINGS

*AMENDED BY: Bylaw 703/96
Bylaw 777/01
Bylaw 791/02*

The Council of the Town of Nipawin, 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) "Regulations" means regulations made pursuant to the Act.
- (3) "Administrative Requirements" means The Administrative Requirements for Use with The National Building Code 1990 all errata and revisions thereto or any subsequent edition of the National Building Code of Canada.
- (4) "Municipality" means the Urban Municipality of the Town of Nipawin.
- (5) "Council" means the Council of the Urban Municipality of the Town of Nipawin.
- (6) Definitions contained in the Act and regulations shall apply in this bylaw.

SCOPE OF THE BYLAW:

3. (1) The Uniform Building and Accessibility Standards Act and Regulations and the Administrative Requirements shall be adopted.
- (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.

- (4) This bylaw does not apply to farm buildings other than those used as residences.
- (5) This bylaw does not apply to temporary construction sheds or light accessory buildings with a floor area of less than 23.5 square meters.
- (6) In addition to the requirements of The Uniform Building & Accessibility Standards Regulations, all buildings over two (2) storeys in building height, excluding one and two unit dwellings, shall be sprinklered. **(Amended by Bylaw 777/01)**

4. **APPLICATION:**

- (1) When a building is built this bylaw applies to the design and construction of the building.
- (2) When the whole or any part of a building is demolished this bylaw applies to any part remaining and to the work involved in the demolition.
- (3) When the whole or any part of a building is moved either within or into the Town, this bylaw applies to all parts of the building.
- (4) When a building is altered, this bylaw applies to the whole building except that the bylaw may apply only to part of the building if that part is completely self-contained with respect to the facilities and safety measures required by this bylaw.
- (5) When the occupancy of a building is changed, this bylaw applies to all parts of the building affected by the change.
- (6) When materials and equipment regulated by this bylaw are replaced or altered in a building, this bylaw applies to all such replacements and alterations.
- (7) No part of the work for which a permit is required by this bylaw shall be started or continued unless the owner has obtained a building permit to carry out that part of the work.

5. **DUTIES OF THE BUILDING INSPECTOR:**

The Building Inspector appointed by the Town Council shall administer this bylaw and keep records of all applications received, permits and orders issued, inspections and tests made, and shall retain copies of all papers and documents connected with the administration of this bylaw, which will form part of the public records.

6. **GENERAL:**

- (1) A permit is required whenever work regulated by the Act and Regulations is to be undertaken.
- (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.
- (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 municipality or any municipal official or any inspector appointed by the municipality liable for damages or otherwise by reason of the fact that a building, the placement, erection, construction, alteration, repair, renovation or reconstruction of which has been authorized by permit, does not comply with the requirements of any such building restriction agreement, bylaw, Act and/or regulation.

7. **BUILDING PERMITS:**

- (1) It shall be unlawful to excavate, or to construct, alter, demolish, or repair any building, or to move any building into or within the Town unless a permit to do so has been obtained from the Building Inspector.
- (2) Any contractor who commences any excavation, construction, alteration, demolition, repair or removal requiring a permit, unless the owner is in possession of a valid permit, is guilty of an offence under this bylaw.
- (3) Every application for a permit to erect, place, construct, alter, repair, renovate or reconstruct a building shall be in Form "A", and shall be accompanied by two sets of the plans and specifications of the proposed building, except that when authorized by an inspector plans and specifications need not be submitted.
- (4) An inspector 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.
- (5) If the work described in an application for building permit, to the best of the knowledge of the Council or its authorized representative, complies with the requirements of this bylaw, the municipality, upon receipt of the prescribed fee, shall issue a permit in Form "B" and return one set of submitted plans to the applicant.
- (6) 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 municipality pursuant to subsection 4(4) of the Act.

(7) Council may, at its discretion, have plan review, inspection and other services provided by a person, firm or corporation employed under contract to the municipality. *The fees for this service shall be the responsibility of the owner or agent of the owner and shall include the total fees charged by the firm or corporation employed under contract by the municipality plus 50% of the building permit fee charged under Section 7(8) (Amended by Bylaw 703/96).*

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

BUILDING PERMIT FEE SCHEDULE

- | | | |
|----|--|-----------|
| a) | for the first \$1,000 of estimated value or fraction thereof | - \$10.00 |
| b) | for each additional \$1,000 of estimated value of fraction thereof | - \$ 2.00 |

(9) 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.

(10) All permits issued under this section expire:

- (a) six months from date of issue if work is not commenced within that period, or
- (b) if work is suspended for a period of six months, or longer by prior written agreement of the Council.

(11) 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.

8. **DEMOLITION OR REMOVAL PERMITS:**

(1) (a) The fee for a permit to demolish or move a building shall be \$5.00.

(b) In addition, the applicant shall deposit with the municipality such sum as the Council or its authorized representative considers sufficient 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 Council or its authorized representative, not dangerous to public safety. If the applicant who demolishes or removes the building restores the site to a condition satisfactory to the Council or its authorized representative, the sum deposited shall be refunded.

(c) An additional fee of \$0.30 (Amended by Bylaw 791/2002) per square foot shall be

charged for each level of building being demolished to cover the costs of disposing the demolished building and/or structure at the Town's disposal site. The square footage to be determined by the assessment field sheets for the said property.

- (2) Every application for a permit to demolish or remove a building shall be in Form "C".
- (3) Where a building is to be demolished and the municipality is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or and on which the building is situated, the municipality, upon receipt of the fee and deposit prescribed, shall issue a permit for the demolition in Form "D".
- (4) Where a building is to be removed from the municipality, and the municipality 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 municipality, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form "D".
- (5) Where a building is to be removed from its site and set upon another site in the municipality, and the municipality 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 Council or its authorized representative, will conform with the requirements of this bylaw, the municipality, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form "D".
- (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 municipality.

9. **DUTIES OF THE OWNER:**

- (1) Every owner of property shall:
 - a) permit the Building Inspector to enter any building or premises at any reasonable time for the purpose of administering or enforcing this bylaw;
 - b) obtain, where applicable, from the appropriate authority, permits relating to building, zoning, grades, sewers, water mains, plumbing, signs, blasting, street occupancy, electricity, highways and all other permits required in connection with the proposed work.
 - c) give at least forty-eight (48) hours notice to the Town of the intention to start work on the building site;
 - d) give notice to the Town:

- i) where the excavation has been completed but before the footing for the foundation is poured,
 - ii) where a foundation wall below land surface has been placed and before any backfilling of the excavation has been carried out,
 - iii) where the framing is completed but before sheathing has begun,
 - iv) within thirty (30) days of completion of the work described in the permit,
 - v) as may otherwise be required by this bylaw.
- (2) Every owner of property who received a permit to construct or place a building which is the main building on the site of a new foundation shall, after the foundation is placed and before the framing is sheathed, provide the Town with a copy of a certificate showing the location of the foundation on the site, prepared by a Registered Saskatchewan land Surveyor.
- (3) Every owner of any property whom a written notice has been delivered in terms of Section 11 to this Bylaw, and every contractor or any other person to whom a copy of such written notice has been delivered, which notice directs that work cease immediately, shall immediately cease such work and shall not resume such work until written consent to do so is received by the owner from the Town. Responsibility for assuring that such work shall cease and shall not resume until such written consent has been received by the owner, lies entirely with the owner of property on which the work is or was in progress.

10. **DOCUMENTS ON THE SITE:**

- (1) The person to whom a permit is issued shall, during construction keep:
- a) posted in a conspicuous place on the property in respect of which the permit was issued a copy of the building permit or a poster or placard in lieu thereof.

11. **ENFORCEMENT OF BYLAW:**

- (1) If any building, or part thereof, or addition thereto is erected, constructed, reconstructed, altered, 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 supplies,
 - 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.
- (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 (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 municipality 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.

12. **SPECIAL CONDITIONS:**

- (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 administrative requirements.
- (2) It shall be the responsibility of the owner to ensure that change in property lines will not bring the building or an adjacent building 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 Acts and regulations.

13. **PENALTY:**

- (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.

14. **BYLAW REPEAL:**

Bylaw #467/82 is hereby repealed.

15. **EFFECTIVE DATE:**

This Bylaw shall come into force and take effect upon the final passing thereof.

MAYOR

TOWN ADMINISTRATOR

**TOWN OF NIPAWIN
APPLICATION FOR BUILDING PERMIT**

(Form "A")

I hereby make application for a permit to _____

_____ (construct new ,renovate, be specific)

a building according to the information below and to plans and documents attached to this application.

Civic Address _____ Zone _____

Legal Description: Lot _____ Block _____ Plan _____

Alternate Number _____ Tax Roll Number _____

Owner _____ Address _____ Phone _____

Designer _____ Address _____ Phone _____

Contractor _____ Address _____ Phone _____

Intended use of building _____

Size of building; Length _____ Width _____ Height _____ Area _____ Number of Stories _____

Fire Exits _____ Width of Exits _____ Width of Hallways _____ Handicap Accessible _____

CONSTRUCTION DETAILS:

Footings	Material	Size
Foundations	Material	Size
Exterior Walls	Material	Size
Roof	Material	Size
Studding	Material	Spacing
Floor Joists	Material	Spacing
Girders	Material	Spacing
Rafters	Material	Spacing
Chimneys	Material _____ No. _____	Code #

Heating		
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Plumbing Contractor

Electrical Contractor

Estimated cost of Building (excluding site cost) \$ _____

I hereby agree to comply with the TOWN OF NIPAWIN building bylaw and acknowledge that it is my responsibility to ensure compliance with it and any other Acts and 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

**TOWN OF NIPAWIN
BUILDING PERMIT**

(Form "B")

Permit Number _____ Permit Fee \$ _____ Date _____

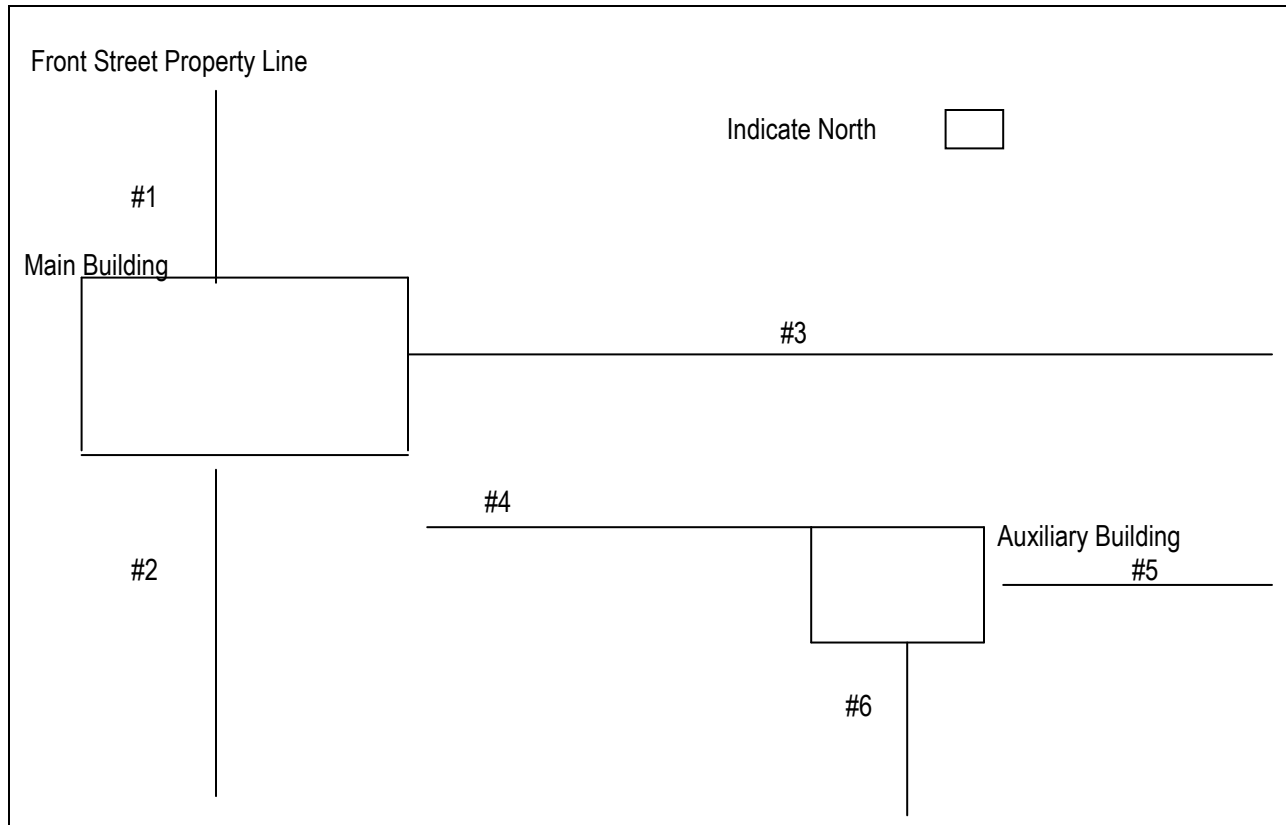
Permission is hereby granted to the applicant named above to proceed with construction in accordance with the information provided and conditions(if any) as listed below. This permit expires six months from the date of issue if work has not commenced within that period or if work is suspended for a period of six months.

Conditions:

PLOT PLAN

(for the Town of Nipawin)

Street Name _____ House Number _____



DISTANCE REQUIREMENTS:

	<u>REQUIRED</u>	<u>ACTUAL</u>
# 1 Front Yard Set Back.	_____	_____
# 2 Rear Yard minimum	_____	_____

# 3 Side Yard minimum (both sides)	_____	_____
# 4 Auxiliary to Main Building	_____	_____
# 5 Auxiliary side yard minimum	_____	_____
# 6 auxiliary rear yard minimum	_____	_____
# 7 Finish grade elevation 1'6" from frontage at top of curb	_____	_____

I hereby acknowledge that it is my responsibility to ensure compliance with all bylaws and regulations and that all information provided is correct as to setbacks and easements which may apply to the above property. No building is permitted on any easement.

(Signed Owner/Agent)

(Date)