

RURAL MUNICIPALITY OF VISCOUNT NO. 341
BYLAW NO. 2019-02

A BYLAW RESPECTING BUILDINGS

THE COUNCIL OF THE RURAL MUNICIPALITY OF VISCOUNT NO. 341, in the Province of Saskatchewan, enacts as follows:

Short Title

1. This Bylaw shall be known as and referred to 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.
- 2.2 "Administrative Requirements" means *The Administrative Requirements for Use with The National Building Code*.
- 2.3 "Authorized Representative" means a building official appointed by the local authority pursuant to subsection 5(4) of the Act or the municipal official.
- 2.4 "Local Authority" means the Rural Municipality of Viscount No. 341.
- 2.5 "Regulations" means regulations made pursuant to the Act.
- 2.6 Definitions contained in the Act and Regulations shall apply in this bylaw.

Scope of the Bylaw

- 3.1 This bylaw applied to matters governed by the Act and Regulations, including the *National Building Code of Canada*, and the Administrative Requirements.
- 3.2 Notwithstanding subsection 3.1, references and requirements in the Administrative Requirements respecting matters regulated by the Act and Regulations shall not apply.
- 3.3 Notwithstanding subsection 3.1, 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.
- 3.4 Notwithstanding the exemption applicable to farm buildings, this bylaw includes all residential occupancies including one and two unit dwellings located on farms.

General

- 4.1 A permit is required whenever work regulated by the Act and Regulations is to be undertaken and would be applicable to all residential occupancies including one and two unit dwellings located on farms.
- 4.2 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.
- 4.3 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.

Building Permits

- 5.1 Every application for a permit to construct, erect, place, alter, repair, renovate or reconstruct a building shall be in a form provided by the local authority, and shall be accompanied by two sets of the plans and specifications of the proposed building, except that when authorized by the local authority or its authorized representative plans and/or specifications need not be submitted.
- 5.2 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 the 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.
- 5.3 The local authority may, at its discretion, have a 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.
- 5.4 The local authority may, at its discretion, have a plan review, inspection and other services provided by a person, firm or corporation employed under contract to the local authority.
- 5.5 Building permit fees shall be charged in accordance with the fee schedule provided under agreement between the local authority and the Building Official Service Provider.
- 5.6 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.
- 5.7 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.
- 5.8 All permits issued under this section expire:
 - (a) 12 months from date of issue; or
 - (b) six months from date of issue if work is not commenced within that period; or
 - (c) if work is suspended for a period of six months; or
 - (d) if work is suspended for a period of longer than six months by prior written agreement of the local authority or its authorized representative.
- 5.9 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

- 6.1 No person or corporation shall demolish or remove an existing building, structure or portion thereof within the Rural Municipality of Viscount No. 341 without first obtaining a demolition or removal permit.
- 6.2 To obtain a demolition or removal permit an owner or an agent for the owner, shall file an application in a form provided by the local authority.
- 6.3
 - (a) The Fee for a permit to demolish or remove a building shall be \$50.00.
 - (b)
 - (i) In addition, the applicant shall deposit with the local authority the following sum 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.


Deposit fee for a permit to demolish or remove a building shall be \$7,000.00

(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.

(iii) If the site is not restored to a safe and tidy condition within 30 days of completion or abandonment of demolition or removal or, in any event within 3 months of the date of issuance of the permit, the applicant's deposit is forfeited, and the local authority may perform such work as is necessary to ensure the site is not dangerous to public safety. In such a case, the applicant shall be liable for the costs of site restoration and such costs shall be set off from the deposit. The applicant shall be liable to pay to the local authority any shortfall upon demand.

- 6.4 Where a building is to be removed from the local authority and the local authority or its authorized representative is satisfied that there are no debts or taxes 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.
- 6.5 (a) 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, shall issue a permit for the removal in a form provided by the local authority
- (b) In addition, the local authority, upon receipt of the fee prescribed in section 5.5, shall issue a permit for the placement of the building in a form provided by the local authority.
- 6.6 All permits issued under 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.
- 6.7 As part of the requirement of demolition or removal, the owner is responsible for terminating water and sanitary sewer services at the utility mains located within the public right-of-way, and such termination shall be undertaken at the sole cost and expense of the registered property owner.
- 6.8 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.
- 6.9 Waste material generated from a demolition shall not be buried on the site but shall be removed from the site and disposed of at an approved location.
- 6.10 Upon completion of the 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,
 - (c) provide topsoil on the property after leveling has been completed, AND
 - (d) ensure that the property is left in a safe and sanitary condition.
- 6.10.1 Should it become necessary to close or block any street, land, or sidewalk during demolition or removal, the owner or owner's contractor shall obtain the prior written approval of the local authority.
- 6.10.2 During the demolition or removal 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 of, and/or protect the public from, the work in progress.

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 expense incurred to the tax payable on the property, and
 - (g) obtaining restraining orders.
- 7.2 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.
- 

- 7.3 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) on change of ownership prior to completion of construction; and
 - (c) of intended partial occupancy prior to completion of construction.
- 7.4 A building shall not be approved for use or occupancy until the local authority is satisfied that all outstanding infractions and deficiencies, as noted on the final inspection report of the authorized representative, have been corrected and the permit has been closed.

Special Conditions

- 8.1 Notwithstanding the requirements of the Regulations, an architect or professional engineer registered in the province of Saskatchewan shall be engaged by the owner for assessment of design and inspection of construction or certification of a building or part of a building where required by the local authority or its authorized representative.
- 8.2 A 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.
- 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.
- 8.4 It shall be the responsibility of the owner to arrange for all permits, inspections and certificates required by other applicable bylaws, acts and regulations.

Penalty

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

Repeal and Coming into Force

- 10.1 This bylaw shall come into force on the date of approval by the Minister
- 10.2 Bylaw No. 2-08 is hereby repealed.



[Handwritten Signature]

 Reeve

[Handwritten Signature]

 In accordance with Clause 10 of
 The Uniform Building and Accessibility Standards Act
[Handwritten Signature]

 Executive Director
 Building Standards and Licensing
 Ministry of Government Relations

MAR 06 2019

Certified a true copy of Bylaw 2019-02
 of the Rural Municipality of Viscount No. 341
 passed by resolution of Council on the
12th day of February, 2019



[Handwritten Signature]

 Administrator