

TOWN OF ROSTHERN

BYLAW 2011-10

A BYLAW OF THE TOWN OF ROSTHERN IN THE PROVINCE OF SASKATCHEWAN RESPECTING BUILDINGS.

The Council of the Town of Rosthern, in the Province of Saskatchewan, enacts as follows:

1. SHORT TITLE

This bylaw may be cited as the Building Bylaw.

2. INTERPRETATION/LEGISLATION

- (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) “Authorized Representative” means a building official appointed by the local authority pursuant to subsection 5(4) of the Act or the municipal official.
- (4) “Administrative Requirements” means The Administrative Requirements for Use with *The National Building Code*.
- (5) “Local Authority” means the urban municipality of the Town of Rosthern.
- (6) “Value of Construction” is the total 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, overhead and profit of the contractors and subcontractors.
- (7) Definitions contained in the Act and regulations shall apply in this bylaw.

3. SCOPE OF THE BYLAW

- (1) This bylaw applies to matters governed by the Act and 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. 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 local authority or its authorized representative 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 affecting the site described in the permit.

5. BUILDING PERMITS

- (1) 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 a building official plans and specifications need not be submitted.
 - (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 this bylaw, the local authority, upon receipt of the prescribed fee, shall issue a permit in Form “B” and return one set of submitted plans to the applicant.
 - (3) 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 a building official or building officials designated by the Minister to assist the local authority pursuant to subsection 4(4) of the Act.
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- (4) 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.
- (5) The permit fee for erection, placement, construction, alteration, repair, renovation or reconstruction of a building shall be:
 - i) The full cost of those services provided by a person, firm or corporation employed under contract to the local authority in reference to Clause (4), plus
 - ii) A flat fixed administration fee as follows:
 - One- and two-family dwellings and mobile homes \$50
 - Residential garages, decks, basements and accessory buildings \$10
 - All other buildings \$150
- (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.
- (7) Approval in writing from 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.
- (8) All permits issued under this section expire
 - i) six months from date of issue if work is not commenced within that period, or
 - ii) if work is suspended for a period of six months, or
 - iii) if work is suspended for a period of longer than six months by prior written agreement of the local authority or its authorized representative.
- (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.

6. DEMOLITION OR REMOVAL PERMITS

- (1) a) The fee for a permit to demolish or move a building shall be based on the following fee schedule:
 - i) Demolition:
All structures \$25 flat fee plus refundable deposit listed in iii)
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- ii) Moving:
 - Residential garages, one- and two-family dwellings and mobile homes
 - In: \$20 flat fee plus building permit fees listed in Section 5(5)
 - Out: \$20 flat fee plus refundable deposit listed in iii)
 - All other buildings
 - In: \$50 flat fee plus building permit fees listed in Section 5(5)
 - Out: \$50 flat fee plus refundable deposit listed in iii)
- iii) Refundable deposits:
 - One- and two-family dwellings or mobile homes \$ 150
 - Residential garages and accessory buildings \$ 75
 - All other buildings \$1,000

b) In addition, the applicant shall deposit with the local authority a deposit as described in Section 6(1)(a)(iii) of this bylaw 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. 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 shall be refunded.

c) In the case of an existing building being moved into and placed into the local authority, a picture of the existing building shall accompany Form "A".

- (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 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 Form "D".
- (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 removal in Form "D".

- (5) Where a building is to be removed from its site and set upon another site in the local authority, and the local authority or its authorized representative is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, and the building when placed on its new site and completed, to the best of the knowledge of the local authority or its authorized representative, will conform with the requirements of this bylaw, the local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form "D". In addition, the local authority, upon receipt of the fees prescribed in Section 5(5), shall issue a permit for the placement of the building in Form "B".
- (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 local authority.

7. ENFORCEMENT OF BYLAW

- (1) If any building, or part thereof, or addition thereto is erected, constructed, repaired, reconstructed, altered, or placed in contravention of any provision of this bylaw, the local authority or its authorized representative may take any measures as permitted by Part V of the Act for the purpose of ensuring compliance with this bylaw including, but not limited to:
 - i) entering a building,
 - ii) ordering production of documents, tests, certificates, etc. relating to a building,
 - iii) taking material samples,
 - iv) issuing notices to owners which order actions within a prescribed time,
 - v) eliminating unsafe conditions,
 - vi) completing actions, upon an owner's non-compliance with an order, and adding the expenses incurred to the tax payable on the property, and
 - vii) obtaining restraining orders.
 - (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 (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:
 - i) on start, progress and completion of construction, and
 - ii) of change in ownership prior to completion of construction, and
 - iii) of intended partial occupancy prior to completion of construction.
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8. SPECIAL CONDITIONS

- (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.
- (2) An up-to-date plan or survey of the site described in a permit or permit application prepared by a registered land surveyor shall be submitted by the owner where required by the local authority or its authorized representative.
- (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 and certificates required by other applicable bylaws, acts and regulations.

9. 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 them from compliance therewith.

10. ADDITIONAL

- (1) Bylaw 2009-03 is hereby repealed.
- (2) This bylaw shall come into force on the date of approval pursuant to Section 23.1(4) of *The Uniform Building and Accessibility Standards Act*.

Mayor Doug Knoll

(S E A L)

Chief Administrative Officer Nicole J. Lerat

TOWN OF ROSTHERN

APPLICATION FOR BUILDING PERMIT

Name of owner: _____ Phone no.: _____

Address: _____ Postal code: _____

Email address: _____

General contractor: _____ Phone no.: _____

Address: _____ Postal code: _____

Civic address: _____, Rosthern, SK

Legal description: Lot _____, Block _____, Plan _____

Intended use of building (check one): Residential Commercial Industrial Institutional

Value of construction: \$ _____

The following forms need to be completed:

- | | |
|-----------------------------------------------------------|----------------------------------------------------------|
| <input type="checkbox"/> Attached Garages, Form A2 | <input type="checkbox"/> Blueprints for new construction |
| <input type="checkbox"/> Detached Garages, Form A3 | <input type="checkbox"/> Site plan |
| <input type="checkbox"/> Decks, Form A4 | <input type="checkbox"/> Ventilation form |
| <input type="checkbox"/> Mobile Homes, Form A5 | |
| <input type="checkbox"/> List of Contractors (Addendum A) | |

NOTE: Contractors are required to arrange for a LORAAS bin to be on-site during construction. Materials will not be accepted at the Town landfill.

I hereby agree to comply with the Town of Rosthern bylaw respecting buildings and acknowledge that it is my responsibility to ensure compliance with all other applicable acts and regulations, including "The National Building Code", "The Uniform Building and Accessibility Standards Act" and the Town of Rosthern Zoning Bylaw regardless of any review of drawings or inspections that may or may not be carried out by the building inspector or any authorized official of the Town of Rosthern.

Date

Signature of Owner or Agent

ADDENDUM "A" TO FORM "A"

List General Contractor: _____

List Sub-Contractors: *(sub-contractors' business license fees are covered by the general contractor; however, the following information is still required for information purposes)*

	Trades	Name	Address
1.	Excavation and Gravel	_____	_____
2.	Cement and Basement Work	_____	_____
3.	Framing	_____	_____
4.	Shingling, Roofing	_____	_____
5.	Siding	_____	_____
6.	Insulation and Board	_____	_____
7.	Plaster	_____	_____
8.	Joint Filling	_____	_____
9.	Floor Covering	_____	_____
10.	Finishing and Cabinets	_____	_____
11.	Plumbing and Heating	_____	_____
12.	Electrical Work	_____	_____
13.	Painting and Decorating	_____	_____
14.	Other Work:	_____	_____
		_____	_____

Date

Signature of Owner or Agent

Building Permit # _____

Permission is hereby granted to _____ to
_____ a building to be used as a _____ on civic address
or location _____

Lot _____ Block _____ Plan No. _____ 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.

This permit is issued under the following conditions:

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

Estimated cost of building: \$ _____ Permit fee: \$ _____

Date

Authorized Municipal Official

APPLICATION FOR A PERMIT TO MOVE OR DEMOLISH A BUILDING

I hereby make application for a permit to demolish a building now situated on

Civic address or location _____
Lot _____ Block _____ Plan No. _____

The demolition will commence on _____, _____, and will be completed on _____, _____.

OR

I hereby make application for a permit to move a building now situated on:

Civic address or location _____
Lot _____ Block _____ Plan No. _____

to civic address or location _____
Lot _____ Block _____ Plan No. _____

OR

out of the municipality.

The building has the following dimensions: Length _____
width _____ and height _____.

The building mover will be _____
and the date of the move will be _____, _____.

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: _____

cont'd . . .

Condition of Building: _____

I hereby agree to comply with the provisions of the Building Bylaw of the municipality and to become 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(1)(a) of the said 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 Agent

MOVING OR DEMOLITION PERMIT # _____

Permission is hereby granted to _____ to
(name of owner or agent)

move

OR

demolish

a building now situated on

Civic address or location _____

Lot _____ Block _____ Plan No. _____

to civic address or location _____

Lot _____ Block _____ Plan No. _____

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

This permit is issued under the following conditions:

Date

Authorized Municipal Official