

TOWN OF BRIDGEWATER

CHAPTER 37

BUILDING CODE BY-LAW

Be it enacted by the Council of the Town of Bridgewater, under the authority of the Nova Scotia Building Code Act, Chapter 46 of the Revised Statutes of Nova Scotia, 1989 and amendments thereto, as well as Regulations passed pursuant to the Building Code Act and any amendments thereto, as follows:

PART 1 DEFINITIONS

- 1.1 This by-law shall be known and cited as the "Building Code By-law".
- 1.2 Words not defined in this by-law have the same meaning as in the Assessment Act, Building Code Act and the regulations prescribed thereunder.
- 1.3 In this by-law,
 - a) "Act" means the Building Code Act and any amendments thereto;
 - b) "Agent" means a person who is authorized to act on behalf of an owner;
 - c) "Building Official" means the authority having jurisdiction appointed pursuant to Section 5 of the Act;
 - d) "Building Code" means the regulations made pursuant to Section 4 of the Act;
 - e) "Enclosure" means a fence, wall or other structure including doors or gates, surrounding a swimming pool to restrict access;
 - f) "Location Certificate" means a document certified by a Nova Scotia Land Surveyor confirming the location of a structure in relation to the lot;
 - g) "Manufactured Home" means a single or multiple section manufactured dwelling unit that is designed and built in accordance with CSA CAN3-Z240 Series;
 - h) "Owner" includes a person controlling the property under consideration, and also prima facie the assessed owner of the property whose name appears on the assessment roll;
 - i) "Swimming Pool" means a water-filled enclosure, permanently constructed or portable, whether above or in-ground, capable of holding water to a depth of

more than 600 mm (24"), maintained or used, or which is intended to be used for swimming;

- j) "Total Project Value" means the total value of all project construction contracts between the owner and the general contractor and subcontractors exclusive of taxes. The total project value shall include all installed architectural, structural, electrical and mechanical services but does not include land value. Where either only some or no contracts have been signed, the total project value will be determined by the Building Official based upon either an estimate of project costs submitted by the applicant to the Building Official, or the cost of similar work undertaken within the town; and
- k) "Town" means the Town of Bridgewater.

PART 2 PERMITS

General

- 2.1 A Building Permit and a Demolition Permit are valid for a period of one year from the date of issue.
- 2.2 If, within that one-year period no work has taken place and the owner has contacted the Town requesting a refund of the application fee, a refund will be provided minus an administration fee to cover expenses incurred by the Town.
- 2.3 If, within ninety (90) calendar days of the expiration date of a Building Permit, renewal is requested by the owner, a renewal shall be granted for a one-year period retroactively effective on the expiration date subject to payment of the renewal fee.
- 2.4 A Building Permit can be renewed no more than twice.
- 2.5 If a Building Permit has been expired for more than ninety (90) calendar days, the Building Permit will be cancelled. To complete any outstanding work on the project, a new Building Permit application shall be completed and an application fee paid. The application fee will be calculated based on the total project value of the outstanding work to complete the project.

Applications

- 2.6 Before a Building Permit or Demolition Permit is issued, an applicant shall complete an Application Form and pay the permit fee.
- 2.7 To authorize an Agent for the purpose of making an application for a permit, the

owner shall complete a Land Owner Authorization form as set out in Schedule I.

- 2.8 When an application for a permit has not been completed in conformance with the requirements of this By-law within six (6) months after it is filed, the application shall be deemed to have been abandoned.

Building Permit for Swimming Pools

- 2.9 A Building Permit is required for a swimming pool.

Building Permit for Retaining Walls

- 2.10 A Building Permit is required for retaining walls over six (6) feet in height. As part of the permit, the applicant must attain an engineered design for the wall.

Demolition Permit

- 2.11 Before issuing a Demolition Permit, the Building Official shall be satisfied that the property is not listed in the Town's Heritage Properties Register.
- 2.12 During demolition, the owner shall ensure safety measures at the site are in accordance with Part 8 of the National Building Code.
- 2.13 Immediately following demolition, the owner shall:
- a) ensure that all services are capped, marked with stakes and inspected by the appropriate authority; and
 - b) immediately clean the property and remove all debris and other material in accordance with Section 15 of the Municipal Government Act and Town of Bridgewater Solid Waste Collection By-law.

Occupancy Permit

- 2.14 An Occupancy Permit is provided to the owner at the conclusion of a successful final building inspection for the purpose of confirming that the work has been done in accordance with the terms of the Building Permit and is consistent with the applicable regulations.

- 2.15 If an Occupancy Permit is required for a building or structure for which the Building Permit has been cancelled or expired, the Building Official may inspect the building or structure for the purpose of issuing an Occupancy Permit where:
- a) the owner or his agent requests an inspection in writing; and
 - b) a Building Permit has previously been issued for the subject building or structure; and
 - c) the inspections required as per the Building Permit have been completed and records of said inspections are available; and
 - d) the Occupancy Permit inspection fee has been paid.
- 2.16 The Building Code in effect at the date of issuance of the Building Permit shall be applied for all such inspections.
- 2.17 An Occupancy Permit will not be issued for any building shown on the assessment roll to exist prior to the coming into effect of the Building Code Act on April 1, 1987.

Occupancy Permits for Temporary Buildings

- 2.18 An Occupancy Permit for a temporary building shall not be issued for a period of more than one (1) year, shall not be renewed, nor shall a second permit for a temporary building on the same property be issued until a period of 30 days has elapsed following the expiration of any previous Occupancy Permit for a temporary building.
- 2.19 A temporary building shall be removed immediately upon expiration of the Occupancy Permit.

Location Certificates

- 2.20 With the exception of section 2.21 of this By-law, a location certificate is required for all new structures and any new construction that alters the building envelope and shall be approved by the Building Official and the Development Officer after the footings or slab has been poured to ensure the construction meets the requirements of the Land Use Bylaw and Building Code.
- 2.21 A location certificate may not be required, in the sole discretion of the Building Official, for additions to buildings or for the construction of a building that is accessory to a single unit dwelling, semi-detached dwelling or townhouse.

PART 3 INSPECTIONS

- 3.1 The owner shall notify the Building Official a minimum of two (2) business days in advance of a required inspection to schedule an appointment.
- 3.2 One (1) hour of notice shall be provided to the Building Official to reschedule a scheduled inspection if the work required for the inspection is not complete. Failure to provide said notice may result in an Inspection Cancellation fee. The Inspection Cancellation fee shall be paid by the owner prior to the completion of any future inspections.
- 3.3 Required inspections shall be listed on the Building Permit, and may consist of:
 - a) Excavation Inspection – conducted after site excavation, but before footings are placed.
 - b) Footing Inspection - conducted when the footings are placed and the forms have been removed. The location certificate referenced in section 2.20 of this By-law is required before additional construction can be completed by the owner.
 - c) Foundation Inspection Prior to Backfill – conducted after foundation is installed and damp proofed with drain tile in place.
 - d) Underground Plumbing Inspection – conducted after sub-slab plumbing is installed.
 - e) Sub-Slab Underground Insulation Inspection – conducted after sub-slab insulation is installed.
 - f) Rough-in Plumbing Inspection – conducted when plumbing has been installed, but before insulation is placed in the walls. This is often done at the same time as the framing inspection.
 - g) Framing Inspection – conducted when all framing is complete and all windows are installed. The building must be weather tight.
 - h) Insulation and Vapour Barrier Inspection – conducted when all insulation and vapour barrier is installed.
 - i) Final Building Inspection – includes an inspection on the completed building or structure to ensure compliance with the Building Code and this By-law. This inspection shall occur prior to occupancy of the building or structure.

- 3.4 In the case of a manufactured home, the final inspection will be completed to ensure compliance with CSA CAN3-Z240.10.1-94 "Recommended Practice for Site Preparation, Foundation and Anchorage of Manufactured Homes."

PART 4 FEES AND REFUNDS

- 4.1 The fees required under this By-law shall be in accordance with the Fees Policy.

PART 5 COMING INTO FORCE

- 5.1 This By-law is to come into force and take effect on the date of its enactment.
- 5.2 Chapter 37 of the by-laws of the Town of Bridgewater, approved April 1, 1987, is hereby repealed and this By-law substituted therefor.
- 5.3 Chapter 168 of the by-laws of the Town of Bridgewater, approved September 9, 1994, is hereby repealed.