

RURAL MUNICIPALITY OF RIVERSIDE NO. 168

BYLAW NO. 1-2023

A BYLAW RESPECTING BUILDINGS

The Council of the Rural Municipality of Riverside No. 168 in the Province of Saskatchewan enacts as follows:

SHORT TITLE

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

PURPOSE OF THE BUILDING BYLAW

- 2 The purpose of this 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 Definitions contained in *The Construction Codes Act*, *The Building Code Regulations* and *The Energy Code Regulations* shall apply in this building bylaw.

"**Act**" means The Construction Codes Act.

"**local authority**" means the municipality to which this Building Bylaw applies.

"**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.

"**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 regulations.

"**occupancy certificate**" means a certificate issued with respect to the approved use or occupancy of a building.

"**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.

"**owner's representative**" means any person, company, employee or contractor who has authority to act on behalf of an owner.

"**permit**" means written authorization issued by the local authority or its building official in the form of a building permit.

"**plan review**" means the examination of building drawings and related documents by a building official to ascertain whether those drawings and documents meet the requirements of the Act and the regulations.

"**regulations**" means *The Building Code Regulations* and *The Energy Code Regulations*.

"**work**" means any construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building.

SCOPE OF THE BYLAW

- 4 This building bylaw applies to all work undertaken or to be undertaken within the geographical jurisdiction of the local authority.

GENERAL

- 5(1) It is the duty of every owner or the owner's representative of a building in Saskatchewan to ensure that the building and work is in accordance with the Act, the regulations, any associated codes, interpretations and orders and any bylaws adopted by the local authority with which the building is associated.
- (2) 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.
- (3) A building or part of a building for which a permit has been granted shall not be occupied before the issuance of an occupancy certificate by the local authority or the building official pursuant to clause 16(11)(h) of the Act.
- (4) The provisions of this building bylaw apply to buildings greater than 10m² (107.6 ft²) in building area except as otherwise exempted by the Act or the regulations.

PERMIT - ISSUANCE

- 6(1) Every application for a permit for work shall be on the form provided by the local authority, and shall be accompanied by a set of plans and specifications of the proposed building and work.
- (2) Every permit application shall be reviewed and approved by the building official including plan review and approval.
- (3) If the work described in an application for a permit, to the best of the knowledge of the local authority, complies with the requirements of this building bylaw, the Act, or the regulations, the local authority or the building official shall, on receipt of the required fee, issue a permit on the form provided by the local authority. In addition, the approved plans and specifications will be returned to the owner or the owner's representative with the permit.
- (4) A permit issued pursuant to this building bylaw must include:
 - (a) the name of the person, or company to whom the permit is issued;
 - (b) the period for which the permit is valid;
 - (c) a statement of all fees, deposits or bonds charged for the permit;
 - (d) the scope of work authorized by the permit;

- (e) the municipal address or legal description of the property on which the work described in the permit is located;
 - (f) the buildings or portion of buildings to which the permit applies;
 - (g) the date of completion of the stages of construction for which a permit holder must inform the local authority;
 - (h) any conditions that the permit holder is required to comply with; and
 - (i) any information required by this building bylaw.
- (5) No person, or company to whom a permit is issued pursuant to the Act shall fail to comply with the terms and conditions of the permit.
 - (6) Work must not commence before a permit is issued.
 - (7) The permit fee shall be calculated according to the sum of the following:
 - (a) a permit administration fee listed in a fee bylaw for the processing, handling and issuance of a permit;
 - (8) The permit fee will be collected before the permit is issued.

NOTIFICATION

- 11(1) The owner or the owner's representative of a building to be constructed shall ensure that the local authority is notified of:
 - (a) when excavation is to be commenced;
 - (b) when the foundation is to be placed;
 - (c) when a superstructure is to be placed on the foundation;
 - (d) any other event at the time required by the permit under which work has been undertaken; and
 - (e) any other specified event at the specified time.
- (2) Before commencing work at a building site, the owner or the owner's representative shall give notice to the local authority of:
 - (a) the date on which the owner or the owner's representative intends to commence the work; and
 - (b) subject to subsection (8), the name, address and telephone number of:
 - (i) the constructor or other person in charge of the work;
 - (ii) the designer of the work;
- (3) Subject to subsection (8), the owner or the owner's representative of a building under construction shall give notice to the local authority of:
 - (a) any change in ownership or change in address of the owner or the owner's representative that occurs before the issuance of an occupancy certificate as soon as the change occurs; and
 - (b) the owner's or owner's representative intention to occupy a portion of the building if the building is to be occupied in stages.

SPECIAL CONDITIONS


- 12(1)** An owner or the owner's representative that undertakes to construct or have constructed a building that is within the scope of Parts 3, 5, 6 and 7 of the NBC shall have an architect or engineer complete the design or design review of:
- (a) the building; and
 - (b) all building systems.
- (1) An owner or the owner's representative that undertakes to construct or have constructed a building with a structure that is within the scope of Part 4 of the NBC shall have an architect or engineer complete:
- (a) the design or design review of the structure;
 - (b) an inspection of construction of the structure to ensure compliance with the design; and
 - (c) the reviews required by the NBC.
- (2) An owner or the owner's representative that undertakes to construct or have constructed a building with a structure within the scope of the NECB shall have an architect or engineer complete:
- (a) the design or design review of the structure;
 - (b) the inspection of construction of the structure to ensure compliance with the design; and
 - (c) the reviews required by the NECB.
- (3) An owner or the owner's representative that undertakes to construct or have constructed a building that is within the scope of Part 9 of the NBC shall ensure that a competent person has designed or reviewed the design of the building.

PENALTY

- 13(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.

X *Richard B*
REEVE

X *Beandi Priest*
ADMINISTRATOR



Certified as a true copy of bylaw number 1-2023
adopted by resolution on the 9th day of May, 2023

