



WABUSH

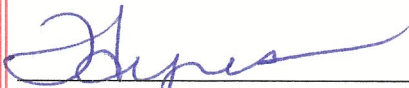
TOWN OF WABUSH

BUILDING REGULATIONS


Pursuant to the powers vested in it by virtue of the Municipalities Act, 1999, Section 414, (3) and all other powers it enabling, the Town Council of the Town of Wabush in the regular session convened on the 17th day of November 2022, hereby passes and enacts the following Building Regulations.

1. These Regulations may be cited as the Town of Wabush Building Regulations, 2022.
2. These Regulations shall come into effect on the 17th day of November, 2022, and may be cited as the Town of Wabush Building Regulations, 2022.
3. As per Section 414(4) of the Municipalities Act, 1999, The National Building Code of Canada and Supplements and amendments shall be kept at the offices of the Council and shall be available for inspection by members of the public.
4. All previous Building Regulations of the Town of Wabush are hereby repealed.

In Witness Whereof the seal of the Town of Wabush has been affixed herewith and the Mayor and the Town Clerk have signed these Regulations on behalf of the Wabush Town Council this 17th day of November 17, 2022.



Witness



Ron Barron
Mayor



Kathy Bolger
Town Clerk/Director of Finance

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Important Information

(Includes details about the availability of printed and electronic versions of the Statutes.)

Table of Regulations

Main Site

How current is this regulation?

CONSOLIDATED NEWFOUNDLAND AND LABRADOR REGULATION 1021/96

Occupancy and Maintenance Regulations
under the
Urban and Rural Planning Act
(O.C. 96-201)

Amended by:

29/98
62/01
2/04
36/04
78/04
48/05
110/07
2008 c47 s13
107/09
24/10
76/10
97/11
66/15
67/18
73/19
66/21

CONSOLIDATED NEWFOUNDLAND AND LABRADOR REGULATION 1021/96

Occupancy and Maintenance Regulations
under the
Urban and Rural Planning Act
(O.C. 96-201)

Under the authority of section 63 of the *Urban and Rural Planning Act* and the *Subordinate Legislation Revision and Consolidation Act*, the Lieutenant-Governor in Council makes the following regulations.

REGULATIONS

Analysis

1. Short title
2. Definitions
3. Application

4. Occupancy
5. Maintenance
6. Structural soundness
7. Property drainage
8. Fire prevention
9. Pest control
10. Dampness
11. Basement habitable rooms
12. Exterior walls
13. Exits
14. Exterior doors
15. Porches and stairs
16. Roofs
17. Fireplaces
18. Floors
19. Interior walls and ceilings
20. Heating and weatherproofing
21. Plumbing
22. Electrical
23. Washroom facilities
24. Kitchen facilities
25. Washrooms
26. Lighting and ventilation of habitable rooms.
27. Sleeping rooms
28. Cooking prohibited in sleeping rooms
29. Overcrowding
30. Storage space
31. Enclosed space access
32. Walkways, driveways
33. Fences
34. On site storage
35. Debris prohibited
36. Landscaping
37. Rubbish disposal
38. Composting container
39. Manner of composting
40. Container location
41. Powers of enforcement authority
42. Failure to comply
43. Conflict
44. Penalty
45. Appeal
46. Repeal

Schedule

Short title

1. These regulations may be cited as the *Occupancy and Maintenance Regulations*.

CNR 1021/96 s1

[Back to Top](#)

Definitions

2. In these regulations

- (a) "Act" means the *Urban and Rural Planning Act* ;
- (b) "building line" means a line established by the enforcement authority to set the horizontal distance between the closest point of a building and the street line;
- (c) "composting" means the storage and controlled biochemical decomposition of vegetables, fruit or garden waste;
- (d) "enforcement authority" means the authorized administrator or the municipal council having jurisdiction in the area designated by the minister; and
- (e) "minister" means the minister appointed under the *Executive Council Act* to administer the Act.

CNR 1021/96 s2

[Back to Top](#)

Application

3. These regulations shall apply to those municipalities or municipal planning areas listed in the Schedule.

CNR 1021/96 s3

[Back to Top](#)

Occupancy

4. (1) A person shall not occupy for human habitation or otherwise, or be the owner of, permit to be occupied for human habitation or otherwise, a dwelling or structure which does not conform to the standards set out in these regulations.

(2) All new dwellings and structures, all existing vacant dwellings and structures and a dwelling or structure which becomes unoccupied and not maintained for a length of time, shall require an occupancy permit issued by the enforcement authority before the proposed occupancy occurs.

(3) Notwithstanding subsections (1) and (2), temporary departures from existing properties for annual vacation, work related purposes, education, health reasons, temporary duty elsewhere, or business trips, shall not be considered as vacancies under these regulations.

CNR 1021/96 s4

[Back to Top](#)

Maintenance

5. All properties in the areas listed in the Schedule including land, buildings, structures, dwellings, fences, sheds, garages, parking lots, driveways, landscaping and all appurtenances shall be maintained in a state of good condition and repair in accordance with the standards set out in these regulations and as otherwise ordered by the enforcement authority.

CNR 1021/96 s5

[Back to Top](#)

Structural soundness

6. Structural components of all buildings and dwellings shall be

- (a) free from deterioration, loose jointing, sagging, bulging and excessive deflection; and
- (b) capable of sustaining safely the weight of the structure or dwelling and a load to which it may be normally subjected.

CNR 1021/96 s6

[Back to Top](#)

Property drainage

7. All occupied land shall be provided with adequate surface water drainage over the whole area of the property to prevent ponding and to prevent run-off to adjacent properties with suitable arrangements for the disposal of surface water without eroding or flooding.

CNR 1021/96 s7

[Back to Top](#)

Fire prevention

8. (1) All buildings and dwellings shall meet the requirements of those local, provincial and national fire regulations that may be applicable.

(2) A building or dwelling shall not be permitted to be occupied if it is a potential fire hazard due to its location, construction, contents or another reason and all those structures or dwellings shall be made to conform to the appropriate codes and standards as adopted by the enforcement authority before occupancy is permitted.

(3) An occupied structure that is considered a fire hazard may be ordered vacated by the enforcement authority until the applicable deficiencies have been corrected by the owner.

(4) Smoke alarms conforming to the standards set out in the National Building Code shall be installed in every dwelling unit and in accordance with the requirements of the National Building Code, in all other buildings

CNR 1021/96 s8

[Back to Top](#)

Pest control

9. (1) Every structure and dwelling shall be kept free of rodents, vermin and insects and appropriate extermination measures shall be taken when ordered by the enforcement authority.

(2) Extermination measures ordered under subsection (1) shall be at the owner's expense.

CNR 1021/96 s9

[Back to Top](#)

Dampness

10. The basement, attic space, floors, ceilings, crawl space and cellar of every building and dwelling unit shall be kept free from dampness, moisture, condensation and interior sweat so as to prevent rot and the development of mildew or other health hazard.

[CNR 1021/96 s10](#)

[Back to Top](#)

Basement habitable rooms

11. A room in the basement of a building or dwelling shall not be used as a habitable room unless

- (a) the finished floor of that room is not more than an average depth of 1,143 millimetres below the finished grade of the property;
- (b) the room is ventilated;
- (c) all walls below grade are effectively damp-proof resulting in a dry interior condition;
and
- (d) the interior of the basement wall is properly insulated and finished.

[CNR 1021/96 s11](#)

[Back to Top](#)

Exterior walls

12. (1) Exterior walls and their components shall be adequate to support loads upon them and shall be maintained to prevent their deterioration from any cause.

(2) Exterior cladding or covering must be reasonably durable and be maintained in accordance with the standards set out in these regulations and as otherwise determined by the enforcement authority.

[CNR 1021/96 s12](#)

[Back to Top](#)

Exits

13. (1) A single exit is permitted from the ground floor of a dwelling unit provided

- (a) the exit is to the exterior at or near ground level; and
- (b) it provides a safe, continuous and unobstructed means of egress.

(2) Dwelling units which do not meet the requirements of subsection (1) shall have 2 exits.

(3) Buildings other than dwelling units shall comply with the building code with respect to exit provisions.

[CNR 1021/96 s13](#)

[Back to Top](#)

Exterior doors

14. (1) Existing doors and frames shall be in sound condition, well fitted and operate satisfactorily.

(2) At least one entrance door in every unit shall be capable of being locked from both inside and outside.

(3) All exterior doors shall be weather-stripped or have an appropriate combination of storm and screen door suitable for all year use.

CNR 1021/96 s14

[Back to Top](#)

Porches and stairs

15. All porches, balconies, landings, stairs and handrails shall be well constructed and free from defects which may constitute a safety hazard.

CNR 1021/96 s15

[Back to Top](#)

Roofs

16. (1) All roof construction components shall provide adequate support for all probable loads and form a suitable base for the roof covering.

(2) A roof including the fascia board, soffit, cornice and flashing shall be maintained in a watertight condition so as to prevent leakage of water into the dwelling.

CNR 1021/96 s16

[Back to Top](#)

Fireplaces

17. All fireplaces, fuel burning equipment and chimneys shall be maintained in a safe, efficient condition.

CNR 1021/96 s17

[Back to Top](#)

Floors

18. (1) All floors shall be constructed and maintained so as to adequately accept the applied loads without undue deflection and damage.

(2) Defective or excessively worn, deteriorated, cracked, or torn finishes shall not be permitted by the enforcement authority.

CNR 1021/96 s18

[Back to Top](#)

Interior walls and ceilings

19. (1) Every wall and ceiling finish shall be maintained free from holes, loose or deteriorated coverings or other defects which may increase the spread of fire.

(2) Where fire resistant walls exist between separate dwelling units, they shall be maintained in a condition which retains their fire resistant quality.

[Back to Top](#)

Heating and weatherproofing

20. (1) All buildings and dwelling units shall be weatherproof and insulated so as to be capable of being adequately heated with a reasonable consumption of fuel.

(2) Heating equipment in every building and dwelling shall be in good working order and in good repair, free from fuel leaks and other defects and shall be non-hazardous to the occupants, in the opinion of the enforcement authority.

(3) Fuel storage equipment, supports and piping shall meet the requirements of the applicable regulations.

CNR 1021/96 s20

[Back to Top](#)

Plumbing

21. (1) All plumbing, drain pipes, water pipes, water closets, sinks and other plumbing fixtures in a building or dwelling shall be maintained in good order and repair in accordance with the requirements of the enforcement authority.

(2) Where necessary due to the nature of the construction of the unit, all water pipes subject to the possibility of freezing shall be insulated, heated or otherwise protected.

(3) All plumbing fixtures shall have suitable traps installed and all plumbing systems shall be properly vented to the outdoors.

CNR 1021/96 s21

[Back to Top](#)

Electrical

22. (1) The electrical service, distribution equipment, wiring, equipment and appliances used in a building or dwelling unit shall be installed and maintained in accordance with the requirements of the Newfoundland and Labrador Hydro Corporation.

(2) Exposed, loose wiring, broken or damaged switches or outlet covers or damaged fixtures shall not be permitted by the enforcement authority.

CNR 1021/96 s22

[Back to Top](#)

Washroom facilities

23. (1) Every dwelling unit shall be provided with at least one kitchen sink, washbasin, water closet and bathtub or shower which

- (a) is in good working order;
- (b) is connected to a piped water supply; and
- (c) has an acceptable means of sewage disposal.

(2) Every dwelling unit shall have provisions for a constant supply of both hot and cold water.

(3) Hot water tanks shall be insulated and equipped with automatic temperature control.

(4) All plumbing fixtures shall operate properly and shall be free from leaks.

CNR 1021/96 s23

[Back to Top](#)

Kitchen facilities

24. (1) Every dwelling unit shall contain a kitchen area equipped with a sink, served with hot and cold running water, storage facilities and a counter top work area.

(2) Each kitchen or working area shall be provided with at least one operable window or skylight opening to the external air and having an area of not less than 10% of the net floor area of the room, or with a mechanical system of ventilation satisfactory to the enforcement authority.

CNR 1021/96 s24

[Back to Top](#)

Washrooms

25. (1) All washrooms, including toilets and bathrooms, shall be

- (a) located within and shall be accessible from within the building; and
- (b) fully enclosed and in the case of a public building, have a lockable door to provide privacy.

(2) Every washroom, toilet and bathroom shall be provided with

- (a) at least one operable window or skylight opening to the external air and having an area of not less than 10% of the floor area of the room; or
- (b) a mechanical system of ventilation satisfactory to the enforcement authority.

CNR 1021/96 s25

[Back to Top](#)

Lighting and ventilation of habitable rooms.

26. (1) Every habitable room in a dwelling unit shall contain one or more operable windows.

(2) Windows required under subsection (1) shall open directly to the outside air and the total area of window or windows in every habitable room shall not be less than 10% of the floor area of that room.

(3) All window sashes shall be glazed and provided with suitable hardware.

CNR 1021/96 s26

[Back to Top](#)

Sleeping rooms

27. (1) A room shall not be used for sleeping purposes unless it has a floor area of at least 6 square metres.

(2) Where more than one individual at least 12 years of age uses a room for sleeping purposes, it shall have at least 12 cubic metres of air space and 5 square metres of floor space.

(3) Where an individual less than 12 years of age uses a room for sleeping purposes, it shall have at least 6 cubic metres of air space and 3 square metres of floor space.

CNR 1021/96 s21

[Back to Top](#)

Cooking prohibited in sleeping rooms

28. Where more than 2 persons occupy a dwelling unit, food shall not be prepared in a room used for sleeping purposes.

CNR 1021/96 s28

[Back to Top](#)

Overcrowding

29. The number of persons in a building or part of a building shall not exceed the numbers permitted under the Fire and Life Safety Code or another code or standard adopted by the enforcement authority.

CNR 1021/96 s29

[Back to Top](#)

Storage space

30. Every dwelling unit shall have general storage and closet space as required by applicable housing regulations or as determined by the enforcement authority.

CNR 1021/96 s30

[Back to Top](#)

Enclosed space access

31. (1) An access opening of at least 600 millimetres by 750 millimetres shall be provided when required to attics, crawl spaces and other enclosed spaces.

(2) Where mechanical equipment is enclosed, the access opening shall be sufficiently large to permit the removal and replacement of the equipment.

(3) Enclosed attic, roof and crawl spaces shall be vented to the exterior of the structure.

CNR 1021/96 s31

[Back to Top](#)

Walkways, driveways

32. Steps, walks, driveways, parking spaces and similar areas of a yard shall be adequately lit and maintained to afford safe passage under normal use and weather conditions.

CNR 1021/96 s32

[Back to Top](#)

Fences

33. (1) A fence shall not extend in front of the building line where it would reduce the visibility of vehicles entering or exiting a street or intersection.

(2) Fences, barriers and retaining walls shall be kept in good repair and free from accident hazards.

(3) Subsection (1) does not apply to hedges, walls or ornamental fences not exceeding 750 millimetres in height.

CNR 1021/96 s33

[Back to Top](#)

On site storage

34. (1) The storage of materials or equipment on the site of a building or dwelling unit shall be at the rear of the lot.

(2) All items shall be neatly arranged and shall not cause inconvenience or imposition to adjoining properties.

(3) Storage space on corner lots shall be screened.

CNR 1021/96 s34

[Back to Top](#)

Debris prohibited

35. Land shall be free from debris including a vehicle, trailer or object which is in a wrecked, discarded or abandoned condition.

CNR 1021/96 s35

[Back to Top](#)

Landscaping

36. (1) Land shall be protected by suitable ground cover which prevents erosion of the soil.

(2) Plants and vegetation shall be kept trimmed so as not to be unsightly to neighbouring property.

CNR 1021/96 s36

[Back to Top](#)

Rubbish disposal

37. (1) All garbage, rubbish, waste and other debris from residential properties shall be

- (a) promptly stored in regulation receptacles; and
- (b) made available for removal in accordance with the standards approved by the enforcement authority.

(2) Subsection (1) does not apply to composting.

CNR 1021/96 s37

[Back to Top](#)

Composting container

38. All composting must be carried out in a suitably maintained container which

- (a) may be commercially or owner constructed;
- (b) must be rodent proof; and
- (c) must be properly vented.

CNR 1021/96 s38

[Back to Top](#)

Manner of composting

39. All composting shall be carried out in a manner that neither attracts rodents, flies or animals nor causes an unpleasant odour and shall be maintained so as not to be a nuisance to neighbouring properties.

CNR 1021/96 s39

[Back to Top](#)

Container location

40. Composting containers shall be located in the rear yard no closer than one metre to a lot line.

CNR 1021/96 s40

[Back to Top](#)

Powers of enforcement authority

41. (1) The enforcement authority may direct the owner of a dwelling unit or building which does not conform to the standard

- (a) to undertake work to make the dwelling unit or building conform to the standard;
- (b) to demolish all or part of a building or dwelling or structure or erection forming a part of the building or dwelling; or
- (c) to clean and paint as required to provide a satisfactory condition of appearance and cleanliness,

within the time that the enforcement authority may specify.

(2) Every owner shall carry out the directions of the enforcement authority referred to in subsection (1).

CNR 1021/96 s41

[Back to Top](#)

Failure to comply

42. (1) If an owner does not comply with the directions of the enforcement authority, the enforcement authority may

- (a) order the necessary work to be done to make the dwelling or building conform to the standards and recover the cost from the owner; or
- (b) order the demolition of the building.

(2) The owner shall carry out the demolition referred to in paragraph (1)(b) but if the owner does not comply with the order, the enforcement authority may carry out the demolition through its

officers, agents, employees or contractors and recover the cost of so doing as a civil debt from the owner.

CNR 1021/96 s42

[Back to Top](#)

Conflict

43. Where a provision of this regulation conflicts with a provision of another Act or regulation in force in the planning area concerned, the provisions that established the higher standard to protect the health, safety and welfare of the general public shall prevail.

CNR 1021/96 s43

[Back to Top](#)

Penalty

44. A person who contravenes a provision of this regulation shall, upon conviction, be liable to the penalties imposed by section 106 of the *Urban and Rural Planning Act, 2000*.

2008 c47 s13

[Back to Top](#)

Appeal

45. (1) A person or corporation aggrieved by a decision made under these regulations may appeal to the appropriate appeal board within 30 days of the date of the decision appealed.

(2) The enforcement authority shall provide the aggrieved with a written statement of the exact procedures to be followed.

CNR 1021/96 s45

[Back to Top](#)

Repeal

46. The following regulations are repealed:

- (a) **Town of Arnold 's Cove Occupancy and Maintenance Regulations, 1993, Newfoundland Regulation 210/93;**
- (b) **Town of Avondale Occupancy and Maintenance Regulations, 1988, Newfoundland Regulation 46/88;**
- (c) **Community of Berry Head Occupancy and Maintenance Regulations, 1979, Newfoundland Regulation 155/80;**
- (d) **Bishop's Falls Occupancy and Maintenance Regulations, 1978, Newfoundland Regulation 41/78;**
- (e) **Town of Bonavista Occupancy and Maintenance Regulations, 1984, Newfoundland Regulation 181/84;**
- (f) **Burin Occupancy and Maintenance Regulations, 1983, Newfoundland Regulation 201/83;**
- (g) **Town of Carbonear Occupancy and Maintenance Regulations, 1984, Newfoundland Regulation 66/84;**

- (h) Town of Channel - Port aux Basques Occupancy and Maintenance Regulations, 1986, Newfoundland Regulation 189/86;**
- (i) Town of Conception Bay South Occupancy and Maintenance Regulations, 1985, Newfoundland Regulation 202/85;**
- (j) City of Corner Brook Occupancy and Maintenance Regulations, 1986, Newfoundland Regulation 247/86;**
- (k) Deer Lake Occupancy and Maintenance Regulations, 1983, Newfoundland Regulation 125/83;**
- (l) Town of Dover Occupancy and Maintenance Regulations, 1985, Newfoundland Regulation 116/85;**
- (m) Gambo Occupancy and Maintenance regulations, 1982, Newfoundland Regulation 247/82;**
- (n) Gander Occupancy and Maintenance Regulations, 1979, Newfoundland Regulation 163/79;**
- (o) Town of Happy Valley - Goose Bay Occupancy and Maintenance Regulations, 1977, Newfoundland Regulation 1030/78;**
- (p) Town of Harbour Grace Occupancy and Maintenance Regulations, 1984, Newfoundland Regulation 272/84;**
- (q) Town of Harbour Main - Chapel's Cove - Lakeview Occupancy and Maintenance Regulations, 1984, Newfoundland Regulation 102/84;**
- (r) Town of Holyrood Occupancy and Maintenance Regulations, 1984, Newfoundland Regulation 94/84;**
- (s) Local Improvement District of Kippens Occupancy and Maintenance Regulations, 1979, Newfoundland Regulation 1/80;**
- (t) Labrador City Occupancy and Maintenance Regulations, 1982, Newfoundland Regulation 245/82;**
- (u) Town of Logy Bay - Middle Cove - Outer Cove Occupancy and Maintenance Regulations, 1989, Newfoundland Regulation 142/89;**
- (v) City of Mount Pearl Occupancy and Maintenance Regulations, 1994, Newfoundland Regulation 43/94;**
- (w) Town of Northern Arm Occupancy and Maintenance Regulations, 1989, Newfoundland Regulation 167/89;**
- (x) Town of Paradise Occupancy and Maintenance Regulations, 1986, Newfoundland Regulation 49/86;**
- (y) Town of Pasadena Occupancy and Maintenance Regulations, 1978, Newfoundland Regulation 1074/78;**
- (z) Town of Pouch Cove Occupancy and Maintenance Regulations, 1984, Newfoundland Regulation 42/84;**
- (aa) Town of St. George's Occupancy and Maintenance Regulations, 1988, Newfoundland Regulation 250/88;**

(bb) Town of Stephenville Occupancy and Maintenance Regulations, 1976, Newfoundland Regulation 1116/78;

(cc) Trepassy Occupancy and Maintenance Regulations, 1985, being Newfoundland Regulation 239/85; and

(dd) Town of Wabush Occupancy and Maintenance Regulations, 1984, Newfoundland Regulation 273/84.

[Back to top](#)

Schedule

Town of Arnold 's Cove

Town of Avondale

Town of Bay Roberts

Town of Bishop 's Falls

Town of Bonavista

Town of Burin

Town of Carbonear

Town of Channel - Port aux Basques

Town of Clarenville

Town of Conception Bay South

City of Corner Brook

Town of Deer Lake

Town of Dover

Town of Gambo

Town of Gander

Town of Glovertown

Town of Grand Bank

Town of Grand Falls - Windsor

Town of Happy Valley - Goose Bay

Town of Harbour Grace

Town of Harbour Main - Chapel's Cove - Lakeview

Town of Holyrood

Town of Kippens

Town of Labrador City

Town of Lewisporte

Town of Logy Bay - Middle Cove - Outer Cove

Town of Marystown

City of Mount Pearl

Town of Norman 's Cove Long Cove

Town of North River

Town of Northern Arm

Town of Paradise

Town of Pasadena

Town of Peterview

Town of Petty Harbour-Maddox Cove

Town of Placentia

Community of Port au Port East

Town of Portugal Cove-St. Philips

Town of Pouch Cove

Town of St. George's

Town of Stephenville

Town of Sunnyside

Town of Torbay

Town of Trepassey

Town of Wabush

Town of Witless Bay

CNR 1021/96 Sch; 29/98 s1; 62/01 s1; 2/04 s1; 36/04 s1; 78/04 s1; 48/05 s1;
110/07 s1; 107/09 s1; 24/10 s1; 76/10 s1; 97/11 s1; 66/15 s1; 67/18 s1; 73/19 s1;
66/21 s1

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