

CITY OF WEYBURN

BYLAW NO. 2023-3462

A BYLAW RESPECTING BUILDINGS AND RELATED ACTIVITIES

Whereas The *Construction Codes Act* provides that a local authority shall pass bylaws with respect to the safe design, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy, or change of occupancy of a building in the jurisdiction of the City of Weyburn.

Now therefore, The Council of the City of Weyburn enacts as follows:

TITLE

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

PURPOSE

2. The purpose of this bylaw is to provide for 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 orders within the local authority.

DEFINITIONS

3. Definitions contained in *The Construction Codes Act*, *The Building Code Regulations* and *The Energy Code Regulations* shall apply in this building bylaw.
 - (1) "Act" means *The Construction Codes Act*.
 - (2) "Administrative Requirements" means *The Administrative Requirements for Use with the National Building Code of Canada 1985*.
 - (3) "Building Official" means a Licensed Building Official of the City of Weyburn as appointed by Council.
 - (4) "Certificate of Occupancy" means a written document issued by the local authority giving the owner of the building permission to occupy the building for its intended use;
 - (5) "City" means the Urban Municipality of the City of Weyburn.
 - (6) "Competent Person" means a person who is recognized by a local authority as having:
 - (a) a degree, certificate or professional designation; or
 - (b) the knowledge, experience and training; necessary to design or review the design of a building.
 - (7) "Local Authority" means the City of Weyburn.
 - (8) "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.
 - (9) "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.
 - (10) "Occupancy" means the use or intended use of all or part of a building for the shelter or support of persons, animals or property.
 - (11) "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.

- (12) "Owner's Representative" means any person, corporation, employee or contractor who has authority to act on behalf of an owner.
- (13) "Permit" means written authorization issued by a local authority or its appointed building official.
- (14) "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.
- (15) "Regulations" means *The Building Code Regulations* and *The Energy Code Regulations*.
- (16) "Stop Work Order" means an order issued pursuant to section 25 of the Act, by the building official to stop all work immediately and enforced until the ordered actions have been completed by the permit holder and remedial actions approved by the building official.
- (17) "Unsafe Condition" means a condition that could cause undue hazard to the health, safety or welfare of any person who is authorized or expected to be or could reasonably be foreseen to be on or about the premises.
- (18) "Value Of Construction" means the total costs 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 and overhead, and profit of the contractor and subcontractors.
- (19) "Work" means any construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building.

SCOPE

4. (1) This bylaw applies to matters governed by the Act and the Regulations, including the National Building Code of Canada, the National Energy Code of Canada for Buildings and the Administrative Requirements.
- (2) Notwithstanding subsection (1), references and requirements in the Administrative Requirements respecting matter regulated by the Act, Regulations, and building bylaw shall not apply.
- (3) Notwithstanding subsection (1), references and requirements in the Administrative Requirements respecting "Occupancy Permits" shall not apply except as and when a certificate of occupancy is required by the local authority or its building official.
- (4) This building bylaw applies to all work undertaken or to be undertaken within the geographical jurisdictional of the local authority.

DUTIES OF THE OWNER

5. (1) A permit is required whenever work regulated by the Act and Regulations is to be undertaken; and shall include but not be limited to:
- a) Any construction or erection, including but not limited to garages, decks, and mobile homes;
 - b) Structural changes to existing buildings;
 - c) Placement and foundations for relocated buildings;
 - d) Demolition, removal, repair, renovation, relocation, alteration or addition to an existing building or structure;
 - e) Use, occupancy or change of occupancy of a building;

- f) Buildings larger than 10 sq m (100 sq ft);
 - g) Decks over 1200mm (12") above grade, and roof enclosures over existing or new decks; and
 - h) Foundation repair and or development for all buildings.
- (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) An owner shall apply for and obtain the necessary permit(s), before proceeding with any work regulated by this bylaw, and shall post the permit prominently on-site for the duration of the work.
 - (4) The owner or owner's representative, shall ensure that work regulated by this bylaw is completed in compliance with this building bylaw, any associated codes, ministerial interpretations, Saskatchewan Construction Standards Appeal Board orders, any bylaws adopted by the local authority, the Act, or the regulations, with which the work is associated.
 - (5) An owner shall obtain the approval of the local authority for the finished height of a new foundation prior to commencement of construction and shall ensure that the height proposed along with surface grades, provides for positive surface drainage which will not adversely affect adjacent properties.
 - (6) For the purposes of ensuring compliance with the provisions of the Act or the regulations or the conditions of a permit, the building official is authorized by the Act, and if deemed necessary, be accompanied by persons authorised by clauses 24(1)(a) and 24(1)(b) the Act, to enter the land or a building at any reasonable hour.
 - (7) No person shall place or construct on City property, any curbing, terracing, retaining wall, or other structure, nor shall the same be constructed on any site to extend onto City property, unless specific written approval is granted by the City of Weyburn.
 - (8) No owner shall permit occupancy or use of a new building, or a building which has undergone a change of use, or major renovation without first obtaining an occupancy inspection and issued a certificate of occupancy from the local authority.
 - (9) The granting of any permit which is authorized by this bylaw shall not:
 - a) entitle the grantee, their 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 building official liable for damages or otherwise, by reason of the fact that a building construction, addition, alteration, repair, renovation, demolition, the placement, erection, relocation, removal, use, occupancy or change of occupancy, of which has been authorized by permit, does not comply with the requirements of any such building restriction agreement, bylaw, Act and/or regulation.
 - (10) It is the responsibility of the owner or the owner's representative to ensure that all notifications required by Section 7 of the Act and this building bylaw are given to the local authority and that all inspections are scheduled and completed. Failure to do so may result in additional fees for follow-up inspections.

DUTIES OF THE LOCAL AUTHORITY

- 6. (1) The local authority shall administer and enforce this bylaw.
- (2) The local authority shall keep proper records of all applications received, permits and orders issued, inspections and tests made, and shall retain all papers and documents connected with the administration of these duties.

- (3) The local authority may deliver notices, inspection reports, building official orders or related documents, as permitted by the Act and the Regulations.

BUILDING PERMITS

7. (1) Every application for a permit to erect, place, construct, add to, alter, repair, renovate, relocate, reconstruct, use, occupy or change of occupancy of a building shall be in a format approved by the building official, and shall be accompanied by two sets of detailed building plans and specifications of the proposed work, acceptable to the building official, and showing the proposed use of each room or floor area. The building official may authorize lesser plans and specifications when warranted by the size, design, or type of work.
- (2) Whenever the scope of the proposed work requires the technical expertise of an architect or professional engineer the building official may, at his or her discretion, require as a condition of the application, that all of the drawings and specifications, or any part thereof, be prepared, reviewed, sealed, and signed by a professional engineer or architect registered in the Province of Saskatchewan.
- (3) The building official, may require submission of an up-to-date plan or survey prepared either before construction begins or upon completion of work by a registered land surveyor, as a condition of permit approval.
- (4) The building official may refuse to issue any permit:
- a) That proposed work described on the permit application would contravene:
 - i. The Act;
 - ii. The regulations;
 - iii. An order of the Saskatchewan Construction Standards Appeal Board;
 - iv. A written interpretation of the minister pursuant to Section 8 of the Act; or
 - v. The local authority's building bylaw;
 - b) Where required approval of any other Federal or Provincial authority is required and has not been provided.
 - c) Whenever information submitted is inadequate to determine compliance with the Act and Regulations.
 - d) Whenever incorrect or incomplete information is submitted.
 - e) The person who designed or reviewed the design of a proposed building that is within the scope of Part 9 of the NBC is not a competent person;
 - f) The person who designed or completed a design review of a proposed building that is within the scope of Part 3, 4, 5, 6 or 7 of the NBC is not an architect or engineer.
 - g) The person who designed or completed a design review of a proposed building that is within the scope of the NECB is not an architect or engineer;
 - h) Any fees, deposits or bonds required pursuant to the local authority's building bylaw for the issuance of the permit have not been paid; or
 - i) Whenever permit issuance would be in contravention of any other Act, regulation or bylaw that applies to the proposed work.
- (5) The building official may revoke a permit issued pursuant to the Act:
- a) if the holder of the permit requests in writing that it be revoked;
 - b) if the permit was issued on mistaken, false or incorrect information;
 - c) if the permit was issued in error;
 - d) if, after 6 months after the permit's issuance, the work for which the permit was issued has not, in the opinion of the local authority's building official,

been seriously commenced and no written agreement for the delay has been given by the local authority; or

- (e) if the work for which the permit was issued is, in the opinion of the local authority's building official, substantially suspended or discontinued for a period of more than 6 months after the permit's issuance and no written agreement for the delay has been given by the local authority.
- (6) If the local authority refuses or revokes a permit pursuant to Subsection (1) it shall provide written notice to the permit holder as to the reasons for the revocation.
- (7) Where the local authority refuses to issue a permit pursuant to subsection (6), the local authority shall refund any fee or deposit paid as part of the permit application for work, less any fees incurred for:
- a) plan review; and
 - b) permit application or administration.

BUILDING PERMIT FEE SCHEDULE

8. (1) The application fee for a building permit is shown in the schedule of fees - Schedule "A".
- (2) The local authority or the building official may establish the value of construction for the work described in an application for a permit, for the purpose of calculating a permit fee, based on established current construction costs, the owner's or the owner's representative statement of costs or constructor's contract values, or similar methods selected by the local authority or the building official.
- (3) If a deposit is collected it shall, on request by the owner or owner's representative, be refundable on satisfactory completion of the work or on approval of use or occupancy of the building by the local authority or the building official.
- (4) Permit fees shall be doubled where work is commenced prior to issuance of a building permit.
- (5) Approval in writing by the building official is required for any deviation, omission or revision to work for which a permit has been issued under this section.
- (6) Building permits are issued on the express condition that the permitted work shall commence within a period of six months from the date of permit issuance, and that the permitted work, once commenced, shall proceed in a diligent and forthright manner to expedite its completion.
- a) All permits issued under this section expire six months from date of issue if work is not commenced within that period.
 - b) All permits issued under this section expire if work is suspended for a period of six months, unless allowed by prior agreement of City Council or a building official.
 - c) Other arrangements may be applied for and approved in writing at the discretion of Council or a building official.
- (7) City Council or a building official 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.

CERTIFICATE OF OCCUPANCY

9. (1) a) No person or owner shall permit occupancy or use of a newly constructed building, or a building which has undergone a significant change or use, or major renovation without first obtaining an occupancy inspection and issued a certificate of occupancy from the local authority.
- b) Newly constructed buildings, and buildings which have undergone a change

in use, change in occupancy or major renovations shall comply with the construction requirements the Act and the regulations.

- c) A certificate of occupancy will be issued upon satisfaction of the building official that life safety and building safety shall not be jeopardized due to non-compliant, deficiencies or incomplete work.
- d) If a certificate of occupancy is refused, the building official shall notify the applicant and or owner in writing and shall indicate the reason for the refusal and remedial action required.

UNSAFE CONDITIONS

- 10. (1) a) No owner of a building, agent, contractor, employee, successor or assignee of an owner of a building; or the registered owner of land on which the building is situated; shall cause, authorize or maintain any unsafe condition in the construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of in occupancy of a building or part of a building.
- b) The owner of a building shall immediately take all necessary steps to keep a building or part of a building in a safe condition at all times.

DEMOLITION OR REMOVAL PERMITS

- 11. (1) a) The application fee for a permit to demolish or remove a building is shown in the schedule of fees - Schedule "A".
 - b) In addition, the applicant shall deposit, with the local authority, the sum of \$1,500.00 to cover any costs incurred to the local authority for restoring the site, roadway, sidewalks, curbs or gutter, after the building has been demolished or removed to such condition that it is, in the opinion of the Council or the building official, not dangerous to public safety. If the applicant who demolished or removes the building restores the site, roadway, sidewalks, curbs or gutters, to a condition satisfactory to City Council or the building official, the sum deposited, or portion thereof, shall be refunded. The owner shall be responsible for all costs that may exceed the deposit amount.
 - c) The owner shall ensure that rubble and debris from demolition activities is removed from the site and disposed of in a responsible manner, in an approved landfill. Recycling of used building materials is encouraged whenever possible.
 - d) Building foundations shall be removed from the site, and excavations shall be filled and leveled with clean back fill material so as to eliminate water ponding or adverse drainage of the site. Demolition sites shall be left in a safe and clean condition.
- (2) Every application for a permit to demolish or remove a building shall submitted and approved by the building official.
 - (3) Where a building is to be demolished and the local authority 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 shall, upon receipt of the fee and deposit prescribed, issue a permit for the demolition, signed and approved by City Council or building official.
 - (4) Where a building is to be removed from the jurisdiction of the local authority, and the local authority 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 shall, upon receipt of the fee and deposit prescribed, issue a permit for the removal.
 - (5) Where a building is to be removed from its site and set upon another site in the jurisdiction of the local authority and the local authority 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 City Council or its building official, will comply with the requirements of this bylaw, the local authority shall, upon receipt of the fee and deposit prescribed, issue a permit for the removal, signed and approved by City Council or its building official. The local authority or its building official may refuse the permit for relocation for reasons listed in subsection 7(4).

- (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.

MOVING PERMITS AND REGULATIONS

12. (1) No person shall move any building into, or through the jurisdiction of the local authority, without having first made an application and issued a moving permit from the building official. Application shall be made on a form approved by the building official.
- (2) The local authority may refuse the application for a permit for the relocation of a structure where the proposed site and building to be placed on the site does not comply with the current City of Weyburn Zoning Bylaw or if there are non-conformities with regards to minimum building standards as set out in the Act, Regulations, or National Building Code.
- (3) The application fee for a moving permit is shown in the schedule of fees - Schedule "A".
- (4) No person shall commence to move any building onto City property without having received written approval of the date and time of the move, and approval of the route proposed to be used.
- (5) Immediately after the building has reached its new site the Local Authority shall be advised of the completion of the move.
- (6) Written approval of utility companies must be obtained approving the route to be used for moving a building. The owner is responsible for any costs associated for raising or protecting power lines or other utility structures.
- (7) Every application for a moving permit under Section 8. shall include a deposit in the sum of five hundred dollars (\$500.00) with the local authority and provide proof that the mover is covered by satisfactory insurance, including public liability, to the end that the City shall be indemnified and saved harmless in connection with any claims, losses, damages, actions, or demands it may sustain directly or indirectly resulting from the granting of the said permit. The deposit fee shall be refunded to the applicant less any costs incurred in repairing or replacing property which was damaged as a result of the move.
- (8) No person engaged or employed in moving any building shall handle or permit to be handled, cut or disconnect, damage or interfere with any telephone or electric light wires, gas lines or water and sewer lines and connections.
- (9) No person engaged or employed in moving any building shall use any hydrant, telephone or electric light pole for the purpose of anchoring any rope or other instrument used in moving buildings.
- (10) Except as allowed by subsection (12), it shall be unlawful for any person to move any building or structure into the jurisdiction of the City of Weyburn or locating same therein; and no permit shall be issued for said purposes.
- (11) It shall be permitted for any person to move a building into the City of Weyburn provided the following conditions are complied with:
- a) said building is of new construction, has never been lived in by any person or persons, whether said building be completely or partly constructed, or in a prefab or pre-cut form or

- b) the building complies with building relocation policy as adopted by City Council from time to time, or
 - c) Special approval has been granted by City Council, in unusual circumstance, and
 - d) the owner shall apply for and obtain from the building official a moving permit to move said building into the City.
- (12) Before any moving permit shall be granted under clause 11 d), the owner must:
- a) provide satisfactory proof that the building has been constructed in compliance with this Bylaw; and
 - b) provide an inspection report of the building's compliance with the building bylaw, the Act or the regulations by a competent person approved by the building official, or in the event that the building has not been inspected, and is within a 30 kilometer radius of the jurisdiction of the local authority, the owner shall pay an inspection fee of One Hundred Fifty (\$150.00) Dollars plus travel costs equal to one \$1.00 per kilometer to the site and back , for the inspection of the building, and if acceptable, approval granted. Inspections do not include electrical or plumbing works and it is the owner's responsibility to have these works inspected and approved by the proper authorities and submit evidence of approval to the building official.

SPECIAL CONDITIONS

13. (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.
- (2) An owner or 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.
- (3) 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.
- (4) In addition to the requirements of subsection (1), (2) or (3), the local authority or building official shall require that an engineer or architect provide:
- a) a Commitment for Field Review letter; and
 - b) an assurance of Field Review and Compliance letter, on completion of the work, providing assurance that the work conforms to the engineer's or architect's design.
- (5) 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.
- (6) An owner or the owner's representative shall ensure that copies of any inspection or review reports made pursuant to this section are made available to the building official or the local authority on the request of the building official or local authority, as the case may be.

- (7) No owner of a building or an owner's representative shall cause or allow the ground elevations of a building to be changed so as to place in contravention of the NBC:
 - a) the building or part of the building; or
 - b) an adjacent building.
- (8) If the property boundaries of a building lot are changed so as to place a building or part of a building in contravention of the NBC, the owner or the owner's representative shall immediately alter the building or part of the building to bring it into compliance with the NBC.
- (9) All newly constructed residential dwellings are required to have a sump pump system according to the following regulations;
 - a) A sump pump shall be installed in the sump pit;
 - b) The sump pump discharge shall be piped in a manner so that the ground water is discharged to the street or avenue side of the building. The ground water shall be discharged in a manner so it will not return to the granular layer located directly adjacent to the footing and exterior wall of the basement foundation;
 - c) The installation of the sump pump and all piping, connectors, couplings, and fasteners shall conform to the requirements of the current plumbing and electrical codes.
 - d) It is the responsibility of the homeowner to ensure that the sump pump is operational and functioning at all times.
 - e) Sump pumps shall not be connected to the local authority's sanitary sewer system.

ENFORCEMENT OF BYLAW

- 14. (1) A permit may be refused to be issued to any person who has failed to pay any fees due and owing under this bylaw, or who has failed to remedy a defect in construction under a previous permit, or where the Local Authority determines that the work proposed does not conform with requirements, or for such other reasons as the local authority deems advisable.
- (2) If any building or part thereof, or addition thereto is constructed, erected, placed, altered, repaired, renovated, demolished, relocated, removed, used, occupied or is subject of a change in the approved occupancy or reconstructed in contravention of any provision of this Bylaw, City Council or the building official may take any measures including, but not limited to:
 - a) at any reasonable hour, enter land or a building;
 - b) be accompanied into a building by a person having special or expert knowledge on any matter to which this Act or the regulations relate;
 - c) order the production of a register, certificate, plan or other document relating in any manner to the design, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building and may examine and make copies of the document;
 - d) inspect and take samples of any material, equipment or appliance being used in the design, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building;
 - e) Issue an order pursuant to this Act;
 - f) eliminating unsafe conditions and or a condition that constitutes an imminent risk or danger to the safety of occupants or the public;
 - g) completing actions, upon an owner's non-compliance with an order, and adding the expenses incurred to the tax payable on the property, and
 - h) obtaining restraining orders.
- (3) If any building, or part thereof, is deemed by the building official in an unsafe condition or a condition that constitutes an imminent risk or danger to the safety of occupants or the public due to its faulty construction, dilapidated state, abandonment, open or unguarded condition or any other reason, the building official may take any measures allowed by subsection (2).
- (4) 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 48 hours notice in writing to the local authority for the following stages of a project or development, unless otherwise stated by the building official, including, but not limited to:

- a) The start of construction,
- b) Prior to backfilling drain tile or weeping tile systems,
- c) Prior to backfill of damp roofing or foundation systems,
- d) upon completion of ground preparation for slab placement,
- e) Upon completion of structural framing and sheathing systems ,
- f) Upon completion of insulation and vapour barrier installation,
- g) Upon installation, deactivation, or significant change to fire alarm or fire suppression systems,
- h) Prior to occupancy of a building,
- i) In the event of a change in ownership prior to completion of construction, and
- j) In the event of intended partial occupancy prior to completion of construction.
- k) As otherwise specified in building permit approval conditions, and
- l) Shall not cover up or conceal such work without authorization in writing from the Local Authority. In the event work is concealed without authorization, the building official may order the work to be uncovered to facilitate a required inspection.

- (5) The local authority or the building official may take any measures as permitted by Sections 24, 25 or 26 of the Act and Sections 13 and 14 of *The Building Code Regulations* for the purpose of ensuring compliance with this building bylaw.

PENALTY

15. (1) Any person who contravenes any of the provisions of this building bylaw may be subject to penalties provided in Part 8 of the Act.
- (2) Conviction of a person or corporation for breach of any provision of this building bylaw shall not relieve the person or corporation from compliance with the Act and regulations.
- (3) The owner of property on which a Stop Work Order has been posted by the building official, and every other person working for, with or under the owner, shall immediately cease all construction work until all applicable provisions of this bylaw have been complied with and the Stop Work Order has been rescinded in writing, by the building official.

SEVERABILITY

16. (1) If any section, subsection, sentence, clause, phrase, or other portion of this bylaw is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed to be a separate, distinct, and independent provision and the holding of the court shall not affect the validity of the remaining portions of the bylaw.

NOTIFICATION

17. (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 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;

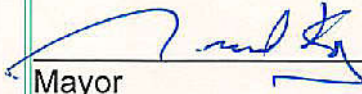
- ii. the designer of the work;
 - iii. the person or firm that is to review the work to determine whether or not the construction conforms to the design; and
 - iv. any inspection or testing agency that is engaged to monitor the work.
- (3) During the course of construction, the owner or the owner's representative shall give notice to the local authority of:
 - a) subject to subsection (8), any change in, or termination of, the employment of a person or firm mentioned in clause (2)(b);
 - b) the owner or the owner's representative intent to do any work that has been ordered by a building official or local authority to be inspected during construction;
 - c) the owner or the owner's representative intent to do any work that has been ordered by a building official or local authority to be inspected before enclosure;
 - d) subject to subsection (8), any proposed deviation from the plan approved and permitted by the local authority;
 - e) subject to subsection (8), any construction undertaken that deviates from the plans approved and permitted by the local authority; and
 - f) the completion of work.
- (4) 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 issuance of an occupancy certificate as soon as the change occurs; and
 - b) the owner or the owner's representative intention to occupy a portion of the building if the building is to be occupied in stages.
- (5) The owner of a building or the owner's agents, contractors, employees, successors or assigns or the registered owner of the land on which the building is situated shall submit a written report to the local authority of the occurrence of the following that causes or has the potential to cause serious injury or loss of life:
 - a) a structural failure of the building or part of the building;
 - b) failure of any equipment, device or appliance that is regulated by the Act or the regulations.
- (6) A report submitted pursuant to subsection (5) must:
 - a) contain:
 - i. the name and address of the owner;
 - ii. the address or location of the building involved in the failure;
 - iii. the name and address of the constructor of the building; and
 - iv. the nature of the failure; and
 - b) be submitted to the local authority within 15 days after the occurrence of the failure mentioned in clause (5)(a) or (b).
- (7) On receipt of the report pursuant to subsection (5), the local authority may require an owner to do the following:
 - a) provide any other information that the building official or local authority may consider necessary;
 - b) complete any additional work that is necessary to ensure compliance.
- (8) Notice given pursuant to clause (2)(b), (3)(a), (3)(d), (3)(e) or subsection (4) is to be in writing.

EFFECTIVE DATE

18. (1) This bylaw shall come into force and take effect on the date on which it is approved by the Minister.

REPEAL

Bylaws 2023-3456, 2022-3451 and 2012-3241 and all amendments thereto are hereby repealed.



Mayor



City Clerk



Enacted pursuant to Section 17 of The Construction Codes Act.

READ a first time this 11th day of September, A.D., 2023.

READ a second time this 10th day of October, A.D., 2023.

READ a third time this 10th day of October, A.D., 2023, and passed.

Schedule "A" – Building Bylaw Fees

	Fee calculation	Minimum Fee
Building Permits		
Minimum Fee for Class 1 Building Permit	\$7.00 per \$1000 of project value*	\$100.00
Minimum Fee for Class 2 Building Permit	\$7.00 per \$1000 of project value*	\$175.00
Minimum Fee for Class 3 Building Permit	\$7.00 per \$1000 of project value*	For project value less than \$100,000: Minimum Fee of \$1,000 For project value more than \$100,000: Minimum Fee of \$2,000
Construction without a Building Permit		Permit fee is doubled
Additional Inspections (If callback inspections are required due to deficiencies)		\$80 per inspection Or in the case of inspections by a contracted company, the cost invoiced to the city for the additional inspections plus \$10.00 administration fee.
Moving Permits		
Moving Permit		\$80.00
Moving Permit Deposit (refundable)		\$500.00
Demolition or Removal Permits		
Residential (single detached or semi detached) and residential accessory structures		\$80.00
Commercial or Multi-unit residential		\$150.00
Demolition/Removal Permit Deposit - refundable		\$1,500.00

*Project value: Total value of building in its completed form. Includes: cost of design, building work, materials of construction, building systems, labour and overhead, and profit of the contractor and subcontractors. Altus Group Guide for Canadian Cost of Construction used if project appears to be undervalued.