

A Bylaw Respecting Buildings
RURAL MUNICIPALITY OF GARDEN RIVER NO. 490
BYLAW NO. 06-2018

The Council of the Rural Municipality of Garden River No. 490 in the Province of Saskatchewan enacts as follows:

SHORT TITLE

1. This bylaw may be cited as the Building Bylaw

INTERPRETATION/LEGISLATION

2. (1) "Act" means the *The Uniform Building and Accessibility Standards Act* being Chapter U-1.2 of the Statutes of Saskatchewan, 1983-84 and amendments.
- (2) "Administrative Requirements" means *The Administrative Requirements for Use with The National Building Code*.
- (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) "Local authority" means the council of Rural Municipality of Garden River No. 490.
- (5) "Regulations" means regulations made pursuant to the Act.
- (6) "Work" means any construction, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building.
- (7) Definitions contained in the Act and Regulations shall apply in this bylaw.

SCOPE OF THE BYLAW

3. (1) This bylaw applies to matters governed by the Act and the 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) Farm buildings, as defined in the Act, are exempt from the application of this bylaw.
- (5) An accessory building not greater than 10 m² (108 ft²) is exempt from this bylaw provided it does not create a hazard.

GENERAL

4. (1) A permit is required whenever work regulated by the Act and Regulations is to be undertaken.
- (2) Prior to the issuing a permit under this Bylaw a Development Permit will be required as per part 2 of Bylaw No. 3/87 being the Zoning Bylaw of the local authority.
- (3) No owner or owner's agent 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.
- (4) The granting of any permit that 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 construction, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use or occupancy of which has been authorized by permit, does not comply with the requirements of any building restriction agreement, bylaw, act and/or regulation affecting the site described in the permit.

BUILDING PERMITS

5. (1) Every application for a permit to construct, erect, place, alter, repair, renovate or reconstruct a building shall be in a form provided by the local authority, and shall be accompanied by two sets of the plans and specifications of the proposed building, except that when authorized by the local authority or its authorized representative plans and/or 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 a form provided by the local authority.

(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 building officials designated by the minister to assist the local authority pursuant to subsection 4(4) of the Act.

(4) The local authority shall, 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 construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be based on the following conditions:

(a) a permit administration fee for the handling, processing and issuance of a building permit; plus

(b) the service fees for plan review, field inspection of construction and enforcement services; plus

(c) a maintenance fee(s) charged by the Saskatchewan Assessment Management Agency.

(d) permit fees will be collected prior to the permit being issued and subject to applicable taxes.

(6) Approval in writing from the local authority or its authorized representative is provided for any deviation, omission or revision to work for which a permit has been issued under this section.

(7) All permits issued under this section expire:

(a) 24 months from date of issue; or

(b) 6 months from date of issue if work is not commenced within that period, or

(c) if work is suspended for a period of six months, or

(d) if work is suspended for a period of longer than six months by prior written agreement of the local authority or its authorized representative.

(8) Where a permit has expired as per subsection 5.(7) the owner can make application to the local authority or its authorized representative for the renewal of the permit. Such renewal may be subject to a building permit renewal fee equal to fees required in subsection 5.(5) or some alternate renewal fee.

(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.

DEMOLITION OR REMOVAL PERMITS

6. (1) The fee for a permit to demolish or remove a building shall be \$ 50.00.
- (2) Every application for a permit to demolish or remove a building shall be in a form provided by the local authority.
- (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 in subsection 6(1), shall issue a permit for the demolition in a form provided by the local authority.
- (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 in subsection 6(1), shall issue a permit for the removal in a form provided by the local authority.
- (5) (a) 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's in subsection 6(1), shall issue a permit for the removal in a form provided by the local authority.
- (b) In addition, the local authority, upon receipt of the fee prescribed in subsection 5.(5), shall issue a permit for the placement of the building in a form provided by the local authority.
- (6) (a) 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.
- (b) When the building is to be moved into the local authority an inspection of the building will be carried out by the local authority's authorized representative to ensure that it meets the requirement of the bylaw using the fee's as prescribed in subsection 5.(5).

ENFORCEMENT OF BYLAW

7. (1) If any building or part thereof or addition thereto is constructed, erected, placed, altered, repaired, renovated or reconstructed 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:
- (a) entering a building,
 - (b) ordering production of documents, tests, certificates, etc. relating to a building,
 - (c) taking material samples,
 - (d) issuing notices to owners that order actions within a prescribed time,
 - (e) eliminating unsafe conditions,
 - (f) completing actions, upon an owner's non-compliance with an order, and adding the expenses incurred to the tax payable on the property, and
 - (g) 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 7(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:
- (a) on start, progress and completion of construction,
 - (b) of change in ownership prior to completion of construction, and
 - (c) of intended partial occupancy prior to completion of construction.

SPECIAL CONDITIONS

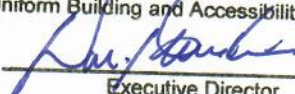
8. (1) Notwithstanding the requirements of the Regulations, an architect or professional engineer registered in the province of Saskatchewan shall be engaged by the owner for assessment of design and inspection of construction or certification of a building or part of a building where required by the 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.

PENALTY

9. (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 him from compliance therewith.
10. Bylaw No. 04/17 is hereby repealed.
 - Bylaw No. 4/90 is hereby repealed.

Enacted pursuant to Section 14 of
The uniform Building and Accessibility
Standards Act.

APPROVED
In accordance with Clause 23.1(3)(a) of
The Uniform Building and Accessibility Standards Act


Executive Director
Building Standards and Licensing
Ministry of Government Relations
July 16/2018
Date

SEAL




Reeve, Ryan Scragg

Ym Mack
Acting Administrator, Leanne Mack

Read a third time and adopted
this 10th day of August, 2018.

Ym Mack
Acting Administrator, Leanne Mack

"Certified to be a true copy of Bylaw No. 06-2018 adopted by
the council of the RM of Garden River No 490
on the 10th day of August, 2018."

SEAL

Ym Mack
Administrator



Government
of
Saskatchewan

Building Standards and
Licensing

Ministry of Government Relations

100 – 1855 Victoria Avenue
REGINA Canada S4P 3T2

Phone: 306-787-4113

Fax: 306-798-4172

August 16, 2018

Ms. Leanne Mack, Acting Administrator
Rural Municipality of Garden River No. 490
Box 70
MEATH PARK SK S0J 1T0

Dear Ms. Mack:

Thank you for providing two true certified copies of Bylaw No. 06-2018 for review. The copies were received on August 14, 2018, as the building bylaw for the RM of Garden River.

The review finds that Bylaw No. 06-2018 is in accordance with the provisions of *The Uniform Building and Accessibility Standards Act* and the bylaw is approved under clause 23.1(3)(a) which states:

“(a) where the minister is of the opinion that the bylaw does not conflict with this Act or the regulations, the minister shall approve the bylaw;”

With the review completed, Bylaw No. 06-2018 is in force effective August 16, 2018. A copy of the approved bylaw is enclosed for your records.

Should you have concerns or questions please feel free to contact me directly by telephone at 306-798-5170 or by e-mail to marvin.meickel@gov.sk.ca.

Thank you for promoting safe, healthy, and habitable buildings in your community.

Sincerely,

M.F. Meickel,
Assistant Chief Building Official

Attachment
