

Development Specification By-Law

Resolution Number:

Date Approved:

Pursuant to the powers vested in it under Section 7 (1)c of the Towns and Local Service Districts Act the Town Council of New-Wes-Valley hereby passes and enacts the following by-law relating to controlling and respecting the design, construction, alteration, reconstruction, minimum lot size and occupancy of buildings and classes of buildings and the demolition, removal and relocation and maintenance of buildings.

All development in the town must meet the requirements for the applicable zone and abide by all development regulations and policies as per the Town of New-Wes-Valley Development Regulations and Town Plan.

Applications for a permit to develop, demolition, excavation or an Approval in Principle shall be made only by the owner, the owner's agent or person authorized by the owner to Council, on the application form as may be prescribed by Council. Every application shall include such plans, specifications and drawings as Council may require, and be accompanied by the appropriate fee set out in a Schedule of Fees as established by Council. Council shall, on request, supply to every applicant a copy of the application forms and a list of specifications and drawings required to be provided with the application. Applicant may be asked to physically plot development area on the proposed site for inspection. Council will then review the application at a public meeting of council.

Approval for an application is granted by Council in the form of an Approval Letter and Development Permit for applications approved under Town of New-Wes-Valley Development Regulations and Town Plan.

1. A plan or drawing which has been approved by Council and which bears a mark and/or signature indicating such approval together with an approval letter, permit and applicable fee shall be deemed to be permission to develop. Such permission shall not relieve the applicant from:
 - a) full responsibility for obtaining permits or approvals under any other regulation or statute prior to commencing the development;
 - b) having the work carried out in accordance with this By-Law and the Town of New-Wes-Valley Development Regulations and Town Plan.
 - c) compliance with all conditions attached to an approval or a permit.
2. Council may attach to a permit or to approval in principle such conditions as it deems fit in order to ensure that the proposed development will be in accordance with the purpose and intent of this by-law.



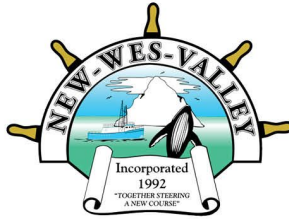
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3. Where Council deems necessary, permits may be issued on a temporary basis for a period not exceeding two years, which may be extended in writing by Council for further periods.
4. A permit is valid for two years. If the development has not commenced, the permit may be renewed for a further period not in excess of one year, but a permit shall not be renewed more than once, except in the case of a permit for an advertisement, which may be renewed in accordance with Section 6 of these Regulations.
5. The approval of any application and plans or drawings or the issue of a permit shall not prevent Council from thereafter requiring the correction of errors, or from ordering the cessation, removal of, or remedial work on any development being carried out in the event that the same is in violation of this or any other regulations or statute.
6. No person shall erase, alter or modify any drawing or specifications upon which a permit to develop has been issued by Council; and
7. There shall be kept available on the premises where any work, matter or thing is being done for which a permit has been issued, a copy of the permit and any plans, drawings or specifications on which the issue of the permit was based during the whole progress of the work, or the doing of the matter or thing until completion.

Council may revoke an approval and any subsequent permits for failure by the applicant to comply with this by-law and the Town of New-Wes-Valley Development Regulations and Town Plan or any condition attached to the permit or where the permit was issued in error or was issued contrary to the applicable regulations or was issued on the basis of incorrect information.

Council shall provide public notice for a period of not less than:

- a) 7 days - when considering a variance in accordance with The Town of New-Wes-Valley Development Regulations.
- b) 14 days - when considering a change in a non-conforming use.
2. Council may require public notice of any development application where, in the opinion of Council, such notice is required for information and public consultation purposes.
3. Council shall require the cost of the public notice or portion thereof be paid by the applicant and that such notice shall be by public advertisement in a newspaper circulating in the area or by any other means deemed necessary or appropriate by Council.

When considering an application for a new business proposal council shall give notice (14 days) and consult with area residents when reviewing these proposals.

New businesses must obtain any and all provincial and federal permits as required.

Right of Entry

Council or other person or persons authorized by the municipality, may enter upon any public or private land and may at all reasonable times enter any development or building for the purpose of making surveys or examinations or obtaining information relative to the carrying out of any



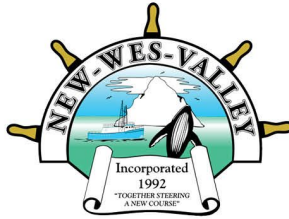
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development, construction, alteration, repair, or any other works whatsoever which the Council is empowered to regulate.

Stop Work Order and Prosecution

1. Where a person begins a development contrary or apparently contrary to this by-law and the Town of New-Wes-Valley Development Regulations and Town Plan, Council may order that person to stop the development.
2. Council may further order a person to pull down, remove, stop construction, fill in or destroy that building or development, and restore the site or area to its original state, pending final adjudication in any prosecution arising out of the development; and
3. A person who does not comply with an order made under this by-law and the Town of New-Wes-Valley Development Regulations and Town Plan is guilty of an offence under the provisions of the Act.

Notice of Right to Appeal

Where an authority makes a decision that may be appealed under Section 286 (1) of the Towns and Local Service Districts Act, that authority shall, in writing, at the time of making that decision, notify the person to whom the decision applies of the:

- a) person's right to appeal the decision to the board;
- b) time by which an appeal is to be made;
- c) right of other interested persons to appeal the decision; and
- d) manner of making an appeal and the address for the filing of the appeal.

Development – Fences

Applications for a fence must include the fence plotted/marked on the property survey and abide by the town's fencing by-law.

Development - Blasting

Any application/development requiring blasting must be accompanied by a blasting certificate and proof of liability insurance.

Nothing in this By-Law shall exempt any person from complying with the requirements of any By-Law in force within the Town of New-Wes-Valley, or from obtaining any license, permission, permit, authority or approval required by any statute or regulation of the Province of Newfoundland and Labrador or the Government of Canada.



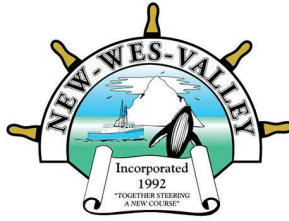
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Building Codes

As per Section 7(3) a of the Towns and Local Service Districts Act:

The Town of New-Wes-Valley shall adopt yearly:

- (i) the National Building Code of Canada and supplements or amendments to that code,
- (ii) the National Energy Code of Canada and supplements or amendments to that code, and
- (iii) the National Energy Code of Canada for Buildings and supplements or amendments to that code; and
- (iiii) The National Plumbing Code of Canada and supplements or amendment to the code

REVISION HISTORY: Revision:	Resolution #:	Change Made:	Date: