

## BYLAW 1/92

## A BYLAW RESPECTING BUILDINGS

The Council of the of the Urban Municipality of the Resort Village of Manitou Beach 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 Uniform Building and Accessibility Standards Act* being Chapter U-1.2 of the Statutes of Saskatchewan, 1983-84 and amendments.
- (2) "Regulations" means regulations made pursuant to the Act.
- (3) "Administrative Requirements" means The Administrative Requirements for use with The National Code 1985.
- (4) "Municipality" means the Urban Municipality of the Resort Village of Manitou Beach.
- (5) "Council" means the Council of the Urban Municipality of the Resort Village of Manitou Beach.
- (6) Definitions contained in the Act and Regulations shall apply in this bylaw.

SCOPE OF THE BYLAW

3. (1) *The Uniform Building and Accessibility Standards Act* and Regulations 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 Council or its authorized representative.

GENERAL

4. (1) A permit is required whenever work regulated by the Act and Regulations is to be undertaken.
- (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) The granting of any permit which 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 municipality or any municipal official or any inspector appointed by the municipality liable for damages or otherwise by reason of the fact that a building, the placement, erection, construction, alteration, repair, renovation or reconstruction of which has been authorized by permit, does not comply with the requirements or any such building restriction agreement, bylaw, Act and/or regulation.

#### BUILDING PERMITS

5. (1) Every application for a permit to erect, place, construct, alter, repair, renovate or reconstruct a building shall be in Form "A", and shall be accompanied by two (2) sets of the plans and specifications of the proposed building, except that when authorized by an inspector plans and specifications need not be submitted.
- (2) An inspector 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.
- (3) If the work described in an application for building permit, to the best of the knowledge of the Council or its authorized representative, complies with the requirements of this bylaw, the municipality, upon receipt of the prescribed fee, shall issue a permit in Form "B" and return one set of submitted plans to the applicant.
- (4) Council may, at its discretion have a plan review, inspection and other services for the purpose of enforcement of the Act and Regulations provided by an inspector or inspectors designated by the minister to assist the municipality pursuant to subsection 4(4) of the Act.
- (5) Council may, at its discretion, have plan review, inspection and other services provided by a person, firm or corporation employed under contract to the municipality.
- (a) The cost of plan review and inspection services shall be equal to the cost to the Resort Village of Manitou Beach for plan review and inspections. *(Bylaw # 05/99)*
- (6) The permit fee for erection, placement, construction, alteration, repair, renovation or reconstruction of a building shall be based on the following fee schedule:
- (a) \$1.00 per \$1,000.00 of construction value
  - (b) Minimum fee - \$30.00 *(Bylaw # 05/99)*
  - (c) Council may estimate the value of construction for the work described in an application for building permit, for the purpose of evaluating a permit fee, based on established construction cost, owner's statement of costs or constructors' contracted values, or similar methods selected by the local authority. *(Bylaw # 05/99)*
- (7) Approval in writing from Council or its authorized representative is required for any deviation, omission or revision to work for which a permit has been issued under this section.
- (8) All permits issued under this section expire:
- (a) six months from date of issue if work is not commenced within that period, or
  - (b) if work is suspended for a period of six months, or longer by prior written agreement of the Council.
- (9) Council 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) (a) The fee for a permit to demolish or move a building shall be \$30.00. *(Bylaw 05/99)*

- (b) In addition, the applicant shall deposit with the municipality such sum as the Council or its authorized representative considers sufficient to cover the cost of restoring the site after the building has been demolished or removed to such condition that it is, in the opinion of the Council or its authorized representative, not dangerous to public safety. If the applicant who demolished or removes the building restores the site to a condition satisfactory to the Council or its authorized representative, the sum deposited shall be refunded.
- (2) Every application for a permit to demolish or remove a building shall be in Form "C".
- (3) Where a building is to be demolished and the municipality 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 municipality, upon receipt of the fee and deposit prescribed, shall issue a permit for the demolition in Form "D".
- (4) Where a building is to be removed from the municipality, and the municipality 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 municipality, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form "D".
- (5) Where a building is to be removed from its site and set upon another site in the municipality, and the municipality 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 Council or its authorized representative, will conform with the requirements of this bylaw, the municipality, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form "D".
- (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 municipality.

#### Enforcement of Bylaw

7. (1) If any building, or part thereof, or addition thereto is erected, constructed, reconstructed, altered, or placed in contravention of any provision of this bylaw, the Act, the Regulations, or the conditions of the permit with respect thereto approved pursuant to this bylaw, the Council 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, the Act, the Regulations, or the conditions, 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 which 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) The owner of a building for which a permit has been issued or with respect to which actions are being taken in compliance with an order shall give notice in writing to the municipality 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) 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 Council or its authorized representative.

(2) It shall be the responsibility of the owner to ensure that change in property lines will not bring the building or an adjacent building into contravention of this bylaw.

(3) It shall be the responsibility of the owner to ensure that 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 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.

Enacted pursuant to Section 14 of *The Uniform Building and Accessibility Standards Act*

***Includes all amendment up to 2008***

Certified a true copy of Bylaw # 01/92 adopted this 16<sup>th</sup> day of March, 4 1992

Administrator \_\_\_\_\_