

BYLAW NO. 347

Rural Municipality of Lajord No. 128

A BYLAW RESPECTING BUILDINGS

The Council of the Rural Municipality of Lajord No. 128 in the Province of Saskatchewan enacts as follows:

1. SHORT TITLE

This bylaw may be cited as the Building Bylaw.

2. INTERPRETATION/LEGISLATION

- 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) "**Administrative Requirements**" means *The Administrative Requirements for Use with The National Building Code*.
- 3) "**Authorized Representative**" means a building official appointed by the municipality pursuant to subsection 5(4) of the Act or the Municipal Office.
- 4) "**Farm building**" means a building associated with a farming operation and includes a residence consisting of not more than two dwelling units, but does not include buildings associated with commercial operations, multiple-occupancy residences or assembly buildings;
- 5) "**Intensive livestock**" means the confining of any of the following animals, where the space per animal unit is less than 370 square metres:
 - a. poultry;
 - b. hogs;
 - c. sheep;
 - d. goats;
 - e. cattle;
 - f. horses;
 - g. any other prescribed animals;
- 6) "**Municipality**" means the Rural Municipality of Lajord No. 128.
- 7) "**Council**" means Council of the Rural Municipality of Lajord No. 128.
- 8) "**Municipal Official**" means the clerk or administrator of the municipality or their designate.
- 9) "**Regulations**" means regulations made pursuant to the Act.
- 10) "**Value of Construction**" means the total costs to the owner for the building construction in its completed form and includes the cost of design, all building work, materials of construction, building systems, labour and profit of the contractor and subcontractors.
- 11) "**Inspector**" means a contracted Licensed Building Official.
- 12) Definitions contained in the Act and Regulations shall apply in this bylaw.

3. SCOPE OF THE BYLAW

- 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 municipality or its authorized representative.

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4. GENERAL

- 1) Except as provided in subsection (2) a permit is required whenever work is to be undertaken to erect, move, place, construct, alter, reconstruct, repair, renovate, demolish, remove, use or occupy a building.
- 2) The following buildings are exempt from the requirements of this bylaw:
 - a. Building less than 10 m² in building area provided they do not create a hazard;
 - b. Buildings undergoing cosmetic repairs and renovations which do not involve any structural alterations or additions to the superstructure.
- 3) Subject to the provisions of subsection (1), the requirements of this bylaw are applicable to farm buildings designed for intensive livestock purposes and to all residential occupancies including one and two-unit dwellings located on farms.
- 4) No owner or owner's agent shall work, 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.
- 5) 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 municipality 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.
- 6) A Real Property Report may be required for all new principal buildings in the Residential, Commercial and Industrial Zoning Districts as defined in the municipality's Zoning Bylaw. Council may require a Real Property Report for other buildings at any time in these and other Zoning Districts, as required.
- 7) An elevation certificate may be required to be submitted for all new principal buildings in the Agricultural Residential, Commercial and Industrial Zoning Districts as defined in the municipality's Zoning Bylaw. Council may require an elevation certificate for other buildings at any time in these and other Zoning Districts, as required.

5. BUILDING PERMITS

- 1)
 - a. No person shall commence or cause to be commenced the construction, erection, placement, alteration, repair, renovation or reconstruction of a building without first having obtained a building permit from the local authority.
 - b. Failure to apply for the required permit may result in the issuance of a "Stop Work Order." Where a Stop Work Order is issued, the permit fees will be double the amount set out in subsection 5(8).
- 2) No building permit shall be issued unless a Development Permit, where required, has first been applied for and obtained from the local authority. Building permits shall be subject to any conditions stated on the development permit.
- 3) Whenever the character of the proposed work requires the technical expertise of an architect or engineer, the local authority or authorized representative may, at its discretion, require as a condition of the application that all plans and specifications, or any part thereof, be prepared, reviewed, sealed, dated, and signed by a Professional Engineer or Architect registered in the Province of Saskatchewan.
- 4) Every application for a permit to construct, erect, place, alter, repair, renovate or reconstruct a building shall be in Form A or (a form provided by the municipality), and shall be accompanied by two sets of the plans and specifications of the proposed building, except when authorized by the municipality or its authorized representative plans and/or specifications need not be submitted.

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- 5) If the work described in an application for building permit, to the best of the knowledge of the municipality or its authorized representative, complies with the requirements of this bylaw, the municipal official, upon receipt of the prescribed fee, shall issue a permit in Form B or (a form provided by the municipality) and return one set of submitted plans to the applicant.
- 6) Council 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 municipality pursuant to subsection 4(4) of the Act.
- 7) 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.
- 8) The permit fee for construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be based on the following:
 - a. A permit administration fee of \$50 for the processing, handling and issuance of a building permit; plus
 - b. The service fees for plan review, field inspection of construction and enforcement services in accordance with the agreement between the provider of building official services and the municipality; plus
 - c. A maintenance fee charged by the Saskatchewan Assessment Management Agency.
 - d. All permit fees will be due and collected in full prior to the permit being issued and are subject to applicable taxes.
 - e. Service fees in accordance with subclause (b) above are based upon the construction project proceeding in a timely and competent manner. Additional inspection fees may be incurred in excess of the permit fee for:
 - i. Re-inspection(s) of infractions or deficiencies to ensure NBC compliance until non-compliant items are corrected and construction is satisfactorily completed.
 - ii. A progress inspection will be initiated for construction projects where an inspection has not occurred in the past six (6) months in accordance with subsection 5(11)(c).
 - iii. Fees related to any deviation, omission or revision to work for which a permit has already been issued under this section.
 - iv. Action required to issue Orders, Affidavits or other work to remedy non-compliance.
 - f. Any additional fees as a result of subclause (e) above plus building official travel costs and GST, which are part of the inspection process shall be due upon issuance of an invoice from the local authority.
- 9) The municipality or its authorized representative may estimate the value of the construction costs for the work described in an application for building permit, for the purpose of evaluating a permit fee based on the definition of *value of construction* as per subsection 2(7).
- 10) Approval in writing from the municipality or its authorized representative is required for any deviation, omission or revision to work for which a permit has been issued under this section.
- 11) All permits issued under this section shall expire:
 - a. 12 months from date of issue; or
 - b. six 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 longer, unless there is prior written approval from the municipality or its authorized representative of such suspension.
- 12) Where a permit has expired as per subsection 5(11) the owner can make application to the municipality for the renewal of the permit application. Such renewal may be subject to a building permit renewal fee equal to fees required in subsection 5(8) or some alternate renewal fee.
- 13) The municipality 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.

6. DEMOLITION OR REMOVAL PERMITS

- 1)
 - a. The fee for a permit to demolish or remove a building shall be \$50.

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- b. In addition, the applicant shall deposit with the municipal official the following sum 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 municipality or its authorized representative, not dangerous to public safety.

Schedule "A"

Type of Structure	Deposit Required
Farm Buildings	NIL
Residence/Accessory Buildings (Above grade only)	\$1,000
Residence/Accessory Buildings (Above and below grade)	\$2,500
All Other Buildings/Structures	\$4,000

- c. If the applicant who demolishes or removes the building restores the site to a condition satisfactory to the authorized representative, the sum deposited, or portion thereof, shall be refunded.
- 2) Every application for a permit to demolish or remove a building shall be in Form C or (a form provided by the municipality).
- 3) Where a building is to be demolished and the municipal official 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 municipal official, upon receipt of the fee and deposit prescribed, shall issue a permit for the demolition in Form D or (a form provided by the municipality).
- 4) Where a building is to be removed from the geographical jurisdiction of the municipality, and the municipal official 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 municipal official, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form D or (a form provided by the municipality).
- 5)
- a. Where a building is to be removed from its current site and set upon another site in the geographical jurisdiction of the municipality, and the municipal official 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 municipality or its authorized representative, will conform with the requirements of this bylaw, the municipal official, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form D or (a form provided by the municipality).
- b. In addition, the municipal official, upon receipt of the fee prescribed in subsection 5(5), shall issue a permit for the placement of the building in Form B or (a form provided by the municipality).
- 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 approval by the municipality.

7. CULVERTS AND DRAINAGE

- 1) A culvert and drainage deposit of \$1,000 may be required for certain sites as determined by the municipality in accordance with a drainage plan.
- 2) The culvert and drainage deposit shall be refunded upon satisfactory completion of the approach/driveway, culvert installation and drainage.
- 3) Where a culvert is required in a municipal road allowance the culvert shall be installed at the approved elevation and inspected by the municipality.
- 4) If an owner or contractor does not satisfactorily complete the required driveway drainage or culvert installation within one year from the date of occupancy, the municipality may undertake the necessary work and deduct all costs from the culvert and drainage deposit.

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8. ENFORCEMENT OF BYLAW

- 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 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 authorized representative may take any measures allowed by subsection (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 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.

9. SUPPLEMENTAL BUILDING STANDARDS

- 1) Where the requirements of this bylaw apply to farm buildings, the National Farm Building Code of Canada 1995 would be applicable.

10. SPECIAL CONDITIONS

- 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 municipality or its authorized representative.
- 2) A real property report 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 municipality 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.

11. PENALTY

- 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 the person from compliance herewith.

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12. REPEALS OF BYLAW

Bylaw No. 284, 304 and 341 and all subsequent amendments, shall hereby be repealed.



Z. Burt
Reeve

Shirley Deary
Administrator

Certified a true copy of Bylaw No. 347
adopted by resolution on the
14th day of September, 2017.

Shirley Deary
Administrator

RURAL MUNICIPALITY OF LAJORD NO. 128

APPLICATION FOR BUILDING PERMIT

Permit Number: _____

Intended Use of Building: _____

Legal Description: _____

Owner Name: _____

Address: _____ Telephone: _____

Building Contractor: _____

Address: _____ Telephone: _____

Floor Area:

Ground Floor: _____ Second Floor: _____ Basement: _____

Garage: _____ Accessory/Other: _____

Building

Estimated Value of Construction: _____

Length: _____ Width: _____ Height: _____

_____ I have submitted a site plan indicating the location of all property lines, all existing and proposed buildings, the distances between all property lines and the closest wall of the nearest building, the location of all existing and proposed roads and a north arrow to establish orientation of the site plan.

_____ I hereby agree to comply with the Building Bylaw of the municipality and acknowledge that it is my responsibility to ensure compliance with the Building Bylaw of the municipality and with any other applicable bylaws, acts and regulations regardless of any plan review or inspections that may or may not be carried out by the municipality or its authorized representative.

_____ It is expressly understood that the municipality requires building inspections to be called for at various stages of construction, as outlined in the building bylaw, and that it is my responsibility to contact the municipal building inspector to ensure that building inspections are carried out at the required intervals. Failure to notify the municipal building inspector at the required intervals of construction may result in forfeiture of the occupancy deposit, in part or in whole, additional inspection fees, the issuance of a stop work order, and/or other action outlined in the municipal building bylaw.

_____ I understand that this permit expires six months from the date of issue if work is not commenced within that period or, two years from the date on which the permit was issued; and any deviation, omission or revision to the approved application required approval of Council, or its authorized representative.

_____ I understand that additional inspection fees may be charged for extra inspections, non-scheduled inspections and re-inspections.

Date of Application

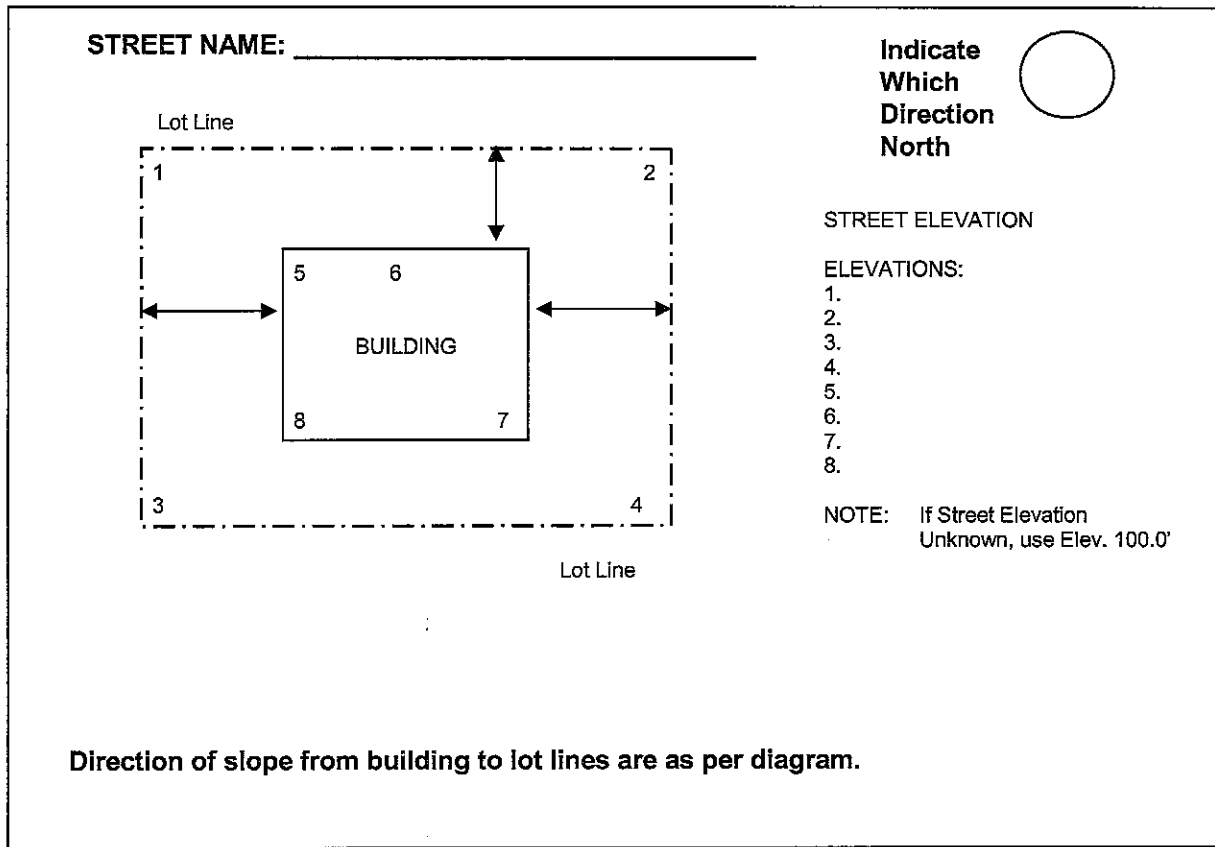
Owner or Authorized Agent (Print)

Owner/Agent (Signature)

This Building Permit is Approved subject to the following conditions:

BUILDING PERMIT# _____

Permission is hereby granted to _____
to _____ a building to be used as a _____
on civic address or location _____
Lot _____ Block _____ Plan _____ in accordance with the
application dated _____. This permit expires six months from the date of issue if work is not
commenced within that period or if work is suspended for a period of six months, unless otherwise authorized by the
municipality or its authorized representative. Grade lines of the building site are to be as indicated below and as shown on
the diagram.



This permit is issued subject to the following conditions:

Any deviation, omission or revision to the approved application requires approval of the municipality or its authorized representative.

Estimated value of construction \$ _____

Permit fee \$ _____

Date

Signature of Authorized Representative

APPLICATION FOR A PERMIT TO DEMOLISH OR MOVE A BUILDING

I hereby make application for a permit to demolish a building now situated on

Civic address or location _____
Lot _____ Block _____ Plan _____

The demolition will commence on _____, 20_____.
and will be completed on _____, 20_____.

OR

I hereby make application for a permit to move a building now situated on

Civic address or location _____
Lot _____ Block _____ Plan _____

to Civic address or location _____
Lot _____ Block _____ Plan _____

or Out of the municipality _____

The building has the following dimensions: length _____ width _____ height _____

The building mover will be _____
and the date of the move will be _____, 20_____.

The building will be moved over the following route: _____

The site work (filling, final grading, landscaping, etc.) which will be done after removal of the building includes _____

I hereby agree to comply with the Building Bylaw of the municipality and to be responsible and pay for any damage done to any property as a result of the demolition or moving of the said building, and to deposit such sum as may be required by Section 6(1)(b) of the Building Bylaw. I acknowledge that it is my responsibility to ensure compliance with any other applicable bylaws, acts and regulations, and to obtain all required permits and approvals prior to demolishing or moving the building.

Date

Signature of Owner or Owner's Agent

RURAL MUNICIPALITY OF LAJORD NO. 128

DEMOLITION OR MOVING PERMIT# _____

Permission is hereby granted to _____ to

_____ Demolish OR _____ Move

a building now situated on

Civic address or location _____

Lot _____ Block _____ Plan _____

to Civic address or location _____

Lot _____ Block _____ Plan _____

or Out of the municipality _____

in accordance with the application dated _____, 20 _____. **This permit expires six months from the date of issue.**

This permit is issued subject to the following conditions:

Any deviation, omission or revision to the approved application requires approval of the municipality or its authorized representative.

Permit fee \$ _____

Deposit fee \$ _____

Date

Signature of Authorized Representative