

Town of Imperial
Bylaw # 7-2016
A Bylaw Respecting Buildings

The council of the Town of Imperial 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 Saskatchewan, 1983-84 and amendments.
- 2.2 "Administrative Requirements" means *The Administrative Requirements for Use with The National Building Code*.
- 2.3 "Authorized representative" means a building official appointed by the local authority pursuant to subsection 5(4) of the Act or the municipal official.
- 2.4 "Local authority" means the Town of Imperial.
- 2.5 "Regulations" means regulations made pursuant to the Act.
- 2.6 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.
- 3.2 Notwithstanding subsection (1), references and requirements in the Administrative Requirements respecting matters regulated by the Act and Regulations shall not apply.
- 3.3 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.

General

- 4.1 A permit is required whenever work regulated by the Act and Regulations is undertaken.
- 4.2 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.
- 4.3 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.
- 4.4 An accessory building not greater than 10 m² (108 ft²) is exempt from this bylaw provided it does not create a hazard.

Building Permits

- 5.1 Every application for a permit to construct, erect, place, alter, renovate or reconstruct a building shall be in Form A, 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.
- 5.2 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 Form B and return one set of submitted plans to the applicant.
- 5.3 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.
- 5.4 The local authority may, at its discretion have plan review, inspection and other services provided by a person, firm or corporation employed under contract to the local authority.
- 5.5 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 \$ 50.00 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 local authority; plus
 - c) Maintenance fee(s) charged by the Saskatchewan Assessment Management Agency.
 - d) All permit fees will be collected prior to the permit being issued and subject to applicable taxes.
- 5.6 Approval in writing from the local authority or its authorized representative is required for any deviation, omission or revision to work for which a permit has been issued under this section.
- 5.7 All permits issued under this section expire:
 - (a) 24 months from date of issue;
 - (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

- (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.
- 5.8 Where a permit has expired as per subsection 5.7 the owner can make application to the local authority for the renewal of the permit application. Such renewal may be subject to a building permit renewal fee equal to fees required in subsection 5.5 or some alternate renewal fee.
- 5.9 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 Permits

- 6.1 (a) The fee for a permit to demolish a building shall be \$50.00.
 - (b) (i) In addition, the local authority may, at its discretion, require the applicant to deposit with the local authority a \$5,000.00 surety in cash or bond to cover the cost of restoring the site after the building has been demolished to such condition that it is, in the opinion of the local authority or its authorized representative, not dangerous to public safety.
 - (ii) If the applicant who demolished the building restores the site to a condition satisfactory to the local authority or its authorized representative, the sum deposited, or portion thereof, shall be refunded.
- 6.2 Every application for a permit to demolish or remove a building shall be in Form C.
- 6.3 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 and deposit prescribed, shall issue a permit for the demolition in Form D.
- 6.4 At least 24 hours prior to demolition the applicant must:
 - (a) Arrange with the Town of Imperial to have the water and sanitary sewer service connections discontinued at the water and sewer mains and
 - (b) Arrange with the gas, electric and telephone companies or other utilities to discontinue their services.
- 6.5 Demolition permits expire six months from the date of issue except that permit may be renewed for six months upon written application to the local authority.

Removing, Relocation or Placement of Building Permits

- 7.1 (a) The fee for a permit to remove and/or relocate a building shall be \$50.00.
 - (b) (i) In addition, the local authority may, at its discretion, require the applicant to deposit with the local authority a \$5,000.00 surety in cash or bond to cover the cost of restoring the site after the building has been moved or removed to such condition that it is, in the opinion of the local authority or its authorized representative, not dangerous to public safety.
 - (ii) If the applicant who moves or removes the building restores the site(s) to a condition satisfactory to the local authority or its authorized representative, the sum deposited, or portion thereof, shall be refunded.
 - 7.2 Every application for a permit to remove and/or relocate a building shall be in Form C.
 - 7.3 Before issuing a permit to remove and/or relocation, the local authority must be satisfied that:
 - (a) the structure of the building is such that the removal and/or relocation, can be safely effected;
 - (b) that no person other than a licensed building mover will remove or relocate the building;
 - (c) that the building shall be moved along a route that, if by reason of its height, is the least likely to occasion damage to municipal facilities;
 - (d) that there are no arrears or taxes outstanding with respect to building or land on which buildings is or will be situated;
 - (e) that when the building is placed on its new site and completed, it will conform with all applicable bylaws;
 - (f) that the architectural design of the building will not adversely affect the general design of the buildings in the neighbourhood to which the building is to be moved; and
 - (g) that the prescribed fee and deposit has been received.
 - 7.4 (a) Where a building is to be removed from the jurisdiction of 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 and deposit prescribed, shall issue a removal permit in Form D.
 - (b) Where a building is to be relocated 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 and deposit prescribed, shall issue a permit for the removal in Form D. In addition, the local authority, upon receipt of the fee prescribed in Section 5(5), shall issue a permit for the placement of the building in Form B.
 - (c) Where a building is to be relocated from a *site external to the local authority and set upon a site within 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 land on which the building is to be 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 and deposit prescribed, shall issue a permit for the placement of the building in Form D. In addition, the local authority, upon receipt of the fee prescribed in Section 5(5), shall issue a permit for the placement of the building in Form B.
- 7.5 At least 24 hours prior to the removal and/or relocation, the applicant must:
 - (a) Arrange with the Town of Imperial to have the water and sanitary sewer service connections discontinued at the water and sewer mains and
 - (b) Arrange with the gas, electric and telephone companies or other utilities to discontinue their services.

7.6 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.

Enforcement of Bylaw

- 8.1 If any building or part thereof or addition thereto is constructed, erected, placed, 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, test, 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 to the tax payable on the property, and
 - (g) obtaining restraining orders.
- 8.2 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 measure allowed by subsection (1).
- 8.3 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.

Control of Grade Elevations

- 9.1 When issuing a building permit for new construction or alterations involving new foundation, the local authority or its authorized representative in conjunction with the town engineers shall define the finished grade elevation, the future sidewalk elevation (if required) and the benchmark reference for the development.
- 9.2 It will be the responsibility of the owner to ensure all grade elevations are met and maintained.

Special Conditions

- 10.1 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.
- 10.2 An up-to-date plan or 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 local authority or its authorized representative.
- 10.3 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.
- 10.4 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

- 11.1 Any person who contravenes any of the provisions of this bylaw shall be liable to the penalties provided in Section 22 of the Act.
- 11.2 Conviction of a person or corporation for breach of any provision of this bylaw shall not relieve him from compliance therewith.

Repeal of Bylaw

- 12.1 Bylaw 1/07 and 6/07 are hereby repealed

Effective Date of Bylaw

- 13.1 This bylaw shall come into force on the date of final approval by the Minister.

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

Deputy Mayor

S E A L

Administrator

Read a first time this ____ day of _____, 2016.
Read a second time this ____ day of _____, 2016
Read a third time and adopted this ____ day of _____, 2016

Town of Imperial
 Box 90
 Imperial SK S0G 2J0
 Phone (306)963-2220 Fax (306)963-2445
 e-mail town.imperial@sasktel.net

Form "A", Bylaw 7-2016
 Building Permit Application

I, _____, hereby make application to:

construct alter reconstruct/renovate

a building according to the information below and to the plans and documents attached to this application.

Civic address or location of work: _____

Legal description: Lot _____ Block _____ Plan _____

Owner: _____
 Address: _____

 Phone Number: _____

Contractor: _____
 Address: _____

 Phone Number: _____

Designer: _____
 Address: _____

 Phone Number: _____

Nature of work: _____

Intended use of building: _____

Size of building (ft²): _____ Length: _____ Width: _____ Height: _____

Number of storeys: _____ Fire escapes: _____

Number of stairways: _____ Width of stairways: _____

Number of exits: _____ Width of exits: _____

Foundation soil classification and type: _____

	Material	Size
Footings		
Foundations		
Exterior Walls		
Roof		
Studs		
Floor Joist		
Girders		
Rafters		
Chimneys	Number	Size
	Material	Thickness
Heating	Lighting	Plumbing

Estimated value of construction (excluding site): \$ _____

I hereby agree to comply with the Building Bylaw of the local authority and acknowledge that it is my responsibility to ensure compliance with the Building Bylaw of the local authority 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 local authority or its authorized representative.

 Date

 Signature of Owner or Owner's Agent

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 24 months from date of issue or 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 local authority or its authorized representative.

Grade lines of the building site are to be indicated below and as shown on the diagram.

Street Name: _____ **Indicate which direction North**

Lot Line

The diagram shows a central rectangle labeled 'Building'. It is surrounded by a larger rectangle representing the lot. The lot lines are numbered 1 through 8: 1 (top-left), 2 (top-right), 3 (top), 4 (bottom-left), 5 (left), 6 (right), 7 (bottom-right), and 8 (bottom). Blue double-headed arrows indicate the direction of slope from the building to each lot line: up to 1, down to 2, left to 5, right to 6, down to 7, and up to 8.

Street Elevation

Elevations:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.

Note: If Street Elevation unknown, use Elev. 100.0'

Lot Line

1. Minimum clearance (if required) from Lot Lines as per diagram
2. Direction of slope from building to Lot Lines are as per diagram

The diagram shows a smaller rectangle representing the building, with four blue arrows pointing outwards from its corners towards the corners of a larger rectangle representing the lot, indicating the direction of slope.

This permit is issued subject to the following conditions:

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

Estimated value of construction \$ _____ Permit fee \$ _____

Date

Signature of Authorized Representative

I, _____, hereby make application 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 to

move a building now situated on:

Civic address or location: _____

Lot _____ Block _____ Plan _____

to Civic address or location: _____

Lot _____ Block _____ Plan _____

or Outside of the municipality: _____

The building has the following dimensions: Length: _____ Width: _____ Height: _____

The date of the move will be: _____, 20 _____

The building will be moved over the following route:

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

Owner: _____
Address: _____

Phone Number: _____

Building Mover: _____
Address: _____

Phone Number: _____

I hereby agree to comply with the Building Bylaw of the local authority 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) and 7(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

Town of Imperial
Box 90
Imperial SK S0G 2J0
Phone (306)963-2220 Fax (306)963-2445
e-mail town.imperial@sasktel.net

Form "D", Bylaw 7-2016
Demolition or Moving Permit Approval

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 Outside 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 local authority or its authorized representative.

Permit Fee: \$ _____

Deposit Fee: \$ _____

Date

Signature of Owner or Owner's Agent