

BYLAW 05 – 2010
Rural Municipality of Torch River No. 488

A Bylaw Respecting Buildings

The Council of the Rural Municipality of Torch River No. 488 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) "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 Rural Municipality of Torch River No. 488
- (5) "Regulations" means regulations made pursuant to the Act
- (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.
- (2) Notwithstanding subsection (1), references and requirements in *The Administrative Requirements* shall not apply respecting matters regulated by the Act and Regulations.
- (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 to be undertaken.
- (2) Exemptions: Notwithstanding section 4 (1), the following are exempt from obtaining building permits:
 - (a) all buildings less than 10 square metres (107.6 square feet) in size
- (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.

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- (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 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 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.
- (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.
- (3) The permit fee for construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be based on the fee schedule, *attached as Table 1 – Building Permit Fees*
- (4) 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) The local authority 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 costs, owner's statement of costs or constructor's contract values, or similar methods selected by the local authority.
- (6) All permits issued under this section expire
- (a) six months from the date of issue if work is not commenced within that period, or
 - (b) if work is suspended for a period of six months, or
 - (c) if work is suspended for a period of longer than six months by prior written agreement of the local authority or its authorized representative
- (7) 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.

BUILDING OFFICIAL

6. (1) 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.
- (2) 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.

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- (3) The building official may require the owner or contractor to supply additional plans, drawings or specifications pertaining to a building project where, in his opinion, the Plans are unclear or do not comply to the minimum standards of the National Building Code, the Act or the Building Bylaw.

OBLIGATIONS OF THE OWNER

7. (1) Every owner is responsible to obtain all required permits and approvals prior to commencement of the work to which they related.
- (2) No person shall occupy a building until it has been approved for occupancy by the Building official.
- (3) It shall be the responsibility of the owner to ensure that changes in ground elevations or changes in property lines will not bring the building or an adjacent building into contravention of this bylaw or the Zoning Bylaw.
- (4) It shall be the responsibility of the owner to arrange for all permits, inspections, and certifications required by other applicable Acts and regulations.

BUILDING INSPECTIONS

8. (1) Pursuant to section 16(1)(a) of the Act, the building official may, at its discretion, inspect any building in the Municipality at any time during any reasonable hour of the day.
- (2) Inspections may include, but shall not be limited to:
- (a) Foundation inspection
 - (b) Framing inspection
 - (c) Insulation & vapor barrier inspection
 - (d) Final inspection
 - (e) Pre-move inspection (prior to moving building into municipality)
- (3) For all buildings requiring a permit, the owner, or its authorized agent, shall be required to notify the building official at least 24 hours in advance of the following:
- (a) when excavation is to be commenced
 - (b) when the foundation is ready to be poured
 - (c) when a superstructure is to be placed on the foundation
 - (d) when the building is ready for a framing inspection
 - (e) when the building is substantially completed and prior to occupancy.
- (4) The building official may require additional inspections at any time throughout the construction project. In the event that additional inspections are required as a result of faulty workmanship or the owner's agent has requested an additional inspection, a fee of \$120.00 shall be charged against the owner.
- (5) A building shall not be approved for occupancy until the local authority is satisfied that all outstanding infractions, as noted on the building official's final inspection report, have been corrected.

DEMOLITION OR REMOVAL PERMITS

9. (1) The application for a permit to demolish or move a building shall be in Form "C".
- (2) The fee for a permit to demolish or move a building shall be zero dollars.
- (3) In addition, the applicant shall deposit with the local authority a sum of **\$150.00** as the local authority 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 local authority or its authorized representative, not dangerous to public safety. If the applicant who demolishes or

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removes 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.

- (4) Where a building is to be demolished and the local authority 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 Demolition in Form D.
- (5) Where a building is to be removed from the Municipality, and the local authority 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 Removal in Form D.
- (6)
 - a) Where a building is to be removed from its site and set upon another site in the Municipality 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, then the local authority, upon receipt of the fee and deposit prescribed shall issue a Permit for Removal in Form D.
 - b) In addition, the local authority, upon receipt of the \$150.00 fee, shall issue a permit for the placement of the building in Form B.
- (7) All permits issued under this section expire six (6) months from the date of issue except that a permit may be renewed for six (6) months upon written application to the local authority.

ENFORCEMENT OF BYLAW

10. (1) If any building, or part thereof, or addition thereto is erected, constructed, reconstructed, altered, repaired, renovated, removed or placed 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 into 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 taxes 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 Section 10 (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.

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SPECIAL CONDITIONS

11. (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 arrange for all permits, inspections and certificates required by other applicable bylaws, acts and regulations.

PENALTY

12. (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 provisions of this bylaw shall not relieve that person or corporation from compliance therewith.

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

(SEAL)

Reeve

Administrator

Certified a True Copy of Bylaw 05-2010 of
The Rural Municipality of Torch River No.488
adopted by Resolution of Council on the
11th day of May 2010.

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TABLE 1
BUILDING PERMIT FEES

1. One & Two Unit Dwellings:

New construction	\$600.00
Mobile Home & Ready to Move (RTM'S) dwellings (3 inspections)	\$360.00
Additions and Structural Renovations	
Floor space	\$360.00
Attached garages	\$360.00
Detached garage, shop	\$120.00

2. All Other Buildings

All other buildings	\$3.00 per \$1,000 valuation Minimum \$600.00
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3. Buildings moved from within or outside the municipality

Pre-move inspections	\$120.00 plus \$75.00/hour travel time
Post-move	Fees in Section 1 or 2 depending on building type

4. Farm Buildings

Buildings on farms used exclusively for the storage of farm equipment, livestock, grain or other farm produce and farm shops	Exempt
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FORM A

Rural Municipality of Torch River No.488, Saskatchewan

APPLICATION FOR BUILDING PERMIT

I hereby make application for a permit to _____construct
_____alter _____ a building according to
_____reconstruct
the information below and to the plans and documents attached to this application.

Civic address or location of work _____

Legal description — Lot _____ Block _____ Plan _____

Legal description – Quarter _____ Section _____ Township _____ Range _____ Meridian _____

Owner _____ Address _____ Telephone _____

Designer _____ Address _____ Telephone _____

Contractor _____ Address _____ Telephone _____

Nature of work _____

Intended use of building _____

Size of building _____ 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 _____

Footings _____ Material _____ Size _____

Foundations _____ Material _____ Size _____

Exterior Walls _____ Material _____ Size _____

Roof _____ Material _____ Size _____

Studs _____ Material _____ Spacing _____

Floor Joists _____ Material _____ Spacing _____

Girders _____ Material _____ Spacing _____

Rafters _____ Material _____ Spacing _____

Chimneys _____ Number _____ Size _____

Material _____ Thickness _____

Heating _____ Lighting _____ Plumbing _____

Estimated value of construction (excluding site) \$ _____

Building area (area of largest storey) _____ square metres

Fee for building permit \$ _____

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

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FORM B

Rural Municipality of Torch River No.488, Saskatchewan

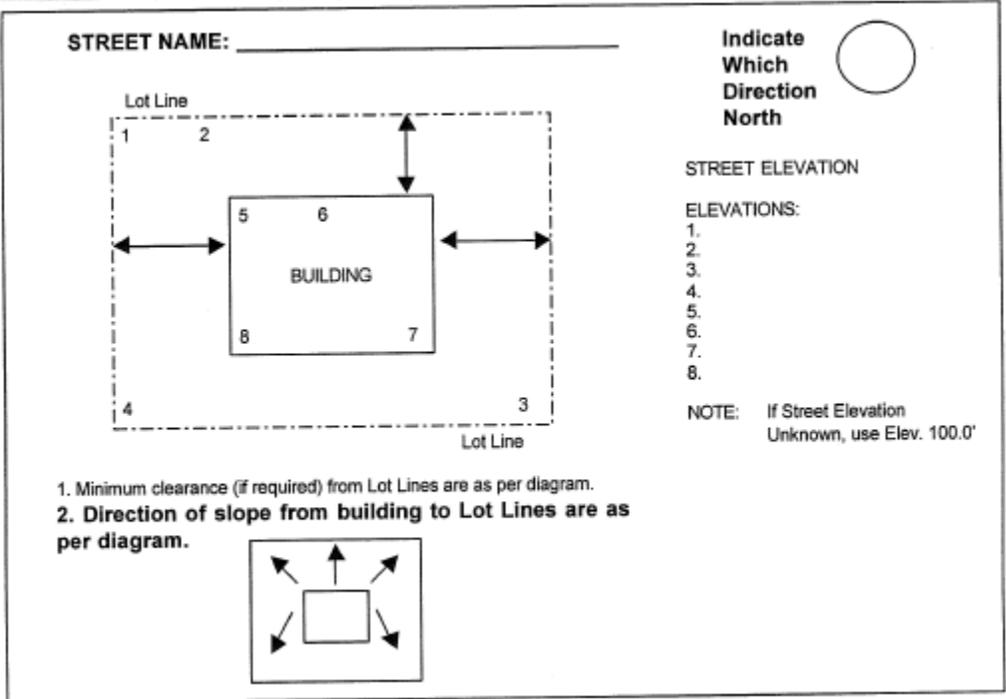
BUILDING PERMIT # _____

Permission is hereby granted to _____
to _____ a building to be used as a _____
on civic address or location _____

Lot _____ Block _____ Plan _____

Quarter _____ Section _____ Township _____ Range _____ Meridian _____ 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 local authority 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 local authority or its authorized representative.

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

Date

Signature of Authorized Representative

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FORM C

Rural Municipality of Torch River No.488, Saskatchewan

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 _____

Quarter _____ Section _____ Township _____ Range _____ Meridian _____

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 _____

Quarter _____ Section _____ Township _____ Range _____ Meridian _____

To Civic address or location _____

Lot _____ Block _____ Plan _____

Quarter _____ Section _____ Township _____ Range _____ Meridian _____

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 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 9(3) 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

