

BYLAW 05 – 2018

Rural Municipality of Moose Range No. 486

A Bylaw Respecting Buildings

The Council of the Rural Municipality of Moose Range No. 486 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 Moose Range No. 486.
- (5) "Regulations" means regulations made pursuant to the Act.
- (6) "Municipal Official" means the Administrator, Building Inspector or appointed Designate.
- (7) "Municipality" means the identified land boundaries for which are under the control of the Rural Municipality of Moose Range No. 486.
- (8) 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* respecting matters regulated by the Act and Regulations shall not apply.
- (3) The requirements of this bylaw apply to all buildings including one and two-unit dwellings and their accessory buildings located on farms.
- (4) Notwithstanding 3(3), the following are exempt from the requirements of this bylaw:
 - a) Farm buildings as defined in the UBAS Act.
 - b) Accessory buildings less than ten (10) square metres (107.6 square feet) in area size provided they do not create a hazard.

GENERAL

- (1) A permit is required whenever work regulated by the Act and Regulations is to be undertaken.
- (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.
- (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 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) A building permit shall not be issued unless a development permit has also been issued.
- (5) Prior to moving a building into the municipality a building permit is required. All buildings are subject to inspection (s) by the authorized representative prior to the building being moved.

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 also showing setbacks from property lines, 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 following:
- a) A permit administration fee of \$25.00 (twenty five dollars) 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) The 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.
- (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 six **(6)** months from the date of issue if work is not commenced within that period unless prior written agreement of the local authority.
- (7) All permits issued under this bylaw are expected to be completed within a twenty-four **(24)** month period.



- (8) The local authority shall have plan reviews, inspections and other services for the purpose of enforcement of the Act and Regulations provided by the authorized representative.

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 5 (4) of the Act*.
- (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.

BUILDING INSPECTIONS

7. (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 twenty-four (**24**) hours in advance of a required inspection.
- (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, an additional fee of may be charged against the owner as approved in accordance with section 5(3) of this bylaw.
- (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

8. (1) The application for a permit to demolish or move a building shall be twenty-five dollars (**\$25.00**).
- (2) In addition, the applicant shall deposit with the local authority a sum of five hundred dollars (**\$500.00**) as a refundable deposit until the site is cleaned in the opinion of the local authority or its authorized representative, that the site is not dangerous to public safety. If the applicant who demolishes or 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. If the site is not cleaned to the satisfaction of the local authority then all costs to clean the site exceeding the deposit shall be added to the taxes if remaining unpaid by December 31, in the year the restoration took place.



- (3) Every application for a permit to demolish or remove a building shall be on an Application for Permit to Demolish or Move a building on **Form C** provided by the local authority.
- (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 **moved** 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 prescribed fee and refundable deposit prescribed shall issue a Permit for Removal in **Form D**.
 - b) In addition, the local authority, upon receipt of the twenty-five dollars (**\$25.00**) 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. A permit may be renewed for six (**6**) months upon written application to the local authority.

DUTIES OF THE OWNER

9.
 - (1) Every owner or owner's agent of the property shall:
 - a) Permit the Building Official to enter and building or premises at any reasonable time for the purpose of administering or enforcing this bylaw;
 - b) Obtain, where applicable, from the appropriate authority, permits relating to building, zoning, grades, sewers, water lines, plumbing, electricity, highways and all other permits required in connection with the proposed work.
 - c) Notify the Authorized Representative giving a minimum twenty-four (**24**) hour notice at the required Inspection stages as listed in the Inspection Schedule provided with the permit approval.
 - d) Provide notification in writing to the Authorized Representative and Municipal Official;
 - (i) a change in ownership prior to completion of construction and;
 - (ii) of an intended partial occupancy prior to completion of construction.
 - (2) Every owner of any property whom a written notice has been delivered in terms of Section 10 to this Bylaw, and every contractor or any other person to whom a copy of such written notice has been delivered, which notice directs that work cease immediately, shall immediately cease such work and shall not resume such work until written consent to do so is received by the owner from the authorized representative. Responsibility for assuring that such work shall cease and shall not resume until such time written consent has been received by the owner, lies entirely with the owner of the property on which the work is or was in progress.
 - (3) The owner or owner's agent to whom a permit is issued shall;
 - a) during construction have available on the construction site a copy of the Building Permit **Form B** and applicable plans and information; or
 - b) during demolition or moving a structure have available on the effected property (ies) a copy of the Demolition / Moving Permit **Form D**.



- (4) No person shall occupy a building until it has been approved for occupancy by the Building Official.
- (5) 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 *The Act* or the *Zoning Bylaw*.
- (6) It shall be the responsibility of the owner to arrange for all permits, inspections, and certifications required by other applicable Acts and regulations.

ENFORCEMENT OF BYLAW

10. (1) The Authorized Representative shall administer and enforce this bylaw.
- (2) 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 tax payable on the property; and
 - (g) obtaining restraining orders.
- (3) 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 11 (2)*.
- (4) 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.
- (5) Any person who contravenes any of the provisions of this bylaw shall be liable to the penalties provided in *Section 22 of the Act*.
- (6) Conviction of a person or corporation for breach of any provisions of this bylaw shall not relieve that person or corporation from compliance therewith.



SUPPLEMENTAL BUILDING STANDARDS

11. (1) In areas considered to be "Potentially Hazard Area" for development within the Rural Municipality of Moose Range No. 486 boundaries as may or may not be defined on the Zoning Bylaw, development shall be subject to the conditions as required by a current site and project specific GEO-Technical Report prepared by someone licensed to engage in the Practice of Professional Engineering in accordance with *The Engineering and GEO-Science Professions Act* which shall be a part of the building process.

SPECIAL CONDITIONS

12. (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 Municipal bylaws, Provincial & Federal Acts and Regulations.

REPEAL OF BYLAWS

13. (1) Bylaw 01-2018, 02 – 1960 and all amendments thereto are hereby repealed.

Read a third time and adopted this 13th day of April, 2018.

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

(SEAL)

Reeve

Administrator

Certified a True Copy of Bylaw 05-2018 of
The Rural Municipality of Moose Range No.486
adopted by Resolution of Council on the
13th day April, 2018.



FORM A

Rural Municipality of Moose Range No. 486, 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 stories_____ 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



FORM B

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 _____.

Legal:

1. 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 Uniform Building and Accessibility Standards Act or the Building Bylaw 05-2018.
2. 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 the Bylaw 02-2014 or the Zoning Bylaw.
3. 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 (set by council) shall be charged against the owner.
4. Pursuant to section 16(1)(a) of The Uniform Building and Accessibility Standards Act, the building official may, at its discretion, inspect any building in the Municipality at any time during any reasonable hour of the day.
5. The 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.

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. All permits issued under Bylaw 05-2018 are expected to be completed within a twenty-four (24) month period.

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



FORM C

Rural Municipality of Moose Range No. 486, 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

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 8 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



FORM D

Rural Municipality of Moose Range No. 486, Saskatchewan

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 _____

Quarter _____ Section _____ Township _____ Range _____ Meridian _____

to Civic address or location _____

Lot _____ Block _____ Plan _____

Quarter _____ Section _____ Township _____ Range _____ Meridian _____

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 local authority or its authorized representative.

Permit fee \$ _____

Deposit fee \$ _____

Deposit Returned _____ 20__.

Date

Signature of Authorized Representative