

BYLAW No. 07-21

A BYLAW OF THE VILLAGE OF RICHMOUND TO ADOPT A BUILDING BYLAW

The Council of the Village of Richmond, in the Province of Saskatchewan, enacts this bylaw, known as the "Building Bylaw".

SHORT TITLE

1 This bylaw may be cited as the Building Bylaw.

INTERPRETATION/LEGISLATION

2(1) In this Bylaw:

- (a) "**Act**" means *The Uniform Building and Accessibility Standards Act* being Chapter U-1.2 of the Statutes of Saskatchewan, 1983-84 and amendments.
- (b) "**Administrative Requirements**" means *The Administrative Requirements for Use with The National Building Code*.
- (c) "**Authorized Representative**" means a building inspector or building official appointed by the local authority pursuant to subsection 5(4) of the Act.
- (d) "**Local authority**" means the Village of Richmond and its Council.
- (e) "**Municipal official**" means the Administrator of the Village or their designate.
- (f) "**Regulations**" means the Uniform Building and Accessibility Standards Regulations made pursuant to the Act.
- (g) "**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.
- (h) 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) 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 or 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 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) An accessory building not greater than 10.0 m² (107 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, repair, renovate or reconstruct a building shall be a form provided by the local authority, and shall be accompanied preferably electronic plans, but where unavailable through the submission of **two (2) 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 building official, upon receipt of the prescribed fee, shall issue a permit in a form provided by the building official and return one set of submitted plans to the applicant.
- (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.
- (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) 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 **\$ 10.00** 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.
 - (c) All permit fees will be collected prior to the permit being issued and subject to applicable taxes.
- (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.
- (7) All permits issued under this section shall expire:
- (a) Twelve (12) months from date of issue but may be re-issued for additional one-year periods at the discretion of the building official.
 - (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 month; 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.
- (8) Where a permit has expired as per subsection 5(8) 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 fee equal to fees required in subsection 5(5) or some alternate renewal fee.

DEMOLITION OR REMOVAL PERMITS

- 6(1) The permit fee for the demolition or removal of a building shall be based on the following:
- (a) The fee for a permit to demolish or remove a building shall be \$10.
 - (b) At Council's discretion, additional fees may include, but are not limited to:
 - (i) In addition, the applicant shall deposit with the municipal official a **\$2,500.00** deposit to cover the cost of demolishing and 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.
 - (ii) If and when the municipality is satisfied (i) that the applicant has completed all of the restoration and (ii) that there are no outstanding claims or liens respecting the same, upon the request of the applicant, the municipality shall refund the \$2,500.00 deposit.
 - (iii) If the municipality is not satisfied that the applicant has completed all the restoration as, when and to the standards required under this bylaw, the municipality may declare the applicant to be in default. A declaration of default shall be sent by prepaid registered mail to the applicant. Should the applicant fail to remedy the default within seven (7) days of the mailing of the declaration, the municipality shall have the right to enter upon the land to complete the restoration, including repair or reconstruction of faulty work and the replacement of materials not in accordance with the specifications in this bylaw. The costs or any measures taken by the municipality pursuant to this section, shall be an amount owing by the applicant to the municipality and shall be payable on demand. Should the applicant fail to pay the municipality within thirty (30) days of the demand, the \$2,500.00 deposit will be non-refundable.
 - (iv) Restoration includes; yard cleanup, backfilling, property left level, utilities retired and brought to surface, water line capped and shut off valve exposed, concrete and rebar removed from site, and any hazardous materials, such as asbestos, must be properly removed and disposed of under the authority of all Federal and Provincial government legislation.
- (2) Every application for a permit to demolish or remove a building shall be in a form provided by the local authority.
- (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 above, shall issue a permit for the demolition in a form provided by the local authority.
- (4) Where a building is to be removed from within all lands lying within the jurisdiction of the Village of Richmond, 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 a form provided by the local authority.
- (5) The permit for moving or relocating a building shall be based on the following:
- (a) Where a building is to be removed from its current site and set upon another site within all lands lying within the jurisdiction of the Village of Richmond, 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 local authority 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 a form provided by the local authority.

- (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 a form provided by the local authority.
- (6) 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 approval by the local authority.

ENFORCEMENT OF BYLAW

- 7(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 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.

SUPPLEMENTAL BUILDING STANDARDS

- 8(1) Void.

SPECIAL CONDITIONS

- 9(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) 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.
- (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

- 10(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.

COMING INTO FORCE AND EFFECT

- (1) Read a third time and adopted by Council on October 12, 2021, at the regular Council Meeting.
- (2) This Bylaw shall come into force and take effect on the day of approval being issued by the Minister.
- (3) Bylaw No. 3/2021 is hereby repealed.

(S E A L)

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

MAYOR

ADMINISTRATOR

Village of Richmond

APPLICATION FOR BUILDING PERMIT

I hereby make application for a permit to; _____ construct, _____ alter, _____ reconstruct a building according to the information below and to the plans and documents attached to this application.

Legal land description: _____.

Owner: _____ Address: _____ Telephone: _____

Designer: _____ Address: _____ Telephone: _____

Contractor: _____ Address: _____ Telephone: _____

Nature of work: _____

Intended use of building: _____

Size of building: _____ Length: _____ Width: _____ Height: _____

Building area (area of largest storey): _____ square meters

Number of storeys: _____

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

Foundation Soil Type: _____

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

Village of Richmond

BUILDING PERMIT # _____

Permission is hereby granted to _____
to _____ a building to be used as a _____
on legal land description _____
Fee for building permit \$ _____
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.

This permit is issued subject to the following conditions:

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

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

Date

Signature of Municipal Official

Village of Richmond

APPLICATION FOR A PERMIT TO DEMOLISH OR MOVE A BUILDING

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

Legal Land Location; _____

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

Legal land location; _____

to Legal land description; _____

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 _____

and the date of the site work will be completed by _____, 20_____.

I hereby agree to comply with the Building Bylaw of the Village of Richmond 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 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