

## **BYLAW NO. 3/75**

### **A BYLAW RESPECTING BUILDINGS**

The Council of the Town of Whitewood in the Province of Saskatchewan enacts as follows:

#### **1. SHORT TITLE**

This bylaw may be cited as the Building Bylaw.

#### **2. SCOPE**

- (1) It is the purpose of this bylaw to safeguard life or limb, health, property and public welfare with respect to the design, construction and alteration of buildings by the provision of appropriate minimum standards.
- (2) Buildings of 3 storeys or less in building height, having a building area not exceeding 6,000 square feet and which are used or intended to be used for Residential, Business and Personal Services, Merchantile and Medium and Low Hazard Industrial Occupancy are regulated by the provisions contained in Sections 2 to 36 of the National Building Code of Canada 1970, A Short Form (NRCC 11563).
- (3) Buildings other than those described in (2) are regulated by the appropriate provisions contained in the National Building Code of Canada 1970.
- (4) Measures to ensure the safety of the public during construction shall conform to the appropriate requirements in Part 8 of the National Building Code of Canada 1970.
- (5) Where buildings are designed to accommodate handicapped persons, the requirements in NBC Supplement No. 5 (1970) "Building Standards for the Handicapped", shall be used as a guide, in addition to the requirements contained in this Code.
- (6) This bylaw does not apply to farm buildings other than those used as residences.
- (7) This bylaw does not apply to temporary construction sheds or light accessory buildings with a floor area of less than 500 square feet.

#### **3. APPLICATION**

- (1) When a building is built this bylaw applies to the design and construction of the building.
- (2) When the whole or any part of a building is demolished this bylaw applies to any part remaining and to the work involved in the demolition.
- (3) When the whole or any part of a building is moved either within or into a municipality this bylaw applies to all parts of the building.
- (4) When a building is altered this bylaw applies to the whole building except that the bylaw may apply only to part of the building if that part is completely self-contained with respect to the facilities and safety measures required by this bylaw.
- (5) When the occupancy of a building is changed this bylaw applies to all parts of the building affected by the change.
- (6) When materials and equipment regulated by this bylaw are replaced or altered in a building this bylaw applies to all such replacements and alterations.
- (7) No part of the work for which a permit is required by this Bylaw shall be started or continued unless the owner has obtained a building permit to carry out that part of the work.

#### 4. REFERENCED DOCUMENTS

When detailed technical information regarding materials, equipment and methods of structural design is necessary to ensure their compliance with the performance requirements of this bylaw, reference is made in the text to the specific edition of an appropriate technical standard issued by a recognized standards organization. This bylaw therefore includes as a part of its provisions these referenced documents to the extent that they relate to buildings.

#### 5. DUTIES OF THE BUILDING INSPECTOR

The Building Inspector appointed by the Town Council shall administer this bylaw and keep records of all applications received, permits and orders issued, inspections and tests made, and shall retain copies of all papers and documents connected with the administration of this bylaw, which will form part of the public records.

## 6. PERMITS

### (1) General

- (a) It shall be unlawful to excavate, or to construct, alter, demolish, or repair any building, or to move any building into or within the Town unless a permit to do so has been obtained from the Building Inspector.
- (b) Subsection (1) (a) shall not apply to the restoration of painting or plastering or to the reconstruction of any existing part of a building or its fixtures or appurtenances by which the height, bulk or fire risk is not increased or the strength is not diminished.

### (2) Building Permits

- (a) Every application for a building permit shall be in Form A of this bylaw and shall be accompanied by two copies of the plans of the proposed building.
- (b) If a proposed building complies with the requirements of this bylaw, the Building Inspector, upon receipt of the prescribed fee, shall issue a permit in Form B hereof.
- (c) The permit fee for the erection or alteration of a building shall be at the following rate:

Amendment to Bylaw #3/75: Section 6, subsection 2(c): 306/78:

The permit fee for the erection or alteration of building shall be –

- 1) for all new homes \$20.00
- 2) for garages, sheds, alterations and/or additions \$5.00

- (d) No person shall erase, alter or modify any plans or specifications upon which a building permit has been granted, or erect, alter or move any building contrary to such plans or specifications, unless the Building Inspector has agreed in writing to such changes.
- (e) All building permits shall expire six months from the date of issue, except that a permit may be renewed for six months upon written application.

### (3) Demolition or Removal Permits

- (a) Every applications for a permit to demolish or move a building shall be in Form C of this Bylaw.

- (b) Where a building is to be demolished, and the taxes on it have been paid, the Building Inspector, upon receipt of the fee, shall issue a permit for the demolition.
- (c) Where a building is to be removed from the Town and the taxes on it have been paid, the Building Inspector, upon receipt of the fee, shall issue a permit for the removal.
- (d) Where a building is to be removed from its site, and set upon another site in the Town, providing that the taxes on it have been paid, and the building when placed on its new site and completed will conform with the requirements of this permit for the removal.
- (e) All moving permits shall expire one month from the date of issue except that a permit may be renewed for one month upon written applications.
- (f) The fee for a permit to demolish or move a building shall be \$2.00 and in addition, the applicant shall deposit with the Town such sum as the Council or the Building Inspector considers sufficient to cover the cost of putting the site, after the building has been demolished or removed, in such condition that it is not dangerous to public safety. If and when the site is put in a condition satisfactory to the Council or the Building Inspector, the sum deposited shall be refunded.

## 7. INSPECTION

It shall be lawful for the Building Inspector to enter at all reasonable times upon any property in respect of which a permit has been issued to see that the conditions under which the permit was issued are being complied with, and it shall be his duty to inspect such property for the said purpose.

## 8. ENFORCEMENT

- (1) If any building or part thereof, or addition thereto is erected, altered, or placed in contravention of any provision of this bylaw, the Building Inspector may cause a notice in writing to be delivered to the owner personally or by registered letter addressed to him at his office or his last known place of residence, requiring him within a period of time mentioned therein, being at least three days from the date of delivery or mailing thereof, by a statement in writing under his hand or that of his agent and served upon the Council, to show sufficient cause why such

building or part thereof or addition thereto should not be pulled down or removed.

- (2) If at the expiration of the time mentioned in the notice such person shall have failed to show sufficient cause why such building, part thereof or addition thereto should not be pulled down or removed, the Council may give such person notice that at the expiration of a further period of at least ten days from the date of delivery of the notice or mailing thereof by registered mail, if the building, part thereof or addition thereto has not been pulled down or removed, it will then cause the same to be done at the expense of such person.
- (3) If any person fails to do anything required by this bylaw to be done by him, the Council may cause such thing to be done at his expense, and may recover the expense thereof with costs by action in any court or in like manner as municipal taxes.

#### 9. RESPONSIBILITY AND DUTIES OF THE OWNER

- (1) Neither the granting of a permit nor the approval of the drawings and specifications nor inspections made by the Building Inspector shall in any way relieve the owner of such building from full responsibility for carrying out the work or having the work carried out in accordance with the requirements of this bylaw.
- (2) Every owner of property shall:
  - (a) permit the Building Inspector to enter any building or premises at any reasonable time for the purpose of administering or enforcing this bylaw;
  - (b) obtain, where applicable, from the Building Inspector or other appropriate official, permits relating to building, zoning, grades, sewers, water mains, plumbing, signs, blasting, street occupancy, electricity, highways, and all other permits required in connection with the propped work;
  - (c) give at least 48 hours' notice to the Building Inspector of the intention to start work on the building site;
  - (d) give notice to the Building Inspector
    - (i) at least 24 hours before a foundation wall below ground level is to be placed and before any backfilling of the excavation is to be carried out and

(ii) as may otherwise be required by this bylaw;

(e) given written notice to the Building Inspector within 30 days of completion of the work described in the permit.

(3) Where tests of any materials are made to ensure conformity with the requirements of this bylaw, records of the test results shall be kept available for inspection during the construction of the building and for such a periods thereafter as required by the Building Inspector.

#### 10. DOCUMENTS ON THE SITE

The owner to whom a permit is issued shall, during construction, keep posted in a conspicuous place on the property in respect of which a permit was issued a copy of the building permit or a poster or placard in lieu thereof, and a copy of the approved plans referred to in 6 (2) (a) on the property in respect of which the permit was issued.

11. The structure to be left in a safe condition at all times and to comply with all safety regulations. All fill and backfill elevation to be decided upon by the Building Inspector to prevent flooding of other lots and roadways.

#### 12. PENALTY

Any person found guilty of any of the provisions of this bylaw shall be liable to the penalties provided in the General Penalty Bylaw of the Town.