

Building Bylaw

VILLAGE OF LIPTON

BYLAW NO. 2019-01

A BYLAW OF THE VILLAGE OF LIPTON RESPECTING BUILDINGS

The Municipal Council of the Village of Lipton in the Province of Saskatchewan enacts as follows:

1. SHORT TITLE

This bylaw may be cited as the Building Bylaw.

2. INTERPRETATION/LEGISLATION

- (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) “Regulations” means regulations made pursuant to the Act.
- (3) “Administrative Requirements” means *The Administrative Requirements for use with the National Building Code 1985*.
- (4) “Authorized representative” means a building official appointed by the Council pursuant to subsection 5(4) of the Act or the municipal official.
- (5) “Local Authority” means the Village of Lipton.
- (6) Definitions contained in the Act and regulations shall apply in this bylaw.

3. SCOPE OF THE BYLAW

- (1) This bylaw applies to matters governed by the Act and Regulations, including the *National Building Code of Canada*, and the Administrative Requirements.
- (2) Notwithstanding subsection (1) references and requirements in the Administrative Requirements respecting matter 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.

4. GENERAL

- (1) A permit is required whenever work regulated by the Act and Regulations is to be undertaken except that no permit shall be required:
 - (a) For a temporary construction shed or light accessory building with a floor area not greater than 10 meters squared (107.6 feet squared); or,
 - (b) To the restoration of painting or plastering or the maintenance of any existing part of a building or of its fixtures or appurtenances by which the height, bulk or fire risk is not increased or the strength is not diminished, when the said work is of maintenance nature only.
- (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 which 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 placement, erection, construction, alteration, repair, renovation, reconstruction, demolition, relocation removal, use or occupancy of which has been authorized by permit, does not comply with the requirements of any such building restriction agreement, bylaw, Act and/or regulation affecting the site described in the permit.

5. BUILDING PERMITS

- (1) Every application for a permit to erect, place, construct, alter, repair, renovate, or reconstruct a building shall be in Form A, and shall be accompanied by three 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 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 (1) 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 a 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 fee Schedule A – Building Permit Fee Schedule, which forms part of this bylaw.
- (6) The local authority may estimate the value of construction of 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 contractor's contract values, or similar methods selected by the local authority.
- (7) 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.
- (8) All permits issued under this section expire:
 - (a) Six months from 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 six months, or longer by prior written agreement of the local authority or its authorized representative; or,
- (9) Two years from date of issue if work is not complete, except that a permit may be renewed for one additional year upon written application to the local authority accompanied by a fee as set out in Schedule “A” – Building Permit Fee Schedule, which forms part of this bylaw.
- (10) 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.
- (11) Permit fees shall be increased by 50% if construction begins prior to the permit being issued.

6. BUILDING OFFICIAL

- (1) 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 a Building Official designated by the minister to assist the local authority pursuant to subsection 4(4) of the Act.
- (2) 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.
- (3) When necessary, the building official may require the owner/contractor of a building to engage an architect or professional engineer, registered in the Province of Saskatchewan, for an assessment of design and inspection of construction, or certification of a building or part of a building.
- (4) 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.

7. OBLIGATIONS of the OWNER

- (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) 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.
- (4) 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. All buildings with a permanent foundations and/or a floor area greater than 10 square meters (107.6 square feet) in an urban municipality must be staked by surveyor and a **Surveyor's Real Property Report (Surveyor's Certificate)** must be provided to the office upon completion of the foundation to show compliance with setbacks.

8. DEMOLITION and MOVING PERMITS

- (1) The fee for a permit to demolish, relocate or move a building shall be based as set out in Schedule "A".
 - (a) In addition, the applicant shall deposit with the local authority the following sum to cover the cost of restoring the site after the building has been demolished, relocated or removed to such condition that it is, in the opinion of the local authority or its authorized representative, not dangerous to public safety as set out in Schedule "A".
- (2) If the application is approved, the applicant shall deposit with the local authority by Certified Cheque the sum of the fee set out in Schedule "A" to cover, after the demolition or removal, the cost of:
 - (a) restoring the site of such condition that it is, in the opinion of the local authority or its authorized representative, not dangerous to public safety.

- (b) Landscaping, drainage and grading of the yard after demolition or removal shall be carried out in such a manner as to prevent recurrent ponding of water, unstable soil conditions or erosion, and so as to direct the flow of surface water away from neighbouring properties or from the walls of all buildings.
- (c) Repairing damage done to other properties during the demolition or removal to such condition as the local authority or its authorized representative is satisfied with the repair.
- (d) The deposit or portion thereof shall be returned after the demolition or removal is completed. Any and all costs of restoration and repair exceeding the deposit amount are the responsibility of the applicant.
- (e) If the applicant who demolishes, relocates 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.
- (f) If the site is not restored to a safe and tidy condition upon completion or abandonment of demolition, relocation or removal or, in any event within 6 months of the date of the issuance of the permit, the applicant's deposit is forfeited, and the local authority may perform such work as is necessary to ensure the site is not dangerous to public safety. In such a case, the applicant shall be liable for the costs of site restoration and such costs shall be set off from the deposit. The applicant shall be liable to pay to the local authority any shortfall upon demand.
 - a. Every application for a permit to demolish, relocate, or remove a building shall be in Form C.
 - b. Where a building is to be demolished 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 council, upon receipt of the fee and deposit prescribed, shall issue a permit for the demolition in Form D.
 - c. 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 the removal in Form D.

- d. (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, the local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form D.

- (b) In addition, the local authority, upon receipt of the fee prescribed in Section 5(3) shall issue a permit for the placement of the building in Form B.

- e. 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.

9. MOVING PERMITS

- (a) Buildings to be moved from outside the municipality into the municipality, or within the municipality, must first be inspected by the building official who will evaluate the structural soundness of the building and determine the work required to be established as conditions attached to the permit.
- (b) Every application for a permit to move a building shall be in Form “C”. The fee for this permit is set out in Schedule “A”.
- (c) A fee for the pre-move inspection shall be paid to the local authority before the inspection is made. A charge of \$1.00/km travel for the building official will be levied once this amount has been determined.
- (d) If the Application is approved, the applicant shall deposit with the local authority by Certified Cheques as set out in Schedule “A” to cover the costs of:
- (e) Restoring, if applicable, the pre-move site to such condition that is, in the opinion of the local authority or its authorized representative, not dangerous to public safety.

- (f) Repairing damage done to other property during the move to such condition as the local authority or its authorized representative is satisfied with the repair.
- (g) Any inspection fees that exceed the permit fee submitted.
- (h) The deposit or portion thereof shall be returned after the move is completed. Any and all costs of restoration, repair and fees exceeding the deposit amount are the responsibility of the applicant.
- (i) Where a building is to be moved, 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, 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 move in Form D.
- (j) 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.
- (k) All permits issued under this section expire six months from date of issue except that a moving permit may be extended for six months upon a written application at a cost of \$50.00. After twelve months, a new permit must be applied for.

10. GRADING AND LEVELLING OF A LOT

Any lot proposed for development shall be graded and levelled at the owner's expense to provide for adequate surface drainage, which shall not adversely affect the natural drainage or that of any adjacent properties. An approval permit shall be required for any excavation that exceeds 0.6m (2 feet) plus or minus from the natural grade.

11. ENFORCEMENT OF BYLAW

If any building or part thereof or addition thereto is constructed, erected, placed, altered, prepared, 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, 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.

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 subsection 9(1).

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 municipality as required in Section 17.2 of the Act including, but not limited to:

- (h) On start, progress and completion of construction;
- (i) Of change in ownership prior to completion of construction; and,
- (j) Of intended partial occupancy prior to completion of construction.

12. SPECIAL CONDITIONS

- (a) 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.
- (b) 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.
- (c) It shall be the responsibility of the owner to arrange for all permits, inspections and certificates required by other applicable bylaws, acts and regulations.

13. PENALTY

- (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 him from compliance therewith.

14. REPEAL

Bylaw #2018-21, is hereby repealed.

This Bylaw shall come into force and take effect from the day of its approval by Corrections and Public Safety – Building and Fire Safety, of the province of Saskatchewan.

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

MAYOR

ADMINISTRATOR

Certified a true copy of bylaw number _____
adopted by resolution on the _____
day of _____, 20 _____

ADMINISTRATOR

BYLAW NO. 2018-21

**THE BUILDING BYLAW
SCHEDULE "A"**

Section 5.(5) A., the Building Permit Fee Schedule and (5) B, All Other Buildings and (5) C, Demolition or Removal Permits are as follows:

5. (5) A. ONE UNIT DEWELLING

(a) Minimum charge	\$1,455.00
Principal Building including up to 99 sq. meters (1,075 sq. ft.) including undeveloped basements, attached garages and deck. (This fee covers up to a maximum of 6 inspections including the plan preview and mileage)	
Additional fee for every 40 square meters area greater than 139 square meters	\$160.00
(b) Unheated Accessory Building (if greater than 9.29 square meters) (This fee covers 2 inspections including plan review and mileage)	\$560.00
(c) Living Space Addition (\$2.50 per sq. meter additional charge for area greater than 75 sq. meters) (This fee covers 5 inspections including plan review and mileage)	\$1295.00
(d) Attached Garage (This fee covers 3 inspections including plan review and mileage)	\$805.00
(e) Deck (This fee covers 1 inspection including plan review and mileage)	\$315.00
(f) Detached insulated Garages (This fee covers 3 inspections including plan review and mileage)	\$805.00
(g) Renovation, Basement Development or Car Port (This fee covers 2 inspections including plan review and mileage)	\$560.00
(h) Foundations (This includes up to 4 inspections including plan review and mileage)	\$1050.00

(i) Placement of Relocated Residence (House moved in), RTM/Modular (Includes attached garage & deck) (up to 99 m2) (Additional \$160.00 per each 40 square meters of developed living space, including walkouts and finished basements.) Plus a Deposit by Certified Cheque (This fee covers up to a maximum of 6 inspections including the plan preview and mileage)	\$1,295.00 \$2,000.00
(j) Mobile (Manufactured) Home	\$805.00
(k) Retaining Wall	\$560.00
(l) Each additional inspection or re-inspection required, as determined By the building official (Travel not included) (Mileage costs are payable by homeowner and invoiced in line with PBI's actual cost.)	\$375.00
(m) Overdue inspections (This fee covers 1 inspection including mileage and will be charged to the homeowner)	\$375.00

B. ALL OTHER BUILDINGS - COMMERCIAL

All buildings \$4.50/\$1,000 Value of Construction

Minimum charges including mileage:

- principal building (6 inspections)	\$1,695.00
- accessory building insulated (3 inspections)	\$925.00
- accessory building not insulated (2 inspections)	\$640.00
- additions (5 inspections)	\$1,495.00
- renovations (4 inspections)	\$1,210.00

Each additional inspection or re-inspection required, as determined by the building official (Travel costs not included)	\$330.00
---	----------

C. DEMOLITION OR REMOVAL PERMITS

Demolish or Remove Building	\$50.00
Plus Deposit by Certified Cheque	\$2,000.00

D. ADDITIONAL FEES

1. Pre-Move Inspection – Travel for Building Official	\$1.00/km
2. Permit Fee	\$50.00

3. **E. PENALTIES**

For work commenced prior to issuance of Permit

1 st Offence	2 x Calculated Permit Fee
2 nd Offence	3 x Calculated Permit Fee
3 rd Offence	Penalties provided in Section 22 of the Uniform Building and Accessibility Standards Act.

FORM A to Bylaw No. 2018-21

Village of Lipton, 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 _____
Owner _____ Address _____ Telephone _____
Designer _____ Address _____ Telephone _____
Contractor _____ Address _____ Telephone _____

Construction:

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 _____

Alteration/Reconstruction:

Description of Project: _____

Estimated value of construction (excluding site) \$ _____

Building area (area of largest story) _____ square metres

Fee for building permit \$ _____

I hereby agree to comply with the Building Bylaw of the Name of Municipality and acknowledge that it is my responsibility to ensure compliance with the Building Bylaw of the Name of Municipality 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 Name of Municipality 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 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 Name of Municipality or its authorized representative.** Grade lines of the building
site are to be as indicated below and as shown on the diagram.

STREET NAME: _____

Indicate Which Direction North

STREET ELEVATION

ELEVATIONS:

- 1.
- 2.
- 3.
- 4.

1. Minimum clearance (if required) from Lot Lines are as per diagram.

2. Direction of slope from building to Lot Lines are as per diagram.

This permit is issued subject to the following conditions:

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

Estimated value of construction \$ _____

Permit fee \$ _____

Date

Signature of Authorized Representative

FORM C to Bylaw No. 2018-21

Village of Lipton, 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 _____

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 _____

to Civic address or location _____
Lot _____ Block _____ Plan _____

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 Name of Municipality 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(1)(a) 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 to Bylaw No.2018-21

Village of Lipton, 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 _____

to Civic address or location _____
Lot _____ Block _____ Plan _____

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 Name of Municipality or its authorized representative.

Permit fee \$ _____

Deposit fee \$ _____

Date

Signature of Authorized Representative