

# BYLAW NO. 7 - 2015

## TOWN OF PILOT BUTTE

A BYLAW TO REGULATE BUILDING CONSTRUCTION AND RELATED ACTIVITIES

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

### **SECTION 1 - SHORT TITLE**

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- 1.1. This bylaw may be cited as **"The Building Bylaw"**.

### **SECTION 2 - INTERPRETATION/LEGISLATION**

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- 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.*
- 2.2. **"Administrative Requirements"** means *The Administrative Requirements for Use with The National Building Code.*
- 2.3. **"Authorized representative"** means a building official appointed by the Town of Pilot Butte pursuant to subsection 5(4) of the Act.
- 2.4. **"Building Permit"** means a permit issued by the Local Authority that authorizes the erection, placement, construction, alteration, repair, renovation, or reconstruction for all or part of a building or structure but does not include the development permit requirements.
- 2.5. **"Building Permit Fee"** means a fee collected at the time the building permit is issued by the local authority.
- 2.6. **"End Client"** shall mean an individual or individuals or entity or entities that has applied for and obtained a development/building permit.
- 2.7. **"Extra Inspection"** means an additional inspection requested by a property owner, required by an authorized representative or by a governing body.
- 2.8. **"Final Grade Elevation" (as shown on the Elevation Certificate)** shall mean the post-construction rough grade elevation of the surface of the ground. The rough grade level elevation of the ground will be at the stage after the building is constructed, but

prior to landscaping. The elevations of the foundation of the building, mid-point of the side lot lines and four corners of the lands will be shown on the **Elevation Certificate** after construction of the building. For clarity, the end client or homeowner shall be responsible for ensuring that the post-construction elevation of the surface of the ground is met.

- 2.9. **"Homeowner"** means any person, firm or corporation that controls the Property under consideration and has registered ISC title at the time of the completion of landscaping & driveway.
- 2.10. **"Initial Grade Elevation" (as shown on a Grade Slip)** shall mean the rough elevation of the ground at which construction may proceed.
- 2.11. **"Local Authority"** means the Town of Pilot Butte and/or Municipal Official.
- 2.12. **"Other Required Fee"** means an additional fee charged by the Authorized Representative for items not included in the inspection fee.
- 2.13. **"Regulations"** means regulations made pursuant to the Act.
- 2.14. **"Surveyor's Real Property Report" (also known as a Surveyors Certificate)** is a legal document that illustrates permanent above-ground structures and registered easements in relation to property boundaries. The document consists of a plan showing the physical improvements with a written report outlining the details of the property.
- 2.15. Definitions contained in the Act and Regulations shall apply in this bylaw.

### **SECTION 3 - SCOPE OF THE BYLAW**

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- 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.
- 3.2. Notwithstanding section 3.1, references and requirements in the Administrative Requirements respecting matters regulated by the Act and Regulations shall not apply.
- 3.3. Notwithstanding section 3.1, 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.

### **SECTION 4 – GENERAL REGULATIONS**

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- 4.1. A **BUILDING PERMIT** is required whenever work regulated by the Act and Regulations is to be undertaken.

- 4.2. 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.
- 4.3. 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.
- 4.4. The authorized representative having jurisdiction may refuse to issue any permit:
- a) That would contravene any provisions of the Town's Building bylaw, Zoning Bylaw, Water/Sewer bylaw, Operation of Vehicles bylaw, or other bylaw or regulatory provision of the Town.
  - b) Where required approval of any other Federal or Provincial authority or local authority has not been obtained.
  - c) Whenever information submitted is inadequate to determine compliance with the Act and Regulations.
  - d) Whenever incorrect or incomplete information is submitted, or;
  - e) Whenever permit issuance would be prohibited by any other Act or regulation.
- 4.5. The local authority and its authorized representatives understand that any other bylaw mentioned in the Building Bylaw would not be enforceable under the UBAS Act.

## **SECTION 5 - BUILDING PERMITS**

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- 5.1. Every application for a permit to construct, erect, place, alter, repair, renovate or reconstruct a building shall be in a form as approved by a resolution of Council and shall be accompanied by **three** sets of the plans, **one of which must sent electronically**, 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. For new home applications, an Initial Grade Elevation must accompany the permit.
- 5.2. In the case of a structure requested to be moved into the Town, the following requirements shall be met, in addition to a building permit:

- a) pictures of the interior and exterior of the building must be submitted to the local authority for review, at the owner's expense; and
  - b) the proposed structure to be moved in must be inspected by the authorized representative prior to its placement in town, at the owner's expense; and
  - c) The authorized representative's report must be submitted to the town prior to receipt of the local authority's final approval.
- 5.3. Any mobile home to be moved and situated within the mobile home trailer park shall be required to conform to CSA Z240A and A277 standards and shall not exceed the maximum age of 15 years, as of the date of the passing of this bylaw and:
- a) obtain a moving permit;
  - b) obtain a development permit;
  - c) obtain a building permit;
  - d) pay the required permit fee as set out in **Schedule "A"**; and
  - e) pay any other required fee as may be charged by the authorized representative.
- 5.4. If the work described in a building permit application, 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 a form as approved by a resolution of Council and return one set of submitted plans to the applicant.
- 5.5. The local authority may, at its discretion, have a 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.
- 5.6. 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.
- 5.7. The **permit fee** for construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be based on the fee schedule as approved by a resolution of Council and attached as **Schedule "A"**.
- 5.8. 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.
- 5.9. 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.

5.10. All building permits issued under this section expire (unless an extension in writing has been first granted when):

- a) six (6) months from date of issue if work is not commenced within that period, or
- b) if work is suspended for a period of six (6) months, or
- c) if work is suspended for a period of longer than six (6) months by prior written agreement of the local authority or its authorized representative.

5.11. 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.

## **SECTION 6- DEMOLITION OR REMOVAL PERMITS**

6.1.

- a) The fee for a permit to **demolish** or **remove** a building, but not to include an accessory building, shall be \$50.00 in addition to any fee charged by the authorized representative and/or the local authority for site inspections.
- b)
  - (i) In addition, the applicant shall deposit with the local authority the following sum to cover the cost of site restoration 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.

**The deposit fee shall be  
\$1500.00  
(Only applies to a Principal Building)**

- (ii) 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.
- (iii) In addition, when the moving of a building or structure, the applicant must provide a copy of a bond or insurance coverage to the municipality stating the person responsible for moving has sufficient insurance to cover costs for damage caused to utilities, roads, private property, municipal property and utilities. The bond or insurance coverage shall be in a minimum amount of one million dollars (\$1,000,000).

6.2. Every application for a permit to demolish or remove and/or move a building shall be made to the local authority, in a form as approved by a resolution of Council.

6.3. Where a building is to be demolished or removed, 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, the

local authority upon receipt of the fee and deposit prescribed, shall issue a permit for the demolition or removal (as the case may be) in a form as approved by a resolution of Council.

6.4.

- a) Where a building is to be removed from its site and set upon another site in the local authority, 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 a form as approved by a resolution of Council.
- b) In addition, the local authority, upon receipt of the forms as required in Section 5.2 along with the fee as prescribed in Section 5.7, shall issue a permit in a form as approved by a resolution of Council, for the placement of the building.

6.5. All demolition and removal or moving 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.

## **SECTION 7 - ENFORCEMENT OF BYLAW**

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7.1. If any building or part thereof or addition thereto is construction, erected, placed, altered, repaired, 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 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.

7.2. 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 7.1.

- 7.3. The end client or homeowner 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.
- 7.4. The validity of a building permit is also subject to the Town of Pilot Butte's Zoning Bylaw requirements as regulated in Section 62(8) of The Planning and Development Act, 2007.

### **SECTION 8 – SPECIAL CONDITIONS**

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- 8.1. 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.
- 8.2. An up-to-date plan or survey described as a Surveyors Real Property Report, of the site described in a permit or permit application prepared by a registered land surveyor shall be supplied by the owner to ensure the buildings are entirely within the boundaries of the site described and are not in contravention of Zoning Bylaw 10-2007.
- 8.3. An up-to-date plan or survey with the Final Grade Elevation described as an Elevation Certificate, of the site described in a permit or permit application prepared by a registered land surveyor shall be supplied by the owner to ensure that the post-construction rough grade elevation of the surface of the ground prior to landscaping is not in contravention of this bylaw.
- 8.4. It shall be the responsibility of the end client or homeowner to arrange for all permits, inspections and certificates required by this and other applicable bylaws, acts and regulations.
- 8.5. Every end client or homeowner to whom a permit is issued shall be responsible for the cost of repair of any damage to municipal works and property that occurs in the course of the work authorized by the permit.

### **SECTION 9 – PENALTY**

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- 9.1. Any person who contravenes any of the provisions of this bylaw shall be liable to the penalties provided in Section 22 of the Act.
- 9.2. Conviction of a person or corporation for breach of any provision of this bylaw shall not relieve him from compliance therewith.

**SECTION 10 – REPEAL BYLAW**

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10.1. That Bylaw No. 9-2011 and any amendments be repealed.



Not Ron  
MAYOR  
[Signature]  
ADMINISTRATOR

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



Certified a true and correct copy of a Bylaw  
passed by resolution of Council of the Town  
of Pilot Butte at a meeting held on the 13th  
day of April, 2015.

[Signature]  
ADMINISTRATOR



**SCHEDULE A**  
**BUILDING PERMIT FEE SCHEDULE**

The following is the building permit fee schedule for the erection, placement, construction, alteration, repair, renovation, or re-construction of dwellings and all other buildings as referred to in Section 5.3, and 5.7 of Bylaw No. 9-2011. All fees cover inspection, administration costs and plan review.

**1. NEW BUILDINGS ONE AND TWO UNIT DWELLINGS**

- |   |   |
|---|---|
| a) Principal Building                                   | Fee(s) as charged by Authorized Representative plus 40% |
| b) Refundable Building Permit Deposit                   | Fee as per Bylaw 8-2015                                 |
| c) Mobile Home Permit Deposit                           | Fee(s) as charged by Authorized Representative plus 40% |
| d) Extra Inspections not included in a) to c) inclusive | Fee(s) as charged by Authorized Representative plus 40% |

**2. ADDITIONS AND/OR RENOVATIONS TO EXISTING ONE AND TWO UNIT DWELLINGS**

- |   |   |
|---|---|
| a) Additions  | Fee(s) as charged by Authorized Representative plus 40% |
| b) Attached Garages                                       | Fee(s) as charged by Authorized Representative plus 40% |
| c) Accessory Buildings including Detached Garages         | Fee(s) as charged by Authorized Representative plus 40% |
| d) Decks  | Fee(s) as charged by Authorized Representative plus 40% |
| e) Basement Development and/or Non Structural Renovations | Fee(s) as charged by Authorized Representative plus 40% |
| f) Structural Renovations                                 | Fee(s) as charged by Authorized Representative plus 40% |
| g) Extra Inspections not included in a) to f) inclusive   | Fee(s) as charged by Authorized Representative plus 40% |

**3. ALL OTHER BUILDINGS**

- |  |   |
|--|---|
| a) All Buildings                       | Fee(s) as charged by Authorized Representative plus 40% |
| b) Extra Inspection not included in a) | Fee(s) as charged by Authorized Representative plus 40% |

**SCHEDULE B**  
**BUILDING PERMIT FEE SCHEDULE**

**4. STRUCTURES TO BE MOVED FROM WITHIN OR OUTSIDE THE TOWN OF PILOT BUTTE**

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|--|---|
| a) As per Section 6.1 of this bylaw    | Fee(s) as charged by Authorized Representative plus 40% |
| b) Extra Inspection not included in a) | Fee(s) as charged by Authorized Representative plus 40% |

**SCHEDULE C**  
**BUILDING PERMIT FEE SCHEDULE**

**5. Saskatchewan Assessment Management Agency (S.A.M.A.) Fee Schedule**

a) Minimum of 2 inspections

Fee(s) as charged by S.A.M.A.