**RURAL MUNICIPALITY OF MCLEOD NO. 185**

**BYLAW NO. 10-2018**

**A BYLAW RESPECTING BUILDINGS**

The Council of the R.M. of McLeod No. 185 in the Province of Saskatchewan, enacts as follows:

**SHORT TITLE:**

1. This bylaw may be cited as the Building Bylaw.

**INTERPRETATION/LEGISLATION:**

1. (a) “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 McLeod No. 185.
5. “Regulations” means regulations made pursuant to the Act.
6. Definitions contained in the Act and Regulations shall apply in this bylaw.

**SCOPE OF THE BYLAW:**

1. (a) This bylaw applies to matters governed by the Act and the Regulations, including the *National Building Code of Canada,* and the Administrative Requirements.

(b) Notwithstanding subsection (1), references and requirements in the Administrative Requirements respecting matters regulated by the Act and Regulations shall not apply.

(c) 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:**

1. (a) A permit is required whenever work regulated by the Act and Regulations is to be undertaken.

(b) 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.

(c) The granting of any permit that is authorized by this bylaw shall not:

(i) 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

(ii) 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.

**BUILDING PERMITS:**

1. (a) Every application for a permit to construct, erect, place, alter, repair, renovate, or reconstruct a building shall be in a form as required by the local authority, and shall be accompanied by two sets of the plans 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.

(b) 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 the form required by the local authority and return one set of submitted plans to the applicant.

(c) 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 the building officials designated by the minister to assist the local authority pursuant to subsection 4(4) of the Act.

(d) 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.

(e) The permit fee for construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be one hundred dollars ($100.00), plus any associated inspection costs.

(f ) 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.

1. All permits issued under this section expire:
   1. Six months from the date of issue if work is not commenced within that period, or
   2. If work is suspended for a period of six months, or
   3. If work is suspended for a period of longer than six months by prior written agreement of the local authority or its authorized representative.
2. The local authority may, at its discretion, rebate a portion of the permit fee where work is reduced in scope or discontinued, or where other exceptional circumstances occur.

**DEMOLITION OR REMOVAL PERMITS:**

1. (a) The fee for a permit to demolish or remove a building shall be one hundred dollars ($100.00), plus any costs required for site restoration.

(b) Every application for a permit to demolish or remove a building shall be in a form required by the local authority.

(c) Where a building is to be demolished 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 prescribed fee, shall issue a permit for the demolition in the form required by the local authority.

(d) Where a building is to be removed from the local authority, and the local authority or its authorized representative is satisfied that 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 prescribed fee, shall issue a permit for the removal in the form required by the local authority.

(i) In addition, the local authority, upon receipt of the fee prescribed in Section 5(e), shall issue a permit for the placement of the building in a form required by the local authority.

(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.

**ENFORCEMENT OF BYLAW:**

1. (a) 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:
   * 1. Entering a building,
     2. Ordering production of documents, tests, certificates, etc. relating to a building,
     3. Taking material samples,
     4. Issuing notices to owners that order actions within a prescribed time,
     5. Eliminating unsafe conditions,
     6. Completing actions upon an owner’s non-compliance with an order, and adding the expenses incurred to the tax payable on the property, and
     7. Obtaining restraining orders.
   1. 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 nay measures allowed by subsection (a).

**SPECIAL CONDITIONS:**

1. (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 where required by the local authority or its authorized representative.

(b) An up-to-date survey or plan 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 government authority or its authorized representative.

(c ) It shall be the responsibility of the property 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.

(d) 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:**

1. (a) Any person who contravenes any of the provisions of this bylaw shall be liable to the penalties provided in Section 22 of the Act.

(b) Conviction of a person or corporation for breach of any provision of this bylaw shall not receive him from compliance therewith.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Reeve

(SEAL)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Administrator

Enacted pursuant to Section 14 of

*The Uniform Building and Accessibility*

*Standards Act*

Read a third time and adopted this

\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Administrator