

The law requires municipal governments to enforce the Uniform Building Accessibility Act (UBAS) and National Building Code. In accordance with this requirement the Town of Eastend has a Building Bylaw and contracts with two Building Inspection Services.

Level I Residential

Level II & III Commercial

***BUILDING PERMITS ARE TO BE OBTAINED PRIOR TO ANY CONSTRUCTION OR ANY REMODELLING WORKS BEGINS***

**Qualifications of Building Inspector**

The Building inspectors are required to hold a valid license and only perform plan reviews and inspections for the classification which the license is valid.

**The duties of the inspector(s) is to:**

- Ensure the supporting information is complete for permits.
- Provide information and assistance to public, designer, contractors and building owners
- Review and approve building plans for conformance to the UBAS Act, regulations, building code and local bylaws
- Issue permits
- Maintain files and building records
- Issue orders to gain compliance
- Prepare reports on building activities, and
- Respond to correspondence, inquiries and complaints

**Fees:**

Section 14(10) of the UBAS Act provides municipalities the power to establish permit fees. In establishing permit fees council tries to cover the cost to the municipality.

The costs involved are:

- Administration costs
- Plan review and inspection time
- Vehicle costs and
- Enforcement costs

### **What is a Building Permit:**

A building Permit is a license which grants legal permission to start construction of a building. Permits allow for the enforcement of codes, standards and bylaws which have been adopted by the local government or provincial governing body. The enforcement of the building code, standards and bylaws is carried out to protect the health, safety and welfare of the public. The governing body which enforces the code is acting to assure safe construction.

### **Why a Building Permit:**

A Building permit provides the means for building officials to protect the public by reducing the potential hazards of unsafe construction and is therefore ensuring public health, safety and welfare. A Building Permit helps the public understand what the local or provincial laws are in relation to the construction of a building. Before any construction or any remodeling work begins applications for a permit should be made. The building permit provides the means for the building official to inspect construction, ensure minimum standards are met and appropriate materials are used.

### **What Projects Require Building Permits:**

- New building construction
- Garages and carports
- Decks
- Mobile homes
- Renovations, alterations and additions to an existing building
- Demolition of an existing building
- Relocation of an existing building
- Basement development in a dwelling
- Fireplaces, wood stoves and heaters
- Retaining walls
- Change of use of a building
- Work to remedy an unsafe condition or fire official's order, and
- Temporary buildings

## **What Projects Do Not Require Building Permits**

- Fences
- Driveways and parking lots
- Sidewalks
- Painting, decorating, laying carpet and general maintenance
- Replacement using the same materials and not affecting the structural, electrical or mechanical systems (roofing, siding, windows)
- Accessory building not greater than 10m<sup>2</sup>, (tool sheds, garden sheds, limit one per property)

## **Orders:**

Sometimes during the inspection process deficiencies are found, however when informal attempts to gain compliance fail, the building official who has been appointed an inspector under the UBAS Act, officially and formally communicates with the owner of the building under construction by using an order, a notice in writing. The order can be used to require that within the time prescribed in the order the owner must:

- Produce documents relating to the work covered by the act or regulations
- Comply with general or specific conditions prescribed in the notice
- Take any measure prescribed in the notice
- Follow the methods prescribed in the notice
- Use or stop using materials, equipment or protection devices or appliances described in the notice
- Stop work, in whole or in part as directed by the notice until any conditions described in the notice are, in the inspector's opinion fulfilled
- Have tests made, furnish a letter written by an architect or engineer certifying the building meets the requirements of the building standards, or furnish other evidence regarding the foundation condition or any materials, equipment devices, construction methods or structural assemblies, at the expense of the owner
- Request plans be submitted prepared by a land surveyor, engineer or architect as is appropriate to the work, regarding the site, the building location and ground levels
- Verify after the completion of construction the requirements of the building standards have been met
- Uncover and replace, at the expense of the owner, any work that has been enclosed contrary to a written order of the inspections; and
- Take any steps prescribed in the notice that the inspector considers necessary to eliminate an unsafe condition due to a building's faulty construction, ruinous or dilapidated state, abandonment, open or unguarded condition, or any other reason

**BYLAW NO. 644/06**

**A BYLAW RESPECTING BUILDINGS**

**The municipal council of the Town of Eastend in the Province of Saskatchewan enacts as follows:**

**SHORT TITLE**

- 1. (1) This bylaw may be cited as the *Building Bylaw*.**

**INTERPRETATION/LEGISLATION**

- 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) 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 Town of Eastend.**
- (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**

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 and 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.

### **BUILDING PERMITS**

5. (1) Every application for a permit to construct, erect, place, alter, repair, renovate or reconstruct a building shall be in Form A, and shall be accompanied by two 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 local authority, upon receipt of the prescribed fee, shall issue a permit in Form B 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 fee schedule:
  - (a) For value of construction \$1,000. or less the fee shall be \$20.00.
  - (b) For value of construction costing more than \$1,000. The fee shall be \$20.00 for the first \$1,000. and \$5.00 per \$1,000. or part thereof over \$1,000.

- (c) **If the local authority exercises its discretion in clause (4), the permit fee shall be the cost of those services provided by a person, firm or corporation employed under contract to the municipality, plus an administration fee of 5 per cent.**
  
- (6) **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.**
  
- (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 longer than six months by prior written agreement of the local authority or its authorized representative.**
  
- (9) **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.**



## **DEMOLITION OR REMOVAL PERMITS**

6. (1) (a) The fee for a permit to demolish or remove a building shall be \$50.00.
- (b) (i) In addition, the applicant shall deposit with the local authority the sum of \$500.00 to cover the cost of 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 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.
- (2) Every application for a permit to demolish or remove a building shall be in Form C.
- (3) 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 fee and deposit prescribed, shall issue a permit for the demolition in Form D.
- (4) Where a building is to be removed from 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, the local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form D.
- (5) (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 Form D.

(b) In additions, 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.

(6) 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**

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 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
  - (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 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.**

### **SPECIAL CONDITIONS**

- 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.**
- (2) 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.**
- (3) 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 adjacent building into contravention of this bylaw.**
- (4) 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**

- 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.**

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

**10. That Bylaw No. 478/95 and Bylaw No. 553/99 are hereby repealed.**

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

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**Mayor**

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**Administrator**

**SEAL**