

BYLAW NO. 2022-1

BUILDING BYLAW

A Bylaw of the Town of Lampman, in the Province of Saskatchewan, to Provide for the Construction and Occupancy of Buildings.

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

SHORT TITLE

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

PURPOSE OF THE BUILDING BYLAW

2. The purpose of the building bylaw is to provide for the administration and enforcement of the *Construction Codes Act*, the regulations, *The National Building Code of Canada*, *The National Energy Code of Canada for Buildings*, ministerial interpretations and Saskatchewan Construction Standards Appeal Board orders and building official orders within the local authority

INTERPRETATION/LEGISLATION

3.
 - (a) “Act” means *The Construction Codes Act*.
 - (b) “Administrative Requirements” means The Administrative Requirements for Use with *The National Building Code*.
 - (c) “Authorized Representative” means a building official appointed by the local authority pursuant of the Act and/or the local authority.
 - (d) “Building official” means a person who is recognized by the local authority as having the following to design or review the design of proposed work:
 - (i) a degree, certificate or professional designation.
 - (e) “Local authority” means the Town of Lampman and its elected council.
 - (f) “NBC” means the edition and provisions of *The National Building Code of Canada*, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and the regulations.
 - (g) “NECB” means the edition and provisions of *The National Energy Code of Canada for Buildings*, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and the regulations.
 - (h) “Occupancy” means the approved use of occupancy of the building.

- (i) “Owner” means:
 - (i) Any person who has any right, title, estate or interest in land, improvements or premises other than that of a mere occupant, tenant or mortgagee;
 - (ii) Any person, firm or corporation that controls the property under consideration; or
 - (ii) If the building is owned separately from the land on which the building is located, the owner of the building.
- (j) “Owner’s representative” means any person, company, employee or contractor who has authority to act on behalf of the owner.
- (k) “Permit” means written authorization issued by the local authority or its authorized representative in the form of a building permit.
- (l) “Permit fees” means as defined in this building bylaw.
- (m) “Plan review” means the examination of building drawings and related documents by a building official to ascertain whether those drawings and documents meet the requirement of the construction standards.
- (n) “Regulations” means *The Building Code Regulations* and *The Energy Code Regulations*.
- (o) “Work” means any construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy, or construction of a building.
- (p) Any other definitions contained in the Act and regulations shall apply in this building bylaw.

SCOPE OF THE BYLAW

- 4. (a) This building bylaw applies to all work undertaken or to be undertaken within the geographical jurisdiction of the local authority and is governed by the *Act and Regulations, including NBC and NECB*.
- (b) The provisions of this building bylaw apply to buildings greater the 10 m² (107.6 ft²) in building area except as otherwise exempted by the Act or the regulations.
- (c) Retaining walls attached to a structure or free standing greater than 600 mm (2 ft.) in differential grade height on lands not used for agricultural purposes.
- (d) An accessory building not greater the 10 m² (107.6 ft²) is exempt from this building bylaw provided it does not create a hazard and provided it does not have sleeping accommodations.

- (e) Notwithstanding subsection 3(a) references and requirements in the Administrative Requirements respecting matters regulated by the Act and Regulations shall not apply.
- (f) Notwithstanding subsection 3(a) references and requirements in the Administrative Requirements respecting “occupancy permits” shall not apply except as and when required by Council or its authorized representative.

GENERAL

- 5. (a) A permit is required whenever work regulated by the Act and Regulations is to be undertaken.
- (b) No owner or owner’s representative 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 which 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, the Act and/or Regulation affecting the site described in the permit; or
 - (ii) make either the Local Authority or Building Official appointed by the municipality liable for the damages or otherwise by reason of the fact that a building, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy, or construction of a building of which has been authorized by permit, does not comply with the requirements of any such building restriction agreement, bylaw, act and/or regulation.

BUILDING PERMITS

- 6. (a) Every application for a permit to ensure a safe design, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy, or construction of 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’s plans and specifications need not be submitted.
- (b) The Local Authority or its Building Official may require submission of an up-to-date plan or survey prepared either before construction begins by a registered land surveyor, as a condition of permit approval.
- (c) If the work described in an application for building permit, to the best of the knowledge of the Local Authority or its Building Official, complies with the requirements of this

Bylaw/the municipality, upon receipt of prescribed fee, shall issue a permit in Form “B” and return one set of submitted plans to the applicant.

- (d) The Local Authority and/or Building Authority may, at its discretion, and at any reasonable hour, 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 Part 5.21.1 of the Act.
- (e) The Local Authority may, at its discretion and at any reasonable hour, have a plan review, inspection and other services provided by a person, firm or corporation employed under contract by the municipality and the cost of such services is the responsibility of the applicant.
- (f)
 - (i) As per the requirements of the Building Permit, the applicant is required to supply a foundation and/or basement plan and real property report to be completed by a survey company contracted to do so by the Local Authority.
 - (ii) Building permits will only be issued for new residential construction that has sump pumps installed in the sump pit according to the following regulations:
 - (1) A sump pump shall be installed in the sump pit;
 - (2) The sump pump discharge shall be piped in a manner so that the ground water is discharged to the street or avenue side of the building. The ground water shall be discharged in a manner so it will not return to the granular layer located directly adjacent to the footing and exterior wall of the basement foundation;
 - (3) The installation of the sump pump and all piping, connectors, couplings, and fasteners shall conform to the requirements of the current plumbing and electrical codes;
 - (4) It is the responsibility of the Owner to ensure that the sump pump is operational and functioning at all times;
 - (5) It is the responsibility of the Owner to ensure that all electrical and plumbing coming into the building is contracted to a professional at the cost of the Owner.
- (g) The permit fee for erection, placement, construction, alteration, repair, renovation, reconstruction or demolition of a building shall be based on the fee schedule, as set out in Schedule 1 of this Bylaw.
- (h) Approval in writing from Local Authority or its Building Official is required for any deviation, omission or revision to work for which a permit has been issued under this section.
- (i) All permits issued under this section expire;
 - (i) Six (6) months from the date of issue, or;
 - (ii) Six (6) months from date of issue if work is not commenced within that period, or;

- (iii) Six (6) months from date of last inspection by a Building Official where work has not seriously progressed to the satisfaction of the Local Authority and/or Building Official and without prior authorization from the Local Authority without prior written agreement of extension.
- (j) 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.
- (k) The expiration of a permit does not relieve the Owner or Owner's representative from the obligation to put the building in a safe condition or demolish the building and must obtain a demolition permit approved by Local Authority.

DEMOLITION OR REMOVAL PERMITS

- 7. (a) (i) The fee for a permit to demolish or move a building, as set out in "Schedule 1," is required to be obtained prior to the start of demolition, removal or relocation of any building.
- (ii) In addition, the applicant shall deposit with the municipality such sum as the Local Authority or its Building Official considers sufficient 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 Building Official, not dangerous to public safety. If the applicant who demolishes or removes the building restores the site to a condition satisfactory to the Local Authority or its Building Authority, the sum deposited shall be refunded.
- (iii) It is the responsibility of the Owner or Owner's representative to safely dispose of any remaining waste from the demolition, removal or relocation of a building from the property at the cost of the Owner or oOwner's representative.
- (b) Every application for a permit to demolish or remove a building shall be in "Form C".
- (c) Where a building is to be demolished 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 which the building is situated, the Local Authority, upon receipt of the fee and deposit prescribed in "Schedule 1", shall issue a permit for the demolition in "Form D".
- (d) 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 which the building is situated, the municipality, upon receipt of the fee and deposit prescribed in "Schedule 1", shall issue a permit for the removal in "Form D".
- (e) 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 in "Schedule 1", shall issue a permit for the removal in "Form D".

- (f) All demolition permits issued under this section expire six (6) months from the date of issue. A permit may be renewed for six (6) months upon written application to the Local Authority.

PERMITS – REFUSAL TO ISSUE AND REVOCATION

- 8. (a) The Local Authority may refuse to issue a permit if:
 - (i) The proposed work would contravene the construction standards;
 - (ii) The person who designed or reviewed the design of the proposed work that is within the scope of Part 9 of the NBC is not a competent person;
 - (iii) The person who designed or completed a design review of the proposed work that is within the scope of the NECB is not an engineer or architect;
 - (iv) The application for a permit is incomplete;
 - (v) Any fee or deposit required by the Local Authority are not paid; or
 - (vi) The proposed work would contravene any other Act, the regulations or bylaws that applied to the proposed work.
- (b) The Local Authority may revoke a permit if:
 - (i) The holder of the permit requests in writing that it be revoked and the work has not commenced;
 - (ii) There is contravention of any condition under which the permit was issued;
 - (iii) The permit was issued on mistake, false or incorrect information; or
 - (iv) The permit was issued in error; or
- (c) Where the Local Authority refuses to issue or revokes a permit, the Local Authority shall provide written notice to the applicant or permit holder as to the reasons for the refusal or revocation.

OBLIGATIONS OF OWNER

- 9. (a) The duties of the Owner or the Owner's representative as applicable, includes but not limited to:
 - (i) Ensuring that the building and work is in accordance with the construction standards;
 - (ii) Not commencing or cause to be commenced work without first having obtained a valid permit from the Local Authority;
 - (iii) Complying with the terms and conditions of the permit;
 - (iv) Complying with the terms and conditions of the plan review;
 - (v) Ensuring all notifications required by this building bylaw are given to the Local Authority;

- (vi) Ensuring all inspections are scheduled and completed by a Building Official;
 - (vii) Not enclosing prior to inspection, the work that requires inspection by a Building Official;
 - (viii) Paying all cost associated with showing compliance with the *Construction Code Act*;
 - (ix) Not occupying the building or part of the building before the issuance of an occupancy certificate by the Local Authority or the Building Official pursuant to clause 16(11)(h) of the Act;
 - (x) Obtaining prior written approval from the Local Authority before closing or blocking any road, street, lane, or sidewalk;
 - (xi) Supplying and maintaining, at their own expense, all warning signs, barricades, fences or other services that may be required to warn the public and protect the public from the work;
 - (xii) Fill and level any excavation on the property with clean non-expansive fill, to an elevation compatible with abutting properties; and;
 - (xiii) Ensuring that the property is left in a safe and sanitary condition, including removing all rubbish and building materials to an approved location. For greater clarity, this includes not burying on the site any waste material, including concrete from demolition of a basement or foundation, or below ground level substructures or framework;
 - (xiv) Arranging for all permits, inspections and certifications required by any other applicable bylaws, Acts and the regulations, and ensuring all copies of any inspection or review reports conducted by other are made available to the Building Official or Local Authority.
- (b) It shall be the responsibility of the Owner to ensure that change in property lines will not bring building or adjacent building into contravention of this bylaw.
- (c) It shall be the responsibility of the Owner to ensure that change in ground elevations will not bring building or adjacent buildings 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 acts and regulations.
- (e) Before commencing work, the Owner or Owner's Representative shall give notice to the Local Authority, in writing, of;
- (i) the contractor or other person in charge of work;
 - (ii) the designer of the work;
 - (iii) the person or firm reviewing the work to determine whether or not the work conforms to the design;
 - (iv) any inspection or testing agency that is engaged to monitor the work;
 - (v) the date the work is intended to commence; and
 - (vi) when the excavation is to commence (if applicable).

ENFORCEMENT OF BYLAW

10. (a) If any building or part thereof, or addition thereto is constructed, added, erected, placed, altered, repaired, renovated, demolished, relocated, removed, used, occupied or change of occupancy, or in contravention of any provision of this bylaw, the Local Authority or its Building Official may take any measure as permitted by Part 5.24 of the Act for the purpose of ensuring compliance with this bylaw including, but not limited to:
- (i) entering a building at any reasonable hour;
 - (ii) ordering production of documents, tests, certificates, etc. relating to a building;
 - (iii) taking material samples;
 - (iv) issuing notices to owners which order actions within a prescribed time;
 - (v) eliminating unsafe conditions;
 - (vi) completing actions, upon an Owner's non-compliance with an order, and adding the expenses incurred to the tax payable on the property, and
 - (vii) obtaining restraining orders.
- (b) 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 Building Official may take any measures allowed by subsection 7(a).
- (c) 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 Part 2.7 of the Act including, but not limited to:
- (i) on start, progress and completion of construction;
 - (ii) of change of ownership prior to completion of construction; and
 - (iii) of intended partial occupancy prior to completion of construction;
 - (iv) proposed or undertaken deviations from the plans approved and permitted by the Local Authority;
 - (v) intent to enclose any work requiring inspections by a Building Official;
 - (vi) intent to do any work requiring inspections by the Building Official;
 - (vii) change in, or termination of, the employment of a person or firm listed in subsection 1.
- (d) A real property report of the site prepared by a registered land surveyor shall be submitted by the Owner or Owner's Representative for principal buildings and dwellings required by the Local Authority. Failure to do so may result in the issuance of a stop work order with additional fees.

SPECIAL CONDITIONS

11. (a) 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) The Owner or Owner's Representative must call for all inspections set out by the Building Official in the plan review.
- (c) Failure to provide notice and ensure that all inspections are scheduled and completed by the Building Official could result in destructive testing efforts requested by the Building Official at the cost of the Owner or the Owner's representative.

PENALTY

- 12. (a) Any person who contravenes any of the provisions of this bylaw shall be liable to the penalties provided in Part 8 of the Act.
 - (b) Conviction of a person or corporation for breach of any provision of this bylaw shall not relieve him from compliance therewith.
13. Bylaw No. 2014-9 is hereby repealed.

This Bylaw shall come into force and take effect upon final passing thereof.

INTRODUCED AND READ A FIRST TIME THIS 13th DAY OF APRIL, 2022.

READ A SECOND TIME THIS 25TH DAY OF MAY, 2022.

READ A THIRD AND FINAL TIME ON THE UNANIMOUS CONSENT OF THE COUNCIL PRESENT THIS 25TH DAY OF MAY, 2022.

(SEAL)

Mayor

Administrator

Schedule 1 of Bylaw No. 2022-1

Building Permit Fee Schedule

- \$200.00 - House
- \$100.00 - Additions, Attached/Detached Garage/Renovation
- \$50.00 - Outbuildings (over 100 sq. ft.)
- \$50.00 - Decks
- \$50.00 - Fences
- \$50.00 - Building Move Permit
- \$50.00 - Building Demolition Permit
- \$1000.00- Refundable Deposit Fee for Building Move &/or Demolition
- \$300.00 - Commercial Building
- on a new house (or new to the municipality) - the cost of a survey, contracted by the local authority, to stake lot, and basement and/or foundation, and supply a real property report.

TOWN OF LAMPMAN

APPLICATION FOR BUILDING PERMIT

I hereby make application for a permit to:

- ☐ Construct
- ☐ Alter
- ☐ Reconstruct

a building according to the information included in the attached Permit Information Form and the plans and documents attached thereto at the following location:

Owner Name and mailing address _____

Civic Address or location of work _____

Legal Description: Lot _____, **Block** _____, **Plan** _____

I hereby agree to comply with the bylaw(s) of the municipality respecting building and acknowledge that it is my responsibility to ensure compliance with the Building Bylaw(s) of the municipality and applicable Acts and regulations regardless of any review of drawings or inspections that may or may not be carried out by an inspector.

Date

Signature of Owner or Agent

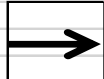
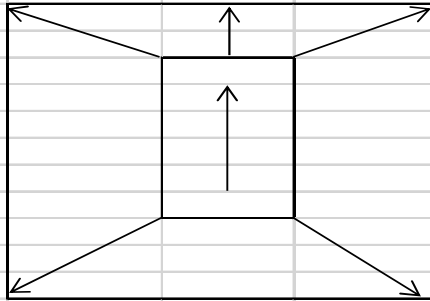
FORM "B"

TOWN OF LAMPMAN, SASKATCHEWAN

BUILDING DEVELOPMENT PERMIT

Date				Permit #			
Permission is hereby granted to				to construct a(n)			
				to be used as			
on civic address or location of:							
Lot (s)	Block	Plan	as per application dated				

This permit expires six (6) months from the date of issue if construction is not commenced within that period, or if construction is not commenced within that period, or if construction is suspended for a period of six (6) months. Construction commencement is defined as a basement dug and foundation poured, or if no basement, is defined as foundation poured.

STREET NAME		 Indicate "N" direction	
Front Lot Line Minimum 20 feet from building to front lot line (not curb) Min 5 ft. Building Min 5 ft. Rear Lot Line Minimum 4 feet from rear lot line Side Lot Line Side Lot Line * Residential landscaping elevation grades from the centerline of lot at curb to improvement wall at the required 20 feet (6.1 m) setback - maximum 300 mm Residential landscaping elevation grades from the centerline of lot at curb to improvement wall from 20 feet (6.1 m) to 30 feet (9.1 m) setback - maximum 460 mm Direction of slope from building to lot lines as per diagram below: 			

This Permit is issued under the following conditions:

As per cover letter forming part of this Development Permit.

As per conditions and comments of plan review as provided by Professional Building Inspections, Inc.

Any new construction or re-location of a residence or business requires a full inspection by Professional Building Inspections, Inc., Box 517 STN MAIN, White City, SK. Phone 306-536-1799; Fax 306-781-2112

Any deviation, omission or revision to the approved application requires approval of Local Authority or it's Building Representative.

Permit Fee		Authorized Municipal Official
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FORM C

Town of Lampman

APPLICATION FOR A PERMIT TO MOVE OR DEMOLISH A BUILDING

Date:

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:

and will be completed on:

OR

I hereby make application for a permit to move a building now situated on:

	civic address		lot		block		plan
OR							
	out of the municipality						

TO

	civic address		lot		block		plan
OR							
	out of the municipality						

This building has the following dimensions:

length

width

height

The building mover will be:

and the date of the move will be:

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 provisions of the Building Bylaw of the Town of Lampman and to become responsible and pay 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 Schedule 1 of the said 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 approval prior to demolishing or moving the building.

Signature of Owner of Agent

FORM "D"

TOWN OF LAMPMAN, SASKATCHEWAN

PERMIT TO MOVE OR DEMOLISH A BUILDING

DATE: _____

Permission is hereby granted to _____ to

Move ☐
or
Demolish ☐

a building now situated on:

out of the municipality ☐

or

civic address or location _____

Lot _____ Block _____ Plan _____
Twp _____ Rge _____

to civic address or location: _____

Lot _____ Block _____ Plan _____

In accordance with the application dated _____ This permit expires
six (6) months from the date of issue.

That the site be in an aesthetically pleasing state within one year.

Permit Fee

Authorized Municipal Official