



A BYLAW RESPECTING BUILDINGS

The Council of the Rural Municipality of Gull Lake No. 139 in the Province of Saskatchewan enacts as follows:

SHORT TITLE

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

INTERPRETATION/LEGISLATION

2. (a) **"Act"** means The Uniform Building and Accessibility Standards Act being Chapter U-1.2 of the Statutes of Saskatchewan, 1983-84 and amendments.

(b) **"Administrative Requirements"** means The Administrative Requirements for Use with the National Building Code 1985.

(c) **"Authorized Representative"** means a building official appointed by the local authority pursuant to subsection 5(4) of the Act.

(d) **"Decommissioned"** means a formal process to make inoperative, dismantle and to remove from service.

(e) **"Local Authority"** means the council of the Rural Municipality of Gull Lake No. 139.

(f) **"Municipal Official"** means the Administrator of the Local authority.

(g) **"Regulations"** means the Uniform Building and Accessibility Standards Regulations made pursuant to the Act.

(h) **"Statement of Provincial Interests Regulations"** means the clause 6.7.4. of Chapter P-13.2 REG 3.

(i) **"Value of Construction"** means the total cost to the owner for the building construction in its completed form and includes the cost of design, all building work, materials of construction, building systems, labour and profit of the contractor and subcontractors.

(j) **"Work"** means any construction, erection, placement, alteration, addition, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building.

(k) Definitions contained in the act and regulations shall apply in this bylaw.

SCOPE OF THE BYLAW

3. (a) This bylaw applies to matters governed the Act and Regulations including the in force editions of the National Building Code of Canada, the National Energy 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

4. (a) A permit is required whenever work regulated by the Act and Regulations is to be undertaken.
- (b) No owner or agent of the owner shall begin or authorize the commencement or allow work to proceed on a project for which a permit is required until a valid permit is issued for the project
- (c) The granting of any permit which is authorized by this bylaw shall not:
1. entitle the permit holder, the permit holder's successor or assigns or any one on behalf of the permit holder to commence any work 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
 2. make either the local authority or any municipal official or any authorized representative liable for damages or otherwise by reason of the fact that the work 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. (a) Every application for a permit for work shall be submitted on Form "A", and shall be accompanied by two sets of the plans and specifications of the proposed work, except that when authorized by an authorized representative plans and specifications need not be submitted.
- (b) An authorized representative may require submission of an up-to-date plan or survey prepared either before construction begins or upon completion of work 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 authorized representative, complies with the requirements of the bylaw, the local authority shall, upon receipt of the prescribed fee issue a permit in Form "B" and return one set of submitted plans to the applicant.
- (d) 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.
- (e) 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.
- (f) The permit fee for work shall be based on THE BUILDING PERMIT FEE SCHEDULE "A" hereto attached and forming part of this bylaw.
- (g) The local authority may estimate the value of construction for the work described in the building permit application for the purpose of calculating the permit fee. The value of construction estimate may be based on established construction costs, the applicant statement of costs or the constructor's contract values or similar method selected by the local authority.
- (g) 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.
- (h) All permits issued under this section expire:
1. six months from 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 exceeding the prior approved suspension period of the written agreement by the local authority or its authorized representative.

(i) 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. (a) The fee for a permit to demolish or move a building shall be as calculated as stipulated in THE BUILDING PERMIT FEE SCHEDULE "A", section 2.
- (b) The applicant shall deposit such sum the local authority or its authorized representative 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 authorized representative, not dangerous to public safety.
- (c) The permit holder or permit holder's representative shall ensure that all building utilities and services have been decommissioned and that all components, substructures or framework located below ground level have been removed and disposed of in an approved manner at an approved site.
- (d) Following the demolition or removal of the building and restoration of the site, to a condition satisfactory to the local authority or its authorized representative, the sum deposited or portion thereof, shall be refunded.
- (e) Every application for a permit to demolish or remove a building shall be in Form "C".
- (f) 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 on which the building is situated, the local authority shall, upon receipt of the fee and deposit prescribed, issue a permit for the demolition in Form "D".
- (g) Where a building is to be removed from the jurisdiction of the local authority, 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 shall, upon receipt of the fee and deposit prescribed, issue a permit for the removal in Form "D".
- (h) Where a building is to be removed from its site and set upon another site in within the jurisdiction of the local authority, 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 shall, upon receipt of the fee and deposit prescribed, issue a permit for the removal in Form "D".
- (i) 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 and the acceptance of the local authority.

ENFORCEMENT OF BYLAW

7. (a) If any work is determined to be 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 at any reasonable hour and may be accompanied by a person having special or expert knowledge on any matter to which this act and regulations relate.
 2. ordering production of documents, tests, certificates, etc. relating to a building,
 3. taking material samples,
 4. issuing notices to owners which 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.

(b) If any building, or part thereof, is determined to be 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 listed in subsection (1).

(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 Section 17.2 of the Act including, but not limited to:

1. on start, progress and completion of construction,
2. of change in ownership prior to completion of construction, and
3. of intended partial occupancy prior to completion of construction.

SPECIAL CONDITIONS

8. (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) 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 ensure that change in property lines will not bring the building or an adjacent building into contravention of this bylaw.

(d) It shall be the responsibility of the owner to ensure that change in ground elevations will not bring the building or an adjacent building into contravention of this bylaw.

(e) It shall be the responsibility of the owner to arrange for all permits, inspections and certificates required by other applicable Acts and Regulations.

(f) New buildings and additions to existing buildings shall be flood proofed to an elevation of 0.5 meters above the 1:500 year flood elevations of any watercourse or water body in the flood fringe as required by the Statements of Provincial Interest Regulations.

PENALTY

9. (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 relieve the owner from compliance therewith.

BYLAW REPEALED

10. Bylaw No. 13-90 is hereby repealed.

Read a Third Time and adopted
This 14th day of September, 2021




Reeve


Administrator

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

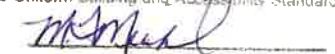
Certified true copy of
Bylaw No. 168-21 adopted
by resolution of Council on
the 14th day of September, 2021.



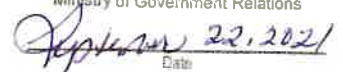

Reeve


Administrator

APPROVED
In accordance with Clause 23 1(3)(a) of
The Uniform Building and Accessibility Standards Act



Building Standards and Licensing
Ministry of Government Relations


Date 22, 2021