

BYLAW 06-2018
TOWN OF MARSHALL
A BYLAW RESPECTING BUILDINGS

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

Short Title

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 – 1984 and amendments.
- (2) "Administrative Requirements" means The Administrative Requirements for the 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 Uniform Building and Accessibility Standards Act* or the Municipal Official.
- (4) "Local Authority" means The Town of Marshall.
- (5) "Regulations" means regulations made pursuant to the Act.
- (6) Definitions contained in *The Uniform Building and Accessibility Standards Act* and Regulations shall apply in this Bylaw.

Scope of the Bylaw

3. (1) This Bylaw applies to the matters governed by Act and 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 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 Regulations affecting the site described in the permit, or
 - (b) make either the Local Authority or its Authorized Representative liable for damages or otherwise be reason of the fact that a building, the construction, erection, placement, alterations, repair, renovation, demolitions, 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 Regulations 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 (one to the Authorized Representative and one kept in the property file), 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 a 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**."
- (3) 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 Section 4 (4) of the Act.
- (4) The Local Authority may, at its discretion, have plan review, inspections and other services provided by a person, firm or corporation employed under contract to the Local Authority.
- (5) The permit fee plus inspection fees for construction, erection, placement, or alteration, repair, renovations or reconstruction of a Building shall be based on the following fee schedule:
- | | |
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| • Single Family Dwelling (stick built) | \$5.00/\$1000.00 |
| • SFD Additions | \$5.00/ft ² (min. \$275.00) |
| • Ready to Move Homes (RTM-No Garage) | \$.30/ft ² |
| • Ready to Move Homes (RTM- w/Garage) | \$.30/ft ² + \$55.00 |
| • De-taches Garages (up to 600ft ²) | \$130.00 |
| • De-taches Garages (up to 600ft ² & 2000 ft ²) | \$260.00 |
| • Mobile Homes | \$130.00 |
| • Decks | \$90.00 |
| • Basement Developments | \$160.00 |
- (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 the 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
- Six months from date of issue if work is not commenced within that period, or
 - If work is suspended for a period of six months, or
 - If work is suspended for a period 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 \$150.00.
- (b) In addition, the applicant shall deposit with the Local Authority the following sum 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.

\$500.00 Deposit

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 described, 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 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 addition, the Local Authority, upon receipt of the fee prescribed in Section 5, shall issue a permit for the placement of the Building in **"Form B."**
- (6) All permits issued under this section expires six (6) months from the date of issue except that a permit may be renewed for six (6) 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 measure 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 the 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
- (2) If any Building or part thereof, is in 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 16.
- (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 of ownership prior to completion or construction, and
 - (c) of intended partial occupancy prior to completion of construction



SUPPLEMENTAL BUILDING FOUNDATIONS:

Preserved Wood Foundations

8. Preserved Wood Foundations are acceptable in The Town of Marshall, but are subject to:

- (a) Each preserved wood foundation is required to be designed by a Professional Designer registered in the Province of Saskatchewan. Signed and sealed plans shall be submitted at the time of application for a Building permit.
- (b) The complete foundation is required to be reviewed by a Professional Designer or his delegate just before and during backfilling.
- (c) A letter is to be written by a Professional Designer to The Town of Marshall and the Owner, stating that the foundation has been reviewed.

Special Conditions

9. (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 survey 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 elevation will not bring the Building or an 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.

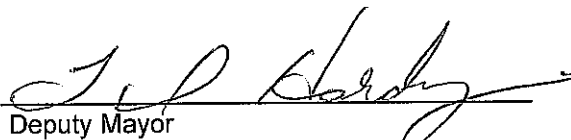
Offence and Penalty

10. (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.

11. Bylaw 07-2002 is hereby repealed.

12. This Bylaw will come into force upon approval of the Minister responsible for
The Uniform Building and Accessibility Standards Act.




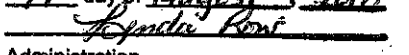

Deputy Mayor


Administrator

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

APPROVED
In accordance with Clause 23.1(3)(a) of
The Uniform Building and Accessibility Standards Act


Executive Director or
Building Standards or Licensing
Ministry of Government Relations
July 23 / 2018
Date

Certified a true copy of Bylaw 06-2018
Adopted by resolution of Council on the
14 day of August, 2018

Administration