

Bylaw  
Amendments

No. 08-05

No.

No.

No.

Repealed

No.

RURAL MUNICIPALITY OF LUMSDEN No. 189

BYLAW No. 2-99

A BYLAW RESPECTING BUILDINGS

The Council of the Rural Municipality of Lumsden No. 189 in the Province of Saskatchewan enacts as follows:

**SHORT TITLES**

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

**INTERPRETATION**

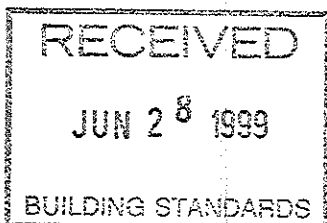
2. (1) "**Act**" means the Uniform Building and Accessibility Standards Act being Chapter U-1.2 of the Statutes of Saskatchewan, 1983-84 and amendments.  
(2) "**Regulations**" means regulations made pursuant to the Act.  
(3) "**Administrative Requirements**" means *The Administrative Requirements for use with The National Building Code*.  
(4) "**Municipality**", "**Council**" or "**Local Authority**" means the RURAL MUNICIPALITY OF LUMSDEN NO. 189.  
(5) "**Farm Buildings**" shall refer to all farm buildings as defined in the Uniform Building and Accessibility Standards Act.  
(6) "**Authorized representative**" means a building official appointed by the Council pursuant to subsection 5(4) of the Act or the Administrator.  
(7) 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 Council or its authorized representative.

**4.0 GENERAL**

- (1) A permit is required whenever work is to be undertaken to erect, move, place, construct, alter, reconstruct, repair, renovate, demolish, remove or occupy a building, subject to the following exceptions:
  - All buildings less than **23.2m<sup>2</sup>** 250 sq. ft. in size,
  - Buildings used for **Farm Buildings** including "farm residences", as described in the UBAS Act, are exempt from the requirements within this bylaw,
  - Cosmetic repairs and renovations which do not involve any structural alterations or additions to the superstructure.
- (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 which 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 Council 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 requirement 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 undertake work as described in section 4(1) shall be in Form A (except for a move or demolition, which shall be in Form C) and shall be accompanied by:
- two full sets of construction drawings and specifications of the proposed building,
  - a certified foundation plan designed by an architect or professional engineer,
  - a certified truss plan and layout for all roof truss systems and floor truss systems,
- except that when authorized by Council 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 Council or its authorized representative, complies with the requirements of this bylaw, the municipality, upon receipt of the prescribed fee, shall issue a permit in Form B and return one set of submitted plans to the applicant.
- (3) Council may, at its discretion, have plan review, inspection and other services for the purpose of enforcement of the Act and Regulations provided by inspectors designated by the minister to assist the municipality pursuant to subsection 4(4) of the Act.
- (4) Council may, at its discretion, have plan review, inspection and other services provided by a person, firm or corporation employed under contract to the municipality.
- (5) The permit fee for the construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be based on the following fee schedule:

**(a) One & Two Unit Dwellings**

⇒ <b>Minimum Charge - Principal Building</b>	<b>\$450.00</b>
Additional Charge of \$2.20 per square meter for area of buildings over 139.3 m <sup>2</sup> (1500 ft <sup>2</sup> )	
⇒ <b>Accessory buildings (decks, garages, shops)</b>	<b>\$ 75.00</b>
⇒ <b>Addition to dwellings (incl. attached garages)</b>	<b>\$275.00</b>
⇒ <b>Renovations</b>	<b>\$175.00</b>
⇒ <b>Additional Re-inspections</b>	<b>\$ 75.00</b>

*(Re-inspections are to be based on the Building Inspectors discretion)*

**(b) All Other Buildings**

⇒ <b>All buildings not referred to in section 5(a)</b>	<b>\$1.00 /m<sup>2</sup></b>
<b>Minimum Charge</b>	
⇒ <b>Principal building</b>	<b>\$500.00</b>
⇒ <b>Accessory building</b>	<b>\$100.00</b>
⇒ <b>Additions</b>	<b>\$300.00</b>
plus \$1.00 per square meter for area of addition over 45 square meters	
⇒ <b>Renovations</b>	<b>\$200.00</b>
⇒ <b>Additional Re-inspections</b>	<b>\$ 75.00</b>

*(Re-inspections are to be based on the Building Inspectors discretion)*

**(c) Buildings to be moved from within or outside the municipality**

⇒ <b>Pre-move inspection</b>	<b>\$150.00 plus \$ 75.00 /hr. for travel time</b>
⇒ <b>Post-move</b>	<b>(fees under section 5(5)(a) or 5(5)(b) shall apply depending on the type of building).</b>

- (6) The Building Official may estimate the size and cost of construction for the work described in an application for building permit, for the purpose of establishing a permit fee, based on an on-site inspection or verbal information from the contractor or owner.
- (7) Approval in writing from Council or its authorized representative is required for any deviation, omission or revision to work for which a permit has been issued under this section.

**Building Permits -Cont.**

- (8) All permits issued under this section shall expire:
- (a) one year from the date of issue, if work is not commenced within that period, or
  - (b) work is suspended for a period of one year, or
  - (c) when suspended for a period of longer than stated in a prior written agreement with the Council or its authorized representative.
- (9) Council 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 fees for a permit to demolish or move a building exceeding 74.3 m<sup>2</sup> (800 sq. ft.) shall be \$25.00.**

(b) **In addition, the applicant shall deposit with the municipality as follows:**

- (i) **a deposit of \$100.00 to demolish or move any building (farm buildings exempt) exceeding 74.3 m<sup>2</sup> (800 sq. ft.) but less than 185.8 m<sup>2</sup> (2000 sq. ft.) in area;**
  - (ii) **a deposit of \$500.00 to demolish or move all buildings (farm buildings exempt) exceeding 185.8 m<sup>2</sup> (2000 sq. ft.) in area;**
  - (iii) **If the applicant who demolished or removes the building restores the site to a condition satisfactory to the Council 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 Council 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 municipality, 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 municipality, and the Council 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 municipality, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form D.
- (5) Where a building is to be removed from its site and set upon another site in the municipality, and the Council 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 Council or its representative, will conform with the requirements of this bylaw, the municipality, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form D.
- (6) All permit issued under this section expire one year from the date of issue except that a permit may be renewed for one year upon written application to the municipality.

**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 Council 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, test, certificates, etc. relating to a building,
  - (c) taking material samples,
  - (d) issuing notices to owners which 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, and
  - (g) obtaining restraining orders.

- (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 Council 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 being taken in compliance with an order shall give notice in writing to the municipality 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 REQUIREMENTS**

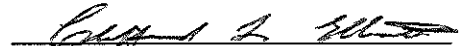
- 8. (1) Notwithstanding the requirements of the Regulations, an architect or professional engineer registered in the Province of Saskatchewan shall be engaged by the owner for assessment of design and inspection of construction or certification of a building or part of a building where required by the Council 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 Council 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 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.

**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 that person or corporation from compliance therewith.

**REPEAL**

- 10. (1) That Bylaw No. <sup>2-90 w/h</sup> ~~2-98~~ being a **Bylaw Respecting Buildings** adopted by council on February , 1999 is hereby repealed.


  
 Reeve


(SEAL)

  
 Administrator

Certified to be a true copy of **Bylaw No. 2-99** adopted by council on the **14<sup>th</sup>** day of **June, 1999**.

SEAL

  
 Administrator

<b>APPROVED</b>

Executive Director Protection and Emergency Services Saskatchewan Municipal Affairs, Culture and Housing
DATE <u>June 29, 1999</u>

FORM A

RURAL MUNICIPALITY OF LUMSDEN NO. 189, SASKATCHEWAN

APPLICATION FOR BUILDING PERMIT

I hereby make application for a permit to \_\_\_\_\_ Construct \_\_\_\_\_ Alter \_\_\_\_\_ a building \_\_\_\_\_ Reconstruct

according to the information below and to the plans attached to this application.

CIVIC ADDRESS OR LOCATION OF WORK \_\_\_\_\_
LEGAL DESCRIPTION - Lot \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_
OWNER \_\_\_\_\_ ADDRESS \_\_\_\_\_ TELEPHONE \_\_\_\_\_
DESIGNER \_\_\_\_\_ ADDRESS \_\_\_\_\_ TELEPHONE \_\_\_\_\_
CONTRACTOR \_\_\_\_\_ ADDRESS \_\_\_\_\_ TELEPHONE \_\_\_\_\_
NATURE OF WORK \_\_\_\_\_
INTENDED USE OF BUILDING \_\_\_\_\_
SIZE OF BUILDING \_\_\_\_\_ LENGTH \_\_\_\_\_ WIDTH \_\_\_\_\_ HEIGHT \_\_\_\_\_
NUMBER OF STOREYS \_\_\_\_\_ FIRE ESCAPES \_\_\_\_\_
NUMBER OF STAIRWAYS \_\_\_\_\_ WIDTH OF STAIRWAYS \_\_\_\_\_
NUMBER OF EXITS \_\_\_\_\_ WIDTH OF EXITS \_\_\_\_\_

FOUNDATION SOIL CLASSIFICATION AND TYPE \_\_\_\_\_

FOOTINGS \_\_\_\_\_ MATERIAL \_\_\_\_\_ SIZE \_\_\_\_\_
FOUNDATIONS \_\_\_\_\_ MATERIAL \_\_\_\_\_ SIZE \_\_\_\_\_
EXTERIOR WALLS \_\_\_\_\_ MATERIAL \_\_\_\_\_ SIZE \_\_\_\_\_
ROOF \_\_\_\_\_ MATERIAL \_\_\_\_\_ SIZE \_\_\_\_\_
STUDS \_\_\_\_\_ MATERIAL \_\_\_\_\_ SPACING \_\_\_\_\_
FLOOR JOISTS \_\_\_\_\_ MATERIAL \_\_\_\_\_ SPACING \_\_\_\_\_
GIRDERS \_\_\_\_\_ MATERIAL \_\_\_\_\_ SPACING \_\_\_\_\_
RAFTERS \_\_\_\_\_ MATERIAL \_\_\_\_\_ SPACING \_\_\_\_\_
CHIMNEYS \_\_\_\_\_ NO. \_\_\_\_\_ SIZE \_\_\_\_\_
MATERIAL \_\_\_\_\_ THICKNESS \_\_\_\_\_
HEATING \_\_\_\_\_ LIGHTING \_\_\_\_\_ PLUMBING \_\_\_\_\_

Estimated value of construction (excluded site) \$ \_\_\_\_\_

Building area (area of largest storey) \_\_\_\_\_ square meters

Fee for building permit \$ \_\_\_\_\_

I hereby agree to comply with the Building Bylaw of the municipality and acknowledge that it is my responsibility to ensure compliance with the Building Bylaw of the municipality and with any other applicable bylaws, acts and regulations regardless of any plan review or inspections that may or may not be carried out by the Council or its authorized representative.

\_\_\_\_\_
Date

\_\_\_\_\_
Signature of Owner or Owner's Agent

FORM B

RURAL MUNICIPALITY OF LUMSDEN NO. 189, SASKATCHEWAN

BUILDING PERMIT # \_\_\_\_\_

Permission is hereby granted to \_\_\_\_\_ to  
\_\_\_\_\_ a building to be used as a \_\_\_\_\_ on  
civic address or location \_\_\_\_\_  
Lot(s) \_\_\_\_\_, Block \_\_\_\_\_, Plan No. \_\_\_\_\_ in accordance with the  
application dated \_\_\_\_\_. This permit expires one year from the date of  
issue or if work is not commenced within that period or if work is suspended  
for a period of one year, unless otherwise authorized by Council or its  
authorized representative. Grade lines of the building site are to be as  
indicated below and shown on the diagram.

This permit is issued subject to the following conditions:

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

Any deviation, omission or revision to the approved application requires approval of the Council or its authorized representative.

Estimated value of construction \$ \_\_\_\_\_ Permit Fee \$ \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Official

FORM C

RURAL MUNICIPALITY OF LUMSDEN NO. 189, SASKATCHEWAN

APPLICATION FOR A PERMIT TO MOVE OR DEMOLISH A BUILDING

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

Civic Address or Location \_\_\_\_\_  
Lot(s) \_\_\_\_\_, Block \_\_\_\_\_, Plan No. \_\_\_\_\_,

The demolition will commence on \_\_\_\_\_, 19\_\_\_\_,  
and to be completed on \_\_\_\_\_, 19\_\_\_\_.

OR

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

Civic address or location \_\_\_\_\_  
Lot(s) \_\_\_\_\_, Block \_\_\_\_\_, Plan No. \_\_\_\_\_,

TO civic address or location \_\_\_\_\_  
Lot(s) \_\_\_\_\_, Block \_\_\_\_\_, Plan No. \_\_\_\_\_,

OR out of the municipality \_\_\_\_\_

The building has the following dimensions: Length \_\_\_\_\_ width \_\_\_\_\_  
height \_\_\_\_\_

The building mover will be \_\_\_\_\_

and the date of the move will be \_\_\_\_\_, 19\_\_\_\_.

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 Bulding Bylaw of the municipality and to be  
responsible and pay for any damaage 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 Section 6 (1) of the building 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 approvals prior to  
demolishing or moving the building.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner or Owner's Agent

FORM D

RURAL MUNICIPALITY OF LUMSDEN NO. 189, SASKATCHEWAN

DEMOLISH OR MOVING PERMIT # \_\_\_\_\_

Permission is hereby granted to \_\_\_\_\_  
(name of applicant)

\_\_\_\_\_ Demolish

OR

\_\_\_\_\_ Move a building now situated on

Civic address or location \_\_\_\_\_  
Lot(s) \_\_\_\_\_, Block \_\_\_\_\_, Plan No. \_\_\_\_\_

TO civic address or location \_\_\_\_\_  
Lot(s) \_\_\_\_\_, Block \_\_\_\_\_, Plan No. \_\_\_\_\_, in

OR out of the municipality \_\_\_\_\_

in accordance with application dated \_\_\_\_\_ 19\_\_\_\_.

This permit expires one year from the date of issue.

This permit is issued subject to the following conditions:

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

Any deviation, omission or revision to the approved application requires approval of the Council or its authorized representative.

Permit fee \$ \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Official