

TOWN OF KAMSACK

Bylaw No. 28/2018

A BYLAW OF THE TOWN OF KAMSACK IN THE PROVINCE OF SASKATCHEWAN RESPECTING BUILDINGS.

The Council of the Town of Kamsack 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, 1983-84 and amendments.
- (2) “Administrative Requirements” means The Administrative Requirements for Use with The National Building Code.
- (3) “Authorized representative” means an authorized representative appointed by the local authority pursuant to subsection 5(4) of the Act.
- (4) “Local Authority” means the Town of Kamsack.
- (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 Regulation is to be undertaken.
- (2) No owner or agent of the owner 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 local authority or its authorized representative liable for damages or otherwise by reason of the fact that a building, the placement, erection, construction, alteration, repair, renovation, demolition, relocation, removal, use or occupancy of which has been authorized by permit, does not comply with the requirements of any such building restriction agreement, bylaw, Act and/or regulation.
- (4) The forms to be used in administering this bylaw are listed in Schedule "A", which is attached hereto and forms part of this bylaw.

BUILDING PERMITS

- 5. (1) Every application for a permit to erect, place, construct, alter, repair, renovate or reconstruct a building shall be in Form "A" attached hereto and forming part of this bylaw. Every application 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 specifications need not be submitted.
 - (1.1) Every application for a permit to erect, place, construct, alter, repair, renovate or reconstruct a building shall be accompanied by a copy of the Development Permit issued by the local authority, in accordance with the Town of Kamsack's Zoning Bylaw, for the proposed project for which a development permit must be valid for the lifetime of the Building Permit issued for the project.
 - (2) The local authority or its 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.
 - (3) If the work described in an application for building permit, to the best 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", attached hereto and forming part of this bylaw, and return one set of submitted plans to the applicant.
 - (4) 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 an authorized representative designated by the minister to assist the local authority pursuant to subsection 4(4) of the Act.
 - (5) 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.

- (6) The permit fee for erection, placement, construction, alteration, repair, renovation or reconstruction of a building shall be based on the fee schedule provided for in Paragraph “a and f” of Schedule “B”, attached hereto and forming part of this bylaw.
- (7) 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.
- (8) 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.
- (9) All permits issued under this section expire:
 - (a) six months from the 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 not completed within the time given for completion in any written extension granted by the local authority or its authorized representative.
- (10) 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.

OCCUPANCY PERMITS

6. (1) Every application for an Occupancy Permit shall be in Form “A” attached hereto and forming part of this bylaw.
- (2) The owner shall ensure that the building complies with the provisions of the Administrative Requirements for use with The National Building Code and shall also provide written proof of acceptance of the intended usage of the building or structure by the authority having jurisdiction administering the Town of Kamsack’s Fire Prevention Bylaw.
- (3) The owner shall provide written proof of acceptance of the plumbing of the building or structure for the intended usage of the building structure by the authority having jurisdiction administering the Town of Kamsack’s Plumbing Bylaw.
- (4) The owner shall provide written proof of acceptance of the intended usage of the building or structure by the authority having jurisdiction administering the Town of Kamsack’s Zoning Bylaw.
- (5) If the intended occupancy listed on an application for an occupancy permit, to the best of 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 ‘C’, attached hereto and forming part of this bylaw.

- (6) The fee for an occupancy permit shall be based on the fee schedule provided for in Paragraph “b” of Schedule “B”, attached hereto and forming part of this bylaw.

DEMOLITION OR REMOVAL PERMITS

7. (1) (a) The fee for a permit to relocate or move a building or portions thereof shall be based on the fee schedule provided for in Paragraph “c and f” of Schedule “B”, attached hereto and forming part of this bylaw, when the building or part thereof is to be moved from one location within the Town to another location within the Town.
- (b) The fee for a permit to relocate or move a building or portions thereof shall be based on the fee schedule provided for in Paragraph “d and f” of Schedule “B”, attached hereto and forming part of this bylaw, when the building or part thereof is to be moved outside of Town.
- (c) The fee for a permit to relocate or move a building or portions thereof shall be based on the fee schedule provided for in Paragraph “c” of Schedule “B” when the building or part thereof is to be moved from outside the Town to a location within the Town.
- (d) The fee for a permit to demolish a building or portions thereof shall be based on the fee schedule provided for in Paragraph “c and f” of Schedule “B”.
- (e) (i) In addition, the applicant shall deposit with the local authority such sum, as provided for in Paragraph “e” of Schedule “B”, attached hereto and forming part of this bylaw, 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.
- (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 “D”, attached hereto and forming part of this bylaw.
- (3) 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, upon receipt of the fee and deposit prescribed, shall issue a permit for the demolition in Form “E”, attached hereto and forming part of this bylaw.
- (4) Where a building is to be removed from the local authority, and the local authority is satisfied that there are no debts 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 “E”.

- (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 is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to 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 “E”.
- (b) In addition, the local authority, upon receipt of the fee prescribed in Section 5(6), shall issue a permit for the placement of building in Form “B”.
- (6) All permits issued under this section expire three (3) months from the date of issue except that a permit may be renewed for an additional three (3) months upon written application to the local authority.

ENFORCEMENT OF BYLAW

- 8. (1) If any building, or part thereof is erected, constructed, reconstructed, repaired, renovated, altered, or placed 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, 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 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 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 of ownership prior to completion of construction,
 - (c) of intended partial occupancy prior to completion of construction.

SPECIAL CONDITIONS

BUILDING PERMITS

- 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) It shall be the responsibility of the owner to ensure that changes in property lines will not bring the building or an adjacent building into contravention of this bylaw or the Town's Zoning Bylaw.
- (3) 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 or the Town's Zoning Bylaw.
- (4) It shall be the responsibility of the owner to arrange for all permits, inspections and certificates required by other applicable Acts and regulations. It shall be the responsibility of the owner to ensure that a Building Permit Card to be in Form "F", attached hereto and forming part of this bylaw, is posted at the front of the lot and shall ensure that the Building Permit Card remains posted throughout the lifetime of the Building Permit, or until such time as an occupancy permit has been obtained from local authority or its authorized representative. The Building Permit Card in Form "F" shall be issued by the local authority upon the purchase of a Building Permit, as per Form "B".

DEMOLITION OR REMOVAL PERMITS

- (5) Upon application for a permit to demolish, remove, or relocate a building or a portion thereof, the applicant shall:
 - (a) arrange with the Town of Kamsack to have the water and sanitary sewer service connections discontinued at the water and sewer mains at least 24 hours prior to demolition, removal, or relocation and shall bear the full cost of having these services disconnected;
 - (b) arrange with the gas, electric and telephone companies or other utilities to discontinue their services at least 24 hours prior to demolition, removal or relocation; and
 - (c) submit the application for a removal, relocation or demolition permit to the local authority or its authorized representative at least 48 hours prior to requiring a permit.

SPRINKLERED FIRE PROTECTION

- (6) All buildings over two storeys in building height shall be sprinklered.

CONTROL OF GRADE ELEVATIONS

- (7) Grade elevations for all one and two family dwellings shall be controlled as described in this subsection.
 - (a) When issuing a building permit for new construction, or alterations involving new foundations, the local authority or authorized representative shall approve the proposed finished grade elevations as supplied by the application for the locations given below:

- (i) the required finished ground elevation at the centre line of the lot at the front line of the dwelling;
 - (ii) the finished grade elevation of both side lot boundaries at the front property boundaries; and
 - (iii) the required finished ground elevation at both side lot boundaries at the rear property boundaries.
 - (b) On completion of the foundation for the house, the owner of the lots shall submit to the local authority a Saskatchewan Land Surveyor's Certificate showing the lateral location of the foundation in relation to the property lines and also show the elevation of the top of the joists for the first story of the said house in relation to the given bench mark.
 - (c) Prior to occupancy, the contractor/owner shall ensure that the lot elevations remain the same as the elevations provided in subsection 9(7)(a). It shall also be the contractor's/owner's responsibility to submit a certificate showing final elevations in accordance with subsection 9(7)(a) prepared by a registered Saskatchewan land Surveyor or a professional engineer. In the case where the owner wishes to occupy the dwelling before the lot elevation certificate is issued a letter of commitment shall be submitted by the owner indicating that no fence will be constructed until such time as the required lot evaluation certificate has been issued. In the case of winter construction, the required certificate must be submitted prior to June 30 and within 6 months of occupancy for any other case.
- (8) The control of grade elevations for all buildings not covered by subsection 9(7) above shall be as follows:
- (a) The drawings and specifications filed with the local authority or authorized representative prior to the issuing of a building permit shall, for all new construction or alterations involving new foundations, show:
 - (i) the elevation of the first floor of the building;
 - (ii) the graded elevation or grade elevations at the perimeter of the building and the perimeter of the lot. Where the land abuts on a Town easement or a public street or lane, the elevation of the street shall also be shown. If street elevation is unknown, then a standard of 100 feet shall be used;
 - (iii) the paved and grass areas of the lot;
 - (iv) the location of the catch basins and the location, size, slope and invert elevations of storm and sanitary sewers required, and the point at which said sewers exit from the lot and connect to the sewer main;
 - (v) the proposed method of draining roof areas, and
 - (vi) the grade and drainage of the lot and the drainage from roof areas, all of which shall meet with the approval of the local authority.

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.

REPEAL

10. Bylaw 19/2000, Bylaw 37/2003, Bylaw 40/2006, Bylaw 8/2007, and Bylaw 14/2007 are hereby repealed.
11. This bylaw comes into force upon approval from the Minister responsible for The Uniform Building and Accessibility Standards Act.

MAYOR

SEAL

ADMINISTRATOR

Read a third time and adopted this
_____ day of _____, 2018

**SCHEDULE “A”
Forms Schedule**

**Forming Part of Bylaw 28/2018,
Being A Bylaw Respecting Buildings**

- 1. FORM A Application for Building, Building Grades, and Occupancy Permits**
- 2. FORM B Building Permit**
- 3. FORM C Occupancy Permit**
- 4. FORM D Application for a Permit to Demolish or Move a Building**
- 5. FORM E Demolition or Moving Permit**
- 6. FORM F Building Permit Card**

**SCHEDULE “B”
BUILDING PERMIT FEE SCHEDULE**

**Forming Part of Bylaw 28/2018
Being a Bylaw Respecting Buildings**

- (a) For the erection, placing, construction, alteration, repairing, renovating or reconstruction a building fee for issuing permits shall be the greater of:**

 - (i) \$5.00 per \$1,000.00 of value of construction; or**
 - (ii) \$25.00; or**
 - (iii) If the local authority chooses to exercise its options under Section 5(4) or 5(5), the full cost to the Municipality for plan review and inspection services plus 10%.**
- (b) The fee for issuing an occupancy permit shall be \$10.00**
- (c) For the relocating in town limits, or demolishing of a building the fee for issuing a permit shall be \$50.00.**
- (d) For the removal of a building from the town limits, the fee for issuing a permit shall be \$300.00.**
- (e) The deposit applicable to clause 7(1)(e) shall be \$3,000.00.**
- (f) There will be a SAMA re-inspection fee of an amount as set out in the Taxation and Office/Administration Fee Schedule of the Assessment, Taxation Information, and Office/Administration Fees Bylaw of the Town of Kamsack for any permit issued that results in a re-assessment being required.**

TOWN OF KAMSACK

**APPLICATION FOR BUILDING, BUILDING GRADES,
AND OCCUPANCY PERMITS**

Application No. _____

Class of Work: Construction _____ Alteration _____ Reconstruction _____ Relocation _____
Occupancy _____ Building Grades _____

Civic Address of Location of Work _____

Legal Description: Lot _____ Block _____ Plan _____

Owner _____ Address _____

Phone _____ E-mail _____

Contractor _____ Address _____

Phone _____ Fax _____ E-mail _____

Nature of Work: _____

Intended Use of Building _____

Size of Building: Length _____ Width _____ Height _____

Single Floor Area _____ Total Building Area _____

Number of Storeys _____ Fire Escapes _____

Number of Stairways _____ Width of Stairway _____

Number of Exits _____ Width of Exits _____

Building Grades

Finished Garage floor elevation (if any)	Finished floor elevation at building	Finished landscape elevation at building (north- east corner)	Finished landscape elevation at building (north- west corner)	Finished landscape elevation at building (south-east corner)	Finished landscape elevation at building (south-west corner)
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Estimated Value of Construction \$ _____

Detailed Plans are Attached Yes _____ No _____ Development Permit No. _____

REQUEST FOR BUILDING, BUILDING GRADES AND/OR OCCUPANCY PERMIT

I hereby acknowledge that I have read this application and state that the information contained herein is correct and agree to comply with all Town bylaws and/or provincial acts and regulations regulating building grades and occupancy.

I understand that no work or occupancy is allowed until such time as required permits have been issued to the owner.

Owner or Authorized Agent (printed)

Date

Signature of Owner or Authorized Agent

**TOWN OF KAMSACK
BUILDING PERMIT**

Permit No. _____

Application No. _____ Development Permit No. _____

Civic Building Address _____

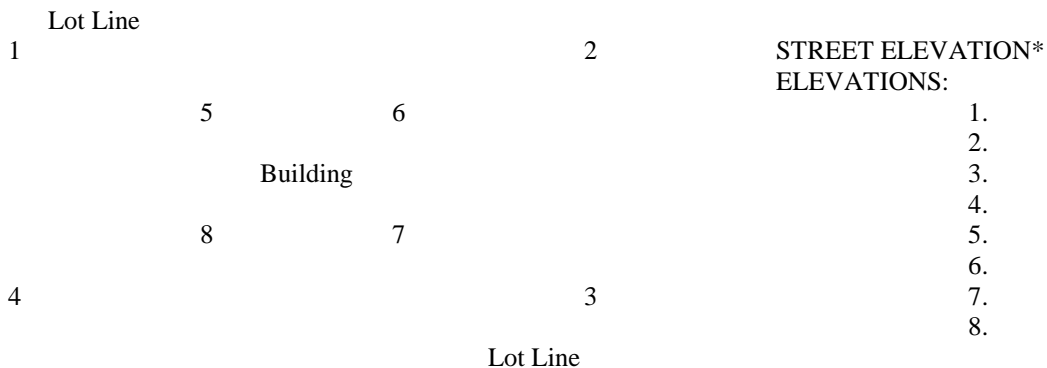
Legal Description: Lot _____ Block _____ Subdivision _____ Registered Plan _____

Owner _____ Address _____ Telephone _____

Grade Lines of the building site are to be as indicated below and as shown on the diagram.

Street Name: _____

Indicate with
direction is
north:



1. Minimum clearance (if required) from Lot Lines are as per diagram.
 2. Direction of slope from building to Lot Lines are as per diagram.
- e.g. *If street elevation unknown, use elevation of 100 feet.

This Building Permit is issued subject to the owner agreeing to comply with the following conditions:

I hereby acknowledge that I have read the requirements as stated in this permit and that I shall comply with all of the above and with all Town bylaws and/or provincial acts and regulations regulating Building and Occupancy and with the requirements as specified in The National Building Code of Canada and The Uniform Building and Accessibility Standards Act.

BUILDING BYLAW
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It is expressly understood that the issuing of a permit does not relieve the applicant from complying with all bylaws though not called for in the specifications or shown on plans for applications submitted. The building shall not be occupied until such time as an occupancy permit is issued to the owner. **Work shall commence within six months and be completed within one year from date of issue or permit will be cancelled.** I understand that any deviation, omission, revision to the approved application requires the approval of the local authority representative.

Date

Signed Owner or Authorized Agent

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

Date

Signature of Authorized Representative

**TOWN OF KAMSACK
OCCUPANCY PERMIT**

Permit No._____

Application No._____ Development Permit No._____

Civic Building Address_____

Legal Description: Lot_____Block_____ Subdivision_____Registered Plan_____

Owner_____ Address_____

Telephone_____ E-mail_____

This is to certify that the property and buildings as described below have been inspected and the following thereof is hereby authorized.

Location_____ Zone_____ Building Permit No._____

Lot_____Block_____Subdivision_____Registered Plan_____

DESCRIPTION OF OCCUPANCIES

Before any change in the use of the land or structure can be made, it is necessary that the owner or his agent obtain approval from the Local Authority or its representative to cover such a change in compliance with the bylaw of the Town of Kamsack.

Permit Fee \$_____

Date

Signature of Authorized Representative

TOWN OF KAMSACK
APPLICATION FOR PERMIT TO DEMOLISH OR MOVE A BUILDING
Permit No. _____

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

Civic address or location _____

Lot _____ Block _____ Registered 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 or location _____

Lot _____ Block _____ Registered Plan _____

to

Civic address or location _____

Lot _____ Block _____ Registered Plan _____

***A building permit will be required prior to placement of the building on the new site.**

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 _____, _____.

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 Building Bylaw and to be responsible and pay for any damage done to any property as a result of the demolition or moving of said building, and to deposit such sum as may be required under Section 7(1)(e) 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 the required permits and approvals prior to demolishing or moving the building.

Owner or Authorized Agent (printed)

Date

Signature of Owner/Authorized Agent

Address

Phone

Fax

E-mail

To Be Completed by Town Administrator

The taxes upon the above described property and buildings have been paid in full and the said property and said buildings have not been sold for taxes, or if sold, then the taxes have been redeemed.

Date

Town Administrator

**TOWN OF KAMSACK
DEMOLITION OR MOVING PERMIT**

Permit No. _____

Permission is hereby granted to:

(name, address, and phone # of applicant)

_____ Demolish **OR** _____ Move
(mark an 'x' where applicable)

a building now situated on

Civic address or location _____
Lot _____ Block _____ Registered Plan _____

to
Civic address or location _____
Lot _____ Block _____ Registered Plan _____

or
Out of the municipality _____
(description of where building is to be moved)

in accordance with the application dated _____, 20____,
Application No. _____

This permit expires three (3) months from the date of issue.

This permit is issued subject to the owner agreeing to comply with the following requirements:

1. The demolition will commence on _____, _____,
(insert date and year)

and will be completed on _____, _____.
(insert date and year)

2. The building will be moved on _____, _____.
(insert date and year)

3. The building will be moved over the following
route: _____

4. The site work (filling, final grading, landscaping, etc.) which will be done after demolition or removal
of the building includes:

I understand that any deviation, omission, or revision to the approved application requires the approval of the local authority or its authorized representative.

Date	Signed Owner or Authorized Agent

Permit Fee	_____
Deposit	_____
Other	_____
Total Fees	_____

Date

Signature of Authorized Representative

**TOWN OF KAMSACK
BUILDING PERMIT**

NAME

CIVIC ADDRESS

BUILDING PERMIT NO. _____ ISSUED _____ EXPIRES _____

LOT _____ BLOCK _____ PLAN _____

SUBDIVISION _____ PROJECT _____

APPROVED _____ PER _____

THIS CARD MUST BE DISPLAYED IN FRONT OF BUILDING