

BYLAW NO. 4 – 2022

A BYLAW RESPECTING BUILDINGS  
RM of Weyburn No. 67

The Council of the Rural Municipality of Weyburn No. 67 in the Province of Saskatchewan enacts as follows:

**1. SHORT TITLE**

- (1) This bylaw may be cited as the Building Bylaw.

**2. INTERPRETATION/LEGISLATION**

- (1) "Act" means the *Construction Codes Act*.
- (2) "Administrative Requirements" means *The Administrative Requirements for Use with The National Building Code of Canada*.
- (3) "Authorized Representative" means a licensed building official appointed by the Local Authority.
- (4) "Construction standards" in this building bylaw means the Act, the regulations, The National Building Code of Canada, The National Energy Code of Canada for Buildings, ministerial interpretations pursuant to section 8 of the Act and Saskatchewan Construction Standards Appeal Board orders, interpretations and orders of building officials within the local authority and any related bylaws adopted by the local authority.
- (5) "Farm building" means, subject to the regulations, a building that:
- (a) Does not contain a residential occupancy;
  - (b) Is located on land used for agricultural operation as defined in The Agricultural Operations Act; and
  - (c) Is used for the following purposes:
    - (i) The housing of livestock;
    - (ii) The productions, storage or processing of primary agricultural and horticultural crops and feeds;
    - (iii) The housing and storage or maintenance of equipment or machinery associated with an agricultural operation.
- (6) "Local Authority" means the RM of Weyburn No. 67 and its elected Council.
- (7) "Municipal official" means the clerk or administrator or their designate of the municipality.
- (8) "Regulations" means regulations made pursuant to the Act, *The Building Code Regulations* and *The Energy Code Regulations*.
- (9) "Value of construction" means the total costs 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.

- (10) Definitions contained in the Act and Regulations shall further apply in this bylaw.

### **3. SCOPE OF THE BYLAW**

- (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 3(1) above, references and requirements in the Administrative Requirements respecting matters regulated by the Act and Regulations shall not apply.
- (3) Notwithstanding subsection 3(1) above, 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.
- (4) This bylaw applies to buildings used as the following:
- (a) Any dwelling or building with sleeping quarters;
  - (b) Any building used for a business/commercial purpose, except within the practice of agriculture (per the "Farm Buildings" definition);
  - (c) All buildings located within a Hamlet District, High Profile Commercial Light Industrial District and Industrial District.

### **4. GENERAL**

- (1) A permit is required whenever work regulated by the Act or Regulations is to be undertaken.
- (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 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 Regulation affecting the site described in the permit,
  - b. Make either the Local Authority or its Authorized Representative liable for damages or otherwise by reason of the fact that a building, the construction, erection, placement, structural alteration, 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 Regulation affecting the site described in the permit.

### **5. BUILDING PERMITS**

- (1) Every application for a permit to construct, erect, place, structurally alter, or reconstruct a building shall first obtain a building permit from the Local Authority.

- (2) The Local Authority may double the permit fee if work commences prior to obtaining a permit, and could result in a Stop Work Order.
- (3) Failure to obtain a permit or follow the terms of the permit, including ensuring all inspections are scheduled and completed by the building official, may result in the issuance of a building official's order, in accordance with section 25 of the Act.
- (4) No building permit shall be issued unless a Development Permit, where required, has first been applied for and obtained from the Local Authority. Building permits shall be subject to any conditions stated on the Development Permit.
- (5) Whenever the character of the proposed work requires the technical expertise of an Architect or Engineer, the Local Authority or Authorized Representative may, at its discretion, require as a condition of the application that all drawings and specifications, or any part thereof, be prepared, reviewed, sealed, dated and signed by a Professional Engineer or Architect registered or licensed to practice in the Province of Saskatchewan.
- (6) Every application for a permit to construct, erect, place, structurally alter, or reconstruct a building shall be in a form as required by the Local Authority or its Authorized Representative, 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 plans and/or specifications need not be submitted.
- (7) 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 this bylaw, the municipal official, upon receipt of the prescribed fee, shall issue a permit on a form provided by the Local Authority and return one set of submitted plans to the applicant.
- (8) The Local Authority may take any measures as permitted in the Act or regulations for the purpose of ensuring compliance with the construction standards.
- (9) 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.
- (10) The permit fee for construction, erection, placement, structural alteration, or reconstruction of a building shall be based on the following:
  - a. A permit administration fee of zero (\$0.00) dollars for the processing, handling and issuance of a building permit; plus
  - b. The service fee charged to the Local Authority by the Authorized Representative engaged to review, inspect, and enforce the construction standards as per the agreement between the Local Authority and Authorized Representative; plus

- c. A maintenance fee charged by the Saskatchewan Assessment Management Agency.
  - d. All permit fees will be collected prior to the permit being issued and subject to applicable taxes.
  - e. Service fees in accordance with sub-clause (b) above are based upon the construction project proceeding in a timely and competent manner. Additional inspection fees may be incurred in excess of the permit fee for:
    - i. Re-inspection of infractions or deficiencies to ensure compliance with the construction standards.
    - ii. A Progress inspection for construction projects where an inspection or contact with an Authorized Representative has not occurred in the past six (6) months.
    - iii. Changes related to any deviation, omission or revision to work for which a permit has already been issued under this section.
    - iv. Action required to issue Orders, Affidavits or other work to remedy non-compliance to the construction standards.
  - f. A Progress inspection may be initiated at an additional fee for construction projects where an inspection, or contact with an Authorized Representative, has not occurred in six (6) months.
  - g. No person shall occupy a new building without first receiving occupancy approval from the Local Authority or its Authorized Representative. Occupancy without prior approval may result in an additional investigation fee.
  - h. It is the responsibility of the owner to ensure that all required inspections are called for. Failure to do so shall result in the missed inspection(s) being charged for, as well as an additional fee for any follow-up work that may be required by the Authorized Representative as a result of the missed inspection.
  - i. Any additional fees charged as a result of sub-clauses e) to h) above, plus building official travel costs and GST, shall be due upon issuance of an invoice from the Local Authority.
- (11) 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 the definition of *value of construction* as per subsection 2(8).
- (12) 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.

- (13) All permits issued under this section expire:
- a. New builds:
    - i. Two (2) years from the date of issue; or
    - ii. If work ceases for six (6) months.
  - b. Structural alterations/renovations:
    - i. Two (2) years from the date of issue.
- (14) If a building permit expires and construction is not completed in accordance with the construction standards, then the owner may make application to the Local Authority for an extension or renewal of the permit.
- (15) 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.

#### **6. DEMOLITION OR REMOVAL PERMITS**

- (1) Demolition of any building is subject to the Provincial Government Regulations, the onus is on the owner to follow these regulations.
- (2) If a building is demolished or removed, notify the Local Authority in order to ensure the property is being accurately assessed in future years.

#### **7. ENFORCEMENT OF BYLAW**

- (1) If any building or part thereof or addition thereto is constructed, erected, placed, structurally altered, or reconstructed in contravention of any provision of this bylaw, the Local Authority or its Authorized Representative may take any measures as permitted by 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 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 Local Authority or its Authorized Representative may take any measures allowed by the Act.

**8. SUPPLEMENTAL BUILDING STANDARDS**

- (1) Void.

**9. SPECIAL CONDITIONS**

- (1) 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 surveyor 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 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.

**10. PENALTY**

- (1) Any person who contravenes any of the provisions of this Bylaw shall be liable to the penalties provided in Part 8 of the Act.
- (2) Conviction of a person or corporation for breach of any provision of this Bylaw shall not relieve the person from compliance herewith.

Bylaw 1-2018 and any subsequent amendments shall be repealed upon Bylaw 4-2022, The Building Bylaw, coming into force and effect.

Enacted pursuant to Section 17 of the *Construction Codes Act*.



(seal)

*[Handwritten Signature]*

REEVE

*[Handwritten Signature]*

MUNICIPAL OFFICIAL

Administrator

APPROVED  
 in accordance with Clause 17(6)(A) of  
 The Construction Codes Act  
*[Handwritten Signature]*  
 Building and Technical Standards  
 Ministry of Government Relations  
*[Handwritten Signature]*  
 Date: March 17 2022

Certified a true copy of bylaw number 4-2022  
 adopted by resolution on the 9<sup>th</sup>  
 day of March, 20 22



(seal)

**RURAL MUNICIPALITY OF WEYBURN NO. 67  
APPLICATION FOR BUILDING PERMIT**

I hereby make an application for a permit to:

- CONSTRUCT
- ALTER
- RECONSTRUCT

Description of Project:

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**Registered Owner:**

Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Contractor:**

Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Applicant:**

Phone Number: \_\_\_\_\_

- Same as Registered Owner       Same as Contractor

**Legal Description:**

Lot	Block	Plan
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Intended Use of Building: \_\_\_\_\_  
\_\_\_\_\_

Size of Building – Length: \_\_\_\_\_ Width: \_\_\_\_\_ Height: \_\_\_\_\_

Insulated:     yes  no    Comments: \_\_\_\_\_

Estimated value of construction (excluding site): \$ \_\_\_\_\_

Building area (largest area): \_\_\_\_\_

Estimated Start Date: \_\_\_\_\_

Estimated Completion Date: \_\_\_\_\_

I hereby agree to comply with the Building Bylaw of the Local Authority and acknowledge that it is my responsibility to ensure compliance with the Building Bylaw of the Local Authority and with any other applicable bylaws, acts and regulations regardless of any plan reviews or inspections that may or may not be carried out by the Local Authority of its Authorized Representative.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

RURAL MUNICIPALITY OF WEYBURN NO. 67

Building Permit # \_\_\_\_\_

Date: \_\_\_\_\_

Permission is hereby granted to \_\_\_\_\_ to

CONSTRUCT

ALTER

RECONSTRUCT

a structure to be used as: \_\_\_\_\_

on \_\_\_\_\_

This permit is issued on the condition that all items noted in the attached Inspection Report are complied with; as well as, all required Inspections are carried out:

- 1) All fees are to be paid in full.
- 2) Approval of Building Permit is subject to conditions of inspection report completed by *(insert name of building official)*, completed *(insert date)*.
- 3) Deficiencies in a project may require extra inspection. Additional fees may apply.

*(insert other conditions as required)*

This permit expires as per subsection 5(11) of the building bylaw, unless otherwise authorized by the Local Authority or its Authorized Representative.

Any deviation, omission or revision to the approval application requires the approval of Council or its Authorized Representative.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Local Authority

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

*Wm*