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BUILDING STANDARDS

APPENDIX A

Eston Riverside Regional Park Authority

BUILDING BYLAW NO. 3-2019

The Local Authority (municipal council, regional park authority) of the Eston Riverside Regional Park of Eston 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 a building official appointed by the local authority pursuant to subsection 5(4) of the Act or the municipal official.

(4) Local authority" means the Eston Riverside Regional Park and its Council.

(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 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, 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 construction, erection, placement, alteration, repair, renovation, demolition, 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 regulation 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 provided by Eston Riverside Regional Park Authority, 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.

(a) No person shall construct any building or structure within 1.5 meters (5 feet) of any lot line.
(b) Minimum floor space of any dwelling will be 27.87 square meters (300 square feet).
(c) An accessory building not greater than 10 square meters (108 square feet) is exempt from this bylaw provided it does not create a hazard.
(d) Any structure used to enclose or divide lots shall not exceed heights of 3 feet in the front of lot and 6 feet in the back of lot.

(2) 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 local authority, upon receipt of the prescribed fee, shall issue a permit, a form provided by Eston Riverside Regional Park Authority, and return one set of submitted plans to the applicant.

(3) 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.

(4) 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.

(5) The permit fee for construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be based on the following fee schedule.

a) A permit administration fee of $25.00 plus GST for the processing, handling and issuance of a building permit, plus
b) The service fees for plan review, field inspection of construction and enforcement services in accordance with the agreement between the provider of building official services and the local authority.

All permit fees will be collected prior to the permit being issued and subject to applicable taxes.

(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 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.

(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
(a) 12 months from date of issue if work is not commenced within that period, or
(b) if work is suspended for a period of 12 months, or
(c) if work is suspended for a period of longer than 12 months by prior written agreement of the local authority or its authorized representative.

(9) Where a permit has expired as per subsection 5.(8) the owner can make application to the local authority for the renewal of the permit application. Such renewal may be subject to a building permit renewal fee equal to fees required in subsection 5.(5) or some alternate renewal fee.

(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.

DEMOLITION OR REMOVAL PERMITS

6. (1) (a) The fee for a permit to demolish or remove a building shall be $ 25.00 plus GST..
(b) (i) 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.

$1,000.00 (One Thousand Dollars)

(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 on a form provided by Eston Riverside Regional Park Authority.

(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 prescribed, shall issue a permit for the demolition in a form provided by Eston Riverside Regional Park Authority.

(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 provided by Eston Riverside Regional Park Authority.

(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 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 a form provided by Eston Riverside Regional Park Authority.
(b) In addition, the local authority, upon receipt of the fee prescribed in Section 5(5), shall issue a permit for the placement of the building in a form provided by Eston Riverside Regional Park Authority.

(6) 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 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 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, 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 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 in ownership prior to completion of construction, and
   (c) of intended partial occupancy prior to completion of construction.

SUPPLEMENTAL BUILDING STANDARDS

8. Void.

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 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. This includes electrical, plumbing and sanitation facilities (septic).

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.

[REPEAL EXISTING BYLAW, IF NECESSARY]

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

Certified a true copy of bylaw number 3-2019
adopted by resolution on the 24TH
day of JUNE, 20 19

(SEAL)

ESTON RIVERSIDE REGIONAL PARK AUTHORITY
Seal

MAYOR/REEVE/PARK AUTHORITY CHAIRPERSON

MUNICIPAL OFFICIAL
(Administrator/Clerk/Secretary-Treasurer)

MUNICIPAL OFFICIAL
(Administrator/Clerk/Secretary-Treasurer)

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

Executive Director
Building Standards and Licensing
Ministry of Government Relations

July 29/2016
Date