

**Lake Charron Regional Park Authority**

**BYLAW NO. 01-2021**

**A BYLAW RESPECTING BUILDINGS**

The Authority of Lake Charron Regional Park, 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 Nation Building Code*.
- (3) “Authorized presentative” 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 Authority of the Lake Charron Regional Park.
- (5) “Regulations” means regulations made pursuant to the Act.
- (7) “Definitions contained in the Act and Regulations shall apply to this bylaw.

**Scope of the Bylaw**

3. (1) This bylaw applies to matters governed by the 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 owners’ agent all 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 assign, 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 desired in the permit, or

- b) Make either the local authority or its authorized representative liable to damages or otherwise by reason of the fact that a building, the construction, erection, removal, 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.
- c) An accessory building not greater than 100 sq. feet is exempt for this bylaw provided it does not create a hazard.

### **Building Permits**

- 5. (1) Every application for a permit to construct, erect, place, alter, repair, renovate or reconstruct a building shall be in the form provided by the local authority, and shall be accompanied by two sets of blueprints of the proposed building, except that when authorized by the local authority or its authorized representative plans and/or specification need not be submitted. Plans submitted electronically will also be acceptable.
- (2) As part of the required plans, the authorized representative may require submission of an up-to-date survey certificate from a surveyor.
- (3) If the work described in an application for building permit, to the best of the of the local authority or its authorized representative, complies with the requirements of this bylaw, the local authority, upon receipt of the prescribed fees, shall issue a permit in a form provided by the local authority.
- (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 building officials designated by the minister to assist the local authority pursuant to subsection 4(4) of the Act.
- (5) The local authority may, at is 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 construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be based on the following:
  - a) Permit administration fees as per the attached Schedule “A” of the processing, handling and issuance of a building permit; plus
  - b) The services fees for plan review, field inspection of construction of construction and enforcement services in accordance with the agreement between the provider of building official services and the local authority; plus
  - c) The maintenance fee(s) charged by the Saskatchewan Assessment Management Agency; plus

- d) Fees applicable to a Development Permit or Discretionary Permit
  - e) The Lake Charron Regional Park Authority will be invoices for services upon inspection site visits; at such time the authority will invoice the applicant; these fees are subject to applicable taxes. Should the fees remain outstanding at end of year they will be transferred to your lease fees.
- (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 shall expire:
    - a) 12 months from date of issue or can be renewed for a term of up to 24 months upon request to development officer.
    - b) six months from date of issue if work is not commenced within that period; or
    - c) if work is suspended for a period of six months; or
    - d) if work is suspended for a period of longer than six months by prior written agreement of the local authority or its authorized representative.
  - (9) Where a permit has expired as per section 5(8) the owner can make application to the local authority for the renewal of the permit application. Such renewal may be subject to build permit renewal fees; a permit may be renewed extended for a period of one (1) year upon approval by the local authority.
  - (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) Every application for a permit to demolish or remove a building shall be in a form provided by the local authority.
  - b) The applicant shall restore 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.
- (2) 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, shall issue a permit for the demolition in a form provided by the local authority.
- (3) Where a building is to be removed from its current site and set up upon another site in the geographical jurisdiction of 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 competed, 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, shall issue a permit for the removal in a form provided by the local authority.

- (4) 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 approval by 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 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 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 authorized representative may take any measures allowed by subsection (1)
- (3) The owner of a building for which a permit has been issued 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.
- (4) Prior to the use or occupancy of a building an owner shall ensure that a final inspection has been completed by the authorized representative and any deficiencies addressed to the satisfaction of the authorized representative.

### **Special Conditions**

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 local authority or its authorized representative.
- (2) A real property report of the site described in a permit applications 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 line 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 the person from compliance herewith in.

\_\_\_\_\_  
Reeve

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

\_\_\_\_\_  
Park Manager

Read a third time and adopted  
this 25th day of November, 2021.

SEAL

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Park Manager

## **Appendix “A”**

### **Residential/Commercial/Industrial**

Minimum Fee ..... \$200.00  
(this refers to small construction jobs)

Construction .....\$3.55/\$1000.00  
(all-inclusive fee includes consultations, meetings, technical interpretations, plan examinations, site inspections, reporting, mileage)

The inspection company will provide an invoice to the Lake Charron Regional Park Authority after each completed plan examination and each issued inspection report. In the event that there is a significant change in the overall scope and design of the building, additional charges will apply which will be negotiated with the Lake Charron Regional Park Authority.

Small projects like decks and detached garages, our office issues one invoice for the project when the plan examination report is issued as there is only one (1) inspection required for these projects.

All-inclusive Building Official Services does not include representation in legal matters or appeal hearing. These additional services are charged at an hourly rate of \$175.00.hr

### **Development Permit**

The fee for a Development Permit shall be .....\$25.00

### **Demolition Permit/Move a Building**

The fee to demolish or remove a building shall be as follows:

Residential/Garage .....\$25.00