



**Town of Duck Lake
Bylaw 2015 - 5**

A BYLAW RESPECTING BUILDINGS

The Municipal Council of the Town of Duck Lake 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 Town of Duck Lake.
(5) "Regulations" means regulations made pursuant to the Act.
(6) Definitions contained in the *National Building Code* (NBC) and *The Uniform Building and Accessibility Standards Act* and Regulations shall apply in 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 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, 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, change occupancy or reconstruct a building shall be in Form A, 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.
 - (2) If the work described in an application for a 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 in Form B 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 calculated based on those listed in Schedule A. As well, there will be a processing fee of 5% in relation to costs invoiced by the Building Official for inspection services. All fees will be subject to GST as applicable. All fees will be collected prior to the issuance of the building permit.
- (6) In the event that construction commences without an approved permit, the permit fees referred to in Section (5) above and set out in Schedule A attached shall be charged at twice the amounts shown.
- (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 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) twelve months from the date of issue of the permit, unless extended by the local authority or its authorized representative in response to a written request from the applicant.
- (10) In the event that a permit expires without the approval set out in (8) above the applicant will be required to pay the full amount of the permit fee to extend the permit time for an additional year. As well, if building codes have changed since the original permit was issued, the applicant may be required to comply with the new code and any reference standards.
- (11) 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 PERMITS

6. (1) (a) The fee for a permit to demolish a building shall be \$100.00.
(b) (i) In addition, the applicant shall deposit with the local authority a \$3000.00 security bond to cover the cost of restoring the site after the building has been demolished to such condition that it is, in the opinion of the local authority or its authorized representative, not dangerous to public safety.

The deposit fee as per sub-clause 6(1)(b)(i) will be collected at the time of issuance of the permit.

If the applicant is the registered owner of the property, the deposit will be held until the site is restored to a condition satisfactory to the local authority or its authorized representative and the sum deposited, or portion thereof, shall be refunded.

If the applicant is not the registered owner of the property, the local authority shall be provided with an official authorization from the owner, indicating that the applicant is acting on their behalf, in restoring the site to a condition satisfactory to the local authority or its authorized representative.

- (ii) If the applicant who demolishes the building restores the site to a condition satisfactory to the local authority or its authorized representative, the sum deposited, or a portion thereof, shall be refunded.

- (2) Every application for a permit to demolish a building shall be in Form C.
- (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 Form D.
- (4) At least 24 hours prior to demolition, the applicant must:
(a) arrange with the Town of Duck Lake to have the water and sanitary sewer service connections discontinued at the water and sewer mains and
(b) arrange with the gas, electric and telephone companies or other utilities to discontinue their services.
- (5) Demolition permits expire six months from the date of issue except that permit may be renewed for six months upon written application to the local authority.

REMOVING, RELOCATION OR PLACEMENT OF BUILDING PERMITS

7. (1) (a) The fee for a permit to remove and/or relocate a building shall be \$100.00.
(b) i) In addition, the applicant shall deposit with the local authority a \$3000 security in cash or bond to cover the cost of restoring the site after the building has been moved or removed to such condition that it is, in the opinion of the local authority or its authorized representative, not dangerous to public safety.

The deposit fee as per sub-clause 7(1)(b)(i) will be collected at the time of issuance of the permit.

If the applicant is the registered owner of the property, the deposit will be held until the site is restored to a condition satisfactory to the local authority or its authorized representative and the sum deposited, or portion thereof, shall be refunded.

If the applicant is not the registered owner of the property, the local authority shall be provided with an official authorization from the owner, indicating that the applicant is acting on their behalf, in restoring the site to a condition satisfactory to the local authority or its authorized representative.

- ii) If the applicant who moves or removes the building restores the site(s) 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 remove and/or relocate a building shall be in Form C.

- (3) Before issuing a permit for the removal and/or relocation, the local authority must be satisfied that:

- (a) the structure of the building is such that the removal and/or relocation can be safely effected;
- (b) that no person other than a licensed building mover will remove or relocate the building;
- (c) that the building shall be moved along a route that, if by reason of its height, is the least likely to occasion damage to municipal facilities;
- (d) that there are no arrears or taxes outstanding with respect to building or land on which building is or will be situated;
- (e) that when the building is placed on its new site and completed, it will conform with all applicable bylaws;
- (f) that the architectural design of the building will not adversely affect the general design of the buildings in the neighbourhood to which the building is to be moved; and
- (g) that the prescribed fee and deposit has been received.

REMOVING, RELOCATION OR PLACEMENT OF BUILDING PERMIT, cont'd.

- 4(a) Where a building is to be removed from the 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, the local authority upon receipt of the fee and deposit prescribed, shall issue a removal permit in Form D.
- 4(b) Where a building is to be relocated 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 Form D. 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 Form B.
- (c) Where a building is to be relocated from a *site external to the local authority and set upon a site within 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 land on which the building is to be situated, and the building when placed on its new site and completed, to the best of the knowledge of the local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the placement of a building in Form D.
- (5) At least 24 hours prior to the removal and/or relocation, the applicant must:
- (a) arrange with the Town of Duck Lake to have the water and sanitary sewer service connections discontinued at the water and sewer mains; and,
 - (b) arrange with the gas, electric and telephone companies or other utilities to discontinue their services.
- (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

8. (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.

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) The building site will be surveyed by a registered land surveyor and the lines appropriately marked on the site, to ensure accurate starting points for adequate set-backs and other determinations.

- (4) 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.
- (5) It shall be the responsibility of the owner to arrange for all permits, inspections and certificates required by other applicable bylaws, acts, and regulations.
- (6) All buildings with sump pumps installed to handle drainage of weeping tile will be required to have the sump pump discharge to the rear, if the laneway is paved, or to the front to utilize the existing curb and gutter or storm sewer system, whichever is in place.
- (7) It will be the responsibility of the owner to provide an engineered foundation design sealed by an engineer registered in the Province of Saskatchewan, where a Preserved Wood Foundation (PWF) is to be built
- (8) Fabric covered buildings will not be permitted within the Municipality. An exception may be made where such a structure is properly engineered and suitable for long term use. However, special review and approval by Council would be required.

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.
- (3) Specific to starting construction without paying the appropriate permit and other fees, any persons doing so may be subject to a cost of double the respective fees.

REPEAL OF BYLAW

11. Bylaw No. 5002 is hereby repealed.

EFFECTIVE DATE OF BYLAW

12. This bylaw shall come into force on the date of final approval by the Minister.

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

Read a first time this 23th day of June, 2015

Read a second time this 23th day of June, 2015

Read a third time this 23th day of June, 2015

Denis Poirier, Mayor

SEAL

James Mitchell, Acting CAO

SCHEDULE A – FEES FOR BUILDING PERMITS

Name: NOTE_SCHED A HAS BEEN UPDATED!!!!!! Wagner fees plus 5% and gst!!!!

Project: _____

Permit Application No.: _____

Date: _____

Administration Costs:

Commercial Buildings valued over \$1,000,000	\$200	Moving/Demolition	\$100
Commercial Buildings valued under \$1,000,000	\$150	Decks, Garages	\$40
Residential Houses	\$100		
Change of Use Application	\$25	*see note below	
		Deposit –	
		Moving/Demolition	\$3,000

Inspection Costs:

Development Permit

(In addition to costs of public advertising)

Project Specific

Application Fees:

- Permitted Principal \$100
- Permitted Accessory Use \$100
- Permitted Accessory Use \$100
- Discretionary Permitted Use \$200
- Discretionary Accessory Use \$200
- Discretionary Ancillary Use \$200
- Development Appeal Fee Up to \$50, as specified by the Development Appeals Board

Zoning Bylaw Changes:				
	Text Amendments	\$200 plus cost of advertising		
	Map Amendments	\$100 to \$500 each		
Total Inspections Fees				\$ -
Off-Site Development Fee			As per Policy	
Trades (Business Licenses)**			\$250 or \$50 each	
Administration Fee			As Above	
Total Due:				\$ -

*Any change of use is subject to National Building Code, along with any reference standards, and must be reviewed by the Building Official

**This fee is for business licenses for all trades/subtrades; if contractors already have current business

licenses for the Town of Duck Lake, this fee may be waived or pro-rated - \$50 per trade if this is less than \$250.00

***Permits not completed after one year will require re-application along with all appropriate fees**

Detailed Review Costs: Where a development or subdivision proposal involves a detailed review, a plan or zoning bylaw amendment, a development agreement, a servicing agreement, detailed development conditions, liability insurance, performance bonds, caveats, or legal and professional planning advice, Council may require the applicant to pay the full cost of the additional application review and administration costs, as Council may determine by resolution.



Form A

Application# _____

**Town of Duck Lake, Saskatchewan
APPLICATION FOR BUILDING & DEVELOPMENT PERMIT**

I hereby make application for a permit to : _____construct _____alter _____reconstruct _____develop a building according to the information below and to the plans and documents attached to this application.

Address of Building or Development: _____

Legal Description: Lot _____ Block _____

Plan: _____

Applicant: _____

Telephone: _____

Mailing Address: _____

Owner: _____

Telephone: _____

Contractor: _____

Telephone: _____

Site Area
(LW/Total Area): _____

Intended Use of
Proposed Structure(s): _____

Foundation: Wood _____ Cement _____

Dimensions of Proposed Structure: _____

Height: _____

Please list all existing structures on the site with the dimensions, i.e. Houses, garages, sheds, decks, and other structures.

Existing	Area	Length	Width	Height

Estimated Development Dates: Start: _____ Completion: _____

Utilities: Heating _____ Lighting _____ Plumbing _____

Business Use: ____ YES ____ NO Business Description: _____

Estimated Value of Construction (excluding land value) \$ _____

Site Plan Attached: () YES () NO

Building Plans Attached: () YES () NO

The following forms need to be completed, in addition to this application:

- Form A1 – New Buildings & Additions
- Form A2 – Attached Garages
- Form A3 – Detached Garages
- Form A4 – Decks
- Form A5 – Mobile Homes
- Forms provided by the building official

OFFICE USE:

Percentage of Land Occupied by Existing and Proposed Buildings _____

Fee for Building Permit Application \$ _____ Roll Number _____

I hereby agree to comply with the Building Bylaw and Zoning Bylaw of the Town of Duck Lake and acknowledge that it is my responsibility to ensure compliance with these and any other applicable bylaws, provincial acts and regulations regardless of any plan review or inspections that may or may not be carried out by the Town of Duck Lake or its authorized representative. I agree to do all construction work solely in accordance and compliance with the information and plans provided by me in this application, and will obtain all other work permits required in conjunction with my development.

Date

Signature of Owner or Owner's Agent



**Town of Duck Lake, SK
APPLICATION FOR BUILDING PERMIT**

Site Sketch



Please provide a diagram of the following:

- 1. Dimensions and lot lines of parcels or lots**
- 2. Dimensions and locations of all existing and proposed buildings showing distances from lot lines**
- 3. Location of power, gas and telephone lines**
- 4. Adjacent roads**
- 5. Topographical features (hills, water courses, wooded areas, etc.)**
- 6. Adjoining land uses (residential/business, etc.)**
- 7. North directional arrow**



FORM B

Application _____

**Town of Duck Lake, Saskatchewan
BUILDING PERMIT**

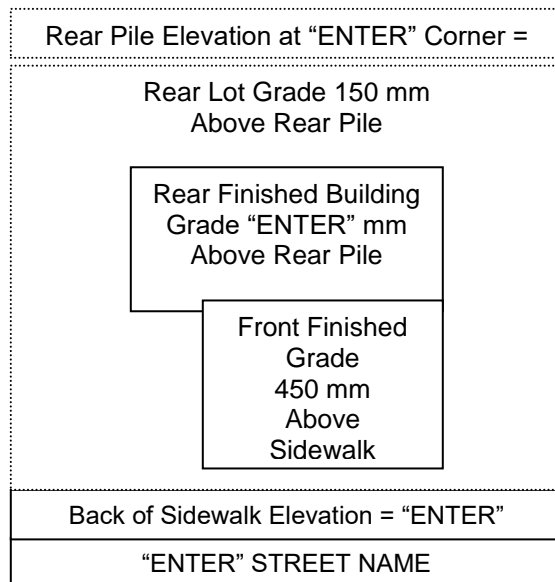
Permission is hereby granted to: _____

to _____ a building to be used as a _____

on civic address or location _____

Lot _____ Block _____ Plan _____ in accordance with the application dated _____.

Grade levels of the building site are to be as indicated below.



This permit is issued subject to the following conditions:

Any deviation, omission or revision to the approved application requires approval of the local authority or its authorized representative. This permit expires six months from the date of issue if work is not commenced within that period or if work is suspended for a period of six months, unless otherwise authorized by the Town of Duck Lake or its authorized representative.

Estimated Value of Construction: \$ _____

Professional Inspection Fee: \$ _____

(If the applicant completes the work as authorized by the Building Permit, and is issued a Certificate of Completion by the local authority or its authorized representative within the time limits as stated, the sum deposited will be refunded).

NOTE: All permits issued under this section expire:
a. six months from 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. twelve months from the date of issue of the permit, unless extended by the local authority or its authorized representative in response to a written request from the applicant.

If construction is not completed within one year a request for extension must be submitted.

Date

Signature of Authorized Representative

Without an approved extension the applicant will have to pay the full amount of the permit fee in order to continue working on the project and this second fee covers one additional year of time for construction to be completed.



FORM C

Application: _____

Permit Fee: \$100

Completion Deposit: \$3,000

**Town of Duck Lake, SK
APPLICATION FOR A PERMIT TO DEMOLISH, REMOVE, OR RELOCATE A BUILDING**

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

Civic address or location _____

Lot _____ Block _____ Plan _____

The demolition will commence on _____, 20_____.

and will be completed on _____, 20_____.

OR

I hereby make application for a permit to remove and/or relocate a building now situated on

Civic address or location _____

Lot _____ Block _____ Plan _____

or Out of the municipality _____

to

Civic address or location _____

Lot _____ Block _____ Plan _____

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 _____, 20____.

The building will be moved over the following route:

The site work (filling, final grading, landscaping, etc.) which will be done after building is moved includes:

Permit Fee \$ _____

I hereby agree to comply with the Building Bylaw of the Town of Duck Lake and to be responsible and pay for any damage 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)(b) and 7(1)(b) 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, removing, relocating or placing a building.

Date

Signature of Owner or Owner's Agent

OFFICE USE: FEE FOR PERMIT APPLICATION RECEIVED \$ _____ ROLL NUMBER _____



FORM D

Application _____

**Town of Duck Lake, SK
DEMOLITION, REMOVE, RELOCATE OR PLACE A BUILDING PERMIT**

Permission is hereby granted to _____ to

_____ Demolish _____ Remove _____ Relocate within Town or _____ Relocate in Town from outside

of Town, a building now situated on:

Civic address or location _____
Lot _____ Block _____ Plan _____
or Out of the municipality _____

to

Civic address or location _____
Lot _____ Block _____ Plan _____
or Out of the municipality _____

in accordance with the application dated _____, 20_____.

This permit expires six months 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 Town of Duck Lake or its authorized representative.

Professional Inspection Fees: \$ _____

Completion Deposit Fee \$ _____

Once the applicant who demolished, moves, removes or places the building restores the site(s) to a condition satisfactory to the local authority or its authorized representative, the sum deposited, or portion thereof, shall be refunded.

Date

Signature of Authorized Representative

OFFICE USE:

FEE FOR COMPLETION DEPOSIT RECEIVED \$ _____ ROLL NUMBER _____