



BYLAW NO. 426/22 BUILDING BYLAW

A BYLAW OF THE TOWN OF STRASBOURG, IN THE PROVINCE OF SASKATCHEWAN, RESPECTING BUILDINGS

The Council of the Town of Strasbourg in the Province of Saskatchewan enacts as follows:

1. PURPOSE

- 1.1 The purpose of this Bylaw is to provide for the administration and enforcement of the Act, the Regulations, *The National Building Code of Canada*, *The National Energy Code of Canada for Buildings*, ministerial interpretations, and Saskatchewan Construction Standards Appeal Board orders and building official orders within the Town.

2. DEFINITIONS

2.1 In this Bylaw:

- a. **Act** - *The Construction Codes Act*.
- b. **Building Official** - A person who holds a building official license.
- c. **Competent Person** - A person who is recognized by the Town as having the following to design or review the design of proposed work:
 - i. A degree, certificate, or professional designation; or
 - ii. The knowledge, experience, and training necessary.
- d. **Construction Standards** - 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 Town and any related bylaws adopted by the Town.
- e. **Farm Building** - Subject to the Regulations, a building that:
 - i. Does not contain a residential occupancy;
 - ii. Is located on land used for agricultural operation as defined in *The Agricultural Operations Act*; and
 - iii. Is used for the following purposes:
 - a. The housing of livestock;
 - b. The production, storage, or processing of primary agricultural and horticultural crops and feeds;
 - c. The housing and storage or maintenance of equipment or machinery associated with an agricultural operation.
- f. **NBC** - The edition and provisions of *The National Building Code of Canada*, including revisions, errata, and amendments to it, declared to be in force pursuant to the Act and the Regulations.
- g. **NECB** - The edition and provisions of *The National Energy Code of Canada for Buildings*, including revisions, errata, and amendments to it, declared to be in force pursuant to the Act and the Regulations.
- h. **Occupancy Certificate** - A certificate issued with respect to the approved use or occupancy of a building.
- i. **Owner**:
 - i. Any person who has any right, title, estate, or interest in land, improvements, or premises other than that of a mere occupant, tenant, or mortgagee;
 - ii. Any person, firm, or corporation that controls the property under consideration; or

- iii. If the building is owned separately from the land on which the building is located, the owner of the building.
- j. **Owner's Representative** - Any person, company, employee, or contractor who has authority to act on behalf of the owner.
- k. **Permit** - Written authorization issued by the Town or its building official in the form of a building permit.
- l. **Permit Fees** - As defined in this Bylaw.
- m. **Plan Review** - The examination of building drawings and related documents by a building official to ascertain whether those drawings and documents meet the requirement of the construction standards.
- n. **Regulations** - *The Building Code Regulations* and *The Energy Code Regulations*.
- o. **SAMA Fee** - A fee charged to the Town by the Saskatchewan Assessment Management Agency with respect to the work.
- p. **Service Provider** - The company providing building official services to the Town.
- q. **Town** - The Town of Strasbourg and its elected Council.
- r. **Value of Construction** - The total costs to the owner for the work in its completed form and includes the cost of design, all building work, materials of construction, building systems, labour, overhead, and profit of the contractor and subcontractors.
- s. **Work** - Any construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy, or change of occupancy, or reconstruction of a building.
- t. Any other definitions contained in the Act and the Regulations shall apply in this Bylaw.

3. SCOPE OF THE BYLAW

- 3.1 This Bylaw applies to all work undertaken or to be undertaken within the geographical jurisdiction of the Town.

4. GENERAL

- 4.1 It is the duty of every owner or the owner's representative of a building in Saskatchewan to ensure that the building and work is in accordance with the Act, the Regulations, any associated codes, interpretations, and orders, and any bylaws adopted by the Town with which the building is associated.
- 4.2 It shall be the responsibility of the owner or the owner's representative to arrange for all permits, inspections, and certificates required by any other applicable bylaws, acts, and regulations.
- 4.3 A building or part of a building for which a permit has been granted shall not be occupied before the issuance of an occupancy certificate by the Town or the building official pursuant to Clause 16(11)(h) of the Act.
- 4.4 The provisions of this Bylaw apply to buildings greater than 107.6 feet² (10 m²) in building area except as otherwise exempted by the Act or the Regulations.
- 4.5 An accessory building not greater than 107.6 feet² (10 m²) is exempt from this Bylaw provided it does not create a hazard and provided it does not have sleeping accommodations.
- 4.6 The provisions of this Bylaw apply to retaining walls attached to a structure or free standing greater than two (2) feet (600 mm) in differential grade height on lands not used for agricultural purposes.

4.7 Decks under two (2) feet (600 mm) in differential grade height on lands for residential use are deemed as patios and are exempt from this Bylaw.

5. PERMIT FEES AND PAYMENT

5.1 The permit fee shall be determined by the Town, and may include the following:

- a. An administration fee as described in Schedule "A," which is attached hereto and forms part of this Bylaw, for the processing, handling, and issuance of a permit;
- b. Any deposit as described in Schedule "A," which is attached hereto and forms part of this Bylaw;
- c. The service fee charged to the Town by a building official engaged to review, inspect, and enforce the construction standards as per the agreement between the Town and building official and as described in the service provider agreement;
- d. The SAMA fee charged to the Town by SAMA with respect to the work; and
- e. All applicable taxes.

5.2 The owner or the owner's representative may be invoiced by the Town for additional fees as determined by the Town or service provider and will be due on receipt of the invoice.

The additional fees may include charges for:

- a. Work that does not proceed in a timely or competent manner;
- b. Varying conditions or scope of a permit;
- c. Occupancy without prior written approval from the Town or building official;
- d. Failure of the owner or owner's agent to ensure that all inspections are scheduled and completed by the building official;
- e. Issuance of building official's orders;
- f. Additional service fees required to review, inspect, and enforce the construction standards;
- g. Renewing, revoking, extending, varying the conditions of, cancelling, or reinstating a permit;
- h. Costs incurred by the Town to remedy the building into a safe condition or demolish the building or bring the building into compliance with the construction standards;
- i. The cost to register an interest in lands through Land Titles Registry; and
- j. Other fees as determined by the Town to be reasonable for administering and enforcing the construction standards.

5.3 The deposit may be refunded, on request by the owner or the owner's representative, if the Town or building official deem the work satisfactorily complete.

5.4 The Town may, at its discretion, rebate a portion of a permit fee or additional fees where work is reduced in scope or discontinued, or where other exceptional circumstances occur.

5.5 The Town may double the permit fee if work commences prior to obtaining a permit.

5.6 For a demolition or removal permit, the applicant shall provide a refundable deposit to the Town to cover the cost of restoring the site after the building, as described in Schedule "A," which is attached hereto and forms part of this Bylaw. The Town shall hold the refundable deposit until, in the opinion of the Town or the building official, the conditions are not dangerous to public safety.

5.7 The building official may establish the value of construction for the work described in the application for a permit, for the purpose of determining the permit fee or additional fees, based on established current construction costs, the owner's or the owner's representative statement of costs or constructor's contract values, or similar methods selected by the building official.

5.8 Unpaid permit fee or additional fees will be considered debt due to the Town and may be recovered from the owner of the land or premises in or on which the work was carried out as per the Act. If fees are not paid within 30 days all fees may be levied to taxes for collection.

5.9 Where the Town refuses to issue or revokes a permit, the Town shall refund any fees or deposits paid as part of the application for the permit, less administration and service fees.

6. GENERAL DUTIES OF THE OWNER

6.1 The duties of the owner or the owner's representative as applicable, includes but not limited to:

- a. Ensuring that the building and work is in accordance with the construction standards;
- b. Not commencing or cause to be commenced work without first having obtained a valid permit from the Town;
- c. Complying with the terms and conditions of the permit;
- d. Complying with the terms and conditions of the plan review;
- e. Ensuring all notifications required by this Bylaw are given to the Town;
- f. Ensuring all inspections are scheduled and completed by the building official;
- g. Not enclosing prior to inspection the work that requires inspection by a building official;
- h. Paying all costs associated with showing compliance with the construction code;
- i. Not occupying the building or part of the building before the issuance of an occupancy certificate by the Town or the building official pursuant to Clause 16(11)(h) of the Act;
- j. Obtaining prior written approval from the Town before closing or blocking any road, street, lane, or sidewalk;
- k. Supplying and maintaining, at their own expense, all warning signs, barricades, fences or other services that may be required to warn the public and protect the public from the work;
- l. Fill and level any excavation on the property with clean non-expansive fill, to an elevation compatible with abutting properties; and
- m. Ensuring that the property is left in a safe and sanitary condition, including removing all rubbish and building materials to an approved location. For greater clarity, this includes not burying on the site any waste material, including concrete from demolition of a basement or foundation, or below ground level substructures or framework.
- n. Arranging for all permits, inspections and certifications required by any other applicable bylaws, acts, and the regulations, and ensuring all copies of any inspection or review reports conducted by others are made available to the building official or Town.

6.2 If intending to construct a farm building exempt from this Bylaw, the owner or the owner's representative shall provide to the satisfaction of the Town that the building satisfies the definition of farm building in this Bylaw. For greater clarity, as per the Act, residential occupancies can not be exempt.

7. PERMITS – GENERAL CONDITIONS

7.1 Permits shall be subject to any geotechnical requirements stated by the Town.

7.2 Permits will be required for retaining walls attached to a structure or free standing that is greater than 600 mm (2 ft) in differential grade height on lands not used for agricultural purposes. A design professional licensed in the Province of Saskatchewan will be required to design such structures.

7.3 The granting of any permit by this Bylaw shall not:

- a. Entitle the grantee, their successor or assigns, or anyone on their behalf to erect any building that fails to comply with the requirements of any act, the regulations, or bylaw affecting the site described in the permit; or
- b. Make either the Town or the building official liable for damages or losses in the event that a building does not comply with the requirements of any act, the regulations, or bylaw regardless of whether or not occupancy has been authorized by a permit.

7.4 Approval in writing from the Town or building official is required for any deviation, omission, or revision to the work.

8. PERMITS - APPLICATION AND ISSUANCE

8.1 Every application for a permit for work shall be in Form "A," which is attached hereto and forms part of this Bylaw, as required by the Town or its building official, and shall be accompanied by a minimum of one set of plans and specifications in electronic format (PDF) of the proposed building and work.

8.2 No building permit shall be issued unless a development permit, where required, has first been applied for and obtained from the Town. Building permits shall be subject to any conditions stated on the development permit.

8.3 The owner or owner's representative consents to the use of email for communications.

8.4 Whenever the proposed work requires the technical expertise of an architect or engineer, the Town or building official may require that all drawings and specifications, or any part thereof, be prepared or reviewed, sealed, dated and signed by a professional engineer or architect registered or licensed to practice in the Province of Saskatchewan.

8.5 Where a building is to be demolished or removed, the Town shall not issue a permit until the Town 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.

8.6 The application for a permit shall be reviewed and approved by the building official. The building official will return an approved plan review, showing all required inspections by the building official.

8.7 The Town shall issue a permit in Form "B," which is attached hereto and forms part of this Bylaw, if:

- a. All permit fees, deposits, and any applicable taxes have been paid; and
- b. If the work described in the application for a permit, to the best of the knowledge of the Town or building official, complies with the requirements of the construction standards.

9. DEMOLITION & MOVING PERMITS

9.1 The fee for a permit to demolish or move a building is set out in Schedule "A," which is attached hereto and forms part of this Bylaw.

9.2 In addition to the permit fee, the owner shall deposit with the Town a sum as set out in Schedule "A," which is attached hereto and forms part of this Bylaw, to cover the costs of restoring the site after the building has been demolished or moved to such condition that it is, in the opinion of the Town or building official, not dangerous to public safety.

- 9.3 Demolition and moving deposits are not required for decks, sheds, or other small accessory buildings.
- 9.4 If the applicant who demolishes or moves the building restores the site to a condition satisfactory to the Town, the sum deposited, or portion thereof, shall be refunded.
- 9.5 All pre-existing buildings moving into the Town are required to have a Pre-Move Inspection and Post-Move Inspection completed by the Town's building official. Pre- and Post-Move Inspections do not apply to brand new Ready-To-Move Homes, Modular Homes, and Mobile Homes.
- 9.6 Every application for a permit to demolish a building shall be in Form "C," which is attached hereto and forms part of this Bylaw.
- 9.7 Every application for a permit to move a building shall be in Form "D," which is attached hereto and forms part of this Bylaw.
- 9.8 Where a building is to be demolished and the Town 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 Town, upon receipt of the fee and deposit prescribed, shall issue a permit for the demolition in Form "E," which is attached hereto and forms part of this Bylaw.
- 9.9 Where a building is to be moved to, from, or within the Town, and the Town 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 that the building when placed on its new site (if located in the Town) and completed will conform with the requirements of the Bylaw, the Town, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form "F," which is attached hereto and forms part of this Bylaw.

10. PERMITS - REFUSAL TO ISSUE AND REVOCATION

- 10.1 The Town may refuse to issue a permit if:
- a. The proposed work would contravene the construction standards
 - b. The person who designed or reviewed the design of the proposed works that is within the scope of Part 9 of the NBC is not a competent person;
 - c. The person who designed or completed a design review of the proposed works that is within the scope of the NECB is not an engineer or architect;
 - d. The application for a permit is incomplete;
 - e. Any fee or deposit required by the Town are not paid; or
 - f. The proposed work would contravene any other act, the regulations, or bylaws that applied to the proposed work.
- 10.2 Where the Town refuses to issue or revokes a permit, the Town shall provide written notice to the applicant or permit holder as to the reasons for the refusal or revocation.
- 10.3 The Town may revoke a permit if:
- a. The holder of the permit requests in writing that it be revoked and the work has not commenced;
 - b. There is contravention of any condition under which the permit was issued;
 - c. The permit was issued on mistake, false or incorrect information; or
 - d. The permit was issued in error.

11. PERMITS – EXPIRY

- 11.1 All permits shall expire on the date stated in the permit, or if no date is stated, the earliest of the following:

- a. Six (6) months from date of issue if work is not commenced within that period; or
- b. If work is suspended for a period of six (6) months; or
- c. Six (6) months from date of last inspection by a building official where work has not seriously progressed to the satisfaction of the building official and without prior authorization from the Town.

11.2 All permits issued for demolition and removal expire six (6) months from the date of issue.

11.3 If the owner wishes to terminate the work, the owner or the owner's representative must first receive written approval for the Town to terminate the permit.

11.4 If the permit expires, but not all of the work is complete, the owner or the owner's representative shall apply to the Town in writing requesting:

- a. To extend the term of the permit. The Town may extend the permit to a maximum of 24 months; or
- b. Vary the conditions of the permit.

11.5 The expiration of a permit does not relieve the owner or owner's representative from the obligation to put the building in a safe condition or demolish the building.

12. PERMITS – ENFORCEMENT

12.1 The Town or building official may take any measures as permitted in the Act or the Regulations for the purpose of ensuring compliance with the construction standards.

12.2 Failure to obtain a permit or follow the terms of the permit, including ensuring that 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.

12.3 The building official may direct the Town to register an interest in the lands through Land Titles Registry if a building official's order was not adhered to, in accordance with Section 20 of the Act.

13. NOTIFICATION

13.1 Before commencing work, the owner or owner's representative shall give notice to the Town, in writing, of:

- a. The contractor or other person in charge of the work;
- b. The designer of the work;
- c. The person or firm reviewing the work to determine whether or not the work conforms to the design;
- d. Any inspection or testing agency that is engaged to monitor the work;
- e. The date the work is intended to commence;
- f. When the excavation is to commence.

13.2 The owner or owner's representative must call for all inspections set out by the building official in the plan review.

13.3 Failure to provide notice and ensure that all inspections are scheduled and completed by the building official could result in destructive testing efforts requested by the building official at the cost of the owner or the owner's representative.

13.4 During the course of the work, the owner or owner's representative shall give notice to the Town in writing of any:

- a. Change in, or termination of, the employment of a person or firm listed in Clause 13.1(a);
- b. Intent to do any work requiring inspections by the building official;
- c. Intent to enclose any work requiring inspection by a building official;
- d. Proposed or undertaken deviations from the plans approved and permitted by the Town;
- e. The completion of the work;
- f. Change in ownership, or change in address of the owner or the owner's representative that occurs before the completion as soon as the change occurs; and
- g. Intention to occupy the building or portions of the building prior to the issuance of occupancy.

13.5 A real property report of the site prepared by a registered land surveyor shall be submitted by the owner or owner's representative for principal buildings and dwellings required by the Town. Failure to do so may result in the issuance of a stop work order with additional fees.

14. NOTICE OF A FAILURE

14.1 The owner, owner's representative or owner's agents, contractors, employees or successors or the registered owner of the land on which the building is situated shall submit a written report to the Town of the occurrence of the following that causes or has the potential to cause serious injury or loss of life:

- a. Structural failure of the building or part of the building;
- b. Failure of any equipment, device, or appliance that is regulated by the Act or the Regulations.

14.2 The report must be submitted to the Town within 15 days after the occurrence of the failure. The report must contain:

- a. The name and address of the owner;
- b. The address or location of the building involved in the failure;
- c. The name and address of the constructor of the building; and
- d. The nature of the failure.

14.3 On receipt of the report, the Town may require an owner or owner's representative to:

- a. Provide other information that the building official or Town may consider necessary;
- b. Complete any additional work that is necessary to ensure immediate compliance.

15. ENFORCEMENT OF CONSTRUCTION STANDARDS

15.1 The Town or the building official may take any measures as permitted by Section 24, 25 or 26 of the Act and Sections 13 and 14 of the Regulations for the purposes of ensuring compliance with this Bylaw.

15.2 If any work to a building or part thereof or addition thereto is in contravention of any provision of the construction standards, the Town may take any measures as permitted by the Act for the purpose of ensuring compliance, 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. Ordering actions to be completed 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.

15.3 If any building or part thereof or addition thereto is in an unsafe condition due to faulty work, dilapidated state, abandonment, open or unguarded condition or any other reason, the Town may take any measures allowed by the Act.

16. BUILDING DESIGN REQUIREMENTS

- 16.1 The owner or owner's representative that undertakes to or has constructed a building that is within the scope of Parts 3, 5, 6 and 7 of the NBC shall have an architect or professional engineer registered in the Province of Saskatchewan:
- a. Complete the design or design review and inspection of the building and all buildings systems;
 - b. Provide a Commitment of Field Review letter as part of the permit application for work; and
 - c. Provide an Assurance of Field Review and Completion letter, on completion of the work, providing assurance that the work conforms to the architect's or engineer's design and the construction standards.
- 16.2 The owner or owner's representative that undertakes to or has constructed a building with a structure that is within the scope of Part 4 of the NBC shall have an architect or professional engineer registered in the Province of Saskatchewan:
- a. Complete the design or design review of the structure;
 - b. Complete an inspection of construction of the structure to ensure compliance with the design;
 - c. Complete the reviews required by the NBC;
 - d. Provide a Commitment of Field Review letter as part of the permit application for work; and
 - e. Provide an Assurance of Field Review and Completion letter, on completion of the work, providing assurance that the work conforms to the architect's or engineer's design and the construction standards.
- 16.3 Foundations for residential occupancies including modular homes with A277 certification shall be designed pursuant to Section 16.2.
- 16.4 The owner or owner's representative that undertakes to or has constructed a building that is within the scope of Part 9 of the NBC shall have a competent person complete the design or review of designs of the building.
- 16.5 The owner or owner's representative that undertakes to or has constructed a building with a structure that is within the scope of the NECB shall have an architect or professional engineer registered in the Province of Saskatchewan:
- a. Complete the design or design review of the structure;
 - b. Complete an inspection of construction of the structure to ensure compliance with the design;
 - c. Complete the reviews required by the NECB;
 - d. Provide a Commitment of Field Review letter as part of the permit application for work; and
 - e. Provide an Assurance of Field Review and Completion letter, on completion of the work, providing assurance that the work conforms to the architect's or engineer's design and the construction standards.
- 16.6 On the request of the Town or building official, the owner or owner's representative shall ensure copies of any inspections or review reports made pursuant to this Section are made available to the Town or building official.

16.7 No owner or owner's representative shall cause or allow the ground elevations of a building to be changed so as to place in contravention of the NBC. This includes the building or part of the building, or an adjacent building.

16.8 If the property boundaries of a building lot are changed so as to place a building or part of a building in contravention of the NBC, the regulations or bylaws, the owner or owner's representative shall immediately alter the building or part of the building to bring it into compliance with the NBC.

17. PENALTY

17.1 Any person who contravenes any of the provisions of this Bylaw may be subject to the penalties provided in Part 8 of the Act.

17.2 Conviction of a person or corporation for breach of any provision of this Bylaw shall not relieve the person or corporation from compliance of the construction standards.

18. REPEAL

18.1 Bylaw No. 358/15, being a Bylaw Respecting Buildings, is hereby repealed.

19. COMING INTO FORCE

19.1 This Bylaw will come into force upon final approval by the Minister of Government Relations.



Mayor

Administrator

Jennifer Josephsen

Certified to be a true copy of Bylaw
No. 426/22 adopted by the Council
of the Town of Strasbourg, on the
15th day of June, 2022.

Jennifer Josephsen
Administrator



APPROVED

In accordance with Clause 17(6)(A) of
The Construction Codes Act

M. McManis
Building and Technical Standards
Ministry of Government Relations

June 23, 2022
Date



FORM "A"
BYLAW NO. 426/22
APPLICATION FOR BUILDING PERMIT

APPLICATION FOR BUILDING PERMIT

I hereby make application for a permit to construct a building according to the information below and to the plans and documents attached to this application.

Civic Address or location of work _____

Legal Description Lot _____ Block/Parcel _____ Plan _____

Or Section _____ Twp _____ Rge _____ W2 _____

Owner _____ Address _____

Telephone _____ Email _____

Designer _____ Address _____

Telephone _____ Email _____

Contractor _____ Address _____

Telephone _____ Email _____

Project Type

- ☐ New Home/Bldg ☐ RTM/Mobile/Modular Home ☐ Addition ☐ Accessory Bldg ☐ Renovation
☐ Deck/Sunroom ☐ Att. Garage ☐ Det. Garage (insulated) ☐ Det. Garage (uninsulated) ☐ Basement
☐ Residential ☐ Commercial ☐ Industrial ☐ Other _____

Size of Building: _____ ft² Length _____ ft Width _____ ft Height _____ ft

Finished areas: Main _____ ft² 2nd Storey _____ ft² Basement _____ ft²

Project Start date: _____ Estimated Project Completion date: _____

Estimated Value of Construction \$ _____

(The total cost for the building construction in its completed form including the cost of all design fees, building work, materials of construction, building systems, labour and overhead, and profit of the contractor and subcontractors.)

I hereby declare that the above statements contained within this application and attached drawings are true and correct. I agree that where required, a Development Permit must be issued in order for the Building Permit to be valid. Neither document relieves the owner, the applicant, or the owner's agent from complying with all municipal bylaws and/or Provincial and Federal acts and regulations including the National Building Code of Canada (NBC) and the National Energy Code of Canada for Buildings (NECB) and the National Plumbing Code of Canada (NPC), and that it is my responsibility to ensure compliance with such legislation, regulations, bylaws, and codes regardless of any plan review or inspections that may or may not be carried out by the building official, the Town, or its authorized representatives. I agree that no construction shall commence without proper permits and approvals.

Date

Signature of Owner or Owner's Agent



FORM "B"
BYLAW NO. 426/22
BUILDING PERMIT

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 and **attached site plan** (with setbacks) dated _____

Building Area _____ ft² **Building Height** _____ ft

Major Occupancy ☐ A1 ☐ A2 ☐ A3 ☐ A4 ☐ B1 ☐ B2 ☐ B3 ☐ C ☐ D ☐ E ☐ F1 ☐ F2 ☐ F3

Code Application ☐ Part 3 ☐ Part 9 ☐ NECB ☐ Section 9.36

Estimated value of construction \$ _____ **Permit fee \$** _____

This permit is issued subject to the following conditions:

**This permit expires six (6) months from the date of issue (Permit Expiry: _____) if
work is not commenced within that period or if work is suspended for a period of six (6) months,
unless otherwise authorized by the Town or its Building Official.**

**Any deviation, omission or revision to the approved application requires approval of the Town or
its Building Official.**

Date

Approval Signature



FORM "C"
BYLAW NO. 426/22
APPLICATION TO DEMOLISH A BUILDING

APPLICATION TO DEMOLISH 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____.

The building to be demolished: Type _____ Size (sq ft) _____

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 of the Town and to be responsible and pay for any damage done to any property as a result of the demolition of the said building, and to deposit such sum as may be required by Section 9 of this 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 the building.

Date

Signature of Owner or Owner's Agent

Office Use

Demolition Deposit Required: \$ _____



FORM "D"
BYLAW NO. 426/22
APPLICATION TO MOVE A BUILDING

APPLICATION TO MOVE A BUILDING

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

from Civic address or location _____
Lot _____ Block _____ Plan _____
to Civic address or location _____
Lot _____ Block _____ Plan _____
or Out of the Town _____

The building has the following dimensions: Length _____ Width _____ Height _____
Type of Building: _____ Size (sq ft): _____

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 removal of the building includes _____

I hereby agree to comply with the Building Bylaw of the Town and to be responsible and pay for any damage done to any property as a result of the moving of the said building, and to deposit such sum as may be required by Section 9 of this 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 moving the building.

Date

Signature of Owner or Owner's Agent

Office Use

Moving Deposit Required: \$ _____



FORM "E"
BYLAW NO. 426/22
DEMOLITION PERMIT

DEMOLITION PERMIT # _____

Permission is hereby granted to _____ to
demolish a _____ (type of building) now situated on:

Civic address or location _____

Lot _____ Block _____ Plan _____

in accordance with the application dated _____, 20 _____.

Permit fee \$ _____

Deposit fee \$ _____

This permit is issued subject to the following conditions:

This permit expires six (6) months from the date of issue (Permit Expiry: _____) if
work is not commenced within that period or if work is suspended for a period of six (6) months,
unless otherwise authorized by the Town or its Building Official.

Any deviation, omission or revision to the approved application requires approval of the Town or
its Building Official.

I hereby declare that the above statements contained within this application are true and correct. I agree that where required, a Development Permit must be issued in order for the Demolition Permit to be valid. Neither document relieves the owner, the applicant, or the owner's agent from complying with all municipal bylaws and/or Provincial and Federal acts and regulations including the National Building Code of Canada (NBC) and the National Energy Code of Canada for Buildings (NECB) and the National Plumbing Code of Canada (NPC), and that it is my responsibility to ensure compliance with such legislation, regulations, bylaws, and codes regardless of any plan review or inspections that may or may not be carried out by the building official, the Town, or its authorized representatives. I agree that no construction shall commence without proper permits and approvals.

Date

Approval Signature



FORM "F"
BYLAW NO. 426/22
MOVING PERMIT

MOVING PERMIT # _____

Permission is hereby granted to _____ to
move a _____ (type of building) now situated on:

Civic address or location _____
Lot _____ Block _____ Plan _____
to Civic address or location _____
Lot _____ Block _____ Plan _____
or Out of the Town _____

in accordance with the application dated _____, 20_____.

Permit fee \$ _____ Deposit fee \$ _____

This permit is issued subject to the following conditions:

This permit expires six (6) months from the date of issue (Permit Expiry: _____) if
work is not commenced within that period or if work is suspended for a period of six (6) months,
unless otherwise authorized by the Town or its Building Official.

Any deviation, omission or revision to the approved application requires approval of the Town or
its Building Official.

I hereby declare that the above statements contained within this application are true and correct. I agree that where required, a Development Permit must be issued in order for the Moving Permit to be valid. Neither document relieves the owner, the applicant, or the owner's agent from complying with all municipal bylaws and/or Provincial and Federal acts and regulations including the National Building Code of Canada (NBC) and the National Energy Code of Canada for Buildings (NECB) and the National Plumbing Code of Canada (NPC), and that it is my responsibility to ensure compliance with such legislation, regulations, bylaws, and codes regardless of any plan review or inspections that may or may not be carried out by the building official, the Town, or its authorized representatives. I agree that no construction shall commence without proper permits and approvals.

Date

Approval Signature



SCHEDULE "A"
BYLAW NO. 426/22
BUILDING PERMIT FEES & DEPOSITS

1. BUILDING PERMIT FEES

- \$30.00 for the first \$5,000.00 of the value of construction
- \$1.00 for every \$1,000.00 over \$5,000.00 of the value of construction

2. DEMOLITION & MOVING PERMIT FEES

- \$50.00 for Demolition Permit
- \$50.00 for Moving Permit

3. DEMOLITION & MOVING DEPOSIT FEES

- \$2,500.00 for Demolition Deposit
- \$2,500.00 for Moving Deposit

4. SAMA PROPERTY REINSPECTION FEES

- As per current rate set by the Saskatchewan Assessment Management Agency

5. BUILDING INSPECTION FEES

- As per current rates provided by the Town's appointed Building Officials



June 23, 2022

Jennifer Josephson
Administrator
Town of Strasbourg
P.O. Box 369
STRASBOURG SK S0G 4V0

Dear Jennifer Josephson:

Thank you for the submission of two true certified copies of Building Bylaw No. 426-22 for review. The copies were received June 20, 2022, and represents the Building Bylaw for the Town of Strasbourg. Your submission has been reviewed pursuant to *The Construction Codes Act* (the CC Act) and *The Building Code Regulations* (the BC Regulations), in force January 1, 2022.

The review finds that Building Bylaw No. 426/22 is in accordance with the provisions of the CC Act and the bylaw is approved under clause 17(6)(a) which states:

“(a) approve the bylaw or repeal the bylaw, if the minister is of the opinion that the bylaw does not conflict with this Act or the regulations;”

With the review completed, Building Bylaw No. 426/22 is in force June 23, 2022.

Although Building Bylaw No. 426/22 has been approved, we would provide the following observations and comments in the context that a local authority can include provisions within the building bylaw which meet or exceed the requirements of the CC Act, the BC Regulations, or the Model Building Bylaw.

1. Subsection 2.1c **INTERPRETATION/LEGISLATION** of the Building Bylaw and the definition of “competent person” is incomplete.

Comment: The definition is missing wording referenced in the BC Regulations after the word “necessary” as follows: “to design or review the design of a building”. Where there is a conflict between a definition in the Building Bylaw and a definition in the BC Regulations, the legislation will supersede.

2. Subsection 2.1d **INTERPRETATION/LEGISLATION** of the Building Bylaw and the definition of “construction standards” is different from the definition referenced in the CC Act.

Comment: Although we understand the need for an expanded definition of the terminology, “construction standards”, where there is a conflict between a definition in the Building Bylaw and a definition in the CC Act the legislation will supersede.

3. Subsection 2.1e, **INTERPRETATION/LEGISLATION** of the Building Bylaw and the definition of “farm building” is incomplete.

Comment: The definition is missing the last bullet referenced in the CC Act as follows: “(iv) any other prescribed purpose”. Where there is a conflict between a definition in the Building Bylaw and a definition in the CC Act, the legislation will supersede. We are not certain of the need for such a definition in a bylaw applicable to an urban municipality.

4. Subsection 2.1e, **INTERPRETATION/LEGISLATION** of the Building Bylaw and the definition of “plan review” is different than the definition in the BC Regulations.

Comment: The definition references the terminology, “construction standards” and where there is a conflict between a definition in the Building Bylaw and a definition in the BC Regulations, the legislation will supersede.

5. Subsection 2.1p **INTERPRETATION/LEGISLATION** of the Building Bylaw and the definition of “service provider”.

Comment: The definition references the terminology, “the company” and although there may be a need for such a definition within the building bylaw it should be followed by “or appointed building official”. A company or corporation cannot be appointed as a building official while a person can be appointed as a building official.

6. Subsection 2.1s **INTERPRETATION/LEGISLATION** of the Building Bylaw and the definition of the terminology, “work”. The definition has been altered to include “reconstruction of a building”.

Comment: The definition of the terminology “work” referenced in the BC Regulations is comprehensive and with the additional terminology being “reconstruction of a building” may be in conflict with the definition in the BC Regulations. Where there is conflict, the legislation will supersede.

7. Subsection 5.2, **PERMIT FEE AND PAYMENT** of the Building Bylaw describes additional fee requirements for a range of actions an owner or owner's representative may commit.

Comment: The challenge with clauses 2(a) to 2(j) is that some of the fees may be perceived as penalties and the CC Act does not provide for penalty provisions. For these provisions to be enforceable, further clarification of their intent and meaning would be necessary and identification of the specific fees in the Fee Schedule or Fees Bylaw would be beneficial.

8. Subsection 6.2 **GENERAL DUTIES OF THE OWNER** of the Building Bylaw references the phrase, "the owner or owner's representative shall provide to the satisfaction of the local authority that the building satisfies the definition of farm building in this building bylaw".

Comment: We are not certain why the need for such a provision in a bylaw applicable to an urban municipality.

9. Subsection 7.2, **PERMITS – GENERAL CONDITIONS** of the Building Bylaw reference the terminology, "design professional".

Comment: The assumption is that a 'design professional' would be either an architect or engineer registered in the Province of Saskatchewan. This terminology would require a definition in Section 2 INTERPRETATION/LEGISLATION, for clarity.

Subsection 11.1 **PERMITS-EXPIRY** of the Building Bylaw does not provide a specific time period for when a building permit may expire.

Comment: It would appear that the decision of how many months to be allocated towards a construction project could be construed as being subjective and arbitrary.

10. Section 13, **NOTIFICATION** of the Building Bylaw excludes the following, which is prescribed in the CC Act, section 7 as follows:

"The owner of a building to be constructed shall ensure that the appropriate local authority is notified of:

- (a) when excavation is to be commenced;
- (b) when the foundation is to be placed;
- (c) when a superstructure is to be placed on the foundation;
- (d) any other event at the time required by the permit under which work has been undertaken; and
- (e) any other prescribed event at the prescribed time".

Comment: Although section 7 of the CC Act references, Notice to local authority, we would encourage the local authority to require the owner to provide notification of the commencement of various stages of construction to ensure that necessary follow-up inspections are conducted. In addition to the stages identified in section 7 of the CC Act, the local authority may decide on additional stages of construction where notification by the owner would be required and inspections completed.

Should you have concerns or questions please feel free to contact me directly by telephone at 306-798-5170 or by e-mail to marvin.meickel@gov.sk.ca.

Sincerely,



Marvin Meickel
Chief Codes Administrator

Attachment