



A BYLAW OF THE RURAL MUNICIPALITY OF MCKILLOP NO. 220 IN THE PROVINCE OF SASKATCHEWAN REGARDING BUILDING

The Municipal Council of the Rural Municipality of McKillop No.220 in the Province of Saskatchewan enacts as follows:

1. SHORT TITLE

1.1. This bylaw may be cited as the *Building Bylaw*.

2. INTERPRETATION/LEGISLATION

2.1. For purposes of this Bylaw:

- 2.1.1. "Act" means *The Uniform Building and Accessibility Standards Act (The UBAS Act)* being Chapter U-1.2 of the Statutes of Saskatchewan, 1983-84 and amendments.
- 2.1.2. "Administrative Requirements" means *The Administrative Requirements for Use with The National Building Code*.
- 2.1.3. "Authorized representative" means a building official appointed by the local authority pursuant to subsection 5(4) of the Act.
- 2.1.4. "Farm building" means buildings as defined in *The Uniform Building and Accessibility Standards Act (The UBAS Act)*; and includes one and two-unit dwellings.
- 2.1.5. "Local authority" means the Rural Municipality of McKillop No. 220 and its Council.
- 2.1.6. "Municipal official" means the Administrator of the local authority or their designate.
- 2.1.7. "Regulations" means the *Uniform Building and Accessibility Standards Regulations* made pursuant to the Act.
- 2.1.8. "Value of construction" means the total costs to the owner for the building construction in its completed form and includes the cost of design, all building work, materials of construction, building systems, labour and profit of the contractor and subcontractors.





2.1.9. Definitions contained in the Act and Regulations shall apply in this bylaw.

3. 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.
- 3.2. Notwithstanding Section 3.1, references and requirements in the Administrative Requirements respecting matters regulated by the Act and Regulations shall not apply.
- 3.3. Notwithstanding Section 3.1, 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.
- 3.4. Buildings used for farm buildings, including one and two-unit dwellings, as described in *The UBAS Act* and this bylaw, are exempt from the requirements of the bylaw.

4. GENERAL

- 4.1. A permit is required whenever work regulated by the Act or Regulations is to be undertaken.
- 4.2. 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.
- 4.3. The granting of any permit that is authorized by this bylaw shall not:
 - 4.3.1. 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
 - 4.3.2. 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.



- 4.4. An accessory building not greater than 10 m² (108 ft²) is exempt from this bylaw provided it does not create a hazard.

5. BUILDING PERMITS

- 5.1. Every application for a permit to construct, erect, place, alter, repair, renovate or reconstruct a building shall be in Form A, and shall be accompanied by one (1) electronic set of the plans and specifications of the proposed building.
- 5.2. 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 municipal official, upon receipt of the prescribed fee, shall issue a permit in Form B and provide a statement that the electronic set of plans submitted by the applicant are approved.
- 5.3. 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.
- 5.4. 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.
- 5.5. The permit fee for construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be based on the fees as set out in Schedule A.
- 5.6. All permit fees will be collected prior to the permit being issued and are subject to applicable taxes.
- 5.7. The local authority may estimate the value of the construction costs for the work described in an application for building permit, for the purpose of evaluating a permit fee based on the definition of value of construction as per Subsection 2.1.8.
- 5.8. 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.
- 5.9. All permits issued under this section shall expire:
 - 5.9.1. Twenty-four (24) months from date of issue; or
 - 5.9.2. Six (6) months from date of issue if work is not commenced within that period; or



- 5.9.3. If work is suspended for a period of six (6) months; or
- 5.9.4. If work is suspended for a period of longer than six (6) months by prior written agreement of the local authority or its authorized representative.
- 5.10. Where a permit has expired as per Subsection 5.9, the owner can make application to the local authority for the renewal of the permit application. Such renewal is subject to a building permit renewal fee as set out in Schedule A.
- 5.11. Application for the renewal of an expired building permit must be received within two (2) months of the expiry of the original building permit expiry. Applications for renewal of an expired building permit received later than two (2) months after the expiry of the original building permit will not be considered for renewal.
- 5.12. Application for the renewal of an expired building permit shall be made in writing and shall be accompanied by proof that no alterations, adjustment or diversions from the original building permit application have occurred or are intended to occur.
- 5.13. 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.
- 5.14. Subject to Subsection 5.6, any building inspection fees collected in excess of the actual building inspection fees incurred shall be refunded to the applicant upon the final building inspection. In the event the building inspection fees collected, subject to Subsection 5.6, are not adequate to meet the building inspection fees incurred, any additional charges shall be invoiced to the applicant.

6. DEMOLITION OR REMOVAL PERMITS

- 6.1. The fee for a permit to demolish or remove a building is set out in Schedule A.
- 6.2. In addition, the applicant shall deposit with the municipal official the sum set out in Schedule A 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.
- 6.3. If the applicant who demolishes or removes the building restores the site to a condition satisfactory to the authorized representative, the sum deposited, or portion thereof, shall be refunded.
- 6.4. Every application for a permit to demolish or remove a building shall be in Form C.



- 6.5. Where a building is to be demolished and the municipal official 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 municipal official, upon receipt of the fee and deposit prescribed, shall issue a permit for the demolition in Form D.
- 6.6. Where a building is to be removed from the geographical jurisdiction of the local authority, and the municipal official 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 municipal official, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form D.
- 6.7. Where a building is to be removed from its current site and set upon another site in the geographical jurisdiction of the local authority, and the municipal official 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 municipal official, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form D.
- 6.8. In addition, the municipal official, upon receipt of the fee prescribed in Section 6.7, shall issue a permit for the placement of the building in Form B.
- 6.9. All permits issued under this section expire six (6) months from the date of issue except that a permit may be renewed for six (6) months upon approval by the local authority.

7. 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:
 - 7.1.1. Entering a building;
 - 7.1.2. Ordering production of documents, tests, certificates, etc. relating to a building;
 - 7.1.3. Taking material samples;



- 7.1.4. Issuing notices to owners that order actions within a prescribed time;
 - 7.1.5. Eliminating unsafe conditions;
 - 7.1.6. Completing actions, upon an owner's non-compliance with an order, and adding the expenses incurred to the tax payable on the property; and
 - 7.1.7. Obtaining restraining orders.
- 7.2. 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 Section 7.1.
- 7.3. 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:
- 7.3.1. On start, progress and completion of construction;
 - 7.3.2. Of change in ownership prior to completion of construction; and
 - 7.3.3. Of intended partial occupancy prior to completion of construction.

8. SUPPLEMENTAL BUILDING STANDARDS

- 8.1. Void.

9. SPECIAL CONDITIONS

- 9.1. Notwithstanding the requirements of the Regulations and in accordance with National Building Code Part 3 through Part 7, 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.
- 9.2. A geotechnical report prepared by a registered engineer specific to the site described in a permit or permit application, dated and signed within twelve (12) months of submission of the building permit application, shall be submitted to the local authority by the property owner along with the building permit application documents for all building permit applications involving any disturbance of the ground for purposes of installing any type of building foundation within 411.5 metres (1,350 feet) of a water body or waterway.



- 9.3. A real property report of the site described in a permit or permit application prepared by a registered land surveyor shall be submitted to the local authority by the property owner immediately upon completion of the construction of foundation for the building.
- 9.4. 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.
- 9.5. It shall be the responsibility of the owner to arrange for all permits, inspections and certificates required by other applicable Bylaws, Acts and Regulations.

10. BUILDINGS CONSTRUCTED BY THE MUNICIPALITY OR ITS REPRESENTATIVES

- 10.1. All buildings constructed on property owned by the local authority, either by the local authority itself or by any Advisory Board established by the local authority, shall be subject to all of the requirements of this bylaw with the exception of permit fees, assessment maintenance inspection fees, and building removal or demolition fees as set out in Schedule A.
- 10.2. The local authority shall make arrangements to have all buildings constructed on property owned by the local authority inspected by a qualified building official and all services fees involved in such an inspection shall be the financial responsibility of the local authority or an Advisory Board established by the local authority, depending on which body initiated the building project.

11. PENALTY

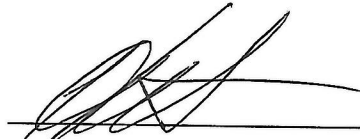
- 11.1. Any person who contravenes any of the provisions of this bylaw shall be liable to the penalties provided in Section 22 of the Act.
- 11.2. Conviction of a person or corporation for breach of any provision of this bylaw shall not relieve the person from compliance herewith.

12. BYLAWS TO BE REPEALED

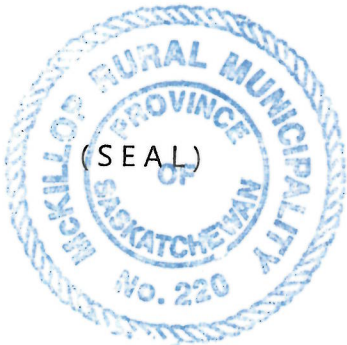
- 12.1. Bylaw No. 150/96, adopted on August 12, 1996, is hereby repealed.

13. EFFECTIVE DATE OF BYLAW

13.1. This bylaw shall come into force on approval of the Minister.



Reeve

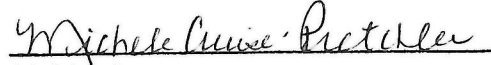




Administrator

Section 14
The Uniform Building and Accessibility Standards Act

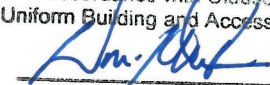
Certified to be a true copy of Bylaw No. 297/2018
adopted by the council of the Rural Municipality of McKillop
No. 220 on the 9th day of April, 2018.



Administrator



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



Executive Director
Building Standards and Licensing
Ministry of Government Relations
May 11 / 2018

Date



SCHEDULE A to BYLAW NO. 297/2018

BUILDING PERMIT PROCESSING AND ADMINISTRATION FEE SCHEDULE

1. PERMIT FEES

1.1. Permit administration fee structure for the processing, handling and issuance of a building permit:

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|---|---|
| Sheds with an area of 18.56 m ² (200 ft ²) but greater than 10 m ² (108 ft ²) | \$ 50.00 flat rate |
| Buildings greater than or equal to 18.56 m ² (200 ft ²) | \$ 100.00 charge for the first \$ 5,000.00 of value of the building; plus \$ 1.00 per charge for each \$ 1,000.00 of value of the building greater than \$ 5,000.00 |

1.2. Permit administration fee structure for the processing, handling and issuance of a building permit renewal:

| | |
|---|----------------------|
| Permit renewal fee for the processing and handling of an expired building permit, providing no changes or alterations from the original permit are identified | \$ 100.00 per permit |
|---|----------------------|

1.3. Buildings moved into the Municipality:

| | |
|---|-------------|
| Deposit required prior to moving a building to a location within the boundaries of the Municipality | \$ 3,000.00 |
|---|-------------|



2. BUILDING INSPECTION FEES

2.1. Service fees for plan review, field inspection of construction, and enforcement services: will be charged in accordance with the current fee schedule established by Professional Building Inspections, Inc., on the basis of the agreement between Professional Building Inspections, Inc. and the Rural Municipality of McKillop No. 220.

3. ASSESSMENT MAINTENANCE INSPECTION FEE

3.1. Assessment maintenance inspection fee for the establishment of the assessed value of the building:

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|--|----------------------------------|
| Sheds with an area of 9.29 m ² (100 ft ²) or less | \$ 0.00 |
| Buildings greater than 9.29 m ² (100 ft ²) | \$ 20.00 per legal land location |

4. BUILDING REMOVAL OR DEMOLITION FEE

4.1. Permit fee for removal or demolition of a building: \$ 50.00

4.2. Deposit required prior to removal or demolition of a building:

| | |
|---|-------------|
| Demolition of a building | \$ 1,000.00 |
| Removal of a building to a new location within or beyond the boundaries of the Municipality | \$ 3,000.00 |



Government
— of —
Saskatchewan

Building Standards and
Licensing

Ministry of Government Relations

100 – 1855 Victoria Avenue
REGINA Canada S4P 3T2

Phone: 306-787-4113

Fax: 306-798-4172

May 11, 2018

Ms. Roberta Crittenden, Development Officer
Rural Municipality of McKillop No. 220
PO Box 220
BULYEA SK S0G 0L0

Dear Ms. Crittenden:

Thank you for providing two true certified copies of Bylaw 297/2018 for review. The copies were received on May 3, 2018, and represent the building bylaw for the RM of McKillop.

The review finds that Bylaw 297/2018 is in accordance with the provisions of *The Uniform Building and Accessibility Standards Act* (the UBAS Act) and the bylaw is approved under clause 23.1(3)(a) which states:

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

With the review completed, Bylaw 297/2018 is in force effective May 11, 2018. A copy of the approved bylaw is enclosed for your records.

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.

Thank you for promoting safe, healthy, and habitable buildings in your community.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Meickel'.

M.F. Meickel,
Assistant Chief Building Official

Attachment