

TOWN OF MAIDSTONE

BYLAW NO. 2016-11

A BYLAW RESPECTING BUILDINGS

The municipal council of the Town of Maidstone 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) Building Official” means a building official appointed pursuant to section 5 and includes the chief building official.
(5) Local authority” means the Town of Maidstone
(6) Regulations” means regulations made pursuant to the Act.
(7) “Council” means the Council of the Town of Maidstone.
(8) Definitions contained in the Act and Regulations shall apply in this bylaw.

SCOPE OF THE BYLAW

3. (1) This bylaw applies to matters governed by the Act, the Regulations, including the *National Building Code of Canada*, and the Administrative Requirements.
(2) Notwithstanding subsection (1), references and requirements in the Administrative Requirements respecting matters regulated by the Act and Regulations shall not apply.
(3) Notwithstanding subsection (1), references and requirements in the Administrative Requirements respecting “occupancy permits” shall not apply except as and when required by the local authority or its authorized representative.

GENERAL

4. (1) A permit is required whenever work regulated by the Act and Regulations is to be undertaken.
(2) No owner or owner’s agent shall work or authorize work or allow work to proceed on a project for which a permit is required unless a valid permit exists for the work to be done.
(3) The granting of any permit that is authorized by this bylaw shall not:
(a) entitle the grantee, his successor or assigns, or anyone on his behalf to erect any building that fails to comply with the requirements of any building restriction agreement, bylaw, act and/or regulation affecting the site described in the permit, or
(b) make either the local authority or its authorized representative liable for damages or otherwise by reason of the fact that a building, the construction, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use or occupancy of which has been authorized by permit, does not comply with the requirements of any building restriction agreement, bylaw, act and/or regulation affecting the site described in the permit.
(4) A farm buildings, as defined and referenced by the Act and Regulations, is exempt from this bylaw.

DEVELOPMENT PERMIT

5. Every application for a Development Permit shall conform to Sections 3.2, 3.3, 3.4 and 3.5 of the Zoning Bylaw. Every applicant shall apply for a permit, Form "1A" with a \$100.00 fee. Once approved by Council, Form "1B" will be issued giving approval. If the Applicant is rejected Form "1C" will be issued along with a full refund.

BUILDING PERMITS

6. (1) Every application for a permit to construct, erect, place, alter, repair, renovate or reconstruct a building shall be in a form provided by the local authority, and shall be accompanied by two sets of the plans including site plans and specifications of the proposed building, except that when authorized by the Building Official plans and/or specifications need not be submitted. Each site plan is to include all side yard, front yard, and rear yard setbacks and list any existing buildings.
 - (2) A Building Official may require submission of an up-to-date or survey prepared either before construction begins or upon completion of work by a registered land surveyor, as a condition of permit approval.
 - (3) If the work described in an application for building permit, to the best of the knowledge of the local authority or its authorized representative, complies with the requirements of this bylaw, the local authority, upon receipt of the prescribed fee, shall issue a permit in a form provided by the local authority and return a "Plan Review Letter" to the applicant with conditions.
 - (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 a Building Official or Building Officials designated by the minister to assist the local authority pursuant to the subsection 4(4) of the Act.
 - (5) 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.
 - (6) The permit fee for construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be based on the following:
 - a) A permit administration fee for the processing, handling and issuance of a building permit fee equal to 10% of the service provider's fee; plus
 - b) The service provider's fees for plan review, field inspection of construction and enforcement services in accordance with the agreement between the provider of building official services and the local authority.
 - (c) All permit fees will be collected prior to the permit being issued and subject to applicable taxes.
 - (7) Construction which commences prior to the issuance of a building permit will be subject to a special inspection fee. The special inspection fee will be calculated as double the amount of the fees as prescribed by the authorized representative fee schedule.
 - (8) Should an applicant cancel the building permit application after the Building Official has started the review of their application, the applicant will be charged the same as the service provider's inspection fees plus 10% administration costs.
 - (9) All permits issued under this section expire
 - (a) as per subsection 5(10), or
 - (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.
 - (10) All permits issued under this section expire two years from the date of issue however for larger projects such as commercial and industrial buildings, the Building Official may provide an extension of that timeline while issuing the permit.
 - (11) The Building Official 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 Building Official.

DEMOLITION OR REMOVAL PERMITS

7. (1) The fee for a permit to demolish or remove a building shall be a fee of \$100.00.
 - (2) Every application for a permit to demolish or remove a building shall be made in a form provided by the local authority.
 - (3) Where a building is to be demolished and the local authority or its authorized representative is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, the local authority, upon receipt of the fee, shall issue a permit for the demolition in a form provided by the local authority.
 - (4) Where a building is to be removed from the local authority, and the local authority or its authorized representative is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, the local authority, upon receipt of the fee, shall issue a permit for the removal in a form provided by the local authority.
 - (5) (a) Where a building is to be removed from its site and set upon another site in the municipality, 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 be in a form provided by the local authority with the requirements of this bylaw, the local authority, upon receipt of the fee, shall issue a permit for the removal in a form provided by the local authority.
 - (b) In addition, the local authority, upon receipt of the fee prescribed in Section 7(1), shall issue a permit for the placement of the building in a form provided by the local authority.
 - (6) All permits issued under this section expire six months from the date of issue except that a permit may be renewed for six months upon written application to the local authority.
 - (7) No building shall be moved within or into the Town of Maidstone without the issuance of a Development Permit unless such building is exempt under Section 3.2.2 of the Zoning Bylaw.

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.

SUPPLEMENTAL BUILDING STANDARDS

9. Every application for a permit to construct, erect, place, alter, repair, renovate or reconstruct a building, where the design falls into Section 8(2) of the Uniform Building and Accessibility Standards Regulations, must be accompanied with the "Commitment for Field Review" (Form A) letter filled out by the design professional and their scope of work. That design professional must also complete a "Letter of Assurance" (Form B) once the project is completed and prior to occupying the building.

SPECIAL CONDITIONS

- 10. (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) It shall be the responsibility of the owner to ensure that change in property lines will not bring the building or adjacent building/s into contravention of this bylaw.
- (3) It shall be the responsibility of the owner to ensure that 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.

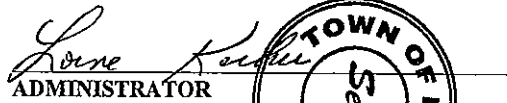
PENALTY

- 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.
 - (2) Conviction of a person or corporation for breach of any provision of this bylaw shall not relieve him from compliance therewith.
12. Bylaw 2015-11 is hereby repealed.

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




MAYOR



ADMINISTRATOR



Certified a true copy of
Bylaw 2016-11 passed by
Resolution of Council on
The 20th day of December, 2016.



Administrator

Schedule A – Rates Effective April, 2014

Inspection Fees & Charges

CCA charges an all inclusive inspection fee of \$840 for a five-part inspection program on new residential buildings under construction that are single family dwellings and do not exceed 1500 ft² of finished area. Buildings greater than 1500 ft² of finished area are charged \$140 per each additional 500 ft² or part thereof.

Non-residential buildings, and residential buildings that are not single family dwellings or that are larger than 600 m², would be charged at \$4.50 per \$1,000 construction cost. The number of inspections required is dependent upon the size, usage (restaurant, school, etc.), and method of construction (prefab, wood, concrete block, etc.). CCA would assess the number of inspections required at the time of the drawing review prior to issuance of a permit. This number is typically is between 5 and 15 inspections.

1. New Residential Buildings	CCA Fee
i) Developed living space	\$840.00
ii) Undeveloped basements	incl.
iii) Attached garages	incl.
iv) Additional fee/500ft ²	\$140.00

2. Addition/Renovations to Existing Residential Buildings	CCA Fee
i) Living space addition (4 insp.)	\$560.00
ii) Attached garage (4 insp.)	\$560.00
iii) Accessory Bldg (2 insp.)	\$140.00
iv) Deck (2 insp.)	\$140.00
v) Basement Development (3 insp.)	\$350.00
vi) Renovations (3 insp.)	\$350.00

Notes for 1. & 2. above:

- If extra or non-scheduled inspections are required, an additional \$140.00 will be charged.
- Travel fees are not included in this price; however, we try to keep this to a minimum by doing a number of inspections during each visit. A fee calculator sheet will be sent to you with the travel fee for your municipality.
- GST is payable and not included in these rates.

3. Commercial/Industrial/Institutional	CCA Fee
i) All buildings *	\$4.50/\$1,000
ii) Minimum charges:	
- principal buildings (5 insp.)	\$900.00
- accessory buildings (2 insp.)	\$360.00
- additions (4 insp.)	\$720.00
- renovations (3 insp.)	\$540.00

Notes:

- Travel fees are not included in this price; however, we try to keep this to a minimum by doing a number of inspections during each visit. A fee calculator sheet will be sent to you with the travel fee for your municipality.
- GST is payable and not included in these rates.

All fees are payable to: The Town of Maidstone.

FORM "1A"
TOWN OF MAIDSTONE
APPLICATION FOR DEVELOPMENT PERMIT

You are advised to check the regulations in the Town of Maidstone Zoning Bylaw No. _____ that govern the type of development being proposed prior to completing this application. Fill out only those sections of the application which are relevant to your proposal. Attach additional sheets if necessary.

1. Applicant Information **2. Registered Owner Information (if different from applicant)**

Full Name: _____	Full Name: _____
Address: _____	Address: _____
Phone: _____	Phone: _____
Fax: _____	Fax: _____
Email: _____	Email: _____

3. Property Information (if applicable)

Civic Address: _____

LSD: _____ ¼: _____ Sec. _____ Twp. _____ Rge. _____ Mer. _____

Lot: _____ Block: _____ Registered Plan No. _____ Parcel No. _____

4. Proposed Development Information

- a) Existing use of land and/or buildings: _____

 _____ Existing Size: _____
- b) Proposed use of land and/or buildings: _____

 _____ Proposed Size: _____
- c) Proposed construction and alteration of buildings: _____

- d) List any adjacent or nearby land uses: _____

- e) Any additional information which may be relevant: _____

- f) Proposed date of start: _____ g) Proposed date of completion: _____

5. Development Context

Consult the Town of Maidstone Official Community Plan Bylaw No. _____, Map 1 – Future Land Use Concept, and indicate whether the proposed development site is located within any of the following areas:

Existing Residential..... <input type="checkbox"/>	Future Residential..... <input type="checkbox"/>
Existing Commercial..... <input type="checkbox"/>	Future Commercial..... <input type="checkbox"/>
Existing Community Service..... <input type="checkbox"/>	Future Community Service..... <input type="checkbox"/>
Existing Industrial..... <input type="checkbox"/>	Future Industrial..... <input type="checkbox"/>
Existing Open Space..... <input type="checkbox"/>	Future Open Space..... <input type="checkbox"/>
Potential Residential..... <input type="checkbox"/>	
Potential Commercial..... <input type="checkbox"/>	

- Potential community Service.....
Potential Industrial.....
Potential Open Space.....

6. Site Plan / Vicinity Map

On the last page of this application, or on an additional attached page, include a Site Plan of the proposed development that clearly shows:

- a) Boundaries and dimensions of the site and adjacent lots
- b) Location and size of all existing and proposed buildings and structures
- c) Utility lines, easements, or topographic features
- d) Trees areas, water courses or bodies, landscaping and proposed lot grade information
- e) Location of existing and proposed access points to streets and lanes

7. Declaration of Applicant

I, _____ of the _____ of _____ in the Province of Saskatchewan, solemnly declare that the above statements contained within this application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of Canada Evidence Act. I have no objection to the entry upon the land described herein by the person(s) authorized by the Town of Maidstone for the purpose of site inspections required for reviewing this application.

Signature of Applicant

Date

FORM "1B"
TOWN OF MAIDSTONE
NOTICE OF DECISION FOR A DEVELOPMENT PERMIT

To: Applicant _____ Address

THIS IS TO ADVISE YOU THAT YOUR APPLICATION FOR **BUILDING PERMIT #**

_____ FOR THE PREOPERTY DESCRIBED AS:

LOT: _____

BLOCK: _____

PLAN # : _____

TO CONSTRUCT A _____

HAS BEEN

APPROVED

Your application has been Approved, this for is considered to be the Development Permit referred to in Section 3.2 of Bylaw No. 2-87, the Zoning Bylaw.

This permit is issued under the following conditions:

NOTE: Plumbing Permits are required prior to construction

Any deviation, omission or revision to the approved application requires approval of Council or its authorized representative.

DATE

DEVELOPMENT OFFICER

FORM "1C"
TOWN OF MAIDSTONE
NOTICE OF DECISION FOR A DEVELOPMENT PERMIT

To: Applicant _____ Address

THIS IS TO ADVISE YOU THAT YOUR APPLICATION FOR **BUILDING PERMIT #**

_____ FOR THE PREOPERTY DESCRIBED AS:

LOT: _____

BLOCK: _____

PLAN # : _____

TO CONSTRUCT A _____

HAS BEEN

X _____ REFUSED

Please be advised, under Section 74 (4) and Section 96 of the Planning and Development Act, 1983, that if your application for a permitted use or development has been refused; or where your application for a discretionary use or form of development has been refused, you may appeal the refusal, or those standards you consider excessive to the Development Appeals Board of the Town of Maidstone.

This permit has been refused on the following grounds:

Your appeal must be made in writing within 30 days of the date of the issue of this form to:

Town of Maidstone
Box 208
Maidstone, SK S0M 1M0

DATE

DEVELOPMENT OFFICER

Application No. _____

FORM "A"
TOWN OF MAIDSTONE
APPLICATION FOR BUILDING PERMIT

I hereby make application to: _____ construct _____ alter _____ reconstruct
A building according to the information and to the plans and documents attached to this application.

Civic address or location of work _____

Legal description Lot _____ Block _____ Plan # _____

Owner _____ Address _____ Ph. # _____

Designer _____ Address _____ Ph. # _____

Contractor _____ Address _____ Ph. # _____

Nature of Work _____

Intended Use of Building _____

Size of building _____ Length _____ Width _____ Height _____

Number of Storeys _____ Fire Escape _____

Number of Exits _____ Width of Exits _____

Foundation Soil Classification and Type _____

Footings _____ Material _____ Size _____

Foundations _____ Material _____ Size _____

Exterior Walls _____ Material _____ Size _____

Roof _____ Material _____ Size _____

Studs _____ Material _____ Spacing _____

Floor Joists _____ Material _____ Spacing _____

Girders _____ Material _____ Spacing _____

Rafters _____ Material _____ Spacing _____

Chimneys _____ Material _____ Size _____

Heating _____ Number _____ Thickness _____

Lighting _____ Plumbing _____

Estimated value of construction (excluding site) \$ _____

Building area (area of largest Storey) _____ square meters

Fee for building permit \$ _____

I hereby agree to comply with the building Bylaw of the local authority and acknowledge that it is my responsibility to ensure compliance with the Building Bylaw of the local authority and with any other applicable bylaws, acts and regulations regardless of any plan review or inspections that may not be carried out by the local authority or its authorized representative.

Date

Signature of Owner or Owner's Agent

FORM "B"
TOWN OF MAIDSTONE
NOTICE OF DECISION FOR BUILDING PERMIT


Permission is hereby granted to _____ to

A building to be used as a _____

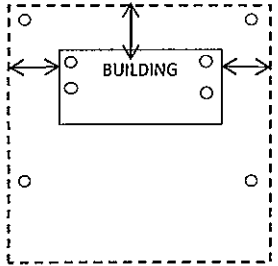
_____ on civic address or location _____

Lot _____ Block _____ Plan # _____ in accordance with the application dated _____. This permit expires (6) 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 local authority or its authorized representative. Grade lines of the building site are to be indicated below and as shown on the diagram.

STREET NAME: _____

Indicate Which Direction North 

Lot Line

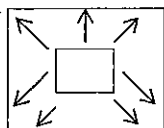


STREET ELEVATION ELEVATIONS:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.

NOTE: If Street Elevation Unknown. Use Elev. 100:0m

1. Minimum clearance (if required) from Lot Lines are as per diagram.
2. Direction of slope from building to Lot Lines are as per diagram.

e.g. 

This permit is issued subject to the following conditions:

Any deviation, omission or revision to the approved application required approval of the local authority or its authorized representative.

Estimated value of construction \$ _____ Permit Fee \$ _____

Signature of Authorized Representative _____

Date _____

FORM "C"
TOWN OF MAIDSTONE

APPLICATION FOR A PERMIT TO DEMOLISH OR MOVE 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 permit to move a building now situated on:

Civic address or location _____

Lot _____ Block _____ Plan # _____

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/s: _____

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 local authority 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 be Section 6 (1) (b) of the Building Bylaw. I acknowledge that it is my responsibility to ensure compliance with any other applicable bylaw, acts and regulations, and to obtain all required permits and approvals prior to demolishing or moving the building.

Signature of Owner or Owner's Agent

Date

FORM "D"

TOWN OF MAIDSTONE

NOTICE OF DECISION FOR DEMOLITION OR MOVING PERMIT

Permission is hereby granted to _____ to _____ **Demolish** or _____ **Move**

A Building on:

Civic address or location _____

Lot _____ Block _____ Plan # _____

To Civic address or location _____

Lot _____ Block _____ Plan # _____

Or out of the Municipality _____

In accordance with the application dated _____, 20____.

This permit expires **(6) six** months from the date of issue.

The permit is issued subject to the following conditions:

Any deviation, omission or revision to the approved application required approval of the local authority or its authorized representative.

Permit Fee \$ _____

Deposit Fee \$ _____

Signature of Authorized Representative

Date