



## **BYLAW NO. 2024-08 BUILDING BYLAW**

### **A BYLAW RESPECTING BUILDINGS**

The Council of the Town of St. Brieux in the Province of Saskatchewan enacts as follows:

#### **SHORT TITLE**

1. This bylaw may be cited as the Building Bylaw.

#### **PURPOSE OF THE BUILDING BYLAW**

2. 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 local authority.

#### **INTERPRETATION/LEGISLATION**

3. The following definitions which are also contained in The Construction Codes Act, The Building Code Regulations and The Energy Code Regulations shall apply in this building bylaw:
  - (1) "Act" means The Construction Codes Act.
  - (2) "Building official" means a person who holds a building official license.
  - (3) "Certificate of occupancy" means a written document issued by local authority giving the owner of the building permission to occupy the building for its intended use.
  - (4) "Competent person" means a person who is recognized by the local authority as having:
    - (a) a degree, certificate or professional designation; or
    - (b) the knowledge, experience and training; necessary to design or review the design of a building.
  - (5) "Local authority" means the Town of St. Brieux.
  - (6) "NBC" means 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.
  - (7) "NECB" means 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

## PERMIT - ISSUANCE

6.

- (1) Every application for a permit for work shall be on the form provided by the local authority and shall be accompanied by a digital set of plans and specifications of the proposed building and work.
- (2) Every permit application shall be reviewed and approved by the building official including plan review and approval.
- (3) If the work described in an application for a permit, to the best of the knowledge of the local authority or the building official, complies with the requirements of this building bylaw, the Act, or the regulations, the local authority or the building official shall, on receipt of the required fee, issue a permit on the form provided by the local authority. In addition, one set of the approved plans and specifications will be returned to the owner or the owner's representative with the permit.
- (4) A permit issued pursuant to this building bylaw must include:
  - (a) the name of the person, or company to whom the permit is issued;
  - (b) the period for which the permit is valid;
  - (c) a statement of all fees, deposits or bonds charged for the permit;
  - (d) the scope of work authorized by the permit;
  - (e) the municipal address or legal description of the property on which the work described in the permit is located;
  - (f) the buildings or portion of buildings to which the permit applies;
  - (g) the date of completion of the stages of construction for which a permit holder must inform the local authority;
  - (h) any conditions that the permit holder is required to comply with; and
  - (i) any information required by this building bylaw.
- (5) No person, or company to whom a permit is issued pursuant to the Act shall fail to comply with the terms and conditions of the permit.
- (6) Work must not commence before a permit is issued.
- (7) The permit fee shall be calculated according to the sum of following:
  - (a) a permit administration fee listed in a fee bylaw for the processing, handling and issuance of a permit;
  - (b) the fees for plan review, field inspection of construction and enforcement in accordance with a fee bylaw or the agreement between the provider of building official services and the local authority;
  - (c) the fees charged by the Saskatchewan Assessment Management Agency; and,
  - (d) a deposit, if required, in an amount determined by the local authority.
- (8) If a deposit is collected it shall, on request by the owner or owner's representative, be

authority shall:

- (a) provide written notice to the applicant as to the reasons for the local authority's refusal to issue a permit; and
- (b) refund any fee or deposit paid as part of the permit application for work pursuant to the Act, less any fees paid for:
  - (i) plan review; and
  - (ii) permit application or administration.

## **PERMITS - REVOCATION**

8.

- (1) The local authority may revoke a permit issued pursuant to the Act:
  - (a) if the holder of the permit requests in writing that it be revoked;
  - (b) if the permit was issued on mistaken, false or incorrect information;
  - (c) if the permit was issued in error;
  - (d) subject to subsection (2), if, after 6 months after the permit's issuance, the work for which the permit was issued has not, in the opinion of the local authority's building official, been seriously commenced and no written agreement for the delay has been given by the local authority; or
  - (e) subject to subsection (2), if the work for which the permit was issued is, in the opinion of the local authority's building official, substantially suspended or discontinued for a period of more than 6 months after the permit's issuance and no written agreement for the delay has been given by the local authority.
- (2) If the local authority revokes a permit pursuant to subsection (1) it shall provide written notice to the permit holder as to the reasons for the revocation.

## **PERMITS - EXPIRY**

9.

- (1) The expiry of a permit does not relieve the owner or the owner's representative from the obligation to complete the work approved in the permit.
- (2) All permits issued pursuant to this building bylaw shall expire on the date stated in the permit or if no date is stated:
  - (a) twelve months from date of issue;
  - (b) six months from date of issue if work is not commenced within that period;
  - (c) on the date specified by the local authority if work has not seriously commenced and is suspended for a period of six months; or
  - (d) on the date specified by the local authority if work has been suspended with written permission by the local authority or building official and the agreed upon period has been exceeded.

- (iv) any inspection or testing agency that is engaged to monitor the work.
- (3) During construction, the owner or the owner's representative shall give notice to the local authority of:
- (a) subject to subsection (8), any change in, or termination of, the employment of a person or firm mentioned in clause (2)(b);
  - (b) the owner's or owner's representative intent to do any work that has been ordered by a building official or local authority to be inspected during construction;
  - (c) the owner's or owner's representative intent to enclose work that has been ordered by a building official or local authority to be inspected before enclosure;
  - (d) subject to subsection (8), any proposed deviation from the plans approved and permitted by the local authority;
  - (e) subject to subsection (8), any construction undertaken that deviates from the plans approved and permitted by the local authority; and
  - (f) the completion of work.
- (4) Subject to subsection (8), the owner or the owner's representative of a building under construction shall give notice to the local authority of:
- (a) any change in ownership or change in address of the owner or the owner's representative that occurs before the issuance of an occupancy certificate as soon as the change occurs; and
  - (b) the owner's or owner's representative intention to occupy a portion of the building if the building is to be occupied in stages.
- (5) The owner of a building or the owner's agents, contractors, employees, successors or assigns or the registered owner of the land on which the building is situated shall submit a written report to the local authority 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.
- (6) A report submitted pursuant to subsection (5) must:
- (a) contain:
    - (i) the name and address of the owner;
    - (ii) the address or location of the building involved in the failure;
    - (iii) the name and address of the constructor of the building; and
    - (iv) the nature of the failure; and
  - (b) be submitted to the local authority within 15 days after the occurrence of the failure mentioned in clause 5(a) or (b).
- (7) On receipt of the report pursuant to subsection (5), the local authority may require an owner to do the following:
- (a) provide any other information that the building official or local

NBC:

- (a) the building or part of the building; or
  - (b) an adjacent building.
- (8) If the property boundaries of a building lot are changed to place a building or part of a building in contravention of the NBC, the owner or the owner's representative shall immediately alter the building or part of the building to bring it into compliance with the NBC.
- (9) Building Permits will be required for all buildings that have sleeping accommodations.
- (10) Building Permits will be required for retaining walls greater than 4 ft in differential grade height on lands not used for agricultural purposes. An Engineer licensed in the Province of Saskatchewan will be required.
- (11) Building Permits will be required for decks and landings greater than 100 ft<sup>2</sup> or elevated 2 ft or more from the ground. The following standards apply to these decks and landings:
- (a) Section 9.8 of Division B of the National Building Code of Canada

### PENALTY

13.

- (1) Any person who contravenes any of the provisions of this building bylaw may be subject to the penalties provided in Part 8 of the Act.
- (2) Conviction of a person or corporation for breach of any provision of this building bylaw shall not relieve the person or corporation from compliance with the Act and regulations.

### COMING INTO FORCE AND REPEALING

14. This bylaw shall come into force on the date of approval from the *Building and Technical Standards Branch of Government Relations*.
15. On enactment of this bylaw, Bylaw 01-2024 is hereby repealed.

Read a FIRST time this 9th day of July, 2024.  
Read a SECOND time this 9th day of July, 2024.  
Be given THREE reads this 9th day of July, 2024.  
Read a THIRD time and adopted this 9th day July, 2024.

**Certified a true copy of the bylaw**  
**Adopted by resolution of the council**

On the 9<sup>th</sup> day of July, 2024  
Res# 2024-0193



*Cindy Haché*  
Mayor

*Jim Schiener*  
CAO

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