

TOWN OF LA RONGE
Building Bylaw 678, 2023

A Bylaw pertaining to building works in the Town of La Ronge.

The Council of the Town of La Ronge, in the Province of Saskatchewan hereby enacts as follows:

PART 1 TITLE

1.1. This Bylaw may be cited as "Building Bylaw 678, 2023."

PART 2 INTERPRETATION

2.1. General

- 2.1.1. The headings used in this Bylaw are for convenience only and do not form part of this Bylaw and are not to be used in the interpretation of this Bylaw.
- 2.1.2. Any enactment referred to herein is a reference to an enactment of the Province of Saskatchewan and regulations thereto, as amended, revised, consolidated, or replaced from time to time, and any Bylaw referred to herein is a reference to a Bylaw of the Town, as amended, revised, consolidated, or replaced from time to time.
- 2.1.3. Unless otherwise defined in this Bylaw, terms herein shall have the meanings as set out in *The Construction Codes Act, The Building Code Regulations, and the Energy Code Regulations*.
- 2.1.4. Every provision of this Bylaw is independent of all other provisions. If any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- 2.1.5. Nothing in this Bylaw relieves a Person from complying with any federal, provincial, or Municipal law or regulation, order, or other lawful direction.

2.2. Definitions

2.2.1. In this bylaw:

"Act" means *The Construction Codes Act*.

"Building Official" means a person who holds a building official licence and is employed by the Local Authority in that capacity.

"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.

"Chief Administrative Officer" or "CAO" means the person appointed by Council as the Chief Administrative Officer for the Town, including their lawful deputy and anyone designated by the Chief Administrative Officer or Council to implement this Bylaw or portions thereof.

"Council" means the Council of the Town of La Ronge.

"Local Authority" means the Town of La Ronge.

"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.

"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 pursuant to the Act and the Regulations.

“Occupancy Certificate” means a certificate issued with respect to the approved use of occupancy of a building.

“Officer” means a Bylaw Enforcement Officer of the Town, any member of the Royal Canadian Mounted Police, or any other Person authorized by the Town to enforce Town bylaws.

“Owner” means

- (a) 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;
- (b) any person, firm, or corporation that controls the property under consideration;
- (c) if the building is owned separately from the land on which the building is located, the owner of the building.

“Owner’s Representative” means any person, company, employee, or contractor who has the authority to act on behalf of an owner.

“Permit” means written authorization issued by the Local Authority or its Building Official in the form of a building permit.

“Plan Review” means the examination of building drawings and related documents by a building official to ascertain whether those drawings and documents meet the requirements of the Act and Regulations.

“Regulations” means *The Building Code Regulations* and *The Energy Code Regulations*.

“Saskatchewan Assessment Management Agency (SAMA) Fee” means a fee charged to the Local Authority by the SAMA with respect to the Work.

“Town”, “Municipality”, or “Municipal” means the Town of La Ronge.

“Town Office” means the administrative office of the Town located at 1212 Hildebrand Drive, La Ronge, Saskatchewan.

“Work” means any construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy, or change of occupancy of a building.

PART 3 GENERAL PROVISIONS AND RESPONSIBILITIES

- 3.1. This Bylaw applies to all Work undertaken or to be undertaken within the geographical jurisdiction of the Local Authority.
- 3.2. 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, associated codes, interpretations and orders, and any Bylaws adopted by the Local Authority with which the building is associated.
- 3.3. It shall be the responsibility of the Owner or the Owner’s Representative to arrange for all Permits, inspections, and certificates required by this and any other applicable Bylaws and legislation
- 3.4. 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 Local Authority.
- 3.5. The provisions of this Bylaw apply to buildings greater than 9.3m² (100.1ft²) in building area, except as otherwise exempted by the Act or Regulations.

PART 4 PERMIT ISSUANCE

- 4.1 Every application for a Permit for Work shall be on the form provided by the Local Authority, and shall be accompanied by a minimum of two sets of plans and specifications showing the proposed Work.
- 4.2 Every Permit application shall be reviewed and approved by the Building Official including plan review and approval.
- 4.3 If the Work described in an application for a Permit, to the best of the knowledge of the Local Authority or its advisor, complies with the requirements of this Bylaw, the Act, or the Regulations, the Local Authority 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.
- 4.4 A Permit issued pursuant to this 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 Bylaw.
- 4.5 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.
- 4.6 Work must not commence before a Permit is issued, and all Permit fees (including applicable taxes) and deposits will be collected before the Permit is issued.
- 4.7 The Permit fee shall be calculated according to the sum of the following:
 - (a) the fees for Permit administration, plan review, field inspection of construction, and enforcement in accordance with Schedule "A" of this Bylaw;
 - (b) the SAMA Fees; and
 - (c) a deposit, if required, in an amount determined by the Local Authority.
- 4.8 If a deposit is collected, it shall, on request by the Owner or Owner's Representative, be refundable on satisfactory completion of the Work, or on approval of use or issuance of Occupancy Certificate for the Work by the Local Authority, and upon confirmation of any applicable site remediation, material disposal, and repair of municipal infrastructure damages.
- 4.9 The Local Authority may establish the value of construction for the Work described in an application for a Permit, for the purpose of calculating a Permit fee, 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 Local Authority.
- 4.10 It is the responsibility of the Owner or the Owner's Representative to ensure that all notifications required by Section 7 of the Act and this Bylaw are given to the Local Authority and that all inspections are scheduled and completed. Failure to do so may result in additional fees for follow up inspections.
- 4.11 The Owner or the Owner's Representative will be invoiced by the Local Authority for additional inspection fees and payment of the inspection fees will be due on receipt of an invoice. Unpaid inspection fees will be considered a debt due to the Local Authority 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, or the Local Authority may withhold issuance of an Occupancy Certificate.

- 4.12 The Local Authority may, at its discretion, rebate a portion of a Permit fee or deposit where Work is reduced in scope or discontinued, or where other exceptional circumstances occur.

PART 5 PERMIT REFUSAL

- 5.1. The Local Authority may refuse to issue a Permit if:
- (a) the proposed Work described on the Permit application would contravene:
 - (i) the Act;
 - (ii) the Regulations;
 - (iii) an order of the appeal board;
 - (iv) a written interpretation of the minister pursuant to Section 8 of the Act; or
 - (v) the Local Authority's Building Bylaw;
 - (b) the person who designed or reviewed the design of a proposed building 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 a proposed building that is within the scope of the NECB is not an architect or engineer;
 - (d) the application for a Permit is incomplete;
 - (e) any fees, deposits, or bonds required pursuant to the Local Authority's Bylaws in relation to issuance of a Permit and the Works have not been paid; or
 - (f) the proposed Work described on the Permit application would contravene any other Act, Regulations, or Bylaws that apply to the proposed Work.
- 5.2. Where the Local Authority refuses to issue a Permit pursuant to subsection (1), the Local 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 administration.

PART 6 PERMIT REVOCATION

- 6.1. 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 Section 6.2, 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 substantially commenced and no written justification for the delay has been submitted to and approved in writing by the Local Authority; or
 - (e) subject to Section 6.2, if the Work for which the Permit was issued is, in the opinion of the Local Authority, substantially suspended or discontinued for a period of more than 6 months after the Permit's issuance and no written justification for the delay has been submitted to and approved by the Local Authority.
- 6.2. If the Local Authority revokes a Permit pursuant to Section 6.1 it shall provide written notice to the Permit holder as to the reasons for the revocation.

PART 7 PERMIT EXPIRY

- 7.1. 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.
- 7.2. All Permits issued pursuant to this Bylaw shall expire on the date stated in the Permit, or if no date is stated:
- (a) 24 months from date of issue;

- (b) 6 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 substantially commenced and is suspended for a period of 6 months; or
 - (d) on the date specified by the Local Authority if Work has been suspended with written permission by the Local Authority and the agreed upon period has been exceeded.
- 7.3. An Owner or the Owner's Representative that does not complete all the Work listed on a Permit before the Permit expires shall apply to the Local Authority to do one of the following:
- (a) revoke the Permit;
 - (b) extend the term of the Permit;
 - (c) vary the condition of the Permit.
- 7.4. The Local Authority may revoke, extend, or vary the conditions of a Permit on written application of the Permit holder and subject to any condition or fees listed in the Bylaw.

PART 8 NOTIFICATION

- 8.1. The Owner or the Owner's Representative of a building to be constructed shall ensure that the 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 specified event at the specified time.
- 8.2. Before commencing Work at a building site, the Owner or the Owner's Representative shall give notice to the Local Authority of:
- (a) the date on which the Owner or the Owner's Representative intends to commence the Work; and
 - (b) subject to Part 6, the name, address and telephone number of:
 - (i) the constructor or other person in charge of the Work;
 - (ii) the designer of the Work;
 - (iii) the person or firm that is to review the Work to determine whether or not the construction conforms to the design; and
 - (iv) any inspection or testing agency that is engaged to monitor the Work.
- 8.3. During the course of construction, the Owner or the Owner's Representative shall give notice to the Local Authority of:
- (a) subject to Part 6, any change in, or termination of, the employment of a person or firm mentioned in Section 8.2(b);
 - (b) the Owner's or Owner's Representative intent to do any Work that has been ordered by the Local Authority to be inspected during construction;
 - (c) the Owner's or Owner's Representative intent to enclose Work that has been ordered by the Local Authority to be inspected before enclosure;
 - (d) subject to Part 6, any proposed deviation from the plans approved and permitted by the Local Authority;
 - (e) subject to Part 6, any construction undertaken that deviates from the plans approved and permitted by the Local Authority; and
 - (f) the completion of Work.
- 8.4. Subject to Part 6, 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.
- 8.5. 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.

8.6. A report submitted pursuant to Section 8.5 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 Section 8.5.

8.7. On receipt of the report pursuant to Section 8.5, the Local Authority may require an Owner to do the following:

- (a) provide any other information that the Building Official or Local Authority may consider necessary;
- (b) complete any additional work that is necessary to ensure compliance.

8.8. Notice given pursuant to Section 8.2, 8.3, or 8.4 must be in writing.

PART 9 SPECIAL CONDITIONS

9.1. The Owner or the Owner's Representative that undertakes to construct or have constructed a building that is within the scope of Parts 3, 5, 6, and 7 of the NBC shall have an architect or engineer complete the design or design review of:

- (a) the building; and
- (b) all building systems.

9.2. An Owner or Owner's Representative that undertakes to construct or have constructed a building with a structure that is within the scope of Part 4 of the NBC shall have an architect or engineer complete:

- (a) the design or design review of the structure;
- (b) an inspection of construction of the structure to ensure compliance with the design; and
- (c) the reviews required by the NBC.

9.3. An Owner or the Owner's Representative that undertakes to construct or have constructed a building with a structure within the scope of the NECB shall have an architect or engineer complete:

- (a) the design or design review of the structure;
- (b) an inspection of construction of the structure to ensure compliance with the design; and
- (c) the reviews required by the NBC.

9.4. In addition to the requirements of Section 9.1 through 9.3, the Local Authority or Building Official shall require that an engineer or architect provide:

- (a) a Commitment for Field Review letter as part of the Permit application for Work; and
- (b) an Assurance of Field Review and Compliance letter, on completion of the Work, providing assurance that the Work conforms to the engineer's or architect's design.

9.5. An Owner or Owner's Representative that undertakes to construct or have constructed a building that is within the scope of Part 9 of the NBC shall ensure that a Competent Person has designed or reviewed the design of the building.

9.6. An Owner or Owner's Representative shall ensure that copies of any inspection or review reports made pursuant to this section are made available to the Local Authority at the request of the Local Authority.

9.7. No Owner or Owner's Representative of a building shall cause or allow the ground elevations of a building

to be changed so as to place in contravention of the NBC:

- (a) the building or part of the building; or
- (b) an adjacent building.

9.8. 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 Owner or Owner's Representative shall immediately alter the building or part of the building to bring it into compliance with the NBC.

PART 10 ENFORCEMENT

10.1. The Local Authority may take any measures as permitted by section 24, 25 or 26 of the Act and sections 13 and 14 of *The Building Code Regulations* for the purpose of ensuring compliance with this Bylaw.

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

10.3. Conviction of a person or corporation for breach of any provision of this Bylaw shall not relieve the person or corporation from compliance with the Act and Regulations.

PART 11 EFFECTIVE DATE

11.1. Building Bylaw 325, 1994 is hereby repealed.

11.2. This Bylaw shall come into full force and effect upon adoption by Council.



Mayor Joe Hordysha
Chief Administrative Officer [Signature]

Read a first time 22nd day of August, 2023

Read a second time on the 22nd day of August, 2023

Read a third and final time on the 12th day of September, 2023

SCHEDULE "A" – PERMIT FEES

Construction Value means the total cost to get the Works to its completed form, and includes the cost of all building work, materials of construction, building systems, labour, overhead, and profit of the contractor and subcontractors. The cost of labour and used material are deemed to be the current market cost of new materials and labour. Land value and cost of land acquisition is not a part of this value.

Residential Building Permits (Plan Review and Inspection)

Construction Value	Permit Fee
\$0-\$20,000	\$75
Over \$20,000	\$75 plus \$3 per \$1,000 of Construction Value over \$20,000

If a project does not proceed beyond a plan review, and the services are not contracted to a 3rd party provider, 50% of the Permit fee shall be refunded.

If a 3rd party is required to perform plan and inspection works, the Permit fee will be adjusted to reflect the actual costs associated with the 3rd party works, plus a 10% administrative fee.

Demolition and Relocation (Move) Permit

\$75 + Deposit (in an amount to be determined by the Local Authority on a case-by-case basis).

General Provision

Every Owner commencing work requiring a Permit, without first obtaining such Permit, may be issued a Stop Work notice and shall be charged Permit fees equal to 150% of the applicable rate(s) listed herein.

Once adopted, the municipality has 60 days to submit for formal review and approval by the Minister of Government Relations. Bylaws will be processed and returned to the municipality no more than 60 days from receipt. The Minister has four options for approval, which include:

- Approving the bylaw, if the bylaw does not conflict with this Act or the Regulations;
- Not approving the bylaw, if the bylaw conflicts with this Act or the Regulations;
- Approving the bylaw in part; severable from the part of that bylaw conflicts with the Act or the Regulations;
- Approving the bylaw on the condition that council makes amendments to it where a part of the bylaw conflicts with the Act or the Regulations.