

Bylaw No. 2024 - 27

R.M. of Edenwold No. 158

A Bylaw Respecting Buildings

Whereas, pursuant to Clause 16(11) of *The Construction Codes Act*, a municipality has a general power to pass bylaws in relation to the administration and enforcement of *The Construction Codes Act*.

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

The Council of the Rural Municipality of Edenwold No. 158, in the Province of Saskatchewan, enacts as follows:

1. DEFINITIONS

Definitions contained in *The Construction Codes Act*, *The Building Code Regulations* and *The Energy Code Regulations* shall apply in this building bylaw.

In this Bylaw, including this section:

- 1.1. **Accessory building** shall mean a structure which is on the same parcel as a principal structure and the use of which is incidental to the use of the principal structure.
- 1.2. **Act** shall mean *The Construction Codes Act*.
- 1.3. **Building** shall mean the following:
 - (a) a structure used or intended for supporting or sheltering any use or occupancy;
 - (b) if applicable, the land adjoining a structure mentioned in clause (a);and includes an addition.
- 1.4. **Building official** shall mean a person who holds a building official licence and who is appointed by the Municipality pursuant to subsection 16(2) of the Act.
- 1.5. **Building official services** shall mean plan review services, inspection services, and enforcement services carried out by an appointed building official.
- 1.6. **Certificate of occupancy** shall mean a written document issued by the municipality giving the owner of the building permission to occupy the building for its intended use.
- 1.7. **Competent person** shall mean a person recognized by the Municipality 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 proposed work.
- 1.8. **Constructor or Contractor** shall mean a person who contracts with an owner or an owner's authorized agent to undertake a building construction project, and includes an owner who:
 - (a) contracts with more than one person for the work on a building construction project; or
 - (b) undertakes the work on a building construction project or any part of that project
- 1.9. **Council** shall mean the Council of the Rural Municipality of Edenwold No. 158.
- 1.10. **Deck** shall mean a flat surface constructed outdoors and elevated from the ground.
- 1.11. **Differential grade height** shall mean the distance between the average grade level and floor height or between two different grade levels.
- 1.12. **Dwelling unit** shall mean a suite operated as a housekeeping unit, used or intended to be

used by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.

- 1.13. **Farm Building** shall mean, subject to the regulations, a building that:
- (a) does not contain a residential occupancy;
 - (b) is located on land used for an agricultural operation as defined in *The Agricultural Operations Act*; and
 - (c) is used for:
 - (i) the housing of livestock;
 - (ii) the production, storage, or processing of primary agricultural and horticultural crops or feeds;
 - (iii) the housing, storage, or maintenance of equipment or machinery associated with an agricultural operation; or
 - (iv) any other prescribed purpose.
- 1.14. **Geotechnical report** shall mean geotechnical report as defined in the RM of Edenwold Zoning Bylaw, as amended or repealed and replaced from time to time.
- 1.15. **Municipality** shall mean the Rural Municipality of Edenwold No. 158.
- 1.16. **NBC** shall mean 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 Regulations.
- 1.17. **NECB** shall mean 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 Energy Code Regulations*.
- 1.18. **Occupancy deposit** shall mean a refundable deposit paid to the Municipality allowing it to cover the cost of additional building inspections and other fees.
- 1.19. **Occupancy Deposit Agreement** shall mean an agreement signed by the Owner and Municipality outlining the occupancy deposit amount and the conditions by which an occupancy deposit will be refunded in whole or in part.
- 1.20. **Owner** shall mean:
- (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; or
 - (c) if the building is owned separately from the land on which the building is located, the owner of the building.
- 1.21. **Owner's representative** shall mean any person, corporation, employee or contractor who has authority to act on behalf of an owner.
- 1.22. **Permit** shall mean permit as defined in the Act and shall mean written authorization issued by the Municipality in the form of a building permit.
- 1.23. **Permit application** shall mean an application for a permit in the form provided by the Municipality or building official and shall include the submission of a minimum of one set of plans and specifications in electronic PDF format of the proposed work.
- 1.24. **Permit fees** shall mean:
- (a) fees for the issuance of a permit in accordance with Appendix A;
 - (b) SAMA fee, if applicable; and
 - (c) all applicable taxes.
- 1.25. **Plan review** shall mean the examination of building drawings and related documents by a building official to ascertain whether those drawings and documents meet the requirement of the standards of construction.
- 1.26. **Real Property Report** shall mean a document prepared and sealed by a licensed Saskatchewan land surveyor verifying the location of permanent above-ground buildings, registered easements, setbacks, and property boundaries.

- 1.27. **Regulations** shall mean *The Building Code Regulations*, and *The Energy Code Regulations*.
- 1.28. **Required costs** shall mean fees and deposits required for permit issuance.
- 1.29. **Retaining wall** shall mean:
(a) a structure used to sustain the pressure of the earth behind it; or
(b) any wall subjected to lateral pressure other than wind pressure.
- 1.30. **SAMA fee** shall mean a fee charged to the Municipality by the Saskatchewan Assessment Management Agency with respect to the work.
- 1.31. **Service Provider** shall mean the company providing licensed building official services to the Municipality.
- 1.32. **Sleeping accommodations** shall mean a room or space used primarily for sleeping purposes.
- 1.33. **Standards of construction** shall mean the Act, Regulations, *The National Building Code of Canada* as amended or repealed and replaced from time to time, *The National Energy Code of Canada for Buildings* as amended or repealed and replaced from time to time, ministerial interpretations pursuant to the Act, Saskatchewan Construction Standards Appeal Board orders, orders of the building official, this Bylaw, and any other municipal bylaws.
- 1.34. **Stop work order** shall mean a building official order as defined in Section 25 of the Act.
- 1.35. **Sump pump connections** shall mean a connection allowing a submersible pump to pump water from one location to another.
- 1.36. **Value of construction** shall mean the total costs to the owner for the work in its completed form, and includes all building work, materials of construction, building systems, labour, overhead, and profit of the contractor.
- 1.37. **Work** shall mean any design, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, change of use, occupancy or change of occupancy, or reconstruction of a building.

2. GENERAL REGULATIONS

- 2.1. This Bylaw may be referred to as the 'Building Bylaw'.
- 2.2. This Bylaw shall apply to all work within the Municipality.
- 2.3. A building permit is required whenever work regulated by the Act or regulations is to be undertaken.
- 2.4. No person shall knowingly submit false or misleading information to:
(a) a building official;
(b) the Municipality; or
(c) any person employed by the Municipality to administer and enforce this Bylaw.

3. APPLICABILITY

- 3.1. This bylaw shall apply to all buildings with a building area larger than 10 m² (107.6 ft²), except for those buildings otherwise exempt by the Act or regulations.
- 3.2. One accessory building per site with a building area equal to or less than 10 m² (107.6 ft²) may be exempt from this Bylaw.
- 3.3. Notwithstanding 3.2, buildings with a building area equal to or smaller than 10 m² (107.6 ft²) shall be subject to this bylaw where the building:
(a) includes sleeping accommodations;
(b) has two or more storeys; or
(c) may otherwise create a hazard.
- 3.4. Decks under 0.6 m (2 ft) in differential grade height are exempt from this Bylaw.

- 3.5. This bylaw shall apply to retaining walls attached to buildings, or free-standing, that have differential grade heights greater than 0.6 m (2 ft) between sides and on lands not used for agricultural purposes, and a competent person shall be required to design such structures.
- 3.6. Farm buildings are exempt from this Bylaw provided the Municipality has issued a certificate acknowledging the farm building. The building cannot have any other occupancies and must be assessed as a farm building upon its completion.
- 3.7. Farm buildings that undergo renovation or alteration must obtain the certificate acknowledging the change to the farm building from the Municipality.
- 3.8. Farm buildings that undergo a change in use, occupancy or assessment that affects their exempt status must meet the standards of construction for the building's intended use and/or occupancy and obtain a building permit.

4. RESPONSIBILITIES OF THE OWNER

- 4.1. The Owner shall be responsible for:
 - (a) ensuring the building and work comply with all standards of construction;
 - (b) applying for, arranging, obtaining, and receiving all permits, inspections, plan review reports, and certificates required by the Act, regulations, this bylaw, and all other applicable municipal bylaws, provincial and federal acts and regulations;
 - (c) complying with all permit, inspection report, plan review, and certificate terms and conditions;
 - (d) ensuring work does not commence prior to the issuance of a permit by the Municipality;
 - (e) ensuring copies of all permits, inspections, plan reviews, and certificates are available to the building official and Municipality for review;
 - (f) ensuring all required notices are provided to the Municipality;
 - (g) ensuring all inspections are scheduled and completed by the building official;
 - (h) not enclosing before inspection work requiring inspection by the building official;
 - (i) paying any costs associated with the uncovering of work that has been enclosed prior to inspection of the building official;
 - (j) paying all costs associated with destroying or removing portions of work;
 - (k) paying all costs required to show compliance with the standards of construction;
 - (l) not occupying the building before the issuance of a certificate of occupancy by the Municipality or the building official;
 - (m) obtaining prior written approval from the Municipality before temporarily closing or blocking any road;
 - (n) supplying and maintaining, at their expense, all warning signs, barricades, fences, and other services required to warn and protect the public from the work;
 - (o) filling and levelling any excavation on the property with clean, non-expansive fill to the correct elevation as required by the Municipality;
 - (p) ensuring the property is in a safe and clean condition after the work is complete, including the removal and disposal of all building materials and debris;
 - (q) not burying any waste material on-site, including concrete from the demolition of a basement, foundation, or below-ground substructure or framework; and
 - (r) applying for and obtaining a certificate of acknowledgement that the Municipality agrees the building satisfies the definition of "Farm Building" in the Act, prior to the construction of the farm building, exempt from the Act and regulations.

5. APPLICATION AND ISSUANCE OF PERMITS

- 5.1. Every application for a permit for work shall be on the form provided by the Municipality and shall be accompanied by plans and specifications of the proposed building and work, as required.
- 5.2. Every permit application shall be reviewed and approved by the building official including plan review and approval.

- 5.3. By applying for a permit, an Owner consents to use email as the primary communication form between themselves and the Municipality.
 - 5.4. Permits shall be subject to any geotechnical requirements outlined by the Municipality pursuant to the RM of Edenwold Zoning Bylaw, as amended or repealed and replaced from time to time.
 - 5.5. Where an Owner intends to construct a building subject to Parts 3, 4, 5, 6, or 7 of the NBC, they shall comply with Section 9 of the Building Bylaw.
 - 5.6. Where an Owner intends to construct a building subject to the NECB, they shall comply with Section 9 of the Building Bylaw.
 - 5.7. Where an Owner intends to move a building within or through the municipality, they shall include the planned route in their permit application.
 - 5.8. Upon receiving a permit application, the Municipality may review, approve, reject, or deny the application.
 - 5.9. The Municipality may issue a permit if:
 - (a) the Owner has paid all required costs and applicable taxes; and
 - (b) to the best knowledge of the Municipality or building official, the work described in the permit application complies with all requirements of the standards of construction.
 - 5.10. Should a permit application be approved, the building official shall return an approved plan review showing all required inspections by the building official.
 - 5.11. The issuing of a permit shall not:
 - (a) entitle the grantee, their successor, assigns, or anyone on their behalf to conduct any work on the property that does not comply with the conditions of the permit, any act, regulation, or this bylaw; and
 - (b) make the Municipality or building official liable for damages or losses should the building or work not comply with any act, regulation, or this bylaw, regardless of whether a certificate of occupancy has been issued by the Municipality.
- 6. REQUIRED COSTS**
- 6.1. Required costs may include:
 - (a) permit administrative fees;
 - (b) service fees and additional fees determined by the Service Provider;
 - (c) occupancy deposits;
 - (d) building performance deposits;
 - (e) demolition deposits;
 - (f) moving deposits; and
 - (g) other deposits or fees required pursuant to other bylaws or municipal policies.
 - 6.2. The Municipality or the building official 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 or the owner's representative statement of costs or constructor's contract values, or similar methods selected by the Municipality or the building official.
 - 6.3. The Municipality may invoice the Owner for additional fees as determined by the Service Provider or described in the Service Provider agreement as determined by the Municipality or Service Provider.
 - 6.4. The Municipality may rebate a portion of permit fees outlined in 6.1 or additional fees outlined in 6.3 where work is reduced, discontinued, or other exceptional circumstances occur.
 - 6.5. Whenever any work for which a permit is required has commenced without a permit, a surcharge of 25% of the permit fee or \$150, whichever is higher, may be charged in

addition to the permit fees.

- 6.6. Where a building inspection has not occurred for a period of 6 months or more, the Municipality may initiate a progress report and invoice the Owner for the cost of the inspection.
- 6.7. Permit fees and additional fees are debts owed to the Municipality and may be recovered from the Owner.
- 6.8. If debts owed are not paid within 30 days of the Municipality notifying the Owner of the amount owed, the Municipality may add the debt to the Owner's property tax pursuant to subsection 16(10) of the Act.

7. OCCUPANCY DEPOSIT

- 7.1. Occupancy deposits in the amount specified in Appendix A may be required.
- 7.2. Where an occupancy deposit is required, the Owner shall be required to sign an Occupancy Deposit Agreement to ensure compliance with the standards of construction.
- 7.3. The Municipality shall refund the occupancy deposit in whole, or in part, when it is satisfied that the Owner has corrected all outstanding infractions noted in the building official's occupancy inspection report and the Owner has provided the documents specified in the Occupancy Deposit Agreement.
- 7.4. The Municipality may reduce the occupancy deposit refunded to the Owner when one or more of the following occurs:
 - (a) the building official requires more building inspections than accounted for when calculating the original permit fee due to the number of infractions;
 - (b) an Owner or Contractor calls for a building inspection, and the building official determines that the Owner or Contractor is not ready for the inspection;
 - (c) the Owner or Contractor fails to call for a building inspection when required;
 - (d) the building is occupied before the Municipality or building official issues a certificate of occupancy;
 - (e) the Owner or Contractor does not satisfactorily submit the required elevation certificate or Real Property Report, as stated in the Occupancy Deposit Agreement, prior to occupancy; or
 - (f) the submitted elevation certificate indicates that the building was constructed at the incorrect elevation, and intervention is required to ensure adequate surface drainage.
- 7.5. The occupancy deposit shall be forfeited in the event the work authorized by the permit has not been completed prior to the expiry of the permit as stated in Subsection 12.1., unless the Municipality has approved the extension of the permit as stated in subsections 12.4., 12.5., or 12.6.

8. DEMOLITION AND MOVING DEPOSITS AND PERMITS

- 8.1. A permit is required whenever work is to be undertaken to move, place, or demolish a building.
- 8.2. An Owner shall apply for a permit using a permit application. Upon receiving a permit application, the Municipality may review, approve, reject, or deny the application.
- 8.3. Deposits may be required when an Owner is applying for a demolition or moving permit. The permit shall stipulate the conditions that need to be met for a full refund of the deposit.
- 8.4. The Municipality may issue a permit if:
 - (a) the Owner has paid all required costs and applicable taxes; and
 - (b) to the best knowledge of the Municipality or building official, the work

described in the permit application complies with all requirements of the standards of construction.

- 8.5. The Municipality shall refund the deposit when the Owner has demolished or moved the building and the Municipality is satisfied that the property is not dangerous to public safety. This shall involve remediation of the site to its pre-work condition, insofar as is practical to the satisfaction of the Municipality.
- 8.6. Where the Owner has not satisfactorily restored the site or has failed to restore the site to a condition where it is not a hazard to public safety within one year of permit issuance, the Municipality may undertake any required work and deduct all costs from the demolition deposit.
- 8.7. Where a building is to be removed from the Municipality or removed from its site and placed upon another site in the Municipality, a move permit shall not be issued until the Municipality 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.
- 8.8. Where an Owner intends to move a building, they shall include the planned route through the Municipality in their permit application.

9. BUILDING DESIGN REQUIREMENTS

- 9.1. The Owner shall receive approval in writing from the Municipality or building official before making any deviation, omission, or revision to work described in the permit.
- 9.2. An owner or the owner's representative that undertakes to construct or have constructed a building that is within the scope of Parts 3, 4, 5, 6, or 7 of the NBC shall have an architect or engineer who is qualified to complete the scope of work:
 - (a) complete the design or design review of the building;
 - (b) complete field reviews of construction of the building and all building systems to ensure compliance with the design and NBC;
 - (c) complete reviews required by the NBC;
 - (d) provide a Commitment for Field Review letter as part of the permit application for work; and
 - (e) provide an Assurance of Field Review and Compliance letter on completion of the work, providing assurance that the work conforms to the architect's or engineer's design.
- 9.3. An owner or the owner's representative that undertakes to construct or have constructed a building within the scope of the NECB shall have an architect or engineer who is qualified to complete the scope of work:
 - (a) complete the design or design review of the building;
 - (b) complete field reviews of construction of the building and all building systems to ensure compliance with the design and NECB;
 - (c) complete the reviews required by the NECB;
 - (d) provide a Commitment for Field Review letter as part of the permit application for work; and
 - (e) provide an Assurance of Field Review and Compliance letter on completion of the work, providing assurance that the work conforms to the architect's or engineer's design.
- 9.4. Foundations for residential buildings, including modular homes with A277 certification, shall be designed pursuant to Part 4 of the NBC.
- 9.5. An Owner that constructs a building subject to Part 9 of the NBC shall have a competent person complete the design or review of design of the building.
- 9.6. Sump pump connections to municipal sewer systems shall be prohibited.
- 9.7. An owner or the owner's representative shall ensure that copies of any inspection or review reports made pursuant to this section are made available to a building official

or local authority on request of the building official or local authority, as the case may be.

- 9.8. An Owner shall not cause or allow the ground elevations of a building to change so as to place in contravention of the NBC. This includes the building or part of the building, or an adjacent building.
- 9.9. 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 shall immediately alter the building or part of the building to bring it into compliance with the NBC.

10. REFUSAL TO ISSUE PERMITS

- 10.1. The Municipality may reject or deny a permit application if:
- (a) the work described in the application contravenes the standards of construction;
 - (b) the building is subject to Part 9 of the NBC and the person who completed the design or design review of the building is not a competent person;
 - (c) the building is subject to the NECB and the person who completed the design or design review of the building is not an architect or engineer who is qualified to complete the scope of work;
 - (d) the permit is for demolition purposes and the Owner has not demonstrated compliance with section 27-2 of *The Occupational Health and Safety Regulations*, as amended or repealed and replaced from time to time;
 - (e) the permit application is incomplete;
 - (f) any required cost is not paid;
 - (g) the work contravenes accessibility standards as outlined in Part 9 of the regulations;
 - (h) the issuance of a permit, the work described in the permit application, or any plans or specifications supporting the application would contravene the Act, regulations, this Bylaw, or any other applicable municipal bylaw, provincial and federal act, or regulation;
 - (i) the permit is for a property with an expired permit with outstanding requirements; or
 - (j) a building official order has been registered to the title of a property for which a permit is being sought.
- 10.2. Where the Municipality rejects or denies a permit application, they shall:
- (a) provide written notice to the Owner as to the reasons for the rejection or denial; and
 - (b) refund any fee, deposit, or tax paid as part of the permit application, less any fees paid for plan review or permit administration.

11. REVOKING OF PERMITS

- 11.1. The Municipality may revoke a permit pursuant to Clause 11(1) of the regulations.
- 11.2. Pursuant to Clause 11(1)(f) of the regulations, the Municipality may revoke a permit if:
- (a) work has not commenced, and the Owner requests in writing that the permit be revoked;
 - (b) the permit was issued based on mistaken, false, or incorrect information;
 - (c) the permit was issued in error; or
 - (d) there is a contravention of any condition under which the permit was issued.
- 11.3. Where the Municipality revokes a permit, they shall:
- (a) provide written notice to the Owner as to the reasons for the revocation; and
 - (b) refund any fee, deposit, or tax paid as part of the permit application, less any fees paid for:
 - (i) plan review;

- (ii) permit administration; and
- (iii) Building Official inspection.

12. PERMIT EXPIRY AND EXTENSION

- 12.1. All permits shall expire on the date stated in the permit, or if no date is specified, the earliest of the following:
 - (a) 24 months from the date of issue;
 - (b) 6 months from the date of issue for permits issued for demolition or moving;
 - (c) 6 months from the date of issue if work has not commenced within that period; or
 - (d) 6 months from the date of the last inspection by a building official where work has not progressed to the satisfaction and discretion of the building official without prior authorization from the Municipality.
- 12.2. Pursuant to Clause 12(1) of the Regulations, the expiry of a permit does not relieve the Owner of their obligation to complete the work approved by the permit, to put the work into a safe condition, or to demolish the work.
- 12.3. The Owner may apply to the Municipality in writing to remove their obligation to complete the work, to put the work into a safe condition, or to demolish the work, and the Municipality shall have final approval.
- 12.4. Prior to the permit expiry date, an Owner may apply to the Municipality in writing to request that a permit's expiry date be extended.
- 12.5. In consultation with the building official, the Municipality may extend a permit's expiry date to a maximum of 24 months past the original expiry date.
- 12.6. An Owner may apply to the Municipality in writing to request that a permit's conditions be varied or modified.
- 12.7. The Municipality may charge additional fees for extending or modifying a permit.

13. NOTIFICATIONS

- 13.1. Before commencing work, the Owner shall give notice to the Municipality in writing of:
 - (a) the name of the Contractor or other person in charge of work;
 - (b) the designer of the work;
 - (c) the date the work is intended to commence; and
 - (d) when excavation is to commence, if applicable.
- 13.2. During the course of work, the Owner shall give notice to the Municipality in writing of:
 - (a) change in any person or firm listed in 13.1;
 - (b) change in Owner;
 - (c) change in Owner's contact information;
 - (d) when the foundation is to be placed;
 - (e) when a superstructure is to be placed on the foundation;
 - (f) any other event at the time required by the permit under which work has been undertaken;
 - (g) the intent to do any work requiring inspection by the building official;
 - (h) intent to enclose any work requiring inspection by the building official;
 - (i) any required notification as required by the plan review or the building official;
 - (j) the owner's intention to occupy a portion of the building if the building is to be occupied in stages;
 - (k) the person or firm that is to review the work to determine whether or not the construction conforms to the design;
 - (l) any inspection or testing agency that is engaged to monitor the work;
 - (m) change in project scope requiring additional inspections by the building official;
 - (n) change in project scope requiring the building official to conduct an inspection before enclosing any work;
 - (o) proposed or undertaken change from the plans approved and permitted by the

Municipality;

- (p) completion of work; and
- (q) any prescribed event at the prescribed time.

13.3. The Owner shall give notice to the Municipality in writing of the occurrence of any 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; or
- (b) failure of any equipment, device, or appliance that is regulated by the Act or the regulations.

13.4. Pursuant to 13.3, the Owner shall submit to the Municipality in writing within 15 days of an occurrence:

- (a) the name and address of the Owner;
- (b) the address or location of the work involved in the occurrence;
- (c) the name and address of the Contractor; and
- (d) the nature of the occurrence.

13.5. Upon receiving notice, the Municipality may require the Owner to:

- (a) provide other information that the building official or Municipality may consider necessary; and
- (b) complete any additional work required to ensure immediate compliance with the standards of construction.

14. ENFORCEMENT AND PENALTIES

14.1. For the purposes of ensuring compliance with the provisions of this bylaw, the Act, the regulations or the conditions of a permit, a building official may:

- (a) at any reasonable hour, enter land or a building;
- (b) be accompanied into a building by a person having special or expert knowledge on any matter to which the Act or the regulations relate;
- (c) order the production of a register, certificate, plan or other document relating in any manner to the design, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building and may examine and make copies of the document;
- (d) inspect and take samples of any material, equipment or appliance being used in the design, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building;
- (e) issue an order pursuant to the Act;
- (f) direct a local authority to register an interest on title pursuant to section 20 of the Act; and
- (g) exercise any other power or undertake any action as prescribed.

14.2. If any building or part thereof or addition thereto is in a condition that constitutes an unsafe condition or imminent risk or danger to the safety of occupants or the public, a building official may enter the land or the building and do, or cause to be done, any acts that the building official considers necessary to eliminate the risk of danger, and subsections 26(3) and (4) of the Act apply, with any necessary modification, to the expenses incurred in eliminating a danger.

14.3. Failure to obtain a permit or uphold the terms and conditions of a 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 pursuant to Section 25 of the Act.

14.4. Orders may be registered on title no less than 61 days after the landowner being served with the order.

14.5. Interests registered on title pursuant to Subsection 20(6) of the Act shall be removed no more than 30 days after the conditions of the order have been met.

- 14.6. The building official that finds a building in an unsafe condition due to faulty work, dilapidation, abandonment, open or unguarded condition, or for any other reason, may take any action permitted in the Act or regulations to eliminate the unsafe condition or risk of imminent danger.
- 14.7. Any person contravening any provision of this Bylaw may be subject to the penalties provided for in the Act.
- 14.8. Conviction of a person or corporation for breach of any provision of this Bylaw shall not relieve the person or corporation from their requirements to comply with the standards of construction.

15. SEVERABILITY

- 15.1. This Bylaw shall not be construed to hold the Municipality or its agents responsible or liable for any damage to persons or property caused through the administration of this Bylaw.
- 15.2. If a court of competent jurisdiction should declare any part, section, sentence, clause, phrase, or other portion of this Bylaw to be invalid, that portion shall not be construed as having persuaded or influenced Council to pass the remainder of this Bylaw. The part, section, sentence, clause, phrase or other portion of this Bylaw is to be deemed a separate, distinct, and independent provision, and the holding of the Court shall not affect the validity of the remaining portions of this Bylaw.

16. REPEAL

- 16.1. Bylaw No. 2015-26 is hereby repealed.

17. TRANSITIONAL

- 17.1. Every order, permit, license, contract, agreement or other document issued or entered into pursuant to Bylaw 2015-26 that is valid on the day before the coming into force of this Bylaw continues in force until its expiry date, if any, and may be dealt with pursuant to this Bylaw as if it were issued pursuant to this Bylaw.

18. COMING INTO FORCE

- 18.1. This Bylaw shall come into force on the date that it is approved by the Building Standards and Licensing Branch of the Ministry of Government Relations.

1st Reading: October 22, 2024

2nd Reading: April 8, 2025

3rd Reading: April 8, 2025



Al Trautman
Reeve

Kephaua
Chief Administrative Officer
Administrator

APPROVED
In accordance with Clause 17(6)(A) of
The Construction Codes Act
[Signature]
Building and Technical Standards
Ministry of Government Relations
Apr. 16, 2025
Date

CERTIFIED A TRUE AND CORRECT COPY OF
Bylaw No. 2024-27
Kephaua Administrator
DATED AT EMERALD PARK, SASK.
THIS 8th DAY OF April 2025



Permit Fees and Deposits

1. Residential dwelling units (one and two unit dwellings):

- a. Service fees charged to the Municipality by the Service Provider engaged in reviewing, inspecting, and enforcing the standards of construction; and
- b. administrative fees paid to the Municipality for the processing, handling, and issuance of a permit calculated as 15% of the service fees charged by the Service Provider.

2. All other projects not including one and two-unit residential dwellings:

- a. The greater of:
 - i. \$6 per \$1000 value of construction; or
 - ii. service fees charged to the Municipality by the Service Provider engaged in reviewing, inspecting, and enforcing the standards of construction; and
 - iii. administrative fees paid to the Municipality for the processing, handling, and issuance of a permit calculated as 15% of the service fees charged by the Service Provider.

3. Moving and Demolition Permits

- a. Farm buildings: \$25.00
- b. Residential buildings: \$125.00
- c. Accessory buildings: \$25.00
- d. Commercial/industrial buildings: \$250.00

4. Occupancy Deposit

- a. Residential: \$2000.00
- b. Non-residential: \$3000.00