



Bylaw 2020-05
Building Bylaw

A Bylaw Respecting Buildings

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

The Council of The Town of Eston in the Province of Saskatchewan enacts as follows:

ADMINISTRATIVE PROVISIONS

1. This bylaw may be cited as the “Building Bylaw – Bylaw No. 2020-05”.
2. The Town of Eston Building Bylaw No.9-2013 and all amendments are hereby repealed.
3. If any of this bylaw is found invalid by a court of competent jurisdiction, it shall be severed and the severance shall not affect the validity of the remainder of the bylaw.

INTERPRETATION/LEGISLATION

4. (1) “Act” means The Uniform Building and Accessibility Standards Act being Chapter U-1.2 of the Statutes of Saskatchewan, 1986-87-88 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) “Local authority” means the Town of Eston.
- (5) “Regulations” means regulations made pursuant to the Act.
- (6) Definitions contained in the Act and Regulations shall apply in this bylaw.
- (7) “Owner’s Agent” includes contractors.

SCOPE OF THE BYLAW

5. (1) This bylaw applies to matters governed by the Act and 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

6. (1) A permit is required whenever work regulated by the Act and Regulations is to be undertaken.
- (2) This bylaw mainly applies to buildings over 100 square feet in size. Buildings and projects under 100 square feet that do not require a building permit may require a development permit.
- (3) No owner, or owner’s agent shall work or authorize work or allow work to proceed on a project for which a permit is required unless a valid permit exists for the work to be done.
- (4) 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.

BUILDING PERMITS

- 7. (1) Every application for a permit to construct, erect, place, alter, repair, renovate or reconstruct a building shall be in Form A, and shall be accompanied by two sets of the plans and specifications of the proposed building, except that when authorized by the local authority or its authorized representative plans and/or specifications need not be submitted.
- (2) If the work described in an application for building permit, to the best of the knowledge of the local authority or its authorized representative, complies with the requirements of this bylaw, the local authority, upon receipt of the prescribed fee, shall issue a permit in Form B and return one set of submitted plans to the applicant.
- (3) The local authority may, at its discretion, have plan review, inspection and other services for the purpose of enforcement of the Act and Regulations provided by building officials designated by the minister to assist the local authority pursuant to the Act.
 - a) The permit fee for construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be based on the fees in Schedule 1 attached to and forming part of this Bylaw.
 - b) For building permits other than one and two-unit dwellings and associated construction, the local authority may require the services of a building official, licensed for the particular type of construction project, and the fees charged will be the application fee plus the amounts paid to the building official for plan review and inspection services.
- (4) The local authority 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 local authority.
- (5) Approval in writing from the local authority or its authorized representative is required for any deviation, omission or revision to work for which a permit has been issued under this section.
- (6) All permits issued under this section expire
 - (a) six months from date of issue if work is not commenced within that period, or
 - (b) if work is suspended for a period of six months, or
 - (c) if work is suspended for a period of longer than six months by prior written agreement of the local authority or its authorized representative.
- (7) The local authority may, at its discretion, rebate a portion of a permit fee where work is reduced in scope or discontinued, or where other exceptional circumstances occur.

MOVING BUILDINGS

- 8. (1) An applicant wishing to move a building shall request in writing to relocate an existing dwelling from outside or within the Town of Eston. The request shall include the location of the existing building, and address to where it is intended to be moved.
- (2) The request shall include upgrades that the applicant plans to do to the building,

floor plan and assessed value of the building from the municipality that it is currently located in. If this is not available the authorized representative will assess the building to the best of his/her abilities.

- (3) The authorized representative shall inspect the building(s) and building site(s) prior to it being moved. The inspection will confirm the type and quality of items such as electrical material, plumbing material, insulation/vapor barrier material, exterior finish, roofing condition, etc. The fees associated with the inspection are outlined in Schedule 1 attached to and forming part of this Bylaw.
- (4) Prior to calling a request for an inspection, the applicant shall ensure the building meets the following requirements:
 - a) The building must be structurally sound and constructed to an acceptable standard. Where there is any indication of fire or water damage, rotting, sagging, or poor construction practice, the application to relocate the building may be rejected.
 - b) It may be necessary to open wall or ceiling sections for the inspection by the authorized representative.
 - c) If the dwelling is to be placed in a new neighborhood confirmation that the building meets the standards under the current edition of the National Building Code.
 - d) If loose fill insulation is provided in exterior walls, where the exterior walls are gutted, or where a vapour barrier and/or insulation is not provided, the exterior walls shall be upgraded to current National Building Code requirements.
 - e) If the wiring in the exterior walls and ceilings have to be replaced, then the vapour barrier and insulation shall be upgraded to current Electrical Code requirements.
 - f) The exterior of the building shall be completed to provide a uniform neat appearance and fit into the architectural design of the neighborhood. Shingles shall not be excessively curled, siding and/or other exterior finishes shall be new or be refinished if necessary. Attics shall be adequately ventilated as prescribed by the current National Building Code.
 - g) Chimneys shall meet current codes. Fireplaces and solid fuel burning appliances shall meet current standards or be removed.
 - h) Plumbing must be tested and upgraded as necessary to meet current plumbing, heating and ventilation standards.
 - i) Occupant safety items such as interconnected smoke alarms on all floor areas, handrails, guardrails, and door closers to garages shall be included as prescribed by the current National Building Code.
 - j) Requirements for spatial separations apply to the location of buildings adjacent to each other and to the property lines.
- (5) A building permit is required for the construction of the completed dwelling on the proposed site. The permit fee is based on the square footage of the construction or the estimated value of the completed project as determined by the local authority or authorized representative.
- (6) Two sets of drawings are required. The drawings must include floor plans and elevations of the existing dwelling and construction drawings (including a fully dimensioned site plan) for all new work.
- (7) Buildings can only be moved by qualified movers. The building moving company shall obtain a business license from the local authority and shall provide proof that all required permits and approvals are in place as may be required by Saskatchewan Government Insurance, the Department of Highways, the Highway Traffic Board and Crown utilities. The owner or the building moving company shall provide the local authority with evidence of sufficient liability insurance for the moving project being undertaken.
- (8) The owner must give notice of his intention to move the buildings at least 24 hours before the move takes place.

DEMOLITION OR REMOVAL PERMITS

9. (1) The fee for a permit to demolish or remove are as per Schedule 1 attached to and forming part of this Bylaw.
- (2) Where buildings are removed, services shall be disconnected at the street.
- (3) If foundations are to be removed as per the demolition procedure, debris and waste material must be removed and the excavations backfilled with sufficient clean backfill material to allow for some settlement and provide adequate drainage from the site.
- (4) The applicant shall be responsible for restoring the site to a safe and acceptable condition and for any damage caused to a street as a result of the demolition or removal.
- (5) The applicant shall provide a deposit, in a manner acceptable to the local authority, against any costs that may be incurred by the local authority to restore the site or fix the street. See deposit fees in Schedule 1 attached to and forming part of this Bylaw.
 - a) If the applicant restores the site to a condition satisfactory to the local authority or its authorized representative, and there is no damage to the street, the sum deposited shall be refunded.
 - b) If the applicant does not restore the site and/or there are damages to the street the local authority may complete the restoration of the site and repair the street with the costs to be paid by the applicant. If the deposit is not large enough to cover the costs the balance will be charged to the applicant.
 - c) If the balance is not paid the amount owing may be added to the taxes owing on the property indicated in the permit.
- (6) Every application for a permit to demolish or remove a building shall be in Form C.
- (7) Where a building is to be demolished and the local authority or its authorized representative is satisfied that there are no municipal debts or municipal taxes in arrears outstanding with respect to the building or land on which the building is situated, the local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the demolition in Form D.
- (8) 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 and deposit prescribed, shall issue a permit for the removal in Form D.
- (9)
 - (a) Where a building is to be removed from its site and set upon another site in 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, and the building when placed on its new site and completed, to the best of the knowledge of the local authority or its authorized representative, will conform with the requirements of this bylaw, the local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form D.
 - (b) In addition, the local authority, upon receipt of the fee prescribed in Section 5(5), shall issue a permit for the placement of the building in Form B.
- (10) 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.

ENFORCEMENT OF BYLAW

10. (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.

SPECIAL CONDITIONS

11. (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) An up-to-date plan or survey of the site described in a permit or permit application prepared by a registered land surveyor shall be submitted by the owner where required by the local authority or its authorized representative.
- (3) It shall be the responsibility of the owner to ensure that change in property lines and/or change in ground elevations will not bring the building or an adjacent building into contravention of this bylaw.
- (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

12. (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.

COMING INTO FORCE

11. This Bylaw shall come into force upon approval by the Minister.

Al Heron, Mayor

Jody Schmidt, Chief Administrative Officer

Seal

Minister

Approval from the Minister this _____ day of _____, 2020

Read a FIRST TIME THIS _____ DAY OF _____

Read a SECOND TIME THIS _____ DAY OF _____

Read a THIRD TIME THIS _____ DAY OF _____

Adopted and Enacted THIS _____ DAY OF _____

Certified a true copy of Bylaw No. 2020-05
Adopted by resolution of Council
on the 24th day of June, 2020.

.....
Jody Schmidt, Chief Administrative Officer

TOWN OF ESTON
BUILDING BYLAW NO. 2020-05

Schedule 1 - FEES

Minimum Rates:

Projects under 100 square feet are exempt from this bylaw

Permits begin at \$105 and vary depending on the type of the project. Fees are as follows:

Item	Fee
Additions	\$0.68/sq ft + \$392 mileage + \$40 SAMA fees
Application	\$50
Basement (Complete)	\$720 (When lifting existing house) \$504 (With a new build)
Basements (Open)	\$488 (When lifting existing house) \$252 (With a new build)
Carports	\$368
Commercial (Class 2 & 3) Buildings \$120,000 to \$150,000 value	\$978
Commercial (Class 2 & 3) Buildings < \$120,000 value	\$790
Commercial (Class 2 & 3) Buildings > \$150,000 value	Inspector rates + 20% Administration and Enforcement Fee + \$40 SAMA fees + applicable tax + travel
Decks (100 sq. ft. or less)	\$105
Decks (Over 100 sq. ft.)	\$230
Deck with Roof (combined price)	\$440
Demolition	\$60
Detached/ Attached Garage (finished or unfinished)	\$468 (Freestanding, new build) \$252 (With a new build)
Development	\$50
Houses (Additions for basement, garage, deck)	\$0.68/sq ft + \$392 mileage + \$40 SAMA fees
Moving	\$60
Moving Deposit	\$1,500 (Site Restoration) \$1,500 (Street Damage)
Retaining Walls (Engineer designs will be requested)	\$105
Roof over an existing Deck	\$230
RTM (Only)	\$936
(Additions for basement, garage, deck)	
Shed (less than 200 sq. ft.) Anything bigger then 12×16 should be garage	\$175
Special Follow-ups	\$223
Steps (>24 inches high)	\$105