



**A BYLAW OF THE RESORT VILLAGE OF ISLAND VIEW
RESPECTING BUILDING**
THE RESORT VILLAGE OF ISLAND VIEW IN THE PROVINCE OF
SASKATCHEWAN ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the Building Bylaw
2. The following terms and phrases shall be interpreted as follows:
 - a) "Act" means the "Uniform Building and Accessibility Standards Act" Chapter U-1.2 of the Statutes of Saskatchewan, 1983-84 amendments.
 - b) "Administrative Requirements" means *The Administrative Requirements for Use with the National Building Code*.
 - c) Authorized Representative means a building official appointed by the local authority pursuant to subsection 5(4) of the Act or the Administrator or Clerk.
 - d) "Local Authority" means the Resort Village of Island View.
 - e) "Regulations" means regulations pursuant to the Act.
 - f) Definitions contained in the Act and Regulations shall apply in this bylaw.
3. Scope of the Bylaw
 - a) This bylaw applies to matters governed by the Act and the Regulations, including the *National Building Code of Canada* and the Administrative Requirements.
 - b) References and requirements in the Administrative Requirements respecting matters regulated by the Act and Regulations shall not apply.
 - c) References and requirements in the Administrative Requirements With respect to "Occupancy Permits" shall not apply except as and when required by the local authority or its authorized representative.
4. General
 - a) A building permit is required whenever work regulated by the Act and Regulations is to be undertaken.
 - b) No owner or owners agent shall work or authorize work or allow work to proceed on any project for which a building permit is required unless a valid permit exists for the work to be done.
 - c) The issuance of a permit authorized by this bylaw shall not:
entitle the holder, his successor, 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
make either the local authority or its authorized representative liable for damages or otherwise because a building, the construction, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use or occupancy that has been authorized by a building permit, does not comply with the requirements of any building restriction or agreement, bylaw, act and/or regulation pertaining to the site described in the permit.

5. Building Permits

- a) Every application for a building permit to construct, erect, alter, repair, renovate or reconstruct a building shall be in Form A. It shall be accompanied by two sets of plans and specifications of the proposed building, except when the local authority or its authorized representative states that plans and/or specifications need not be submitted.
- b) If the work described in the building permit application, 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 building permit in Form B and return one set of submitted plans to the applicant.
- c) The local authority may 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 subsection 4(4) of the Act.
- d) The local authority may have plan review, inspection and other services provided the person, firm, or corporation employed under contract to the local authority.
- e) The building Permit fee for construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be based on the following fee schedule:

\$5.00 per \$1,000.00 of value or the cost of the plan review

- f) The local authority may estimate the value of construction for the work described in a building permit application for to determine a fee, based on established construction cost, owners statement of costs or constructors contract values, or similar methods selected by the local authority.
- g) Written approval from the local authority or its authorized representative is required for any deviation, omission or revision to work for which a building permit has been issued under this section.
- h) Permits issued under this section expire:
Six months from the date of issue if work is not commenced within that period, or
If work is suspended for six months, or
If the work is suspended for a period of more than six months by prior written approval of the local authority or its representative.
- i) The local authority may rebate a portion of the permit fee where work is reduced in scope or discontinued, or where other exceptional circumstances occur.

6. Demolition or Removal Permits

- (A) 1) The fee for a demolition or removal permit shall be \$ 25.00
- 2) The applicant shall deposit with the local authority the following sum to cover the cost of restoring the site after the building has been demolished or removed to such condition that it is in the opinion of the local authority or its authorized representative, not dangerous to public safety.

\$500.00 deposit payable to the Resort Village of Island View

- 3) If the applicant restores the site to a condition satisfactory to the local, authority or its authorized representative, the deposit, or a portion of it shall be refunded.

- B. Every application to remove or demolish a building shall be in form C.
- C. Where a building is to be either moved, removed or 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 the land upon which the building is situated, the local authority, upon receipt of the fee and prescribed deposit, shall issue a removal or demolition permit in Form D.
- D. Once completed buildings moved to another site within the local authority shall conform to the requirements of this or any other applicable bylaw and upon payment of the prescribed fee and deposit a removal permit shall be issued in Form D.
- E. Buildings shall not be moved to another site within the local authority until:
 - the prescribed fee set out in 6 (A) 1 has been paid
 - the required deposit set out in 6(A) 2 has been made
 - a permit has been issued for placement of the building in Form B.
- F. Permits issued under this section expire six months from the date of issue however a permit may upon written application to the local authority be renewed for six months.

7. Enforcement of the Bylaw

- 1) If any building, part of a building or addition to a building 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 permitted by virtue of Part V of the Act for the purpose of ensuring compliance with this bylaw including but not limited to:
 - a) entering the building
 - b) ordering production of documents, tests, certificates, etc. related to the building
 - c) taking material supplies
 - d) issuing notices to owners that order actions within a prescribed time
 - e) eliminating unsafe conditions
 - f) completing actions, upon an owners non compliance with an order and adding the expenses incurred to the tax payable on the property
 - g) obtaining restraining orders.
- 2) If any building or part of a building, is in an unsafe condition due to its faulty structure, dilapidated condition, abandonment, open or unguarded condition or for 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 building permit has been issued or for which actions are being taken in compliance with an order shall give written notice to the local authority as required in Section 17.2 of the Act including but not limited to:
 - 1. on start, progress and completion of construction,
 - 2. of change in ownership prior to completion of construction,
 - 3. of intended partial occupancy prior to completion of construction

8. Special Conditions

- a) Irrespective of 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 if required by the local authority or its authorized representative.
- b) An up to date plan of survey of the site described in a building permit or Building permit application prepared by a registered land surveyor shall be submitted by the owner where required by the local authority or its authorized representative.
- c) It shall be the responsibility of the owner to ensure that changes in property lines and/or changes in ground elevations will not bring the building or an adjacent building into contravention of this bylaw.
- d) It shall be the responsibility of the owner to arrange for all permits, inspections and certificates required by other applicable bylaws, acts and regulations.

9. Penalty

- a) Any person who contravenes any of the provisions of this bylaw shall be liable to the penalties provided for in Section 22 of the Act.
- b) Conviction of a person or corporation for breach of any provision of this bylaw shall not relieve him from compliance with the bylaw.

10. Coming into Force

This bylaw shall come into force on the day it is approved by the Minister of Municipal Government, Culture & Housing.

Bylaw 5/94 is hereby repealed.

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



Mayor



Clerk



Certified a true copy of Bylaw Number 11-99
adopted by resolution of Council on the
3rd day of November, 1999.