

BYLAW NO. 1240

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF BONNYVILLE NO. 87, IN THE PROVINCE OF ALBERTA, BEING A SAFETY CODES PERMIT BYLAW, REGULATING THE FORM, CONTENT AND COSTS OF PERMITS FOR THE USE, OCCUPANCY, RELOCATION, CONSTRUCTION OR DEMOLITION OF BUILDINGS AND ANY WORK DONE TO AN ELECTRICAL, PLUMBING AND DRAINAGE, OR GAS INSTALLATION ON REQUIRED PROJECTS.

WHEREAS, by the authority of Section 23 of the Safety Codes Act, the Municipal District of Bonnyville No. 87 has been designated as an accredited municipality in the Building, Plumbing, Gas, and Electrical disciplines under the Safety Codes Act.

AND WHEREAS, pursuant to Section 62 of the Safety Codes Act, the Municipal District of Bonnyville No. 87 may make Bylaws respecting the carrying out of its powers and duties as an accredited municipality and respecting fees charged for permits issued or services provided pursuant to the Safety Codes Act.

NOW THEREFORE, Council of the Municipal District of Bonnyville No. 87 in the Province of Alberta, duly assembled, enacts the bylaw as follows:

TITLE

1. This bylaw shall be cited as the Municipal District of Bonnyville No. 87 Safety Codes Permit bylaw.

DEFINITIONS

2. In this Bylaw:
 - (a) "Act" means the Safety Codes Act, Revised Statutes of Alberta, 1991, Chapter S-0.5, as amended from time to time and the regulations made pursuant to that Act.
 - (b) "Municipality" means the Municipal District of Bonnyville No. 87.
 - (c) "Safety Codes Officer" means a person, excluding anyone appointed in the fire discipline, who is designated pursuant to Section 27 of the Safety Codes Act, who is employed either by the Municipality or an accredited agency which is contracted by the Municipality, to enforce all or any portion of the Act.
3. All definitions in the Safety Codes Act, Revised Statutes of Alberta, 1991, Chapter S-0.5, as amended from time to time and the regulations made pursuant to that Act shall apply to this bylaw.

SCOPE

4. The provision of this Bylaw shall apply to the issue of permits respecting the use, occupancy, relocation, construction or demolition of any building, the installation of electrical systems, plumbing or drainage systems, gas systems regulated by the Act within the Municipality.

POWERS AND DUTIES OF THE SAFETY CODES OFFICER

5. The Safety Codes Officer is hereby authorized to enforce all provisions of this Bylaw and the appropriate Quality Management Plan.
6. The Safety Codes Officer shall keep an accurate account of all permits issued and all fees collected and received under this Bylaw.

APPLICATION FOR PERMIT

7. Unless a permit has previously been obtained from the Safety Codes Officer, no person shall commence or cause the commencement of:
- (a) the construction of any building,
 - (b) the demolition of any building,
 - (c) the relocation of any building,
 - (d) the alteration of any building,
 - (e) the repair of any building,
 - (f) the occupancy of any building,
 - (g) the excavation of any land for the purpose of erecting or relocating any building,
 - (h) the installation or use of any heating, ventilating or air conditioning equipment specifically governed by the Act.
 - (i) the installation, replacement, alteration or repair of natural gas lines which serves a gas fired appliance serving a building
 - (j) the installation or replacement of a plumbing or drainage system, within a building,
 - (k) the installation or replacement of an electrical system.
8. A permit is not required for:
- (a) exterior painting,
 - (b) the resurfacing of any interior finishes,
 - (c) minor building repairs not exceeding one thousand (1,000) dollars in value where, at the discretion of the Safety Codes Officer, matters affecting health, safety or building longevity are not involved,
 - (d) a utility building of one hundred (100) square feet or less, provided the utility building is placed on the lot, at not less than 4 feet (1.2 meters) from the property line, and is used for residential storage only,
 - (e) the change in use of an existing building within the same building classification as determined by the Alberta Building Code, providing no work was done that would otherwise require permits,
 - (f) minor repair of leaks in water lines within buildings,
 - (g) the replacement of plumbing fixtures within buildings,
 - (h) the maintenance of electrical or gas systems as defined under the Act.

APPLICATION FORM

9. To obtain a permit, an applicant shall first file an application in writing on the appropriate form supplied by the Municipality or an Accredited Agency and each such application shall:
- (a) identify and describe the work to be covered by the permit for which the application is made,
 - (b) describe the land on which the proposed work is to be done, by legal description and when available by street address that will readily identify and definitely locate the proposed work,
 - (c) show the use or occupancy of the building for the building discipline,
 - (d) be accompanied by plans and specifications as required under section entitled "Plans & Specifications",
 - (e) state the prevailing market cost of the proposed work, (owner doing work will be cost of material times three (x3) to determine permit value,
 - (f) be signed by the applicant and,
 - (g) give such other information as may be required by the Safety Codes Officer for each discipline.

PLANS AND SPECIFICATIONS

10. (a) With each application for a building permit, two sets of plans and specifications shall be submitted to the Safety Codes Officer for review. In the event that an application involves the construction of a building that is non-structural in nature, or where, at the discretion of the Safety Codes Officer, matters affecting health, safety or building longevity are not involved, the requirement of the applicant to submit plans and specifications may be waived.
(b) Plans may be requested by the Plumbing, Gas, or Electrical Safety Codes Officer for information purposes only in support of the permit application.
11. Plans and specifications shall be drawn to scale upon substantial paper and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that it will conform to the provisions of the Act.
12. Each set of plans shall state the building address, the name and address of the owner of the building, the name and address of the person who prepared the plans and when an agent represents the owner, the name and address of the agent.
13. Each set of plans shall include a site plan showing the actual dimensions of the lot or property and the location of the proposed work in relation to the lot or property lines.
14. If requested by the Safety Codes Officer, the applicant shall include with each set of plans a plan of survey, certified by an Alberta Land Surveyor, showing the information required by Clause 13.
15. If requested by the Safety Codes Officer, the applicant shall submit computations, test results and all other evidence deemed necessary to show that the work will be in accordance with the Act.

ISSUANCE OF PERMIT

16. At the discretion of the Safety Codes Officer, plans and specifications may be submitted for examination to other Departments of the Municipality and the Province, to check for compliance with orders, regulations or bylaws under their jurisdiction
17. If the Safety Codes Officer is satisfied that the work described in the application for a permit, and plans filed therewith, is in accordance with the provisions of the Act and this Bylaw, and that the fees specified in Section 10 have been paid, a permit shall be issued to the applicant.
18. When the Safety Codes Officer issues the permit, both sets of plans and specifications shall be marked as examined.
19. The examined plans and specifications shall not be changed, modified or altered without authorization from the Safety Codes Officer and all work shall be done in accordance with the examined plans, and performed to meet the provisions of the Act.
20. The Safety Codes Officer may issue a permit for part of the work before the entire plans and specifications for the complete work have been submitted or examined if adequate information and detail statements have been filed in accordance with the provisions of the Act and of this Bylaw.

21. The holder of a permit for part of the work may proceed at his own risk without assurance that a permit for the remainder of the work will be granted.
22. One set of examined plans, specifications and computations shall be retained by the Municipality and one set of examined plans and specifications shall be returned to the applicant and shall be kept at the work site at all times during which the work authorized thereby is in progress, and shall be made available to the Safety Codes Officer.
23. Plans, submitted for review or for which no permit is issued and on which no action is taken by the Safety Codes Officer for Ninety (90) days may be destroyed.
24. The issuance of a permit or examination of plans and specifications shall not be construed to be a permit for, or an approval of a contravention of any provision of the Act.
25. No permit presuming to give authority to contravene the provisions of the Act shall be valid except in so far as the work or use that it authorizes is lawful.
26. The issuance of a permit based on plans and specifications shall not prevent the Safety Codes Officer from requiring the correction of work being carried on when in contravention of any provision of the Act or of this Bylaw.
27. Every permit issued by the Safety Codes Officer shall expire by limitation and become null and void if the work authorized by the permit is not commenced within ninety (90) days from the date of issue of the permit, or if the work authorized by the permit is suspended or abandoned for a period of one hundred and twenty (120) days at any time after the work is commenced.
28. The Safety Codes Officer may by notice in writing suspend, amend, or revoke a permit if the permit has been issued:
 - (a) in error,
 - (b) on the basis of incorrect information supplied,
 - (c) in contravention of any provision of the Act or this Bylaw,
 - (d) is deemed to be a safety and/or health hazard.
29. Except as permitted in Clause 31 no permit for the installation, repair or alteration of any electrical, heating, ventilating or air conditioning system, the installation or replacement of any plumbing or drainage system, the installation replacement or repair of any gas system shall be issued to a person other than a qualified contractor.
30. It shall be the responsibility of the contractor undertaking any work mentioned in Subsection (14) to engage only tradesmen who hold a certificate of proficiency in their respective trades or registered apprentices pursuant to the Tradesmen's Qualification Act.
31. Notwithstanding the requirements of Clause 29, a person who personally undertakes the installation, repair or alteration of an electrical, heating, ventilating, or air conditioning system, plumbing or gas system regulated by the Act in or about a single family detached dwelling which is owned and occupied by the person is not prohibited from applying for a permit.

BUILDING OCCUPANCY

- 32. No new building shall be used or occupied and no change in occupancy classification (as determined by the Safety Codes Officer) of an existing building shall be made until occupancy has been approved by a Safety Codes Officer.
- 33. Changes in the use or occupancy of a building shall not be made except in accordance with the provisions of the Act.
- 34. An occupancy permit shall be issued by the Safety Codes Officer if the building does not contravene the provisions of the Act, and if a request has been made by the applicant.

FEES

- 35. The fee for each permit, including off-site levies, shall be submitted at the time of application.
- 36. The fees for a permit application and associated service cost shall be charged in accordance with the "Municipal District of Bonnyville No. 87 Fee Schedule Bylaw" schedule as revised from time to time.
- 37. In the event that the work is started before a permit for such work has been obtained, penalties shall apply as set out in the "Municipal District of Bonnyville No. 87 Fee Schedule Bylaw".
- 38. Additional fees may apply for re-inspection at the discretion of the Safety Codes Officer.

OFFENCE

- 39. Any person who contravenes this Bylaw is guilty of an offence under Section 63 of the Safety Codes Act and subject to penalties under Section 64 of the Safety Codes Act.
- 40. This Bylaw shall come into force and effect upon third and final reading.
- 41. Building Permit Bylaw No. 664 and all amendments there to are hereby repealed.

READ A FIRST TIME IN COUNCIL THIS 22ND DAY OF FEBRUARY ,2001.

READ A SECOND TIME IN COUNCIL THIS 22ND DAY OF FEBRUARY ,2001.

READ A THIRD AND FINAL TIME, WITH THE UNANIMOUS CONSENT OF ALL COUNCILLORS PRESENT, THIS 22ND DAY OF FEBRUARY, 2001.



 REEVE



 MUNICIPAL MANAGER