

## VILLAGE OF CHASE

### BYLAW No. 866-2019

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#### A Bylaw to Amend the Village of Chase Building Regulations Bylaw 803-2014

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**WHEREAS** the Village of Chase Council has adopted Building Regulations Bylaw No. 803-2014;

**AND WHEREAS** the Village of Chase Council considers it advisable to amend the Building Regulations Bylaw No. 803-2014;

**NOW THEREFORE**, the Council of the Village of Chase in open meeting assembled enacts as follows:

1. **TITLE**

This Bylaw may be cited for all purposes as the "Village of Chase Building Regulations Amendment Bylaw No. 866-2019".

2. **AMENDMENTS**

2.1 Part 1 of Building Regulations Bylaw No. 803 is amended by adding the following as section "1.9 Limited Application to Existing Buildings":

1.9.1 Except as provided in the Building Code or to the extent an existing building is under construction or does not have an occupancy permit, when an existing building has been constructed before the enactment of this Bylaw or any prior building bylaw in effect at the time, the enactment of this Bylaw is not to be interpreted as requiring that the building must be reconstructed and altered, unless it is expressly so provided by this or another bylaw, regulation or statute.

1.9.2 This Bylaw applies if the whole or any part of an existing building is moved either within or into the Village, including relocation relative to parcel lines created by subdivision or consolidation.

1.9.3 If an alteration is made to an existing building, the alteration must comply with this Bylaw and the Building Code and the entire building must be made to comply with this Bylaw and the Building Code, but only to the extent necessary to address any new infractions introduced in the remainder of the building as a result of the alteration.

1.9.4 If an alteration creates an addition to an existing building, the alteration or addition must comply with this Bylaw and the Building Code and the entire building must be made to comply with this Bylaw and the Building Code, but only to the extent necessary to address any new infractions introduced in the remainder of the building as a result of the alteration or addition."

2.2 Part 2 of Building Regulations Bylaw No. 803 is amended by replacing the definition of *Agent* with the following:

"**Agent** means a person, firm, or company representing the **owner**, by written designation or contract, and includes a hired tradesperson or contractor."

- 2.3 Part 2 of Building Regulations Bylaw No. 803 is amended by adding the following definitions in alphabetic order:
- “**Addition** means an alteration to any building which will increase the total aggregate floor area or height and includes provision of two or more separate buildings with openings between each other.”
- “**Alteration** means a change, repair, or modification of the construction or arrangement of use of any building or structure, or to an occupancy regulated by this Bylaw.”
- “**Occupancy Certificate**” means a certificate required or issued pursuant to this Bylaw and includes a provisional occupancy certificate or, for minor construction, a written occupancy approval otherwise provided by the Building Official.”
- 2.4 Part 2 of Building Regulations Bylaw No. 803 is amended by replacing the definition of “*Health and Safety Aspects of the Work*” with the following:
- “ “Health and Safety Aspects of the Work” means design and construction regulated by the *Building Code* but excluding Parts 1, 2, 5,6, and Part 9 sections 9.1 to 9.3 inclusive, 9.5, 9.11, 9.14, 9.25, 9.26, 9.30, and 9.36.”
- 2.5 Section 5.1 of Building Regulations Bylaw No. 803 is amended by adding the following as subsection 5.1 (c) and renumbering the subsequent clause:
- “confirm that every building or structure or addition to a building or structure meets the siting requirements and any height limitations of the zoning bylaw in effect;”
- 2.6 Part 15 of Building Regulations Bylaw No. 803 is amended by adding the following as section 15.4:
- “Notwithstanding the requirement for inspection under section 16 of this Bylaw, a *Building Official* may, when unable to attend a *construction site* on the date of a required inspection due to travel distance or time constraint, alternatively determine on the basis of information provided by the *owner* or contractor the acceptability of work shown or described within that information. The *Building Official* may require that photographs, electronic data or transmissions or written reports from certified persons be provided for review prior to authorizing the concealment of that work.”
- 2.7 Part 17 of Building Regulations Bylaw No. 803 is amended by replacing section 17.3, with the following, *Provisional Occupancy Certificate*:
- “A *Building Official* may issue a *provisional occupancy certificate* where the *construction* of a building or *structure* has been substantially completed and where the health and safety requirements of this Bylaw and the *Building Code* have been met. The *provisional occupancy certificate* shall be valid for 90 days from the date of certificate issuance and may be extended for an additional 90 days upon any terms or conditions specified by the *Building Official*. The *owner* shall pay the *provisional occupancy certificate* fee as specified in Appendix “A” to this Bylaw prior to issuance of the certificate or extensions.

2.8 Part 20 of Building Regulations Bylaw No. 803 is amended by replacing section 20.1 with the following:

“Any person who violates or who causes or permits a violation of any provision of this Bylaw or who fails to do any act or thing required to be undertaken pursuant to this Bylaw, commits an offence against this Bylaw and is liable to the penalties imposed herein; whereby, each day that a new contravention of or failure to comply continues constitutes a separate offence of this Bylaw.”

2.9 Part 20 of Building Regulations Bylaw No. 803, section 20.5, is amended by replacing 3.14 with 3.1(d).

2.10 Part 20 of Building Regulations Bylaw No. 803 is amended by adding the following as sections 20.7 and 20.8:

“20.7 Any person who contravenes any provision of this Bylaw, or who suffers or permits any act or thing to be done in contravention of any provision of this Bylaw, or who neglects to do or refrains from doing anything required to be done by any provision of this Bylaw, commits an offence against this Bylaw and is subject to:

- (a) a fine under the Village Municipal Ticket Information Bylaw if any information respecting the contravention is laid by means of a ticket;
- (b) upon summary conviction, a fine not exceeding \$10,000 and costs of prosecution;
- (c) a fine not exceeding \$500 in accordance with the Local Government Bylaw Notice Enforcement Act if a bylaw notice is issued respecting the contravention; or
- (d) any combination of the above.

20.8 Any penalty imposed pursuant to this Bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or regulation.”

2.11 APPENDIX “A”: SCHEDULE OF PERMIT FEES to Bylaw No. 803 is replaced in its entirety with Schedule “1” as attached hereto and forming a part of this Bylaw.

**3. EFFECTIVE DATE**

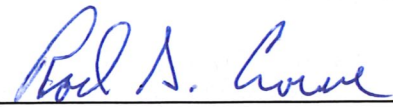
This Bylaw shall come into effect on June 1<sup>st</sup> of 2019.

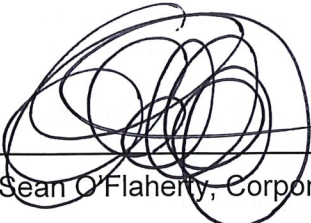
READ A FIRST TIME this 26<sup>th</sup> day of **MARCH, 2019.**

READ A SECOND TIME this 26<sup>th</sup> day of **MARCH, 2019.**

READ A THIRD TIME this 26<sup>th</sup> day of **MARCH, 2019.**

ADOPTED this 9<sup>th</sup> day of **APRIL, 2019.**

  
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Rod Crowe, Mayor

  
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Sean O'Flaherty, Corporate Officer

**SCHEDULE “1”**

**APPENDIX “A”: SCHEDULE OF PERMIT FEES**

A. For the purpose of calculating the fee for *permits* under this bylaw, the value of *construction* shall be the total contract price for the work including all subcontracts or the value of *construction* as determined by the *Building Official* on the basis of plans, specifications and information available to him or her, whatever value shall be greater.

B. BUILDING PERMIT APPLICATION FEES

A non-refundable *permit* application fee of \$200 or the calculated building *permit* fee, whichever is less, shall be charged for all *permits*. The building *permit* fee shall include this non-refundable application fee.

C. BUILDING PERMIT FEE

(1)	<u>Construction Value</u>	<u>Fee</u>
(a)	\$1 to \$1,000;	\$50
(b)	\$50 plus for each \$1,000 or part thereof by which the value exceeds \$1,000 up to a maximum of \$400,000 as additional fees; and	\$9
(c)	each additional \$1,000 or part thereof by which the value exceeds \$400,000 as additional fees	\$6

D. PLUMBING PERMIT FEE

(1)	Minimum fee for any plumbing <i>permit</i> or first fixture	\$75
(2)	<i>Permit</i> fee for each fixture after the first fixture	\$10
(3)	<i>Permit</i> fee for an interceptor or catch basin	\$15
(4)	<i>Permit</i> fee for the installation of a backflow prevention device in any plumbing system.	\$15
(5)	<i>Permit</i> fee for any fire sprinkler system	
(a)	First 25 sprinkler heads	\$50
(b)	Each additional sprinkler head after the first 25	\$1

E. PERMIT FEE SURCHARGE

- (1) In addition to other fees payable in accordance with this Appendix at the time of *permit* issuance, a surcharge will apply to all building *permits* as follows:
  - (a) \$50 where the *construction* value is less than \$10,000;
  - (b) \$200 where the *construction* value is from \$10,000 to \$50,000 or;
  - (c) \$500 where the *construction* value is in excess of \$50,000.
  
- (2) When all work associated with a building *permit* is completed within thirty six (36) months of the date of issue, the *Building Official* shall rebate the surcharge fee as follows:
  - (a) \$50 where the *construction* value is less than \$10,000;
  - (b) \$200 where the *construction* value is from \$10,000 to \$50,000 or;
  - (c) \$500 where the *construction* value is in excess of \$50,000.

F. SPECIAL INSPECTION

Voluntary inspection to establish conformance or status of a building. \$150

G. MANUFACTURED HOMES OR BUILDING RELOCATION

(1) *Permit* fee for manufactured homes including skirting, foundation, blocking, landing and stairs up to 2m<sup>2</sup> (21 ft<sup>2</sup>), water and sewer service connections \$500

(2) *Permit* fee for manufactured homes or relocated buildings placed on permanent foundations extending below ground level will be \$500 plus an additional fee based on the value of the foundation as determined by the *Building Official*.

H. RENEWAL PERMIT FEE

The fee for a renewal *permit* shall be \$200 each renewal period of one year.

I. PROVISIONAL OCCUPANCY CERTIFICATE FEE

The fee for a provisional occupancy certificate shall be \$80 for each issuance period of 90 days.

J. TEMPORARY BUILDING

Fee for a *permit* to construct, place or occupy a temporary building for one year or part thereof \$100

K. CHIMNEY / SOLID FUEL APPLIANCE

Fee for the installation of a chimney, fireplace or solid fuel-burning appliance. \$100

L. REMOVAL OF NOTICE ON LAND TITLE

Fee for the removal of a land title notice. \$200

M. DEMOLITION OR RELOCATION

The fee for a *permit* to demolish a building. \$50

N. REINSPECTION FEE

Where any re-inspection carried out pursuant to this Bylaw discloses faulty work and a subsequent inspection is thereby made necessary, the fee for each subsequent inspection shall be \$50.

O. DOUBLE PERMIT FEE

Where work for which a *permit* is required by this bylaw has been commenced prior to issuance of a *permit*, and a stop work order has been posted on that work, the applicant shall pay double the fee prescribed in this Schedule, provided that the additional fee shall not exceed \$2,000.

P. PERMIT FEE REFUND

Where no construction has commenced within six (6) months of building permit issuance, should the *permit* holder apply in writing to cancel the application or *permit*, the *Building Official* shall refund 75% of the original *permit* fee.

Q. FEE REDUCTION FOR PROFESSIONAL SUPERVISION

Where a professional engineer or architect is retained by the *owner* and an undertaking is provided to coordinate design and field reviews on the project, the building *permit* fee will be reduced by 5%.

R. PERMIT APPLICATION LEGAL CHANGE

The fee for any legal change on title, such as ownership or subdivision, requiring revisions to the *permit* application records. \$75

S. PERMIT DESIGN AND CONSTRUCTION MAJOR MODIFICATION

If an issued *permit* is active or application plans have been reviewed and the *owner* proposes significant modifications to the building whereby the design changes and the value of the work changes, regardless whether the value increases or decreases, a fee of \$100 per hour will be charged based on the hours, or portions thereof, expended for modified plan review.