

RURAL MUNICIPALITY OF LEROY NO. 339

BYLAW NO. 2021-04

A BYLAW OF THE RURAL MUNICIPALITY OF LEROY, NO. 339 RESPECTING BUILDINGS

The Council of the Rural Municipality of LeRoy, No. 339, in the Province of Saskatchewan enacts as follows:

SHORT TITLE

1. This bylaw may be cited as the Building Bylaw.

INTERPRETATION/LEGISLATION

2. (1) "Act" means *The Uniform Building and Accessibility Standards Act SS 1983-84, c U-1.2, as amended.*  
(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.  
(4) "local authority" means the Rural Municipality of LeRoy, No. 339.  
(5) "Regulations" means regulations made pursuant to the Act.  
(6) Definitions contained in the Act and Regulations shall apply in this bylaw.

SCOPE OF THE BYLAW

3. (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

4. (1) A permit is required whenever work regulated by the Act and Regulations is to be undertaken.  
(2) Notwithstanding subsection (1), no demolition or removal permit is required for any building with floor area of less than 10 square meters and no building permit is required for a building with a floor area of less than 10 square meters provided:
  - i) it does not create a hazard
  - ii) the construction of the same conforms to all other requirement of the Act the Regulations and the Zoning Bylaw of the local authority; and
  - iii) the building is not used for residential occupancy.  
(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.
  - (b) make either the municipality or any municipal official or any building official appointed by the municipality local authority or its authorized representative liable for damages or otherwise by reason of the fact that a building, the design, 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

5. (1) Every application for a permit to construct, erect, place, alter, repair, renovate, demolish, relocate, remove, use or occupy a building or buildings shall be in Form "A", and shall be accompanied by documents evidencing compliance with the requirements of this bylaw in relation to the proposed building or buildings.  
(2) Applications as well as any accompanying documents may be submitted electronically to the local authority or its authorized representative.
6. (1) Applications for multiple buildings shall include estimated values for construction for each of the buildings included in the application.  
(2) Documents may be submitted in phases to the local authority or its authorized representative for review by the local authority's authorized representative.  
(3) Applicants shall ensure that all documents submitted electronically are in a format that does not rely on special software to view or to be stored in accordance with the local authorities record retention policy.  
(4) The local authority or its authorized representative may require a site plan prepared by a registered Saskatchewan Land Surveyor, either before construction begins or upon completion of work, as a condition of permit approval.  
(5) 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 shall, upon receipt of the prescribed fee, issue a permit in Form B.  
(6) If the local authority or its authorized representative considers it appropriate, the local authority and its authorized representative may defer payments for building permits to follow the issuance of a permit.  
(7) If the documents evidencing compliance with the requirements of this bylaw are submitted in phases to the local authority, the local authority or its authorized representative may issue a permit conditional on the submission and approval of such further documents.  
(8) For the purpose of determining whether the work described in an application for a building permit complies with the requirement of this bylaw, the local authority or its authorized representative may accept a statement to that effect, certified by an Architect or Professional Engineer licensed to practice in Saskatchewan.  
(9) 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 official or building official designated by the minister to assist the local authority pursuant to subsection 4(4) of the Act.  
(10) The local authority may, at its discretion, have plan review, inspection and other services provided by a person, firm or corporation employed under contract to the local authority.  
(11) The permit fee for the construction, erection, placement, alteration, repair, renovation, or use or occupy of a building shall be the full cost of those services provided by a person, firm or corporation employed under contract to the local authority.  
(12) 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.  
(13) All permits issued under this section expire one (1) year from date of issue if work is not commenced within that period, or if work is suspended for more than one (1) year, unless with the prior written agreement of the local authority or its representative.  
(14) 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.

## DEMOLITION OR REMOVAL PERMITS

7. (1) (a) The fee for a permit to demolish, relocate or remove a building shall be \$20.00.  
(b) In addition, the applicant shall deposit with the local authority such sum as the local authority or its authorized representative considers sufficient 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. If the applicant who demolishes

or removes the building restores the site to a condition satisfactory to the local authority or its authorized representative, the sum deposited, shall be refunded.

- (2) (a) Every application for a permit to demolish or remove a building shall be In Form "C".
- (b) Every application to remove a building from its site and relocate it to a site within the geographical jurisdiction of the local authority will require a permit on Form "C".
- (3) Where a building is to be demolished or removed and the local authority or its authorized representative is satisfied that there are no 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 demolition in Form "D".
- (4) 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 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 fees and deposit prescribed, shall issue a permit for the removal in Form "D" and a permit for the placement for the building in Form "B".
- (5) 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

7. Enforcement of this bylaw shall follow Part V of the Act.

#### SUPPLEMENTAL BUILDING STANDARDS

8. Every application for a permit to construct, erect, place, alter, repair, renovate, demolish, relocate, remove, use or occupy a building, where the design falls into subsections 8(1), 8(2), or 8(3.1) of *The Uniform Building and Accessibility Standards Regulations*, must be accompanied with a "Commitment for Field Review Letter" completed by a design professional detailing their scope of work. The design professional must also provide a "Letter of Assurance" upon completion of the project and prior to the building being occupied.

#### SPECIAL CONDITIONS

9. (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) 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.
- (3) 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

10. Any person who contravenes any of the provisions of this bylaw shall be liable to the penalties provided in Section 22 of the Act.

#### REPEAL OF BYLAWS


11. Bylaw 4-2012 is hereby repealed.

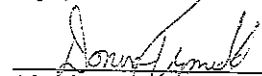
BYLAW EFFECTIVE DATE

12. This bylaw shall come into force on the date of approval pursuant to Section 23.1(4) of the Act.

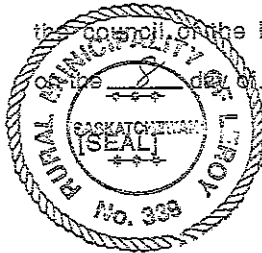
Read a third time and adopted  
This 8<sup>th</sup> day of December, 2021



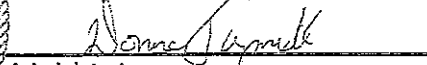
  
Deputy Reeve

  
Administrator

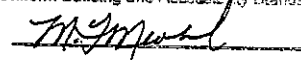
"Certified to be a true copy of Bylaw No. 2021-04 adopted by  
the council of the Rural Municipality of Leroy No. 339



on the 8 day of December, 2021."

  
Administrator

APPROVED  
In accordance with Clause 23.1(4)(a) of  
The Uniform Building and Accessibility Standards Act



Building Standards and Licensing  
Ministry of Government Relations

December 16, 2021  
Date