

TOWN OF REGINA BEACH

BYLAW NO. 3/96

A BYLAW RESPECTING BUILDINGS

The council of the Town of Regina Beach, 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 being Chapter U-1.2 of the Statutes of Saskatchewan, 1983-84 and amendments.
- (2) "Regulations" means regulations made pursuant to the Act.
- (3) "Administrative Requirements" means The Administrative Requirements for Use with The National Building Code.
- (4) "Municipality" means the Town of Regina Beach.
- (5) "Council" means the council of the Town of Regina Beach.
- (6) Definitions contained in the Act and regulations shall apply in this bylaw.

SCOPE OF THE BYLAW

3. (1) The Uniform Building and Accessibility Standards Act and Regulations 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 Council or its authorized representative.

GENERAL

4. (1) A permit is required whenever work regulated by the Act and Regulations is to be undertaken.
- (2) No owner or agent of the owner 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.
- (3) The granting of any permit which 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 municipality or any municipal official or any inspector appointed by the municipality liable for damages or otherwise by reason of the fact that a building, the placement, erection, construction, alteration, repairs, renovation or reconstruction of which has been authorized by permit, does not comply with the requirements of any such building restriction agreement, bylaw, Act and/or regulation.

- (b) In addition, the applicant shall deposit with the municipality such sum as the Council 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 Council 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 Council or its authorized representative, the sum deposited shall be refunded.
- (2) Every application for a permit to demolish or remove a building shall be in Form "C".
- (3) Where a building is to be demolished and the municipality 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 municipality, 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 the municipality, and the municipality 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 municipality, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form "D".
- (5) Where a building is to be removed from its site and set upon another site in the municipality, and the municipality 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 Council or its authorized representative, will conform with the requirements of this bylaw, the municipality, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form "D".
- (6) 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 municipality.

ENFORCEMENT OF BYLAW

7. (1) If any building, or part thereof, or addition thereto is erected, constructed, reconstructed, altered, or placed in contravention of any provision of this bylaw, the Council 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 which 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 Council 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 municipality 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.

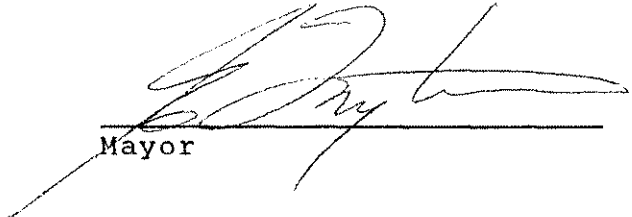
SPECIAL CONDITIONS

8. (1) 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 Council or its authorized representative.
- (2) It shall be the responsibility of the owner to ensure that change in property lines will not bring the building or an adjacent building into contravention of this bylaw.
- (3) It shall be the responsibility of the owner to ensure that 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 Acts and regulations.

PENALTY

9. (1) Any person who contravenes any of the provisions of this bylaw shall be liable to the penalties provided in Sec. 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.

10. Bylaw Nos. 6/92, 3/91, 6/90, and 11/89 are hereby repealed.



Mayor

(Seal)



Town Administrator

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

Certified a true copy of
Bylaw No. 3/96 passed by
resolution of Council on the
14th day of May, 1996.



Town Administrator