

T O W N   O F   V U L C A N

By-Law No. 1021

A By-Law of the Town of Vulcan, in the Province of Alberta, to regulate the form, content and cost of building permits for the use, occupancy, relocation, construction, alteration or demolition of buildings and to rescind By-Laws No.'s 683 and 741.

WHEREAS the Town of Vulcan has been authorized by Alberta Regulation #341/84 to enforce the Uniform Building Standards Act within the Town of Vulcan, being chapter U-4 R.S.A. 1980 and amendments thereto.

NOW THEREFORE the Council of the Town of Vulcan, duly assembled, enacts as follows:

THAT:

1. Title

This By-Law shall be known as the "Building Permit By-Law" of the Town of Vulcan and is hereinafter referred to as "this By-Law".

2. Definitions

2.1 In this By-Law

2.1.1 "Act" shall mean the Uniform Building Standards Act and regulations made pursuant to section 2 of the Act.

2.1.2 "Building Inspector" shall mean a person, appointed pursuant to Section 2 of the Act, responsible to the Town of Vulcan for the enforcement of the Act.

2.1.3 "Development Officer" shall mean the Development Officer appointed by the Town of Vulcan and shall be jointly responsible with the Building Inspector for the enforcement of the Act.

2.2 All definitions contained in the Act shall apply to this By-Law.

3. Scope

The provisions of this By-Law shall apply to the issue of building permits respecting the use, occupancy, relocation, construction, alteration or demolition of any building regulated by the Act within the Town of Vulcan.

4. Power and Duties of the Development Officer and Building Inspector

4.1 The Development Officer and Building Inspector are hereby authorized and directed to enforce all provisions of this By-Law.

4.2 The Development Officer and Building Inspector shall keep an accurate account of all permits issued and all fees collected and received under this By-Law.

5. Application for Building Permit

5.1 Unless a permit has previously been obtained from the Development Officer and Building Inspector, no person shall commence or cause the commencement of

- (a) the erection or construction of any building
- (b) the demolition of any building

- (c) the relocation of any building,
- (d) the alteration of any building, including the extension, enlargement, improvement or conversion of any building,
- (e) the repair of any building,
- (f) the excavation of any land for the purpose of erecting or locating any building,
- (g) the installation or use of any heating, ventilating or air conditioning equipment specifically governed by the Act.

5.2 A permit is not required for

- (a) painting and decorating,
- (b) minor repairs not exceeding \$1000.00 in value where matters affecting health or safety are not involved and where structural changes are not involved.
- (c) repair or alteration to any heating, ventilating or air conditioning system which is of a minor nature and which in the opinion of the Development Officer and Building Inspector will not hinder the satisfactory operation of the system, and does not involve a matter of health or safety to the occupants of the building.

6. Application Form

To obtain a building permit an applicant shall first file an application in writing on the prescribed form shown in Schedule "A" attached hereto and forming a part of this By-Law 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 a legal description and, when available, by a street address, that will readily identify and definitely locate the proposed work;
- (c) show the use or occupancy of the building;
- (d) be accompanied by plans and specifications as required in section 7;
- (e) state the prevailing market cost of the proposed work;
- (f) be signed by the applicant or his authorized agent;
- (g) give such other information as may be required by the Act.

7. Plans and Specifications

7.1 With each application for a building permit, three sets of plans and specifications shall be submitted, except that when authorized by the Development Officer and Building Inspector plans and specifications need not be submitted.

7.2 Plans and specifications shall be drawn to scale upon substantial paper or cloth 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.



- 7.3 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.
- 7.4 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.
- 7.5 If requested by the Development Officer and Building Inspector, the applicant shall include with each set of plans a survey, certified by an Alberta Land Surveyor, showing the information required by subsection (7.4).
- 7.6 If requested by the Development Officer and Building Inspector, 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.

8. Issuance-of Building Permit

- 8.1 Plans and specifications may be submitted for examination to other Departments of the Town of Vulcan and the Province to check for compliance with orders, regulations or by-laws under their jurisdiction.
- 8.2 If the Development Officer and Building Inspector are satisfied that the work described in an application for a building permit and the plans filed therewith are in accordance with the provisions of the Act and of this by-law, and that the fees specified in Section 10 have been paid, they shall issue a building permit therefor to the applicant.
- 8.3 When the Development Officer and Building Inspector issue the building permit, they shall write or stamp on each set of plans and specifications "EXAMINED".
- 8.4 The examined plans and specifications shall not be changed, modified or altered without authorization from the Development Officer and Building Inspector and all work shall be done in accordance with the examined plans, and performed to meet the provisions of the Act.
- 8.5 The Development Officer and Building Inspector may issue a building 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 detailed statements have been filed in accordance with the provisions of the Act and of this By-Law.
- 8.6 The holder of a permit for part of the work may proceed at his own risk without assurance that a building permit for the remainder of the work will be granted.
- 8.7 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 Building Inspector.
- 8.8 Plans, submitted for checking, for which no building permit is issued, and on which no action is taken by the Development Officer and Building Inspector for 90 days, may be destroyed.

- 8.9 The issuance of a building 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.
- 8.10 No building 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 authorized is lawful.
- 8.11 The issue of a building permit based upon plans and specifications shall not prevent the Development Officer and Building Inspector from thereafter requiring the correction of work being carried on thereunder when in contravention of any provision of the Act or of this by-law.
- 8.12 Every building permit issued by the Development Officer and Building Inspector shall expire by limitation and become null and void if the work authorized by the building permit is not commenced within 120 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 180 days at any time after the work is commenced.
- 8.13 The Development Officer and/or Building Inspector may, by notice in writing, suspend 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 of this by-law.
- 8.14 Except as permitted in subsection 8.16, no permit for the installation repair or alteration of any heating, ventilating or air conditioning system shall be issued to a person other than a qualified contractor.
- 8.15 It shall be the responsibility of the contractor undertaking the installation, repair or alteration of a heating, ventilating or air conditioning system to engage only tradesmen who hold a certificate of proficiency in their respective trades.
- 8.16 Notwithstanding the requirements of subsection 8.14,
- (a) a person who personally undertakes the installation repair or alteration of a heating, ventilating, or air conditioning system regulated by the Act in or about a single family detached dwelling which is or will be owned and occupied by the person, or
  - (b) a journeyman who holds a certificate of proficiency in a specific trade relevant to the work to be undertaken and who is regularly employed for the installation, alteration, repair or addition to heating, ventilating and air conditioning systems if the work is performed on the property of his employer,

is not prohibited from obtaining a building permit.

## 9. Occupancy Permit

- 9.1 No building shall be used or occupied and no change in the existing occupancy classification of a building shall be made until an occupancy permit has been issued.
- 9.2 Changes in the use or occupancy of a building shall not be made except in accordance with the provisions of the Act.
- 9.3 An occupancy permit shall be issued by the Development Officer and Building Inspector if the building does not contravene the provisions of the Act, and if a request has been made by the applicant.



10. Fees

10.1 The fee for each building permit shall be submitted at the time of application.

10.2 The Development Officer and Building Inspector may place a value on the cost of the work for the purpose of determining the building permit fee.

10.3 If no work, including excavation, has been started before the issuance of a building permit the fee for a building permit shall be paid in accordance with the following schedule:

<u>Total Valuation</u>	<u>Fee</u>
Up to and including \$30,000.00	\$3.00 per thousand or fraction thereof
Each additional \$1,000.00 over \$30,000.00	\$2.00 per thousand or fraction thereof

10.4 If a new building permit is required, after expiry of a building permit in accordance with section 8.12, the fee for the new permit shall be one half of the fee required under subsection 10.3, if no changes have been made or will be made in the original plans and specifications and if the suspension or abandonment of the work has not exceeded one year.

10.5 If the applicant for a building permit is the owner and will be the occupier of the building within which the work is to be done, and obtains the material and personally undertake the installation then the building permit fee shall be based on twice the prevailing market cost of the material.

10.6 If any work, including excavation, has been started before the issuance of a building permit the building permit fee shall be double the fee required by subsections 10.3 or 10

11. Offence

Any person who contravenes this By-Law is guilty of an offence under Section 13 of The Uniform Building Standards Act.

12. Rescinding

By-Law No.'s 683 and 741 be and are hereby rescinded.

13. Commencement

This By-Law shall have effect from the date of final reading thereof.

READ a first time this 11th day of February A.D. 1985.

READ a second time this 11th day of February A.D. 1985.

READ a third time, by unanimous consent of the Councillors present, and finally passed this 11th day of February A.D. 1985.

  
Mayor

  
Municipal Administrator

## TOWN OF VULCAN

## APPLICATION FOR BUILDING PERMIT

PERMIT NO. \_\_\_\_\_

I/We hereby make application for a Building Permit under the provisions of Building Permit By-Law No. \_\_\_\_\_ in accordance with the plans and specifications submitted herewith and which form part of this application.

APPLICANT: \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

OWNER: \_\_\_\_\_ TELEPHONE NO. \_\_\_\_\_

ADDRESS: \_\_\_\_\_

Permit Required for \_\_\_\_\_

Legal Description - Lot \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_

Civic Address - \_\_\_\_\_

Estimated Cost of Construction - \$ \_\_\_\_\_

Date of Construction to Commence - \_\_\_\_\_, 19 \_\_\_\_\_

Estimated Date of Completion - \_\_\_\_\_, 19 \_\_\_\_\_

List of Contractors and Sub-Contractors - \_\_\_\_\_

Name	Address
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Three (3) sets of Plans, Specifications and Site Plan are to be submitted with Application.

Date - \_\_\_\_\_ (Signature of Applicant)

Date - \_\_\_\_\_ (Signature of Owner)

## FOR OFFICE USE ONLY

APPROVED, subject to the following conditions: (Strike out those conditions not applicable)

1. As per Alberta Building Regulations.
2. Survey Certificate required before upper walls are constructed.
3. Town must be notified before any trenches are dug for Utility Services.
4. Footing Grade Elevation must be checked prior to construction of basement walls.
5. A commercial garbage bin must be obtained, placed on site and utilized during construction.
6. An Occupancy Permit must be obtained before occupying premises.
7. Engineers Certificate for construction of wood basement is required by the Town.
8. Certificate of Wood Treatment is required by the Town.
9. Access must be maintained to rear yard for storage of Recreation Vehicles and at least one off street parking space.
10. Grades to be established on site.
11. Other: \_\_\_\_\_

Date - \_\_\_\_\_

Date - \_\_\_\_\_ Development Officer

Attached to and forming a part of By-Law No. 1021

*[Signature]*  
Mayor

*[Signature]*  
Municipal Administrator

Building Inspector

(over)

### SPECIAL CONDITIONS

1. Neither the issuance nor the granting of a permit, nor the examination of plans and specifications shall be construed to be a permit, for, or an approval of, any violation of any of the provisions of the Uniform Building Standards Act, regulations made pursuant thereto, ministerial orders, or By-Laws.
2. The issuance of a permit based upon plans and specifications shall not prevent an inspector from issuing orders under Section 9 of The Uniform Building Standards Act.
3. The issuance of a permit shall not prevent an inspector from stopping building construction operations which are in violation of The Uniform Building Standards Act, regulations made pursuant thereto, ministerial orders, or By-Laws.
4. By written notice, a building inspector may suspend or revoke a permit issued in error or issued on the basis of incorrect information supplied or when in violation of any provision of any legislation, regulation, ministerial order, or By-Law.
5. A set of examined drawings and specifications shall be kept on the building site at all times during which the work authorized by this permit is in progress, and shall be available for inspection by an inspector.
  - (a) Utilities - Location, height or depth, and protection from damage of all utilities, i.e. sewers, water, power, gas, telephone, etc.
  - (b) Levels - Respecting proposed elevations of finished lanes, streets or avenues, sanitary or storm sewer connections.
7. This permit is not a permit for zoning/development, gas, plumbing, or electrical work. Permits for this work must be obtained from the appropriate authority.
8. Neither the granting of a permit nor the examination of plans and specifications nor any inspections carried out shall in any way relieve the owner of the building from full responsibility for carrying out the work or having the work carried out in accordance with the requirements of the Alberta Uniform Building Standards Act, regulations made pursuant thereto, ministerial orders, and By-Laws.
9. Any person who commits a breach of any of the provisions of the Uniform Building Standards Act, or regulations made pursuant thereto, or of the conditions of a permit is guilty of an offence under Section 13 of the act and shall be liable on summary conviction to a fine not exceeding \$1,000.00 and in default of payment to imprisonment for a term not exceeding 90 days, or to both fine and imprisonment.
10. No building shall be used or occupied, and no change in the existing occupancy classification of a building or any part thereof shall be made until an occupancy permit has been issued, or permission in writing, to use or occupy the building, has been received.