

**THE CORPORATION OF THE
MUNICIPALITY OF POWASSAN**

BY-LAW NO. 2001-33

A By-law to safeguard life or limb, health, property and public welfare with respect to the design, construction, and alteration of buildings, by the provisions of appropriate minimum standards.

WHEREAS pursuant to Section 7 of the of the Building Code Act, RSO 1992, as amended, the Corporation of the Municipality of Powassan is empowered to make the regulations hereafter set forth, which regulations amongst others adopt the Ontario Building Code and such Code shall be deemed attached to this By-law.

NOW THEREFORE, the Council of the Corporation of the Municipality of Powassan enacts as follows:

Section I Title:

This by-law shall be known as The Building By-law of the Corporation of the Municipality of Powassan.

Section II Definitions:

Act means the Building Code Act, Bill 112 RSO 1992, as amended.

AS CONSTRUCTED PLANS means as constructed plans as referred to in Subsection 7(g) of the Act.

BUILDING means a building as defined in Section 1(1) of the Act.

BUILDING CODE means the regulations made under Section 34 of the Act.

CHIEF BUILDING OFFICIAL means the Chief Building Official appointed by the By-law of the Corporation of the Municipality of Powassan for the purposes of enforcement of the Act.

CONSTRUCTION SITE means any construction site in respect of which a building permit has been issued for the construction of a building.

CORPORATION means the Corporation of the Municipality of Powassan.

FARM BUILDING means a farm building as defined in the Building Code.

EMPLOYEE means an employee appointed by the Corporation of the Municipality of Powassan to make the required inspections.

PERMIT means written permission or written authorization from the Chief Building Official to perform work regulated by this by-law and the Act.

PLUMBING means plumbing as defined in Section 1(1) of the Act.

REGULATION means the regulations made under the Building Code Act.

By-law No. 2001-33

Section III Scope:

This by-law is applicable to all buildings and structures thereafter erected, constructed, altered, torn down, repaired, change of use or enlarged, within the boundary of the Municipality of Powassan or that are moved into or within the same boundary.

Section IV Chief Building Official:

This by-law shall be enforced by the Chief Building Official appointed by the Municipal Council.

Duties and Power of the Chief Building Official:

The Chief Building Official shall:

1. Administer this by-law.
2. Enforce the provisions of the by-law, the building code and the Act.
3. Keep proper records of all applications received, permits and orders issued, inspecting, and tests made, and shall retain copies of all paper and documents connection with the administration of his/her duties.

The Chief Building Official may:

1. Cause a written notice to be served, upon the owner of any property directing him/her to correct any condition where, in the opinion of the Chief Building Official, that condition constitutes a violation of this by-law, the Building Code or the Act.

Section V Duties of the Owner:

Every Owner of property or his/her authorized agent shall:

1. Give at least forty-eight (48) hours notice to the Chief Building Official of the intention to start work on the site.

Sufficient information shall be submitted with each application for a permit to enable the Chief Building Official to determine whether or not the proposed construction, demolition or change of use will conform with the Act, the Building Code and any other applicable law.

Each application shall, unless otherwise specified by the Chief Building Official, be accompanied by two complete sets of the plans and specifications required under this by-law.

Plans shall be drawn to scale on paper, cloth or other durable material, shall be legible and, without limiting the generality of the foregoing, shall include such working drawings as set out in Schedule "B" to this by-law unless otherwise specified by the Chief Building Official.

2. Each application for a building permit shall be accompanied by a signed statement as to the use or purpose for which the building permit is intended, together with a copy or copies draw to scale showing;
 - a. A Plan of each separate floor of any proposed building at a scale not smaller than one-eighth (1/8) of an inch = one (1) foot.
 - b.. A cross-section of the exterior from roof to the footing. In the case of a deck from top to footing, drawn to a scale, not smaller than one-eighth (1/8) of an inch = one (1) foot. Show description of material used on cross section sketch.

By-law No 2001-33

- c. Plan or plans of proposed heating, plumbing and electrical layout, and such other items considered essential by the Chief Building Official
 - d. Sufficient information shall be submitted with each application for a permit to enable the Chief Building Official to determine whether or not the proposed work will conform with the Act and the Code and any applicable law.
 - e. Each application shall be accompanied by two sets of detailed building plans unless otherwise requested by the Chief Building Official.
 - f. Plans showing all grades, and elevation heights of the proposed and existing building including the front, rear, left and right views
3. Site Plans shall show:
- a. A site plan showing the location of the proposed building and the dimension of the lot to be built upon.
 - b. Location of any proposed driveway leading to a public highway, drainage ditches and direction of drainage and water courses, utility poles, proposed connections to municipal services, and if such services are not available, proposed location of septic tank, and tile bed shall be shown and any easement or restrictive covenant shall be attached to the plan.
 - c. Lot size and the dimensions of property lines and setbacks to any existing or proposed buildings.
 - d. The existing rights-of-way, easements and municipal services.
4. When alterations to original plans have occurred, upon completion of the construction of buildings for which a permit has been issued, a set of plans of the completed building shall be submitted to the Chief Building Official.
5. A building permit issued by the Chief Building Official shall be conspicuously posted at the site of the work.

Section VI Application

To obtain a permit, the owner or an agent authorized in writing by the owner shall file an application in writing
respectively under the provisions of the said Ontario Fire Code and Fire Protection and Prevention Act, and every other Act and regulations authorized thereby and in addition the by-laws of the Council.

5. That this by-law shall take effect and come into force on the day of passing.

Read a first and seconded time this 2nd day of January 2001
on a motion of
seconded by

Read a third time and passed this 2nd day of January 2001
on a motion of
seconded by

Mayor

Clerk

y to provide that the signature of the Treasurer and of any other person authorized to sign cheques issued by the Treasurer may be written or engraved, lithographed, printed or otherwise mechanically reproduced on cheques;

NOW THEREFORE THE Council of the Corporation of the Municipality of Powassan enacts as follows:

1. All cheques issued by the Treasurer shall be signed by the Clerk-Treasurer or Deputy Clerk Treasurer and by the Mayor or Deputy Mayor.
2. The Mayor or Deputy Mayor shall before signing any cheque satisfy himself that such issuance has been authorized.
3. The signature of the Treasurer and any other person authorized to sign cheques issued by the Treasurer may be written or engraved, printed or otherwise mechanically reproduced on cheques.
4. This by-law shall come into force and take effect on the 2nd day of January, 2001.

Read a first and second time this 2nd day of January, 2001
on motion of
seconded by

Read a third time and finally passed this 2nd day of January, 2001
on motion of
seconded by

Mayor

Clerkd

By-law No. 2001-33

a. A description of the proposed material, system or building design for which authorization under Section 9 of the Act is requested.

b. Any applicable provisions of the Building Code

5. If the applicant is a Builder or Vendor as defined in the Ontario New Homes Warranties Plan Act, evidence must be provided that he/she is registered under that Act as required by Section 8(2) of the Building Code.

Section VII Authorized Inspections for Building Permits:

The owner or authorized agent obtaining a building permit required by this by-law shall notify the Chief Building Official as set out in Schedule E.

Section VIII Revision of Permit:

After the issuance of a permit under the Act, notice of any material change to a plan, specification, document or other information on the basis of which the permit was issued, must be given in writing to the Chief Building Official together with the details of such change which is not to be made without his/her written authorization.

Section IX Refunds:

In the case of withdrawal of an application or the abandonment of all or a portion of the work or the non-commencement of any project, the Chief Building Official shall determine the amount of paid permit fees that may be refunded to the applicant, if any, in accordance with Schedule C attached to and forming part of this By-law.

Section X Existing Buildings:

Nothing in this by-law shall require the removal, alteration or abandonment of, or prevent continuance of the use of

or occupancy of an existing building, unless in the opinion of the Chief Building Official, such building constitutes a hazard to safety of the public or adjacent property.

Section XI Forms:

The forms prescribed for use as applications for permits, or orders and for inspection reports shall be as set out in Schedules D, E and F to this by-law.

Section XII Schedule of Fees:

Fees for a required permit shall be as set out in a separate by-law passed by the Corporation and are due and payable upon approval of an application for a permit. An non-refundable processing fee of \$35.00 is due and payable upon submission of the application and will be deducted from the actual costs of approved permit.

Section XIII Payment of Fees:

Where the fees payable in respect of an application for a construction or demolition permit issued under subsection 8(1) if the Act is a conditional permit issued under Subsection 8(3) of the Act are based in a floor area, floor area shall mean the total floor space of all storeys above grade (or below grade for an underground home) measured as the horizontal area between the exterior walls of the building.

Where an application is made for a conditional permit, fees shall be paid for the complete project.

Where fees payable in respect of an application for a change of use permit issued under Subsection 10(1) of the Act are based on a floor area, floor area shall mean the total floor space of all storeys subject to the change of use.

By-law No. 2001-33

The Chief Building Official may place a valuation on the cost of the proposed work for the purposes of establishing the permit fee, and where disputed by the applicant, the applicant shall pay the required fee under protest and within six months of completion of the project, shall submit an audited statement of the actual costs and where the audited costs are determined to be less than the valuation the Chief Building Official shall issue a refund.

Section XV Effective Date:

Resolution Number 2001-06 Moved by Fred Busch

Seconded by Carole Dobbs

Be it resolved that the Council of the Corporation of the Municipality of Powassan approves the first and second reading of By-Law Number 2001-26 to By-Law Number 2001-42 with the exception of By-Law Number 2001-32 and approves the third reading and final passing of said by-laws.

Carried.

Mayor

Clerk
