

CORPORATION OF TOWNSHIP OF WESTMEATH

BY-LAW NO. 92-15

A By-Law to regulate building in the Municipality.

WHEREAS the Municipal Council intends to implement the Building Code Act O R 413/90

AND WHEREAS Subsection 2 of Section 5, Chapter 51 of the Building Code Act empowers municipal councils to pass by-laws and regulations respecting building permits.

AND WHEREAS Subsection 2 of Section 3, Chapter 51 of the Building Code Act empowers municipal councils to appoint a Chief Building Official.

NOW THEREFORE the Council of the Township of Westmeath enacts as follows:-

- Section 1. SHORT TITLE. This by-law may be cited as "The Building By-law."
- Section 2. The Provisions of the Building Code Act and Ontario Regulation 413/90 are hereby adopted.
- Section 3. A Chief Building Official may be appointed by resolution of the Municipal Council, to issue permits and carry out the regulations described in the Building Code.
- Section 4. PERMITS
- 4.1 CLASSES OF PERMITS
- 4.1.1. Classes of Permits with respect to the construction and demolition of buildings shall be as set out in Schedule "A" to this By-Law.
- 4.2 APPLICATION FOR PERMIT
- 4.2.1. To obtain a permit the owner or his authorized agent shall file an application in writing by completing the prescribed forms available at the office of the Building Inspector.
- 4.2.2. Except as otherwise permitted by the chief official, every application shall
- (a) identify and describe in detail the work and occupancy to be covered by the permit for which application is made;
- (b) describe the land on which the work is to be done, by a description that will readily identify and locate the building lot;
- (c) be accompanied by complete plans and specifications as described in Subsection 4.3.;

- (d) state the valuation of the proposed work and be accompanied by the required fee;
 - (e) state the names, addresses and telephone numbers of the owner and contractor.
 - (f) be accompanied, where applicable, by a written acknowledgement of the owner that he has retained the architect or professional Engineer to carry out the field review of the construction, as described in Section 2.4. of the Regulations, and:
 - (g) be signed by the owner or his authorized agent who shall certify the truth of the contents of the application.
- 4.2.3. An application for a permit may be deemed to have been abandoned and cancelled 6 months after the date of filing, unless such application is being seriously proceeded with.
- 4.3. PLANS, SPECIFICATIONS AND INFORMATION
- 4.3.1. Sufficient information shall be submitted with each application for a permit to enable the Chief Official to determine whether or not the proposed work will conform with the Act, the regulations thereunder and any other applicable law.
- 4.3.2. Plans shall be drawn to scale upon paper, cloth or other durable material.
- 4.3.3. Plans, specifications and information furnished with the application shall be in numbers as prescribed by the municipality.
- 4.3.4. Unless otherwise permitted by the chief official, site plans shall be referenced to a current plan of survey, certified by a registered Ontario Land Surveyor, and a copy of such survey shall be submitted.
- 4.4. APPROVAL IN PART
- 4.4.1. When, in order to expedite work, a permit for a portion of the building is desired prior to the issuance of a permit for the whole project, application shall be made and fees paid for the complete project, and complete plans and specifications covering the portion of work for which immediate approval is desired shall be filed with the chief official.
- 4.4.2. Should a permit be issued for part of a building the holder of such permit may proceed,

but the municipality gives no assurances that permits required for the remainder of the project will be granted.

Section 5. FEES

- 5.1. Fees for a required permit shall be in accordance with Schedule "A" to this By-law.
- 5.2. Where the fees are based on the cost or valuation of the proposed work, such valuation shall mean the total cost of all work regulated by the permit including cost of professional and related services.
- 5.3. The chief official shall place a valuation on the cost of work and if the permit applicant or holder disagrees with this valuation, the prescribed fee shall be paid before the issue of the permit. Upon completion of the work, if the actual cost of the work was less than the valuation placed by the chief official, an audited statement may be submitted detailing the cost of all component parts of the work. The chief official shall, if the statement contains the cost of all component parts of the work upon which the valuation was required to be based, value the work in accordance with this statement and issue the appropriate refund.
- 5.4. In the case of the non-commencement of any project and upon written request, the chief official shall determine the amount of refund of permit fees, if any, that may be returned to the permit holder, in accordance with Schedule "B" to this By-law.

Section 6. NOTIFICIATIONS

- 6.1. The owner or his authorized agent shall notify the chief official at least two business days in advance of the stages of construction specified in Section 2.10 of the Regulations.

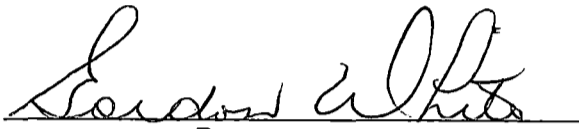
Section 7. PENALTY

Any person, corporation, organisation or association contravening the provisions of this By-law shall upon conviction be liable to a fine not exceeding \$, 500.00 exclusive of costs for each offence and all fines shall be recoverable under the Provisions of the

Provincial Offences Act.

Section 8. By-Laws # 84-17 and 87-16 are hereby repealed.

PASSED and ENACTED this 3rd day of June 1992.


Reeve


Clerk

SCHEDULE 'A'

to By-Law No. 92-15

Respecting:

CLASSES OF PERMITS AND PERMIT FEES

<u>CLASS OF PERMIT</u>	<u>PERMIT FEES</u>
1. Building Permit	\$10.00 for Administration and Mileage for each permit issued
2. To construct a building or addition other than commercial or industrial or a farm outbuilding	8 cents per square foot of construction for the first floor and 8 cents per square foot of construction for the second (minimum fee of \$30.00)
3. To construct a Commercial or industrial building	\$4.00 per \$1,000.00 valuation of work (minimum fee or \$150.00)
4. To construct a Pre-Engineered farm outbuilding	\$30.00
5. To construct a farm outbuilding under Building Code section 9 - 3 - 2 - 1	8 cents per square foot of Construction, minimum of \$75.00, maximum of \$175.00
6. To alter or renovate a building	\$4.00 per \$1,000.00 valuation of work (minimum fee of \$30.00)
7. To demolish a building other than a farm outbuilding	\$30.00

SCHEDULE 'B'
to By-Law No. 92-15

Respecting

REFUND OF PERMIT FEES

- A The fees that may be refunded shall be a percentage of the fees payable under this by-law, as follows.
- i 80 per cent if administrative functions only have been performed;
 - ii 70 per cent if administrative and zoning functions only have been performed;
 - iii 45 per cent if administrative, zoning and plan examination functions have been performed;
 - iv 35 per cent if the permit has been issued and no field inspections have been performed subsequent to permit issuance;
 - v 5 per cent shall additionally be deducted for each field inspection that has been performed after the permit has been issued.
- B Notwithstanding paragraph A above, no refund shall be made of an amount less than \$10.00.