

OF THE MUNICIPAL CORPORATION OF THE VILLAGE OF COBDEN

BUILDING BY-LAW

Rescinded

Being a by-law to regulate the construction, erection, alteration conversion, repair, moving and relocation of all buildings or structures within the Village of Cobden.

Pursuant to the authority granted under Section 31 of The Plannin Act, Chapter 296, R.S.O. 1960, as amended, Council of the Village of Cobden enacts as follows:

SECTION I. ADMINISTRATION

(a) Classification of Buildings

For the purposes of this By-law, buildings are hereby classified into two groups in the following manner:

Group I Comprises:

- (1) Houses
- (2) Buildings, other than houses, which do not exceed two storeys in height or 4,000 sq. ft. of floor area on any floor, and which are not used or intended for assembly or institutional purposes.

Group II Comprises:

Any building that is not included in Group I.

To the Intent That

- (1) the administrative provisions of this By-law shall apply to both Group I and Group II buildings;
- (2) the provisions of Section 1 to 25 (inclusive) of this By-law shall apply to Group I Buildings only; and
- (3) the design and specifications for Group II Buildings, and the erection, construction and alteration thereof shall be controlled and supervised by a number or licenses of the Ontario Association of Architects under The Architects Act or a civil engineer who is a member or licenses of the Association of Professional Engineers of the Province of Ontario under The Professional Engineers Act.

(b) Scope

With the exceptions specified in subsection (e), where

- (1) a building is built, this By-law applies to the design and construction of the building;
- (2) the whole or any part of a building is moved, this By-law applies to all parts of the building whether moved or not;
- (3) the whole or any part of a building is demolished, this By-law applies to any remaining part and to the work involved in the demolition;
- (4) a building is altered, this By-law applies to the whole building except that the By-law applies only to part if that part is completely self-contained with respect to the facilities and safety measures required by this By-law;
- (5) The class of occupancy of a building or part thereof is changed, this By-law applies to all parts of the building affected by the change.

(c) Special Exceptions

- (1) The provisions of this By-law shall not apply to any farm buildings or structures other than houses which are being used in connection with farming operations and which are located on 20 or more acres of land.
- (2) Notwithstanding the provisions of Section 7 (FOUNDATIONS) of this By-law, a summer cottage of wood frame construction complying in all other respects with the provisions of this By-law, may be erected on a foundation system of piles, piers or posts with spanning beams, provided that:
 - (i) Timber posts are of cedar or treated wood of equal durability, at least 8" in diameter, or 8" square.
 - (ii) Concrete piers are at least 12" square.
 - (iii) Brick piers are at least 14" square.
 - (iv) Piers or posts are spaced no further apart than 8 feet and beams supporting floor joists are not less than 6" x 8".
 - (v) Piers or posts are adequately braced if their height or ground conditions warrant it.
 - (vi) the finished grade is at least 18" clear of the underside of timber beams and joists.
- (3) For the conversion of a summer cottage to a permanent dwelling, a building permit shall be issued only with the approval of Council, and the entire building shall be made to conform with the requirements of this By-law for Group I Building.

(d) Responsibility of the Owner

- (1) Neither the granting of a permit nor the approval of the drawings and specifications, nor inspections made by the Building Inspector during erection of the building shall in any way relieve the owner of such building from full responsibility for carrying out the work in accordance with the requirements of this By-law.
- (2) Every owner of property shall
 - (i) obtain where applicable, from the appropriate authorities including the County Health Unit all necessary permits and approvals required in connection with the proposed work;
 - (ii) give at least 48 hours' notice to the Building Inspector of the intention to start work on the building site;
 - (iii) give notice to the Building Inspector
 - (aa) where a foundation wall below land surface has been placed and before any backfilling of the excavation has been carried out;
 - (bb) as may otherwise be required by this By-law;
 - (iv) give written notice to the Building Inspector within 30 days of completion of the work described in the permit.

(e) Building Inspector

The regulations of this By-law shall be administered by the Building Inspector or other official appointed by the Municipal Council.

(f) Duties of the Building Inspector

The Building Inspector shall:

- (1) Keep proper records of all applications received, permits and orders issued, inspections and tests made, and shall retain copies of all papers and documents connected with the administration of his duties;
- (2) Examine all applications for permission to do work to which the provisions of this by-law are applicable;
- (3) Subject to Clause (4) of this subsection, issue a permit in the prescribed form when the proposed work as described in the application conforms with this By-law;
- (4) Refuse a permit for any building or structure which, if constructed, would be in contravention of the provisions of any By-law of the municipality;
- (5) Recommend to Council to direct that any dangerous or unsafe conditions, which, in his opinion, requires immediate action to avert an accident, be corrected at the owner's expense and without delay.

(g) Powers of the Building Inspector

The Building Inspector may

- (1) where, in his opinion, a condition exists which constitutes a violation of this By-law, cause a written notice to be delivered to the owner of any property directing him to correct the condition.
- (2) direct that tests of materials, devices, construction methods, structural assemblies or foundation conditions be made, or sufficient evidence or proof is necessary to determine whether the material, device, construction or foundation condition meets the requirements of this By-law;
- (3) recommend to Council the revocation of a permit when
 - (i) in his opinion the results of the test referred to in Clause (2) are not satisfactory;
 - (ii) there is a violation of any condition under which the permit was issued, or any provisions of this By-law;
 - (iii) construction is not started within a period of six months from the date of issuing the permit; or
 - (iv) construction is discontinued for a period of one year.

(h) Permits

- (1) Applications for building permits shall be made in the form prescribed by the Building Inspector, shall be signed by the applicant and shall state the intended use of the building.

(2) Applications for building permits shall be accompanied by copies in duplicate of the specifications and scale drawings of the house or building with respect to which the work is to be carried out showing, where applicable;

- (i) the dimensions of the land on which the house or building is, or is to be situated, at a scale not smaller than 1" = 60 feet.
- (ii) location of any proposed driveway and such items as utility poles, drainage ditches and watercourses.
- (iii) plan of each separate floor of any proposed building at a scale not smaller than 1/4" = 1 foot.
- (iv) a cross-section of the exterior wall from roof to footing at a scale not smaller than 3/4" = 1 foot.
- (v) a cross-section drawing of the proposed building. Where possible, this should be through a stairway and at a scale not smaller than 1/4" = 1 foot.
- (vi) plans showing proposed heating, plumbing and electrical layouts; these are normally drawn on the floor plan.
- (vii) such other items which the Building Inspector may consider essential.

(i) Documents on the Site

The person to whom a permit is issued shall, during construction, keep

- (1) posted in a conspicuous place on the property in respect of which the permit was issued, a copy of the building permit or a poster or placard in lieu thereof; and
- (2) a copy of the approved drawings and specifications on the property in respect of which the permit was issued.

(j) Fees

(1) Value of work up to \$50,000

A fee will be charged for each building permit at the rate of \$1.00 per \$1,000.00 (or part thereof) of the estimated cost of the building or structure, with a minimum fee of \$5.00.

(2) Value of work over \$50,000

A fee of \$50.00 plus 50¢ for each additional \$1,000.00 in excess of \$50,000.00.

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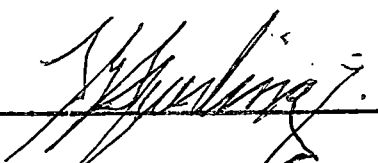
(k) The National Building Code

The National Building Code of Canada 1965 A Short Form, attached hereto, is hereby adopted and forms part of this By-law.

(l) Penalties

Any person who contravenes any of the provisions of this By-law is guilty of an offence and is liable on summary conviction to a fine not exceeding \$300.00 exclusive of costs.

READ A FIRST TIME THIS EIGHTH DAY OF SEPTEMBER 1969
 READ A SECOND TIME THIS EIGHTH DAY OF SEPTEMBER 1969
 READ A THIRD TIME THIS EIGHTH DAY OF SEPTEMBER 1969


REEVE.


CLERK-TREASURER