

CORPORATION OF THE VILLAGE OF COBDEN

BY-LAW # 1996-3

Being a by-law respecting Building and Plumbing Permits and Inspections for the Village of Cobden.

Whereas Section 7 of the Building Code Act, R.S.O. 1993, Chapter 23 authorizes the Council of a municipality to pass a by-law to regulate the construction, demolition, and use of buildings and structures in the municipality and to provide for the health, safety and welfare of the inhabitants thereof,

And Whereas the municipal council deems it expedient to pass a by-law respecting building and plumbing permits and inspections,

Now Therefore, the Council of the Corporation of the Village of Cobden enacts as follows:

Enforcement

1. a) This by-law may be cited as the Building & Plumbing By-Law of the Corporation of the Village of Cobden.
- b) This by-law shall be enforced by the Chief Building Official appointed by the Corporation of the Village of Cobden.

Definitions

2. a) "Building" shall mean a structure occupying an area greater than one hundred (100) square feet consisting of a wall, roof and floor, or any one or more of them, or a structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto, and includes such other structures as are designated in the regulations, but does not include a structure used directly in the extraction of ore from a mine.
- b) "Chief Official" shall mean the Chief Building Official appointed by the by-law of the Corporation of the Village of Cobden for the purposes of enforcement of the Building Code Act and the Plumbing Code.
- c) "Corporation" shall mean the Corporation of the Village of Cobden.
- d) "Permit" shall mean written permission or written authorization from the Chief Official to perform work regulated by this by-law and the Associated Acts.
- e) "Regulation" shall mean the regulations made under the Building Code Act and/or the Plumbing Code.
- f) "Applicant" shall mean the property owner or the authorized agent (builder, lawyer, contractor, etc.) of the property owner which has been confirmed in writing by the property owner.

Permits

3. a) A permit shall be required for all construction and demolition dealt with by the Ontario Building Act, Chapter 23, R.S.O. 1993 and amendments thereto, more specifically as described in Appendix A.
- b) Classes and types of permits with respect to the construction and demolition of buildings and permit fees shall be as set out in Schedule "A" hereto annexed and forming part of this by-law.
- c) Permits for work other than that referred to in this by-law shall be obtained from the appropriate authority and without limiting the generality of the foregoing shall include street line encroachment, wiring, septic tanks, street cuts.
- d) Unless as otherwise provided for by the Plumbing Code, no person shall construct or alter plumbing and no person shall cause plumbing to be constructed or altered without first having obtained a permit from the Plumbing Inspector.

Application for Permit

4. Every applicant for a permit, or his authorized agent, shall file an application in writing by completing the form prescribed and available at the office of the Municipal Clerk. The prescribed form shall be as set out in Schedule "D" attached hereto and forming part of this by-law.
5. Every application shall be submitted to the Municipal Clerk and forwarded to the Chief Building Official, and 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) include complete plans and specifications as described in this by-law and show the occupancy of all parts of the building,
 - d) state the valuation of the proposed work including materials and labour and be accompanied by the required fee,
 - e) state the names, addresses and telephone numbers of the owner, architect or engineer or other designer or constructor,
 - f) be accompanied, where applicable, by a written acknowledgement of the owner that he has retained an architect or professional engineer to carry out the field review of the construction wherein required by the Building Code,
 - g) be signed by the owner or his authorized agent who shall certify the truth of the contents of the application,
 - h) In the case of demolitions, the application must be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the cutting off and plugging of all water, sewer, gas electric, telephone or other utilities and services.

6. Where six (6) months have elapsed after the date of the filing of the application for a building permit, the application shall be deemed to be abandoned, unless the Chief Official is satisfied that the applicant is proceeding in good faith and in a continuous process to complete the application.

Plans, Specifications, Documents and Information

7. Each applicant shall furnish sufficient plans, specifications, documents and other information to enable the Chief Official to determine whether or not the proposed work conforms to the Act, the Regulations under the Act, Municipal By-Laws and other applicable statutes and by-laws and whether or not it may effect adjacent property.
8. Each application shall be accompanied by two (2) sets of building plans and specifications unless otherwise specified by the Chief Official.
9. Building plans shall be drawn to scale on paper, and shall be legible, and without affecting 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 Official.
10. Each application for a building permit shall include a site plan prepared and signed by the applicant which shall clearly exhibit thereon the following information:
 - a) lot size and the dimensions of property lines and setbacks to any existing or proposed buildings.
 - b) existing and proposed ground levels or grades of the building lot in order to enable the Chief Official to determine the adequacy and acceptability of the proposed surface drainage scheme and the necessity for following up, drainage, cleaning, clearing of any grounds, yard and vacant lots and the altering, relaying or repairing of private drains.
 - c) the location of proposed vehicular and pedestrian entrance and exit points, driveways, fire lanes, walkways, and parking lots, which will, in the opinion of the Chief Official, provide for the safe movement of pedestrian traffic and or fire fighting equipment and the safe movement and storage of motor vehicles.
 - d) the location and design of any proposed swimming pool and/or other recreation area or facility in such detail as will enable the Chief Official to determine the acceptability thereof in regards to the health, safety and welfare of people who may inhabit the structure and/or lot, and ensure that buildings and yards will be in a safe condition as to guard against dangerous risks or accidents.
 - e) existing rights of way, easements and location, size and capacity of all municipal services and the size and location of all connections from the building thereto and the invert level of the main sewer at the point where service connections are to be made:

In this paragraph, the word "services" shall be deemed to include sanitary sewers, storm sewers, municipal drains, water drains, water works and electrical power lines servicing the property.

Issue of Permits for Part of a Building

11. When, for any reason, approval of a portion of the building or project is desired by the applicant prior to the issuance of a permit for the complete building or project, the application shall be made and fees paid for the complete project. Complete plans and specifications covering the portion of the work for which immediate approval is desired shall be filed in accordance with Sections 5 through 10 inclusive.
12. The Chief Official may in a proper case issue a permit for a portion of the project.
13. Where a permit is issued for part of a building or project this shall not be construed to authorize construction beyond the plans for which approval was given nor that approval will necessarily be granted for the entire building or project.

Revision to Permit

14. 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 or her written authorization.

Renewal of Permit

15. The Chief Official may issue a renewal of permit, provided that the required fee is paid for such renewal and the plans and specifications are made to comply with all the requirements of the Act in effect at the same time of renewal.

Issuance of Permit

16. It is a condition of the issuance of any permit that the permit shall not be issued without the approval of the Chief Official and the payment of the required fee.

Fees

17.
 - a) Fees for a required permit shall be as set out in Schedule "A" to this by-law hereto annexed and forming part of this by-law, and are due and payable upon issuance of the building permit.
 - b) Where the fees are based on the cost of valuation of the proposed work, such cost of valuation shall mean the total cost of all work regulated by the permit including the cost of all material, labour equipment, overhead and professional and related services.
 - c) The Chief Official may place a valuation on the cost of the proposed work for the purpose of establishing the permit fee and if the permit applicant or holder disagrees with the valuation, the prescribed fee shall be paid before the issuance of the permit by the applicant and upon completion of the project, the applicant shall submit an audited statement of the actual costs of the project and where the audited costs are determined to be less than the valuation, the Chief Official shall issue an appropriate refund.

- d) In the case of abandonment of all or a portion of the work, or the non-commencement of any project, and upon written request, the Chief Official shall determine the amount of the refund of paid permit fees that may be returned, if any, to the applicant, in accordance with Schedule "C" hereto annexed and forming part of this by-law.
- e) Remuneration to the Building/Plumbing Inspector shall be 75% of all permit fees collected.

Inspections

- 18. Inspections required pursuant to the Acts shall be requested at least 24 hours in advance or as authorized by the Chief Official.

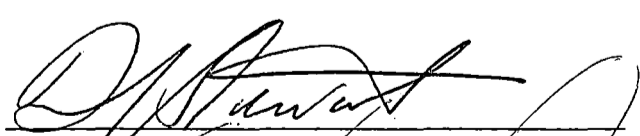
Appeals

- 19. Where there is a dispute between an applicant for, or holder of a permit or a person to whom an order is given and the Chief Building Official or an inspector in respect of the interpretation of the technical requirements of the building code or the sufficiency of compliance with such technical requirements, any party to the dispute may apply to the Building Code Commission for a hearing and determination of the question of appeal.

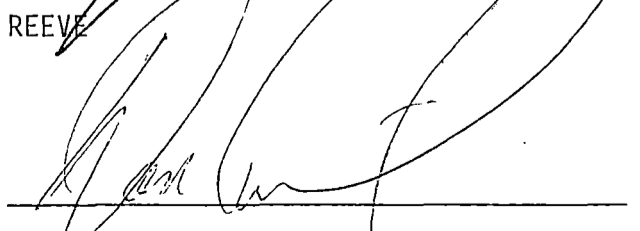
Notifications and Penalties

- 20. The owner or his authorized agent shall notify the Chief Official at least one (1) business day in advance of each event for which notice in advance of construction is required under the Building Code.
- 21. The forms prescribed for use as applications for permits, for orders and for inspection reports shall be as set out in Schedule "D" hereto annexed and forming part of this by-law.
- 22. No person shall file a false or misleading application or false or misleading support material.
- 23. Any person who contravenes any provisions of this by-law is guilty of an offence as provided for in Section 36 of The Building Code, Chapter 23, R.S.O. and amendments thereto.
- 24. All previous by-laws respecting building and plumbing regulations are hereby repealed.
- 25. This by-law shall come into force on the day it is adopted.

Read a first, second and duly passed upon the third reading this 10th day of December, 1995



REEVE



CLERK-TREASURER

"APPENDIX 1"

BUILDING PERMITS

A Building Permit is required for the construction of all new buildings, and for any change of a structural nature to existing buildings.

The following are examples of changes which DO NOT require a Building Permit:

- Re-Roofing;
- Painting and decorating;
- Installation of kitchen cabinets;
- New flooring (tile, carpet, etc.);
- Replacing plaster with drywall;
- Replacing entrance or habitable room doors (in existing openings and not made larger)
- Installation of new windows (in same openings as existing window and not made larger)
- Re-pointing brick veneer or chimney brick;
- Repairing chimney flue liners;
- Replacing deteriorated wood for verandah floors and/or steps;
- Electrical repairs (Ontario Hydro Inspection Permit may be required);
- Re-insulating: (May require a permit)
- Garden or tool sheds under 100 square feet or 9.29 square meters;
- Fences (heights and distance from lot line are subject to zoning requirements):
- Other changes, as determined by the Chief Building Official.

Changes which DO require a Building Permit are:

- Installation of siding (aluminum, vinyl, stucco, etc.);
- Replacing entrance or habitable room doors (which are not in existing openings or made larger);
- Installation of new windows (not in same opening as existing window or made larger)
- Sun decks or porches attached to the existing building (and subject to zoning requirements for size and proximity to lot lines);
- Renovation to the interior of a building which will alter the structure of the building;
- Garden or tool sheds greater than 100 square feet or 9.29 metres (also subject to zoning requirements for proximity to lot lines);
- Any addition or structural change of the exterior of the building;
- Other changes, as determined by the Chief Building Official in accordance with the Ontario Building Code.
- The installation of a solid fuel burning appliance.

SCHEDULE A

1. BUILDING PERMIT FEES

<u>CLASSES OF PERMITS</u>	<u>PERMIT FEE</u>
a) installation of a solid fuel burning appliance	<u>\$30.00</u>
b) Demolition	<u>\$30.00</u>
c) All new construction, renovation and alteration including porches, decks & Accessory buildings - <u>\$6(SIX)</u> Dollars per thousand dollars of construction value up to one hundred thousand dollars,, then <u>2(TWO)</u> Dollars per thousand thereafter. The minimum building permit fee shall be <u>\$30.00</u> .	

The following construction costs shall be used to determine the appropriate building permit fees for new construction and additions.

1) Residential <u>\$646./m²</u>	
2) Commercial/Institutional <u>\$753./m²</u>	
3) Industrial <u>\$592/m²</u>	
d) Renewal of Permit	50% of Permit Fee
e) Starting without a Permit	<u>\$30.00</u>
f) Additional Inspection	<u>\$15.00</u>

2. PLUMBING PERMIT FEES

CATEGORY

a) All new residential, commercial, construction, renovation & additions <u>\$4.00</u> per fixtures. (Fixtures include: Water closets, bath tubs, shower stalls, washbasin, kitchen sinks, slop sinks, urinals, automatic washers, laundry tubs, drink fountains & Floor drains. Minimum Plumbing Permit Fee Shall Be <u>\$30.00</u>	
b) Repair, renewal or alteration of Plumbing systems	<u>\$30.00</u>
c) Renewal of Permit	<u>\$15.00</u>
d) Starting without a Permit	<u>\$30.00</u>
e) Additional Inspection	<u>\$15.00</u>

SCHEDULE "B"

BUILDING DEPARTMENT


INFORMATION REQUIRED FOR BUILDING PERMIT SERVICE ON THE FOLLOWING CATEGORIES OF SMALL CONSTRUCTION PROJECTS.

Required Information (see explanation below)

<u>APPLICATION FOR:</u>	<u>SITE PLAN</u>	<u>SURVEY</u>	<u>FLOOR PLANS</u>	<u>ELEVATIONS</u>	<u>CROSS-SECTION</u>
Single Residence	X	X	X	X	X
Additions	X	X	X	X	X
Porches	X	X	X	X	X
Carports	X	X	X	X	X
Garages	X	X	X	X	X
Partitions			X		X
Fireplaces/Chimneys	X		X		X
Garden Sheds	X				X
Basement Entrances	X		X		X
Cellars/Basements	X	X	X		X

EXPLANATION

APPLICATION	-Fully completed sections pertinent to proposed project -Signed and dated by owner/or proof as Agent
REQUIRED INFORMATION	-Two sets of drawings to scale with a ruler and be legible must accompany the permit application.
THE DRAWING MUST PROVIDE	-Location, date; Site Plan and/or Survey
CONSTRUCTION DETAIL	-Floor Plans -Elevations -Cross Sections
SITE PLAN	-The site plan will show the location and dimensions of all existing and proposed buildings on your lot and the distances from buildings to the lot line.
SURVEY	-The site plan will be referenced to an update property survey and a building location survey shall be required at the foundation stage prior to further construction.
FLOOR PLAN	-A drawing showing the complete layout of floors of the proposed structure and all structural framing information. 4w dimensions



SCHEDULE "B" (con't)

EXPLANATION

ELEVATION

-A drawing of the exterior view of all sides of the proposed structure.

CROSS SECTION

-A drawing of a cut-through view of the proposed structure showing the complete construction details.

Schedule "C"

This is Schedule "C" to By-law No. 1996-3

Refunds

<u>Status of Permit Application</u>	<u>% of Fee Eligible for Refund</u>
1. Application filed No processing or review of plans submitted	90%
2. Application filed Plans reviewed and permit issued	65%
3. Additional deduction for each field inspection that had been performed	5%
4. Permits valued at less than \$25.00	0

Schedule "D"

This is Schedule "D" to By-law No. 1996-3

Forms

Form 1	Building permit application
Form 2	Building permit
Form 3	Demolition permit
Form 4	Inspection report
Form 5-8	Orders