

**BYLAW NO. 1615/2009
TOWN OF REDCLIFF**

A BYLAW OF THE TOWN OF REDCLIFF IN THE PROVINCE OF ALBERTA REGULATING THE FORM, CONTENT AND COST OF PERMITS FOR THE USE, OCCUPANCY, RELOCATION, CONSTRUCTION OR DEMOLITION OF BUILDINGS.

WHEREAS, by virtue of the power conferred on it by the Municipal Government Act, R.S.A. and Safety Codes Act, Statutes of Alberta 1991, Chapter S-.05, the Council of the Town of Redcliff, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

1. This Bylaw shall be known and may be known as the Town of Redcliff Building and Development Permit Bylaw.

INTERPRETATION

2. In this Bylaw the following terms (unless the context specifically requires otherwise) shall have the following meanings:
 - 2.1 "**Act**" shall mean the Safety Codes Act, Statutes of Alberta 1991, Chapter S-.05, as amended from time to time and regulations made pursuant to Section 3 of The Safety Codes Act.
 - 2.2 "**Safety Codes Officer**" means a person, appointed pursuant to Section 27 of the **Act** responsible to the Town of Redcliff for the enforcement of the **Act**.
 - 2.3 All definitions contained in the **Act** shall apply to this Bylaw.

SCOPE

3. The provisions of this Bylaw shall apply to the issue of permits respecting the use, occupancy, relocation, construction, repair, alteration and demolition of any building regulated by the **Act** within the Town of Redcliff.

POWER AND DUTIES OF THE INSPECTOR

4. The **Safety Codes Officer** is hereby authorized and directed to enforce all provisions of this Bylaw.
 - 4.1 The **Safety Codes Officer** shall keep an accurate account of all permits issued and all fees collected and received under this Bylaw.



APPLICATION FOR PERMIT

5. Unless a permit has previously been obtained from the **Safety Codes Officer** no person shall commence or cause the commencement of:
- a) the construction of any building.
 - b) the demolition of any building.
 - c) the relocation of any building.
 - d) the alteration of any building.
 - e) the repair of any building.
 - f) the occupancy of any building.
 - g) the excavation of any land for the purpose of erecting or locating any building.
 - h) the installation or use of any heating, ventilating or air conditioning equipment specifically governed by the **Act**.
- 5.1 A permit is not required for:
- a) painting and decorating.
 - b) minor repairs not exceeding \$1,000.00 in value where matters affecting health or safety 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 **Safety Codes Officer** will not hinder the satisfactory operating of the system and does not involve a matter of health or safety to the occupants of the building.

APPLICATION FORM

6. To obtain a permit an applicant shall first file an application in writing on the prescribed form 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 any 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 owner of the land or his authorized agent.
 - g) give such other information as may be required by the **Safety Codes Officer**.

PLANS AND SPECIFICATIONS

7. With each application for a permit, two sets of plans and specifications shall be submitted except that when authorized by the **Safety Codes Officer** plans and specifications need not be submitted.
- 7.1 Plans and specifications shall be drawn to scale to indicate the nature and extent of the work proposed and show in detail that it will conform to the provisions of the **Act** and all Provincial

and Federal Laws and Regulations and all Town of Redcliff Bylaws.

- 7.2 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.
- 7.3 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.
- 7.4 If requested by the **Safety Codes Officer**, the applicant shall include with each set of plans, a plan or survey certified by an Alberta Land Surveyor, showing the information required by Section 7.4.
- 7.5 If requested by the **Safety Codes Officer**, 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**.

ISSUANCE OF PERMIT

8. Plans and specifications may be submitted for examination to other departments of the Town of Redcliff and the province to check for compliance with orders, regulations or Bylaws under their jurisdiction.
- 8.1 If the **Safety Codes Officer** is satisfied that the work described in an application for permit and the plans filed therewith is in accordance with the provisions of the **Act** and of this Bylaw and that the fees specified in Section 10 have been paid, he shall issue a permit therefore to the applicant.
- 8.2 When the **Safety Codes Officer** issues the permit, he shall write or stamp on both sets of plans and specifications "EXAMINED".
- 8.3 The examined plans and specifications shall not be changed, modified or altered without authorization from the **Safety Codes Officer** and all work shall be done in accordance with the examined plans and performed to meet the provisions of the **Act**.
- 8.4 The **Safety Codes Officer** may issue a 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 Bylaw.
- 8.5 The holder of a permit for part of the work may proceed with the portion of work permitted only, at his own risk without assurance that a permit for the remainder of the work will be granted.
- 8.6 One set of examined plans, specifications and computations shall be retained by the authority having jurisdiction and 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 **Safety Codes Officer**.
- 8.7 Plans, submitted for checking, for which no permit issued and on which no action is taken by

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the **Safety Codes Officer** for 90 days, may be destroyed.

- 8.8 The issuance of a 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**.
- 8.9 No 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 authorizes is lawful.
- 8.10 The issue of a permit based upon plans and specifications shall not prevent the **Safety Codes Officer** from thereafter requiring the correction of work being carried on thereunder when in contravention of any provisions of the **Act**, this Bylaw, or any other Bylaw of the Town of Redcliff.
- 8.11 Every building permit issued by the **Safety Codes Officer** shall expire by limitation and become null and void if the work authorized by the permit is not commenced within 90 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 120 days at any time after the work is commenced.
- 8.12 The **Safety Codes Officer** 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**, this Bylaw, Provincial or Federal Laws or regulations or any Town of Redcliff Bylaw.
- 8.13 Except as permitted in Section 8.15 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.
- 8.14 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 pursuant to The Tradesmen's Qualifications Act.
- 8.15 Notwithstanding the requirements of Section 8.13:
- 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.
 - b) a journeyman who holds a certificate of proficiency pursuant to The Tradesmen's Qualifications Act 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 permit.

OCCUPANCY PERMIT

9. 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.

- 9.1 Changes in the use or occupancy of a building shall not be made except in accordance with the provisions of the **Act**.
- 9.2 An occupancy permit shall be issued by the **Safety Codes Officer** if the building does not contravene the provisions of the **Act** and if a request has been made by the Applicant.

BUILDING PERMIT FEES

10. The fee for each permit shall be submitted at the time of applications.
- 10.1 The **Safety Codes Officer** may place a value on the cost of the work for the purpose of determining the permit fee.
- 10.2 If no work, including excavation has been started before the issuance of a permit the fee for a permit for construction shall be:
- a) Residential
Building permit fees shall be calculated based on a fee per square foot of developed area as follows:
- | | | |
|----|----------------------------------|-----------------|
| 1. | Base fee | \$50.00 |
| 2. | Residence | \$.40 per sq ft |
| 3. | Second level / finished basement | \$.20 per sq ft |
| 4. | Garage | \$.20 per sq ft |
| 5. | Deck | \$.10 per sq ft |
- b) Non Residential
- \$50.00 plus \$5.00 per thousand of value for a greenhouse based on the value being determined at \$5.00 per square foot of development;
 - \$50.00 plus \$6.00 per thousand of value for all other work.
- 10.3 If a new permit is required, after expiry of a permit in accordance with Section 8.12(a), the fee for the new permit shall be one half of the fee required under Section 10.2 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.
- 10.4 If the documents submitted with an application for a permit contain substantial errors or omissions and the documents have to be submitted again for further examination a fee equal to one quarter of the amount required under Section 10.2 shall be charged for each and every reexamination.
- 10.5 If the applicant for a permit is the owner and will be the occupier of the building within which the work is to be done, obtains the material and personally undertakes the installation then the permit fee shall be based on twice the prevailing market cost of the material.
- 10.6 The fee for a permit for occupancy of any building shall be \$50.00 for buildings up to 150 square metres (1,615 square feet) of gross floor area plus \$5.00 for every additional 200 square metres (2,153 square feet) or fraction thereof of gross floor area.
- 10.7 The fee for a moving permit of a building shall be \$50.00 for any size or type of building to be

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moved.

- 10.8 Effective April 1, 2005, the fee for the Safety Codes Council shall be \$4.00 or 3.5% of the permit cost (excluding GST), whichever is greater, to a maximum of \$500.00 and shall be collected from the developer and forwarded to Safety Codes Council. This fee was not established at the direction of Redcliff Town Council but was determined by the Province of Alberta Department of Labour.
- 10.11 The fee for plan reviews required to be conducted by authorities outside the Town of Redcliff shall be the sum charged by the appropriate authority plus an administration fee of \$40.00 and shall be paid by the builder or developer.
- 10.12 If any work, including excavation, has been started before the issuance of a building permit, the permit fee shall be double the fee existing fee.

CONSTRUCTION DAMAGE DEPOSITS

- 11. There shall be a mandatory construction damage deposit whenever building permits are issued for principal buildings, excavations and/or demolition projects are undertaken as follows:

Residential	\$500.00
Industrial / Commercial	\$1000.00

If there is any damage sustained to Town of Redcliff property during demolition or construction, the damage deposit shall be deducted from the cost of any remedial work and the developer shall be billed for the outstanding costs. Refund of any damage deposit remaining after deduction of damaged costs shall be made upon approval of the Safety Codes Officer.

DEVELOPMENT PERMIT FEES

- 12. The fees for Town of Redcliff Development Permits shall be as follows:

a) <u>Residential</u>	
Single Family Dwelling	\$50.00
Multifamily Dwelling (duplex / triplex / fourplex)	\$50.00/unit
 <u>Commercial / Industrial / Institutional</u>	
up to 500 m ²	\$100.00
501 to 1000 m ²	\$150.00
1001 to 2000 m ²	\$250.00
2001 to 5000 m ²	\$350.00
greater than 5000 m ²	\$450.00

Other

Garages, tool sheds, carports, small additions, covered decks, demolition of structures (residential or non-residential), driveways, home occupations, building moving permits, permission to stay, signs and others as determined by Development Officer

\$50.00

b) If any work, including excavation, has been started before the issuance of a development permit, the permit fee shall be double the existing fee.

OFFENCE

13. Any person who contravenes this Bylaw is guilty of an Offence under Section 64.1 of the Act and subject to the penalties thereunder.

REPEAL

14. Bylaw No. 1584/2009 is repealed with the coming into force of this Bylaw.

Read a first time this 25th day of May, A.D., 2009.

Read a second time this 25th day of May, A.D., 2009.

Read a third time this 25th day of May, A.D., 2009.

Signed and Passed this 2 day of June, A.D., 2009

Robert Gordon

MAYOR

Simon

MUNICIPAL SECRETARY