

TOWN OF MARTENSVILLE
BYLAW NO. 37-2004
A BYLAW RESPECTING BUILDINGS
Consolidated to 4-2015

The Municipal Council of the Town of Martensville in the Province of Saskatchewan enacts as follows:

SHORT TITLE

1. This bylaw may be cited as the Building Bylaw.

INTERPRETATION/LEGISLATION

2. (1) "Act" means *The Uniform Building and Accessibility Standards Act* being Chapter U-1.2 of the Statutes of Saskatchewan, 1983-84 and amendments.
- (2) "Administrative Requirements" means *The Administrative Requirements for Use with The National Building Code*.
- (3) "Authorized representative" means a building official appointed by the local authority pursuant to subsection 5(4) of the Act or the municipal official.
- (4) "Local authority" means the Town of Martensville.
- (5) "Regulations" means regulations made pursuant to the Act.
- (6) Definitions contained in the Act and Regulations shall apply in this bylaw.

SCOPE OF THE BYLAW

3. (1) This bylaw applies to matters governed by the Act and the Regulations, including the *National Building Code of Canada*, and the Administrative Requirements.
- (2) Notwithstanding subsection (1), references and requirements in the Administrative Requirements respecting matters regulated by the Act and Regulations shall not apply.
- (3) Notwithstanding subsection (1), references and requirements in the Administrative Requirements respecting "occupancy permits" shall not apply except as and when required by the local authority or its authorized representative.

GENERAL

4. (1) A permit is required whenever work regulated by the Act and Regulations is to be undertaken.
- (2) No owner or owner's agent shall work or authorize work or allow work to proceed on a project for which a permit is required unless a valid permit exists for the work to be done.
- (3) The granting of any permit that is authorized by this bylaw shall not:
 - (a) entitle the grantee, his successor or assigns, or anyone on his behalf to erect any building that fails to comply with the requirements of any building restriction agreement, bylaw, act and/or regulation affecting the site described in the permit, or
 - (b) make either the local authority or its authorized representative liable for damages or otherwise by reason of the fact that a building, the construction, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use or occupancy of which has been authorized by permit, does not comply with the requirements of any building restriction agreement, bylaw, act and/or regulation affecting the site described in the permit.

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BUILDING PERMITS

5. (1) Every application for a permit to construct, erect, place, alter, repair, renovate or reconstruct a building shall be in Form A, and shall be accompanied by two sets of the plans and specifications of the proposed building, except that when authorized by the local authority or its authorized representative plans and/or specifications need not be submitted.
- (2) If the work described in an application for building permit, to the best of the knowledge of the local authority or its authorized representative, complies with the requirements of this bylaw, the local authority, upon receipt of the prescribed fee, shall issue a permit in Form B and return one set of submitted plans to the applicant.
- (3) The local authority may, at its discretion, have plan review, inspection and other services for the purpose of enforcement of the Act and Regulations provided by building officials designated by the minister to assist the local authority pursuant to subsection 4(4) of the Act.
- (4) The local authority may, at its discretion, have plan review, inspection and other services provided by a person, firm or corporation employed under contract to the local authority.
- (5) The permit fee for assessment, construction, erection, placement, alteration, repair, renovation or reconstruction of a building shall be calculated as follows:
- \$5.00 per \$1000 of value on construction with a minimum fee of \$75.00 plus a \$20.00 flat fee for assessment maintenance by Saskatchewan Assessment Management Agency (SAMA) for a total minimum fee of \$95.00.
(Amendment 4-2015)
- (6) The local authority may estimate the value of construction for the work described in an application for building permit, for the purpose of evaluating a permit fee, based on established construction costs, owner's statement of costs or constructor's contract values, or similar methods selected by the local authority.
- (7) Approval in writing from the local authority or its authorized representative is required for any deviation, omission or revision to work for which a permit has been issued under this section.
- (8) All permits issued under this section expire
- (a) six months from date of issue if work is not commenced within that period, or
 - (b) if work is suspended for a period of six months, or
 - (c) if work is suspended for a period of longer than six months by prior written agreement of the local authority or its authorized representative.
- (9) The local authority may, at its discretion, rebate a portion of a permit fee where work is reduced in scope or discontinued, or where other exceptional circumstances occur.
- (10) Where work for which a permit is required has commenced prior to the issuance of such permit, an additional fee shall be paid in an amount equal to 100% of the permit fee or \$10,000.00, which ever is less.
(Amendment Bylaw 61-2007)

DEMOLITION PERMITS

6. (1) (a) The fee for a permit to demolish a building shall be \$25.00.
- (b) (i) In addition, the applicant shall deposit with the local authority a \$5000 surety in cash or bond to cover the cost of restoring the site after the building has been demolished to such condition that it is, in the opinion of the local authority or its authorized representative, not dangerous to public safety.
 - (ii) If the applicant who demolishes the building restores the site to a condition satisfactory to the local authority or its authorized representative, the sum deposited, or portion thereof, shall be refunded.

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- (2) Every application for a permit to demolish a building shall be in Form C.
- (3) Where a building is to be demolished and the local authority or its authorized representative is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, the local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the demolition in Form D.
- (4) At least 24 hours prior to demolition, the applicant must:
 - (a) Arrange with the Town of Martensville to have the water and sanitary sewer service connections discontinued at the water and sewer mains and
 - (b) Arrange with the gas, electric and telephone companies or other utilities to discontinue their services.
- (5) Demolition permits expire six months from the date of issue except that permit may be renewed for six months upon written application to the local authority.

REMOVING, RELOCATION OR PLACEMENT OF BUILDING PERMITS

7. (1) (a) The fee for a permit to remove and/or relocate a building shall be \$25.00.
 - (b) i) In addition, the applicant shall deposit with the local authority a \$5000 surety in cash or bond to cover the cost of restoring the site after the building has been moved or removed to such condition that it is, in the opinion of the local authority or its authorized representative, not dangerous to public safety.
 - ii) If the applicant who moves or removes the building restores the site(s) to a condition satisfactory to the local authority or its authorized representative, the sum deposited, or portion thereof, shall be refunded.
- (2) Every application for a permit to remove and/or relocate a building shall be in Form C.
- (3) Before issuing a permit for the removal and/or relocation, the local authority must be satisfied that:
 - (a) the structure of the building is such that the removal and/or relocation can be safely effected;
 - (b) that no person other than a licensed building mover will remove or relocate the building;
 - (c) that the building shall be moved along a route that, if by reason of its height, is the least likely to occasion damage to municipal facilities;
 - (d) that there are no arrears or taxes outstanding with respect to building or land on which building is or will be situated;
 - (e) that when the building is placed on its new site and completed, it will conform with all applicable bylaws;
 - (f) that the architectural design of the building will not adversely affect the general design of the buildings in the neighbourhood to which the building is to be moved; and
 - (g) that the prescribed fee and deposit has been received.
- (4) (a) Where a building is to be removed from the jurisdiction of the local authority, and the local authority or its authorized representative is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, the local authority upon receipt of the fee and deposit prescribed, shall issue a removal permit in Form D.
- (b) Where a building is to be relocated from its *site and set upon another site in the local authority*, and the local authority or its authorized representative is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, and the building when placed on its new site and completed, to the best of the knowledge of the local authority or its authorized representative, will conform with the requirements of this bylaw, the local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in Form D. In addition, the local authority, upon receipt of the fee prescribed in Section 5(5), shall issue a permit for the placement of the building in Form B.

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- (c) Where a building is to be relocated from a *site external to the local authority and set upon a site within the local authority*, and the local authority or its authorized representative is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the land on which the building is to be situated, and the building when placed on its new site and completed, to the best of the knowledge of the local authority or its authorized representative, will conform with the requirements of this bylaw, the local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the placement of a building in Form D.
- (5) At least 24 hours prior to the removal and/or relocation, the applicant must:
 - (a) Arrange with the Town of Martensville to have the water and sanitary sewer service connections discontinued at the water and sewer mains and
 - (b) Arrange with the gas, electric and telephone companies or other utilities to discontinue their services.
- (6) All permits issued under this section expire six months from the date of issue except that a permit may be renewed for six months upon written application to the local authority.

ENFORCEMENT OF BYLAW

- 8. (1) If any building or part thereof or addition thereto is constructed, erected, placed, altered, repaired, renovated or reconstructed in contravention of any provision of this bylaw, the local authority or its authorized representative may take any measures as permitted by Part V of the Act for the purpose of ensuring compliance with this bylaw including, but not limited to:
 - (a) entering a building,
 - (b) ordering production of documents, tests, certificates, etc. relating to a building,
 - (c) taking material samples,
 - (d) issuing notices to owners that order actions within a prescribed time,
 - (e) eliminating unsafe conditions,
 - (f) completing actions, upon an owner's non-compliance with an order, and adding the expenses incurred to the tax payable on the property, and
 - (g) obtaining restraining orders.
- (2) If any building, or part thereof, is in an unsafe condition due to its faulty construction, dilapidated state, abandonment, open or unguarded condition or any other reason, the local authority or its authorized representative may take any measures allowed by subsection (1).
- (3) The owner of a building for which a permit has been issued or for which actions are being taken in compliance with an order shall give notice in writing to the local authority as required in Section 17.2 of the Act including, but not limited to:
 - (a) on start, progress and completion of construction,
 - (b) of change in ownership prior to completion of construction, and
 - (c) of intended partial occupancy prior to completion of construction.

CONTROL OF GRADE ELEVATIONS

- 9. (1) When issuing a building permit for new construction or alterations involving new foundation, the local authority or its authorized representative in conjunction with the town engineers shall define the finished grade elevation, the future sidewalk elevation (if required) and the benchmark reference for the development.
- (2) It will be the responsibility of the owner to ensure all grade elevations are met and maintained.

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SPRINKLERED FIRE PROTECTION

10. Notwithstanding the requirements of the UBAS Act and regulations are maintained all buildings over two storeys in building height shall be sprinklered.

SPECIAL CONDITIONS

11. (1) Notwithstanding the requirements of the Regulations, an architect or professional engineer registered in the province of Saskatchewan shall be engaged by the owner for assessment of design and inspection of construction or certification of a building or part of a building where required by the local authority or its authorized representative.

(2) An up-to-date plan or survey of the site described in a permit or permit application prepared by a registered land surveyor shall be submitted by the owner where required by the local authority or its authorized representative.

(3) It shall be the responsibility of the owner to ensure that change in property lines and/or change in ground elevations will not bring the building or an adjacent building into contravention of this bylaw.

(4) It shall be the responsibility of the owner to arrange for all permits, inspections and certificates required by other applicable bylaws, acts and regulations.

(5) That no permits be issued for properties that do not have approved water, sewer, curb, gutter, sidewalk and road bed installed. These services will be inspected and approved by the Town's consulting engineers.
(Amendment Bylaw 36-2006)

PENALTY

12. (1) Any person who contravenes any of the provisions of this bylaw shall be liable to the penalties provided in Section 22 of the Act.

(2) Conviction of a person or corporation for breach of any provision of this bylaw shall not relieve him from compliance therewith.

REPEAL OF BYLAW

13. Bylaw 18/78 and 19/83 are hereby repealed.

EFFECTIVE DATE OF BYLAW

14. This bylaw shall come into force on the date of final approval by the Minister.

Enacted pursuant to Section 14 of
*The Uniform Building and Accessibility
Standards Act*

Certified a true copy of Bylaw No. 37-2004
adopted by resolution on the
21st day of December, 2004

MAYOR

ADMINISTRATOR

MUNICIPAL OFFICIAL

**TOWN OF MARTENSVILLE
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**DEVELOPMENT PERMIT/BUILDING PERMIT APPLICATION
This is NOT a Building Permit**

CLASS OF WORK	New <input type="checkbox"/>	Alterations <input type="checkbox"/>	Addition <input type="checkbox"/>	Relocation <input type="checkbox"/>	Permit #
	Repair <input type="checkbox"/>	Demolition <input type="checkbox"/>	Removal <input type="checkbox"/>	Development <input type="checkbox"/>	

PROJECT INFORMATION	Building Address(Including Unit #)	Legal Description			Value of Construction Excluding land Value
		Lot	Block	Plan	
	Proposed Use:			Estimated Development Dates:	
	Basement Development () YES () NO		Deck () YES () NO		Start:
Detached Garage () YES () NO		Fireplace () YES () NO		Property Size:	

Please list all existing structures on the site as well as area, ie. Houses, garages, shed, decks & other structures

Existing Buildings	Area

APPLICANT	Applicant Name		Company Name (if applicable)			
	Mailing Address		City	Province	Postal Code	
	Phone Number		Fax	Email Address		
	Main	Other				

OWNER	Owner Name or Same as Applicant () Yes		Company Name (if applicable)			
	Address		City	Province	Postal Code	
	Phone Number		Fax	Email Address		
	Main	Other				

CONTRACTOR	Contractor Name or Same as Applicant () Yes		Company Name (if applicable)			
	Address		City	Province	Postal Code	
	Phone Number		Fax	Email Address		
	Main	Other				

<p style="text-align: center;">APPLICATION INFORMATION</p> <p>Application will not be processed if site plan is not attached Site Plan attached () Yes</p> <p>2 sets of drawings must be attached or Application will not be processed. Drawings attached () Yes</p>	<p style="text-align: center;">Office Use</p> <p>Percent of Land Occupied: _____</p> <p>Approved by Developer () YES () N/A</p> <p>Fee for Building Permit \$ _____</p> <p>Fee for Development Permit \$100.00 R# _____</p> <p>Total amount owing \$ _____</p> <p>Roll Number</p>
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I hereby agree to comply with the Building & Zoning Bylaw of the Town of Martensville and acknowledge that it is my responsibility to ensure compliance with these and any other applicable bylaws, provincial acts & Regulations regardless of any plan review or inspections that may or may not be carried out by the Town of Martensville or its authorized representative. I agree to do all construction work solely in accordance & compliance with the information & plans provided by me in this application, & will obtain all other work permits required in conjunction with my development. I hereby declare that the above information is true and correct.

Applicant Signature

Date

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FORM B

Application «Permit_Number»

Town of Martensville, Saskatchewan
BUILDING PERMIT

Permission is hereby granted to _____ to construct a _____ on Lot _____, Block _____, Plan _____, civically known as _____, in accordance with the application dated _____. Grade levels of the building site are to be as indicated below.

This permit is issued subject to the following conditions:

1. Compliance with the provisions listed in the Plan Exam Report.
 2. Compliance with the elevations for this property as shown on the attached Lot Grade Plan as provided by the Town and engineered by Catterall and Wright Consulting Engineers are the responsibility of the property owner.
- _____
- _____
- _____

Any deviation, omission or revision to the approved application requires approval of the local authority or its authorized representative. This permit expires six months from the date of issue if work is not commenced within that period or if work is suspended for a period of six months, unless otherwise authorized by the Town of Martensville or its authorized representative.

Estimated Value of Construction: \$ _____

Permit Fee: \$ _____

Date

Signature of Authorized Representative



Town of Martensville, Saskatchewan
APPLICATION FOR A PERMIT TO
DEMOLISH, REMOVE, RELOCATE OR PLACE A BUILDING

Form C

I hereby make application for a permit to: Demolish
 Remove
 Relocate within Town
 Relocate in Town from Out of Town

a building now situated on: _____ (Civic address or location)
 Legal: Lot ____ Block ____ Plan _____

The work will commence on _____, 20 ____ and will be completed on _____, 20 ____.

The Building Mover will be _____

The building will be moved over the following route:

_____ (Civic address or location)

The site work (filling, final grading, landscaping, etc.) which will be done after building is moved includes:

I hereby agree to comply with the Building Bylaw of the Town of Martensville and to be responsible and pay for any damage done to any property as a result of the demolition or moving of the said building, and to deposit such sum as may be required by Section 6(1)(b) and 7(1)(b) of the Building Bylaw. I acknowledge that it is my responsibility to ensure compliance with any other applicable bylaws, acts and regulations, and to obtain all required permits and approvals prior to demolishing, removing, relocating or placing a building. I hereby declare that the above information is true and correct.

_____ Date

_____ Signature of Owner or Owner's Agent

Office Use Only:

Permit Fee \$ _____
 Deposit Fee \$ _____

Permission is hereby granted to _____ to

Demolish
 Remove
 Relocate within Town
 Relocate in Town from Out of Town

a building now situated on _____ Lot ____ Block ____ Plan _____
 (Civic Address)

to: _____

in accordance with the application dated _____, 20 ____.

This permit expires six months from the date of issue.

This permit is issued subject to the following conditions: _____

Any deviation, omission or revision to the approved application requires approval of the Town of Martensville or its authorized representative.

Once the applicant who demolished, moves, removes or places the building restores the site(s) to a condition satisfactory to the local authority or its authorized representative, the sum deposited, or portion thereof, shall be refunded.

_____ Date

_____ Signature of Authorized Representative