

## BYLAW 5:2005

### **BEING A BYLAW OF THE TOWN OF IRRICANA, IN THE PROVINCE OF ALBERTA, REGULATING AND CONTROLLING THE FORM, CONTENT, AND COST OF BUILDING, ELECTRICAL, GAS AND PLUMBING PERMITS FOR THE USE, OCCUPANCY, RELOCATION, CONSTRUCTION, RENOVATION, AND DEMOLITION OF BUILDINGS.**

**WHEREAS**, the Town of Irricana has been accredited under the Safety Codes Act, S-0.5 of the Revised Statutes of Alberta, 1991, and amendments thereto, to administer sections of the Act that apply to Building, Electrical, and Gas and Plumbing Disciplines, and

**WHEREAS**, pursuant to the Safety Codes Act, S.0.5, Section 62 of the Revised Statutes of Alberta 1991, the Town of Irricana may enact a bylaw respecting fees and carrying out of the Town's power and duties in administering the Act, and

**WHEREAS**, it is considered desirable that such a bylaw be enacted;

**NOW THEREFORE**, the Council of the Town of Irricana in the Province of Alberta duly assembled enacts as follows:

This Bylaw shall be known and may be cited as the Building, Electrical, Gas and Plumbing Permit Bylaw of the Town of Irricana.

#### DEFINITIONS

In this Bylaw, unless the context otherwise requires;

- a. "Act" means the Safety Codes Act, Chapter S-0.5, R.S.A., 1991 as amended or replaced from time to time;
- b. "Applicant" means the owner of a building or a property or a representative authorized in writing by the owner who applies for a building permit;
- c. "Building Code" means the current version of the Alberta Building Code pursuant to the Act;
- d. "Electrical Code" means the current version of the Alberta Electrical Code pursuant to the Act;
- e. "Estimated Construction Cost" is the total cost of constructing and finishing the building, but excluding furniture and equipment.
- f. "Gas and Plumbing Code" means the current version of Alberta Gas and Plumbing Code pursuant to the Act;
- g. "Permit" means a permit issued pursuant to this Bylaw and as defined in the Building, Electrical, or Gas and Plumbing Code;
- h. "Occupancy" means a use of a building;
- i. "Partial Permit" means a permit to proceed with construction of a part of a building or structure;
- j. "Permit Placard" is an identification card issued to notify the owner and/or public that a permit has been issued for the building;
- k. "Safety Codes Officer" means a person appointed pursuant to Section 29 of the Act, as amended;
- l. "Site" means the physical location of the work that is the subject of the permit;
- m. "Quality Management Plan" means the Quality Management Plan for the Town of Irricana and Village of Beiseker;

- n. All definitions contained in the Act and the Regulations made pursuant to the Act shall apply in this Bylaw.

## SCOPE

This Bylaw applies to the issuance of permits for the use, occupancy, relocation, construction, renovation or demolition of any building regulated by the Act or by regulations made pursuant to the Act within the Town of Irricana.

## PROHIBITION

No person shall use, occupy, relocate, construct, renovate, or demolish any building or part thereof unless there is a valid and subsisting permit therefore.

Unless there is a valid and subsisting permit, no person shall commence or cause commencement of:

- a. the excavation of any land for the purpose of erecting or relocating any building;
- b. the installation of any heating, venting or air conditioning equipment, or electrical installation specifically governed by the Act;
- c. the installation of any masonry, or factory built fireplace, or other fuel fired appliance governed by the Act;
- d. the installation or construction of any retaining wall that exceeds 1 meter in height.

A permit is not required for construction under 10 square meters (107.6 square feet) where in the opinion of the Safety Codes Officer, the construction will not affect the health and safety of the occupants or create a hazard.

## PERMITS

To obtain a permit, an applicant shall file an application in writing on a form prescribed by and available from the Town of Irricana.

Every application shall:

- a. identify and describe details of the work, use and occupancy of the building and the installation of mechanical systems, equipment, and electrical installations to be covered by the permit for which the application is made;
- b. be accompanied by the permit fee as set out by the Safety Codes Contractor's fee schedule and;
- c. be signed by the registered owner or the applicant authorized by the registered owner who may be required to submit evidence of such authorization.

An application for a permit may be refused if, within ninety (90) days from the date of receipt, adequate information and documentation is not supplied to the Safety Codes Officer and there shall be no refund of any fees that have been paid.

## PLANS AND SPECIFICATIONS

Except where permitted by the Safety Codes Officer, every applicant shall submit three (3) sets of plans, drawings, specifications and other information required by the Safety Codes Officer with each application.

All plans submitted must be legible, drawn to scale and be detailed enough to show compliance with the Code.

Specifications shall include a site plan (and/or plot plan), indicating the actual dimensions of the lot(s) and the proposed building(s), the relation of such buildings to the property lines, and a lot grading plan with site drainage.

On completion of the construction of a building the Safety Codes Officer may require a set of plans of the building with all changes reviewed by the Safety Codes Officer and a real property report showing its location.

## FEES

The permit fees shall be based on the fee schedule as provided by the Safety Codes Contractor.

## PERMIT ISSUANCE, TERM, EXTENSIONS, REVOCATION AND REINSTATEMENT

### PERMIT ISSUANCE

- a. If a Safety Codes Officer is satisfied that the work described in an application for a permit and the plans submitted, are to the best of their knowledge, in accordance with the provisions of the Act and Regulations made pursuant to the Act and that the fees have been paid, a permit shall be issued to the applicant, with or without conditions, together with a permit placard.
- b. The Safety Codes Officer may issue a partial permit for part of a building prior to the examination of the complete application documents. The holder of a partial permit may proceed at their own risk without the assurance that the permit for the entire building or structure will be issued.
- c. When a permit is issued, one set of examined plans, drawings and specifications shall be returned to the applicant and shall be kept at the site at all times during which the work is in progress, and shall be made available to the Safety Codes Officer on demand.
- d. One set of examined plans, drawings and specifications shall be retained by the Town of Irricana.
- e. One set of examined plans, drawings and specifications shall be retained by the Safety Codes Officer for the purpose of inspection.
- f. The permit placard shall be posted at all times at a conspicuous place on the site.

### PERMIT TERMS AND EXTENSIONS

- a. A permit issued under this Bylaw, other than a permit for the use or occupancy of a building, shall expire:
  - i. if work authorized by the permit has not commenced within ninety (90) days of the date of issue of the permit; or
  - ii. if the work authorized by the permit is commenced but is later suspended or abandoned for a continuous period of more than one hundred and twenty (120) days.
- b. The Safety Codes Officer may, from time to time, extend a permit for an additional period of up to six (6) months except when the permit has expired or been revoked.
- c. The Safety Codes Officer shall conduct site inspections at the stages outlined in the municipalities Quality Management Plan.

The Safety Codes Officer may, in writing, suspend or revoke a permit if the permit is:

- a. found to be in error;
- b. issued on the basis of incorrect information supplied; or

- c. in violation of any provision of the Act or regulations made pursuant to the Act.

A permit which has expired may be reinstated by the Safety Codes Officer at the written request of an applicant within thirty (30) days of expiry provided;

- a. no changes are made in the documents submitted with the application.
- b. The applicant pays a fee based on the fee schedule provided by the Safety Codes Contractor.

#### REVISIONS AND RE-EXAMINATIONS

The Safety Codes Officer may accept a revision to the construction for which a permit has been issued and determine the appropriate fee to be charged for the service as set out in the fee schedule provided by the Safety Codes Contractor.

If the documents submitted with an application for a permit contains substantial errors or omissions the documents may be rejected by the Safety Codes Officer. The documents shall be re-submitted for re-examination and the fee as determined by the Safety Codes Contractor shall be charged for each and every re-examination.

Any documents submitted which do not form the basis of the permit issued may be destroyed by the Safety Codes Officer.

#### INSPECTIONS AND RECORD KEEPING

All inspections and record keeping shall be as stated in the Quality Management Plan.

#### OCCUPANCY

No building that is regulated by the Act shall be used or occupied until all compliance monitoring has been completed and a Permit Service Report has been issued by the Municipality.

Occupancy shall only be granted for the use for which the permit was issued.

#### VALIDITY

Should any section, subsection, clause or provision of this Bylaw be declared invalid by a court of competent jurisdiction, the validity of this Bylaw in whole or part, other than the part so declared shall not be affected.

#### OFFENCE

Any person who contravenes this Bylaw is guilty of an offence under Section 63 of the Act.

#### REPEAL

Notwithstanding subsection 1201, any permit issued prior to the time this Bylaw came into force shall continue in force subject to the terms and conditions under which the permit was issued.

Bylaw 7:2004 and amendments thereto are hereby repealed.

This Bylaw shall come into full force and effect upon the date of third and final reading.

That this bylaw shall take effect on the date of the third and final reading.

**READ A FIRST TIME this 7<sup>th</sup> day of November, A.D., 2005.**

**READ A SECOND TIME this 7<sup>th</sup> day of November, A.D., 2005.**

**UNANIMOUS CONSENT for THIRD READING AND FINAL READING given this 7<sup>th</sup> day of November, A.D., 2005.**

**READ A THIRD TIME AND FINAL TIME this 7<sup>th</sup> day of November, A.D. 2005.**

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**MAYOR**

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**CHIEF ADMINISTRATIVE OFFICER**