

MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44

BYLAW C-5158-2000

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE REGULATION AND CONTROL OF THE FORM, CONTENT AND COST OF PERMITS FOR THE USE, OCCUPANCY, RELOCATION, CONSTRUCTION, DEMOLITION, INSTALLATION, ALTERATION, REPAIR, REMOVAL OR CHANGE IN OCCUPANCY OF BUILDINGS OR BUILDING, ELECTRICAL, PLUMBING AND GAS EQUIPMENT AND SYSTEMS.

WHEREAS The Municipal District of Rocky View No. 44 has been authorized by Section 23(1) and 69 (1) & (2) of the Safety Codes Act, Chapter S-0.5 of the Revised Statutes of Alberta 1991 as amended to enforce the sections of the Act that apply to buildings, gas, electrical and plumbing; and

WHEREAS Pursuant to Section 62(3) of the Act the Municipal District of Rocky View No. 44 may enact a bylaw respecting fees and the carrying out of the Municipal District's powers and duties in enforcing the Act; and

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

NOW THEREFORE the Council of the Municipal District of Rocky View No. 44 enacts the following:

1. SHORT TITLE

- 1.1. this Bylaw shall be known and may be cited as the "Safety Codes Permitting Bylaw" of the Municipal District of Rocky View No. 44

2. DEFINITIONS

- 2.1 All definitions contained in the Safety Codes Act shall apply to this Bylaw except to the extent that they are inconsistent with the definitions of words and expressions as set out in this Bylaw, and in the case of such inconsistency, the definitions set out in this Bylaw shall apply, 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 of the owner who applies for a building, plumbing, gas, electrical or private sewage Permit;
 - c) "Blanket Permit" means a permit issued for a specified number of connections to or changes to the electrical system, for which a permit is required under the Act, in a building or a site that is industrial, commercial or institutional,
 - d) "Estimated Construction Cost" means the total estimated cost of constructing and completing the improvements on the site including site servicing connections but excluding furniture and office equipment;
 - e) "Fee" means the cost of a permit as set out in the Master Rates Bylaw

- f) "Master Rates Bylaw" means Bylaw C-4982-98 of the Municipal District, as amended;
- g) "Minor Electrical Work" means electrical switches, receptacles and connections thereto including connections to appliances
- h) "Municipal District" means the Municipal District of Rocky View No. 44;
- i) "Occupancy Permit" means a permit issued with respect to the occupancy or use of a building;
- j) "Permit" means a permit issued pursuant to this Bylaw and as defined in the code;
- k) "Permit Placard" means an identification card issued to notify the owner and/or the public that a permit has been issued for the building;
- l) "Quality Management Plan" means the Quality Management Plans for the Municipal District as accepted by Council and the Administrator of Certification and Accreditation under the Act.
- m) "Officer" means for the purpose of this Bylaw, an employee or agent of the Municipal District designated as a Safety Codes Officer, Building, Plumbing, Gas or Electrical Discipline under Section 27 of the Act;
- n) "Security Deposit" means a financial deposit submitted in a form acceptable to the Municipal District to be held without interest as payment against damage to municipal property;
- o) "Site" means the physical location of the work that is the subject of the permit;

3. SCOPE

- 3.1 The provisions of this Bylaw shall apply to the issuance of permits respecting the use, occupancy, relocation, construction, demolition, installation, alteration, repair, removal or change of occupancy of any building or building, electrical, plumbing and gas equipment and systems regulated by the Act within the Municipal District.

4. SAFETY CODES OFFICER'S POWERS AND DUTIES

- 4.1 An Officer may exercise the powers and duties of a Officer only in accordance with the designation under Section 27 of the Act and the Municipal District Quality Management Plan.
- 4.2 An Officer is hereby authorized to enforce the provisions of this Bylaw, the Act and the Regulations passed thereunder.

5. PROHIBITION

- 5.1 No person shall use, occupy, relocate, construct, demolish, install, alter, or repair any building or any electrical, gas, plumbing, private sewage, equipment, or system located in a building or on any site, unless there is a valid and subsisting permit therefor,
- 5.2 The issuance or granting of a permit or the examination of plans and specifications shall not be construed to be permission for, or an approval of, any violation of any of the provisions of any other Act. No permit presuming to give authority to violate or cancel the provisions of any Act shall be valid except in so far as the work or use, which it authorizes, is unlawful.

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- 5.3 No building is to be relocated within the Municipal District or moved into the Municipal District from outside the Municipal District until and unless a permit authorizing the relocation has been issued. It is the responsibility of the owner or the person responsible for the relocation to ensure that an Officer is notified of the proposed relocation, and that the necessary Building Permit has been obtained prior to the relocation.

6. PERMIT APPLICATIONS

- 6.1 To obtain a Permit, an applicant shall file an application in writing on a form prescribed by the Municipal District.

- 6.2 Every application shall:

- a) identify and describe details of the work, use and occupancy of the site and the installation of mechanical systems and equipment to be covered by the Permit for which the application is made;
- b) be accompanied by the permit fee calculated in accordance with the Master Rates Bylaw; and
- c) be signed by the applicant.

- 6.3 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 Officer and there shall be no refund of any fees that have been paid.

- 6.4 The Municipal District shall not accept an application for a permit unless permits for each of Building, Plumbing, Gas, Electrical and Private Sewage that are, or are intended to be within, attached to or servicing the building or structure, are applied for at that same time.

- 6.5 Permits are not transferable.

- 6.6 Subject to the Regulations under the Act regarding buildings, a permit is not required for construction of a building or part thereof, where, in the opinion of an Officer there are no structural changes in the construction and it will not affect the health and safety of the occupants, and the Estimated Construction Cost is less than Two Thousand Dollars (\$2,000.00) or unless otherwise stated in this Bylaw.

- 6.7 A permit is not required for the following;

- a) painting or decorating if such work will not create any hazard or unsafe condition in or about the project;
- b) parking pads not supporting a garage or carport;
- c) driveways (gravel or paved).

7. PERMIT ISSUANCE, TERM, EXTENSIONS, REVOCATION AND REINSTATEMENT

7.1 Permit issuance, building permits

- a) If the Officer is satisfied that the work described in an application for a permit and the plans submitted are, to the best of his 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 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 permits for the entire building or structure will be issued.
- c) The Municipal District may impose such conditions on the permit as it deems necessary to ensure compliance with the Safety Codes Act, the Regulations, this Bylaw and all other relevant legislation.
- d) When a permit is issued, one set of examined plans, drawings and specifications shall be returned to the applicant and shall be retained by the applicant until an occupancy permit is issued.
- e) One set of examined plans, drawings and specifications shall be retained by the Municipal District in accordance with the Quality Management Plan.
- f) The Permit Placard shall be posted at all times at a conspicuous place on the site until an occupancy permit is issued.

7.2 All permits

- a) A permit issued pursuant to this Bylaw, other than a Permit for the use or occupancy of a building, shall expire:
 - i) if the work authorized by the permit has not commenced within twelve (12) months 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 twelve (12) months.
- b) The Officer may, from time to time, extend a permit for additional periods of up to twelve (12) months unless the permit has expired or been revoked.
- c) All applications for an extension of the term of a permit shall be in writing and shall be accompanied by the fee.

- 7.3 The 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;
 - c) in violation of any provision of the Act or Regulations made pursuant to the

Act.

- 7.4 A Permit which has expired may be reinstated by the 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, and
 - b) a permit fee equal to one half of the original fee has been paid.

8. BLANKET ELECTRICAL PERMITS

- 8.1 A blanket permit to carry out Minor Electrical Work may be issued to an individual who qualifies, pursuant to the Regulations passed under the Act, to be issued a permit subject to the limitations and restrictions therein.
- 8.2 A blanket permit is subject to the following additional terms and conditions:
- a) A blanket permit may only be used for Minor Electrical Work. If any electrical work exceeds or is likely to exceed a total cost of Five Hundred dollars (\$500.00), including materials and labour, an application for a permit must be made in accordance with Section 6 of this Bylaw.
 - b) A blanket permit allows the holder to complete up to ten (10) Minor Electrical Works.
 - c) A blanket permit expires one (1) year from the date it is issued, or upon completion of ten (10) Minor Electrical Works, whichever occurs earlier.
 - d) No refunds or extensions will be provided in the event that ten (10) Minor Electrical Works are not completed within one (1) year of the date the blanket permit is issued.
 - e) A holder of a blanket permit must report in writing to an Officer, in the manner prescribed by the Officer, the completion of all Minor Electrical Works on a quarterly basis (on or before the 1st day of January, April, July and October of the same year).
 - f) An Officer may require an Applicant to provide information reasonably required to verify the costs of any or all Minor Electrical Works performed pursuant to a blanket permit.

- 8.3 A blanket permit must not be used for any electrical work which:
- a) Results in a new consumer's service or the upgrade of an existing consumer's service; or
- 8.4 Prior written approval must be obtained from an authorized person, as defined under the Canadian Electrical Code, before a blanket permit may be used for any Minor Electrical Work within the scope of the following sections of the Canadian Electrical Code for:
- a) Section 18 – Hazardous locations;
 - b) Section 20 – Flammable Liquid and Gas Dispensing and Service Stations, Garages, Bulk Storage Plants, Finishing Processes and Aircraft Hangers;
 - c) Section 24 – Patient Care Areas;
 - d) Section 32 – Fire alarm Systems and Fire Pumps; or
 - e) Section 68 – Pools, Tubs and Spas.

9. PLANS AND SPECIFICATIONS

- 9.1 Except when otherwise permitted by an Officer, with each application for a permit, three (3) sets of plans, drawings and specifications shall be submitted to the Municipal District.
- 9.2 Plans and specifications for a Building Permit must show the proposed occupancy of all parts of the building,
- 9.3 Plans and specifications shall be drawn to scale upon substantial paper or other acceptable material and shall be of sufficient clarity to indicate the nature and extent of the work proposed and to show in detail that it will conform to the provisions of the Act, all Provincial and Federal laws and Regulations, all Municipal District Bylaws and applicable Codes.
- 9.4 Each set of plans shall state the building or premises' address, the name and address of the owner of the building or premises, a name and address of the person who prepared the plans, and when an agent represents the owner, the name and address of the agent.
- 9.5 Each set of plans shall include a site plan showing the actual dimensions of the lot or property, the location of any Utility Right-of-Way or other encumbrance affecting the property and the location of the proposed work in relation to the lot or lots or property lines.
- 9.6 If requested by an Officer, the Applicant shall submit an up-to-date Real Property Report (survey) by a Registered Alberta Land Surveyor showing the information required by Subsection 9.5.

- 9.7 Upon the request of an Officer, test results, computations and all other evidence as deemed necessary shall be submitted by the Applicant to an Officer to show that the work will comply with the Act, any Regulations thereunder and the applicable Codes.
- 9.8 Upon completion of the construction of a building, an Officer may require a set of as built plans with all changes approved by the Officer, including a Real Property Report showing its location.
- 9.9 An Officer may keep copies of all applications received, permits and orders issued, inspections and tests made, and of all paper and documents connected with the administration of the Act, any Regulations thereunder, or any Codes referenced in this Bylaw in accordance with the Quality Management Plan
- 9.10 Plans and specifications may be submitted for examination to other Departments of the Municipal District or the Province to check for compliance with Orders, Regulations or Bylaws under their administration or jurisdiction.
- 9.11 Two (2) sets of examined plans and specifications shall be retained by the Municipal District.
- 9.12 When a permit is issued, one set of submitted 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 an Officer upon request.

10. ISSUANCE OF PERMITS

- 10.1 The owner shall not deviate, or authorize a deviation, from the requirements of the conditions of the permit without first obtaining permission in writing to do so from an Officer.
- 10.2 An Officer may allow, at the risk of the owner, with conditions if necessary to ensure conformance with the Alberta Building Code, the owner to proceed with excavation or construction of part of a building before the plans of the entire building have been submitted.
- 10.3 If an owner proceeds to excavate or construct part of a building under Subsections 10(c) and 10(d), he proceeds without assurance that the excavation or construction of other parts of the building will be allowed.
- 10.4 Emergency work may proceed after hours without first obtaining a permit in which case the permit application shall be made on the first working day following commencement of the emergency work.
- 10.5 Upon a Permit being issued, it is the responsibility of the Applicant to contact the Officer and request inspections.

11. REVISIONS AND RE-EXAMINATIONS

- 11.1 The 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 Master Rates Bylaw.

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

12. INSPECTIONS AND RECORD KEEPING

- 12.1 All inspections and record keeping shall be undertaken in accordance with the inspection and record keeping requirements of the Municipal District Quality Management Plan as adopted by Council.

13. OCCUPANCY PERMIT

- 13.1 No building that is Regulated by the Act shall be used or occupied unless an Occupancy Permit has been issued.
- 13.2 An Occupancy Permit shall be issued if, in the opinion of the Officer, the building does not contravene the provisions of the Act or any Regulations made pursuant to the Act.
- 13.3 The issuance of an Occupancy Permit shall not be construed to be permission for, or approval of, a contravention of any provision of any other Act, Regulation or Bylaw.

14. SECURITY DEPOSIT

- 14.1 For a dwelling moved-in or for extensions a security deposit may be required.

15. FEES

- 15.1 The fees for each and all permits pertaining to a building or structure or renovation shall be submitted at the time of first application. All fees shall be based on the final Estimated Construction Cost unless otherwise indicated in the Master Rates Bylaw.
- 15.2 If the documents submitted with an application for a permit contain substantial errors or omissions and the document must be resubmitted for further examination, a fee equal to ten percent (10%) of the fee defined in the Master Rates Bylaw may be charged for each and every re-examination.
- 15.3 If any unauthorized work, including excavation, has been started before the issuance of a permit, the fee shall be double the fee set out in the Master Rates Bylaw.
- 15.4 If any unauthorized work, including excavation has been started before issuance of a permit, the permit fee shall be 300% of fee set out in the Master Rates Bylaw.

16. REFUNDS

- 16.1 A person who has paid a permit fee as per the Master Rates Bylaw may cancel, withdraw or surrender the permit to the Municipal District and make an application in writing for a refund in accordance with the provisions of this section.
- 16.2 No refund shall be made if:

- a) the permit has been revoked or has expired;
- b) use, occupancy, relocation, construction or demolition of the building or the installation of the mechanical equipment or systems has commenced.

16.3 The amount of refund shall be in accordance with Master Rates Bylaw

17. VALIDITY

17.1 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 in part, other than the part so declared shall not be affected.

18. OFFENCE

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

19. REPEAL

19.1 Bylaw C1225-77 of the Municipal District is hereby repealed.

19.2 Notwithstanding subsection 18.1, any permit issued prior to the time this Bylaw came into force shall continue in force subject to the terms and conditions under which such permit was issued.


20. COMING INTO FORCE

20.1 This Bylaw comes into force upon receiving third reading.

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on January 25, 2000, on a motion by Councilor Kent.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on January 25, 2000, on a motion by Councilor Schule.

Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on January 25, 2000, on a motion by Councilor Richter.



REEVE OR DEPUTY REEVE


MUNICIPAL SECRETARY