

THE CORPORATION OF THE TOWN OF
NEW TECUMSETH

BY-LAW

Number 2014-018

"BUILDING PERMIT BY-LAW"

A by-law to regulate building permits and conditions for occupation
under the *Building Code Act*,
S.O. 1992, Chapter 23, as amended

WHEREAS Sections 7, 8, 10 and 11 of the *Building Code Act*, S.O. 1992, Chapter 23, as amended, provides authority for the council of a municipality to enact by-laws and regulations for building permits, the issue of permits and conditions for occupation of buildings;

NOW THEREFORE the Council of The Corporation of the Town of New Tecumseth does hereby enact as follows:

SECTION 1 - DEFINITIONS

- 1.1 **"Act"** means the *Building Code Act*, 1992, S.O. 1992,c.23, as amended.
- 1.2 **"Applicant"** means the owner of a building or property who applies for a permit or any person authorized to apply for a permit on the owner's behalf, or any person or corporation empowered by statute to cause the construction or demolition of a building or buildings and anyone acting under the authority of such person or corporation.
- 1.3 **"Building"** means,
- (a) a structure occupying an area greater than ten square metres consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto,
 - (b) a structure occupying an area of ten square metres or less that contains plumbing, including the plumbing appurtenant thereto,
 - (c) plumbing not located in a structure,
 - c.1) a sewage system; or
 - (d) structures designated in the Building Code Compendium.
- 1.4 **"Building Code Compendium"** means regulations made under Section 34 of the *Building Code Act*.
- 1.5 **"Certified Model"** means a unique building design for a detached or semi-detached or townhouse unit that has been reviewed by the Chief Building Official for compliance with the building code and is intended for construction pursuant to a permit issued under the Act. A certified model approval is not itself a permit.
- 1.6 **"Change Of Use Permit"** means a permit issued to allow the change from one type of occupancy use in a building to another type of occupancy which may increase a hazard as described in Part 10 of the *Building Code Act*.
- 1.7 **"Chief Building Official"** means the Chief Building Official appointed by by-law by The Corporation of the Town of New Tecumseth for the purposes of enforcement of the Act.

- 1.8 "Conditional Permit" means a permit issued for any stage of construction, when the result of waiting for all the required approvals for the complete permit would cause unreasonable delays to the construction of the building, as described in Section 11 of the *Building Code Act*.
- 1.9 "Construct" means to do anything in the erection, installation, extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere and "construction" has a corresponding meaning.
- 1.10 "Construction Permit" means a permit issued to allow construction as defined above and as described in Section 8 of the *Building Code Act*.
- 1.11 "Council" means the elected Council of the Corporation of the Town of New Tecumseth.
- 1.12 "Demolish" means to do anything in the removal of a building or any material part thereof and "demolition" has a corresponding meaning.
- 1.13 "Demolition Permit" means a permit issued to allow demolition as defined above and as described in Section 8 of the *Building Code Act*.
- 1.14 "Inspector" means a person appointed by by-law by the Corporation of the Town of New Tecumseth for the purposes of enforcement of the *Building Code Act*.
- 1.15 "Person(s)" shall mean any human being, association, firm, partnership, private club, incorporated company, corporation, agent or trustee and the heirs, executors, or other legal representatives of a person to whom the context can apply according to law.
- 1.16 "Private Sewage Disposal System" means a sewage system or a sewage works which is not owned and operated by the Crown, a municipality or an organization acceptable to the Director, as appointed under Section 2 of the *Building Code Act*, responsible for issuing a Certificate of Approval under the *Ontario Water Resources Act*.
- 1.17 "Re-Inspection" means any subsequent inspection of a construction stage made, pursuant to a previous inspection of the same construction stage and made necessary because at the time of the previous inspection the construction stage was incomplete or otherwise did not comply with the requirements of the Building Code Compendium or this By-Law, and all of the foregoing to be pursuant to notification of readiness by the owner or his agent in accordance with the Building Code Compendium regulations.
- 1.18 "Sewage System" means,
- (a) a chemical toilet, an incinerating toilet, a recirculating toilet, a self-contained portable toilet and all forms of privy including a portable privy, an earth pit privy, a pail privy, a privy vault and a composting toilet system,
 - (b) a greywater system,
 - (c) a cesspool,
 - (d) a leaching bed system, or
 - (e) a system which requires or uses a holding tank for the retention of hauled sewage at the site where it is produced prior to its collection by a hauled sewage system,
- where these,
- (f) have a design capacity of 10,000 litres per day or less,
 - (g) have, in total, a design capacity of 10,000 litres per day or less where more than one of these is located on a lot or parcel of land, and
 - (h) are located wholly within the boundaries of the lot or parcel of land on which is located the building which they serve.
- 1.19 "Town" means The Corporation of the Town of New Tecumseth.

SECTION 2 - ADMINISTRATION**2.1 Construction Permit Required**

2.1.1 No person shall construct, alter, or demolish or cause to be constructed, altered or demolished, a building in the Town unless a permit therefore has been issued by the Chief Building Official, and no person shall occupy or use a building regulated by this By-Law in the Town unless a permit or approval therefore has been issued by the Chief Building Official.

2.2 Permit Voiding

2.2.1. In accordance with the provisions of Section 8, Subsection 10 of the *Building Code Act*, and subject to Section 25 of the *Building Code Act*, a construction permit shall expire and become void where:

- 1) It was issued on false or mistaken information;
- 2) Six months after its issuance, the construction or demolition in respect of which it was issued has not, in the opinion of the Chief Building Official, been seriously commenced;
- 3) The construction or demolition of the building is, in the opinion of the Chief Building Official substantially suspended or discontinued for a period of more than one year;
- 4) If the permit was issued in error;
- 5) If the holder of the permit requests in writing that it be revoked; or
- 6) If a term of agreement under 6.1 has not been complied with.

2.3 Permits Not Assignable

Construction permits are not assignable; in the event that a property changes ownership when work allowed by a construction permit is not completed, the construction permit shall become invalid, and the new owner or agent of the owner shall make application for a permit for any work proposed for which a construction permit is required.

2.4 Application for Revision

Application may be made for revision to a construction permit after issuance, and such application shall be made in writing to the Chief Building Official stating any material change to a plan, specification, document or other information upon which a permit was issued, together with details of such change, which change shall not be made without the prior written authorization of the Chief Building Official.

2.5 Permit Placard

Every construction permit holder shall, prior to commencement of any works, post conspicuously on the work site, the permit placard that is issued with the permit and shall be responsible for the maintaining of the placard in a legible condition until the work allowed by the permit is complete.

2.6 Classes of Permit

- 2.6.1 New Construction
- 2.6.2 Addition
- 2.6.3 Renovation/Alteration
- 2.6.4 First Stage (capped foundation)
- 2.6.5 Mechanical
- 2.6.6 Conversion
- 2.6.7 Deconversion
- 2.6.8 Factory built/Pre-Fabricated Building/Structure
- 2.6.9 Value added
- 2.6.10 Public Swimming Pool
- 2.6.11 Garage/Accessory Structure
- 2.6.12 Carport
- 2.6.13 Designated Structure
- 2.6.14 Demolition
- 2.6.15 Restricted occupancy
- 2.6.16 Conditional permit
- 2.6.17 Change of use
- 2.6.18 Sewage Systems

SECTION 3 - APPLICATION FOR PERMIT

- 3.1 To obtain a permit, the applicant shall file an application in writing by completing the prescribed forms available at the offices of the Town.
- 3.2 Unless otherwise permitted by the Chief Building Official, every application shall complete the provincially mandated application form and shall:
 - 3.2.1 Identify and describe in detail the work and occupancy to be regulated by the permit for which application is made;
 - 3.2.2 Describe the land on which the work is to be done by a description that will readily identify and locate the building lot;
 - 3.2.3 Be accompanied by complete plans and specifications complying with Section 4 and that are satisfactory for the Chief Building Official to determine compliance with the Building Code Compendium;
 - 3.2.4 Be accompanied by the required fee, in accordance with fee requirements of Schedule "A";
 - 3.2.5 State the names, addresses, and telephone numbers of the owners, architect, engineer or other designer and constructor;
 - 3.2.6 Be accompanied, where applicable, by any other permits and approvals required by law;
 - 3.2.7 Be signed by the owner or his authorized agent who shall certify the truth of the contents of the application.

SECTION 4 - PLANS SPECIFICATIONS AND INFORMATION

- 4.1 Sufficient information shall be submitted with each application for a permit to enable the Chief Building Official to determine whether or not the proposed work will conform with the *Building Code Act*, the Regulations there under, any other applicable law and any building department or Town standard requirements.

- 4.2** Plans shall be drawn to scale upon paper, or other durable but commonly used material. Unless the plans are deemed satisfactory by the Chief Building Official, scales for plans and drawings shall be as follows:
- 4.2.1** For Residential:
- | | | |
|-------------|------------|----------|
| Plot plans | 1/4" to 4' | or 1:200 |
| Floor plans | 1/4" to 1' | or 1: 50 |
| Elevations | 1/4" to 1' | or 1: 50 |
| Sections | 1/2" to 1' | or 1: 20 |
- 4.2.2** Commercial and Industrial Other Than Residential:
As determined by architect or engineers.
- 4.3** Plans, specifications and information accompanying the application shall be:
- 4.3.1** Submitted in duplicate (2), unless Fire Rescue Department review is required (Commercial, Institutional, Industrial and Large Residential), in which case submission in triplicate (3) will be required;
- 4.3.2** Fully co-ordinated among all design disciplines and intended for construction, demolition or change of use;
- 4.3.3.** Fully dimensioned; and
- 4.3.4** Contain information and text that is clear and legible.
- 4.4** Unless otherwise permitted by the Chief Building Official, plans, specifications and information accompanying each application as described in Section 3 of this By-Law shall include the following items as necessary to clearly illustrate the proposed work:
- 4.4.1** Applicable Law Checklist and any approval documentation required by an applicable law;
- 4.4.2** Energy Efficiency Design Summary form (Part 9 residential dwellings) or Ontario Building Code SB-10 checklists as applicable;
- 4.4.3** Commitment to General Review by Architect or Engineer form;
- 4.4.4** Site plan/Grading plan (may be submitted as separate drawings)
- 4.4.5** Architectural drawings, including floor plans, elevations, sections and construction details;
- 4.4.6** Structural Drawings;
- 4.4.7** Roof Truss, Pre-engineered floor system and Engineered Beam shop drawings;
- 4.4.8** HVAC documents including Heat Loss/Heat Gain/Duct Calculations, Residential Mechanical Ventilation Summary and HVAC drawings;
- 4.4.9.** Electrical Drawings;
- 4.4.10** Plumbing Drawings (for other than Part 9 residential construction);
- 4.4.11** Sewage System Design and Plans;

- 4.4.12 Fire Protection System Drawings including Automatic Sprinkler System and Standpipe System design and shop drawings; and
 - 4.4.13 Proof of liability insurance to the satisfaction of the Town.
- 4.5 Unless otherwise permitted by the Chief Building Official, site plans shall be referenced to a current plan of survey, certified by a registered Ontario Land Surveyor, and a copy of such survey shall be submitted and site plans drawn to scale as set out in Subsection 4.2 above, and shall indicate:
- 4.5.1 Location of proposed building by dimensions from property lines;
 - 4.5.2 The dimension, building area and location of every existing building on the property;
 - 4.5.3 Existing and proposed finished ground elevations and grades. Grade around buildings to have a slope to direct surface water away from the building with existing grade being matched within 5 meters of the building and shall be swaled so that water will not adversely affect adjacent properties;
 - 4.5.4 Existing rights of way, easements and municipal services including above ground electrical conductors; and
 - 4.5.5 The location of any wells and/or sewage systems located on or within 50 metres of the property.

SECTION 5 - APPROVAL IN PART

- 5.1 When, in order to expedite work, a permit for a portion of the building or structure to be constructed is desired, prior to the issuance of a complete permit for the whole project, application shall be made for that portion of the work desired and complete plans and specifications for that portion desired shall be submitted with an application together with sufficient information relative to the whole project to enable the Town to determine whether or not the whole of the work proposed will conform with the requirements of this By-Law and any other applicable By-Law at the time of application.
- 5.2 Permits required for the remainder of the project will be granted subject to the laws, rules and regulations in effect at the time of such subsequent application.

SECTION 6 - CONDITIONAL PERMITS

- 6.1 Even though all requirements have not been met to obtain a permit under Section 2, the Chief Building Official may issue a conditional permit for any stage of construction if,
- 6.1.1 Compliance with by-laws passed under Sections 34 and 38 of the *Planning Act* and with such other applicable law as may be set out in the Building Code Compendium has been achieved in respect of the proposed building or construction;
 - 6.1.2 The Chief Building Official is of the opinion that unreasonable delays in the construction would occur if a conditional permit is not granted;

- 6.1.3 The applicant and such other persons as the Chief Building Official determines agree in writing with the municipality,
- 1) assume all risk in commencing the construction,
 - 2) obtain all necessary approvals in the time set out in the agreement or, if none, as soon as practicable,
 - 3) file plans and specifications of the complete building in the time set out in the agreement,
 - 4) at the applicant's own expense, remove the building and restore the site in the manner specified in the agreement if approvals are not obtained or plans filed in the time set out in the agreement, and
 - 5) comply with such other conditions as the Chief Building Official considers necessary, including the provision of security for compliance with subclause iv). 1992, c. 23, s. 8(3); 1997, c. 30, Sched. B, s. 7(2).
- 6.1.4 The applicant must apply to Council and receive permission from Council to delegate the Chief Building Official the power to enter into agreements described in sentence (3)(c) of the *Building Code Act*.

SECTION 7 - CHANGE OF USE PERMIT

- 7.1 Even though no construction is proposed, no person shall change the use of a building or part of a building, as defined in the By-Law, which would result in an increase in hazard as determined under the Building Code Compendium unless a permit has been issued by the Chief Building Official.

SECTION 8 – DEMOLITION PERMITS

- 8.1 Unless as otherwise permitted by the Chief Building Official, every application for a permit to demolish a building/structure shall include:
- 8.1.1 A fully completed copy of the provincially mandated application form;
 - 8.1.2 Required fees and security deposit as set out in this by-law;
 - 8.1.3 A key map identifying the location of the proposed demolition project;
 - 8.1.4 A properly scaled site plan, identifying all existing buildings/structures situated on the property and clearly identifying the building(s)/structure(s) proposed to be demolished, including the gross area and the overall height of the building(s)/structure(s) to be demolished;
 - 8.1.5 A recent photograph of the building(s)/structure(s) proposed to be demolished;
 - 8.1.6 A written "demolition methodology report" and/or detailed description detailing how the demolition work will be undertaken by the demolition contractor and/or owner;
 - 8.1.7 A design for a mud mat to the satisfaction of the Chief Building Official;
 - 8.1.8 Documentation to illustrate the construction and location of fencing to be installed as required by section 14 of this by-law and "no trespassing" signage to be fastened/attached to fencing/hoarding;

- 8.1.9 Documentation verifying arrangements have been made with the proper authorities for the termination and capping of all water, sewer, gas, electric, telephone and/or other utilities and service pertaining to the building(s)/structure(s) proposed to be demolished to the satisfaction of the Chief Building Official;
- 8.1.10 A current and up-to-date "liability insurance" "certificate of insurance" verifying the amount of insurance coverage in an amount not less than five million dollars (\$5,000,000.00) for urban area demolition and in an amount not less than two million dollars (\$2,000,000.00) for rural area demolition projects;
- 8.1.11 When the proposed demolition is to occur in an urban area, written confirmation to the satisfaction of the Chief Building Official that a pre-demolition survey of the surrounding properties located in the proximity of the demolition site is completed and a vibration study is undertaken during the duration of the demolition process; and
- 8.1.12 When required by the Chief Building Official, confirmation that a "Notice of Project" has been filed with the Ministry of Labour.
- 8.1.13 Release of the demolition security deposit may occur when the demolition work is complete and the site is left in a condition to the satisfaction of the Chief Building Official.

SECTION 9 – APPLICATION FOR A CERTIFIED MODEL

- 9.1 An applicant may file an application for a certified model.
- 9.2 Every application for a certified model shall:
 - 9.2.1 Be made on an application form prescribed by the Chief Building Official; and
 - 9.2.2 Be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 4 of this by-law.
- 9.3 Plans, specifications, documents, forms and other information forming part of each certified model application shall be deemed to form part of the permit documents of each permit subsequently issued under the Act for that certified model.

SECTION 10 – ABANDONED PERMIT APPLICATIONS

- 10.1 An application for a permit that remains incomplete or inactive for six (6) months after it was submitted may be deemed by the Chief Building Official to have been abandoned without further notice to the applicant.
- 10.2 The Chief Building Official may revoke or deem as abandoned a construction or demolition permit where, after six (6) months after its issuance, there has not been significant work commenced on the permit.
- 10.3 The Chief Building Official may revoke or deem as abandoned a construction or demolition permit where work under the permit has been substantially suspended or discontinued for a period of more than one year.
- 10.4 All incomplete and abandoned applications and permits shall be considered void and all plans and documentation may be destroyed.
- 10.5 Where an application or permit is deemed to be abandoned, a new application must be filed for the work.

SECTION 11 - FEES

- 11.1 The prescribed fee shall be paid when a complete application is submitted before the issuance of the permit.
- 11.2 The fees for all permits are set out in Schedules "A", "B" and "C" of this By-Law.
- 11.3 Where a person is found to have commenced construction or demolition of a building without the required permit, an administrative fee of twice the normal permit fee will be applied to offset additional administrative costs.
- 11.4. Where no fee exists in the By-Law for the proposed work the Chief Building Official shall estimate the total cost of the plan review, inspection and administration expenses and charge a fee to recover those costs.

SECTION 12 - REFUND OF FEES

- 12.1 Construction permit holders shall be eligible for a refund in accordance with provisions set out below:
- 12.1.1 The work in respect of which a permit was issued is not commenced and the permit holder applies for a refund within 6 months from date of permit issue;
- 12.1.2 The work in respect of which a permit was issued, is commenced and then ceased and the permit holder applies for a refund within 2 months from date of last recorded inspection.
- 12.2 The fees that may be refunded shall be a percentage of the fees paid as follows:
- 12.2.1 90 percent if administrative functions only have been performed;
- 12.2.2 80 percent if administrative and planning functions have been performed;
- 12.2.3 70 percent if administrative, planning and plan examination functions have been performed;
- 12.2.4 60 percent if the permit has been issued less \$40.00 for each site inspection made by an Inspector.
- 12.3 There shall be no refund of any construction permit fees where:
- 12.3.1 A construction permit has become void and a refund had not been requested within the time frames noted under Section 10 of this By-Law.
- 12.3.2 A construction permit has been voided under Section 2.
- 12.4 Despite any of the foregoing provisions, in no case shall the amount of the fees to be retained by the Town of New Tecumseth be less than the minimum permit fee.
- 12.5 Refunds are payable to the construction permit holder only, unless written direction from the construction permit holder indicating otherwise, is received by the Chief Building Official before the refund is issued.

SECTION 13 - NOTIFICATIONS

- 13.1 Subject to Sections 10.2 of the *Building Code Act* and Division C Part 1 Subsection 1.3.5. of the Building Code Compendium, the person to whom a permit has been issued or his agent, shall notify the Chief Building Official two business days in advance, of the following stages of construction as a minimum:

- 13.1.1 The readiness to construct the footings;
- 13.1.2 The substantial completion of footings and foundations prior to commencement of backfilling;
- 13.1.3 The substantial completion of structural framing and ductwork and piping for heating systems, if the building is within the scope of Part 9 of Division B of the Building Code Compendium;
- 13.1.4 The substantial completion of structural framing and rough-in of heating, ventilation, air-conditioning and air-contaminant extraction equipment, if the building is not a building to which 13.1.3 applies;
- 13.1.5 The substantial completion of insulation and vapour barriers;
- 13.1.6 The substantial completion of air barrier systems;
- 13.1.7 The substantial completion of all required fire separations and closures and all fire protection systems including standpipe, sprinkler, fire alarm and emergency lighting systems;
- 13.1.8 The substantial completion of fire access routes;
- 13.1.9 The readiness for inspection of,
 - 1) Building sewers and building drains,
 - 2) Water service pipes,
 - 3) Fire service mains,
 - 4) Drainage systems and venting systems,
 - 5) The water distribution system, and
 - 6) Plumbing fixtures and plumbing appliances,
- 13.1.10 The readiness for inspection of suction and gravity outlets, covers and suction piping serving outlets of an outdoor pool described in Clause 1.3.1.1.(1)(j) of Division A of the Building Code Compendium, a public pool or a public spa;
- 13.1.11 The substantial completion of the circulation/recirculation system of an outdoor pool described in Clause 1.3.1.1.(1)(j) of Division A of the Building Code Compendium, a public pool or public spa and substantial completion of the pool before it is first filled with water;
- 13.1.12 Readiness to construct the sewage system;
- 13.1.13 The substantial completion of the installation of the sewage system before the commencement of backfilling;
- 13.1.14 The substantial completion of installation of plumbing not located in a structure, before the commencement of backfilling;
- 13.1.15 The completion of construction and installation of components required to permit the issuance of an occupancy permit under Sentence 1.3.3.1.(3) of the Ontario Building Code or to permit occupancy under Sentence 1.3.3.2.(1) of the Building Code Compendium, if the building or part of the building to be occupied is not fully completed; and
- 13.1.16 The completion of construction and installation of components required to permit the issuance of an occupancy permit under Sentence 1.3.3.4.(4) of the Building Code Compendium.

- 13.2** Subject to regulations, no person shall occupy or use or permit to be occupied or use any building newly erected or installed until notice of the date of its completion is given to the Chief Building Official, and
- 13.2.1 An inspection is made pursuant to such notice, or
 - 13.2.2 Ten days have elapsed after service of the notice or after the completion, whichever occurs last, and
 - 13.2.3 Subject to compliance first being made with any order made by the Chief Building Official under the Building Code Compendium.
- 13.3** The Chief Building Official may, at or subsequent to the time of issuance of the construction permit, waive the requirement for notification if deemed not applicable to the work proposed.

SECTION 14 – FENCING/HOARDING OF CONSTRUCTION SITES

- 14.1** Where, in the opinion of the Chief Building Official, a construction or demolition site presents a hazard to the public, the Chief Building Official may require the permit holder to erect such fencing/hoarding to the standards and specifications that the Chief Building Official deems appropriate in the circumstances.
- 14.2** When determining if a construction or demolition site presents a hazard to the public requiring the erection of fencing/hoarding, the Chief Building Official shall have regard to:
- 14.2.1 The proximity of the construction or demolition site to occupied dwellings;
 - 14.2.2 The proximity of the construction or demolition site to lands accessible to the public, including but not limited to streets, parks, and commercial and institutional activities;
 - 14.2.3 The hazards presented by the construction or demolition activities and materials;
 - 14.2.4 The feasibility and effectiveness of site fencing/hoarding; and
 - 14.2.5 The duration of the hazard.
- 14.3** When the Chief Building Official is of the opinion that fencing/hoarding is required, the permit holder shall, prior to the commencement of any construction, demolition, or placement of materials or equipment on site, erect or cause to be erected fencing/hoarding to the standards required by the Chief Building Official to enclose the construction or demolition site for the purpose of preventing unauthorized entry on the site. For the purposes of this section, construction or demolition site shall include the area of the proposed construction or demolition and any area where materials or equipment are stored or operated.

SECTION 15 - FIRE SAFETY

- 15.1** The primary responsibility for the enforcement of fire safety matters for those buildings falling within the scope of Table 1.2.2.1. of Division C of the Building Code Compendium shall be the responsibility of the Chief Fire Official of the Town. All drawings and information submitted with an application for a permit to construct a building other than a single family dwelling or building and structures accessory to residential usage, must be approved by the Chief Fire Official as complying with the fire safety requirements of the Building Code Compendium before the issuance of a permit by the Chief Building Official.

SECTION 16 – SITE INSPECTIONS

- 16.1** The permit holder shall ensure that the work for which notice has been given remains available for inspection until inspection has been performed and passed by the inspector, or the required notification period as identified in Article 1.3.5. of Division C of the Building Code Compendium has elapsed, whichever comes first.
- 16.2** The permit holder shall facilitate safe access for the inspector to all areas ready for inspection.
- 16.3** Upon request, the permit holder shall furnish the inspector with a reviewed stamped copy of the permit drawings and documentation for reference during the inspection.
- 16.4** The Town does not warrant in any way that inspected work, even if passed, ensures the constructed work complies with all requirements of the Act or the Building Code Compendium or the documents on the basis of which a permit was issued.
- 16.5** Where an inspection of a stage of construction is made pursuant to notification and it is found at the time of inspection that the construction is incomplete or otherwise does not meet the requirements of the Building Code Compendium or this By-Law, the Inspector shall issue a written report stating the nature of the non-compliance and requiring that the repairs be carried out forthwith or within such time as is specified and if necessary the Inspector shall require a re-inspection notification of this same construction stage.
- 16.6** The permit holder shall pay the re-inspection fee in accordance with Schedule B to this By-Law when:
- 1) An inspector has to inspect the same deficiency more than twice; or
 - 2) An inspection is specifically requested by the permit holder and scheduled at a time other than normal Department working hours.

SECTION 17 - BY-LAW DECLARATIONS

- 17.1** By-law 2005-073 is hereby repealed.
- 17.2** The granting of any permit, or the acceptance of the drawings or any specifications, or any inspections made by the Town shall not, in any way relieve the owner of such building, or the person responsible for the provision of service, labour or materials to the building from the full and sole responsibility for carrying out the work or having the work carried out in accordance with the requirements of this By-Law, the *Building Code Act* and the regulations made thereunder and any other applicable legislation.
- 17.3** The granting of any permit, nor the acceptance of the drawings nor any specifications, nor any inspections made by the inspector shall, in any way, be deemed as a waiver by the Town, of compliance with any other applicable By-Laws of the Town or any other legislation.

SECTION 18 - RESTRICTED OCCUPANCY PERMIT

- 18.1** Despite any other provisions of this By-Law the Chief Building Official may issue a "Restricted Occupancy Permit" for buildings deemed to be of a temporary nature, under such terms and conditions as in his absolute discretion he deems advisable and upon payment necessary to ensure compliance with the terms and conditions so specified, which fee may be refunded in whole or in part upon removal of the building and the restoration of the site.

SECTION 19 - VIOLATION AND PENALTY

19.1 Upon any conviction for breach of the terms of this By-law, the person so convicted shall be liable to those penalties as provided for under the *Ontario Building Code Act*, S.O. 1992, Chapter 23, as amended.

SECTION 20 - VALIDITY

20.1 Should any Section, subsection, clause, paragraph or provision of this By-Law be declared by a court of competent jurisdiction to be invalid, the same shall not effect the validity of the By-Law as a whole or any part thereof, other than the provision so declared to be invalid.

SECTION 21 – CITATION

21.1 That this By-law shall be cited as the "Building Permit By-Law".


SECTION 22 - FORCE AND EFFECT

22.1 This By-Law shall come into force and take effect on the day of final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 10th DAY OF FEBRUARY, 2014



MAYOR



D/CLERK

**TOWN OF NEW TECUMSETH
SCHEDULE OF PERMIT FEES
SCHEDULE "A"**

CLASSIFICATION as defined by the Building Code	DESCRIPTION	FEE PER SQUARE FOOT	FEE PER SQUARE METRE
Group A & B	New Construction	\$0.72	\$7.74
	Renovation / Alteration	\$0.48	\$5.16
Group C	New Const. Dwelling Unit Urban	\$0.97	\$10.44
	Townhouse Units	\$0.90	\$9.68
	Apartment Building	\$0.92	\$9.90
	Renovations / Alterations	\$0.36	\$3.87
	Garage / Accessory Building	\$0.30	\$3.23
	Carport	\$0.21	\$2.21
	Unfinished basement converted to Habitable Space	\$0.30	\$3.23
	Garage converted to Habitable Space	\$0.36	\$3.87
	Basement converted to Apartment (2 nd Dwelling)	\$0.45	\$4.84
	Group D & E	New Construction	\$0.61
Renovation/Alteration		\$0.40	\$4.30
Group F Industrial	New Construction	\$0.50	\$5.38
	Renovation/Alterations	\$0.28	\$3.01
Group F Farm Building	New Construction less than 600 s.m.	\$0.20	\$2.21
	New Construction over 600 s.m.	\$0.43	\$4.63
	Alteration/Renovations	\$0.18	\$1.94

**TOWN OF NEW TECUMSETH
SCHEDULE OF PERMIT FEES
SCHEDULE "B"**

CLASSIFICATION	DESCRIPTION	FEE
Conditional Permit	Security Deposit as determined by CBO	CBO
Portable Building	School Portable/Sales Office/etc.	\$ 178.00
Garden Suite	Pre-fabricated Dwelling maximum 116 sm	\$ 297.00
Designated Structure	As per Division A Part 1 Article 1.3.1.1. of the Building Code Compendium	Construction Value
Deck/Porch	Wood Deck/Covered Veranda/Porch	\$ 89.00
Plumbing	Water Service/Sewers/Fixtures/etc.	Schedule "C"
Sewage System	Sewage System / Site Evaluation	Schedule "C"
Sprinkler System	Sprinkler System	\$ 178.00
Commercial Cooking Hood	Commercial Cooking Hood Suppression System	\$ 148.00
Solid Fuel Burning Appliance	Masonry Fireplace/Wood Stove/etc.	\$ 89.00
Chimney	Chimney, masonry/prefabricated	\$ 89.00
Change of "Use"	As required by Division C Part 1 Table 1.3.1.4 of the Building Code Compendium	\$ 148.00
Demolition Permit	\$50.00 every 40 square metres	Min \$ 89.00
Demolition	Security Deposit - Demolition By-Law	Min. \$ 500.00
Notice of Change	Changes made after permit issued	Min. \$58.00
Elevator	Elevator/Chair Lift	\$ 120.00
* Construction Value	Fee \$11.60 for each \$1,000.00 of Construction Value	Minimum \$ 89.00
Letter signed by C.B.O.	Required letter for Liquor Licence/Insurance/etc.	\$ 90.00
Re-Inspection	Re-Inspection of same deficiency more than twice	\$ 70.00
Stand-By Inspection	Special Inspection/site audit requested by applicant/owner	** Hourly Rate
Minimum Fee	Minimum "Fee" for all permits	\$ 89.00
Construction/ Demolition commenced without obtaining Permit	Twice the value of the Permit Fee, determined by the Schedule of Permit Fees (To be determined by the C.B.O.)	Permit Fee Doubled

* Construction Value: The applicant/owner will provide a full and complete construction contract and/or audited statement detailing all construction costs.

** Hourly Rate The owner will pay the hourly rate of the Building Official and/or Building Officials that conduct the Stand-By Inspection plus mileage to the Municipality.

**TOWN OF NEW TECUMSETH
SCHEDULE OF PLUMBING FEES
SCHEDULE "C"**

DESCRIPTION	FEE
Plumbing Fixtures	\$ 11.00 each
Water Service Piping - residential	\$ 30.00
Water Service and/or Fire Service Piping - non residential	\$ 144.00
Building Sewer/Storm Sewer - residential	\$ 60.00
Building Sewer/Storm Sewer - non residential	\$ 190.00
Man Holes / Catch Basins	\$ 48.00 each
Grease Interceptor / Oil and/or Sand Interceptor	\$ 48.00 each
Sewage Ejector	\$ 48.00 each
Sewage System Site Evaluation	\$ 80.00
Sewage System - residential dwelling	\$ 535.00
Sewage System - non-residential	\$ 830.00
Renovation/Alteration to residential Sewage System	\$ 350.00
Renovation/Alteration to non residential Sewage System	\$ 595.00
Dosing Tank - pump/siphon chamber - length of distribution pipe exceeds 150 metres	\$ 120.00
Change of "Use" existing Sewage System	\$ 178.00