

BY-LAW #2003-09  
VILLAGE OF BEISEKER  
Province of Alberta

A BYLAW OF THE VILLAGE OF BEISEKER, IN THE PROVINCE OF ALBERTA REGULATING AND CONTROLLING THE FORM, CONTENT AND COST OF PERMITS FOR THE USE, OCCUPANCY, RELOCATION, CONSTRUCTION, OR DEMOLITION OF BUILDINGS AND THE INSTALLATION OF MECHANICAL EQUIPMENT AND SYSTEMS.

WHEREAS the Village of Beiseker has been authorized by the Safety Codes Act, chapter S-0.5 of the Revised Statutes of Alberta 2000 and amendments thereto, to enforce the sections of the Act that apply to buildings;

AND WHEREAS the Village of Beiseker wishes to issue permits for the building, plumbing, gas and electrical disciplines;

AND WHEREAS approval of Quality Management Plans for building, plumbing, gas and electrical disciplines give the Village of Beiseker the authority to do so;

AND WHEREAS pursuant to the Safety Codes Act, the Village of Beiseker may enact a bylaw respecting fees and the carrying out of the Village'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 Village of Beiseker duly assembled, enacts as follows:

**1. TITLE**

This bylaw shall be known as the "Permit Bylaw" of the Village of Beiseker.

**2. 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 project value" is the total cost of constructing and finishing the building, but excluding furniture and office equipment, calculated as outlined in Schedule "A";
- f) "Gas and Plumbing Code" means the current version of the 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 Permit" means a permit issued with respect to the occupancy or use of a building;
- i) "Partial Permit" means a permit to proceed with construction of a part of a building or structure;

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- 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 Village of Beiseker;
- n) All definitions contained in the Act and the Regulations made pursuant to the Act shall apply in this Bylaw.

**3. SCOPE**

This bylaw applies to the issuance of permits for the use, occupancy, relocation, construction or demolition of any building regulated by the Act or by regulations made pursuant to the Act within the Village of Beiseker.

**4. PROHIBITION**

- 1. No person shall use, occupy, relocate, construct or demolish any building or part thereof unless there is a valid and subsisting permit therefore.
- 2. 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 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 exceed 1 meter in height.
- 3. A permit is not required for construction, where in the opinion of the Safety Codes Officer, the construction will not affect the health and safety of the occupants and/or the public, and the estimated construction cost is less than one thousand dollars (\$1,000.00).
- 4. A permit is not required for painting and decorating.

**5. PERMITS**

- 1. To obtain a permit, an applicant shall file an application in writing on a form prescribed by and available from the Village of Beiseker.

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2. 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 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 Village of Beiseker as per attached Schedule "A; and
  - c) be signed by the registered owner or the applicant on behalf of the registered owner.
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 Safety Codes Officer and there shall be no refund of any fees that have been paid.

#### **PLANS AND SPECIFICATIONS**

1. Except where permitted by the Safety Codes Officer, every applicant shall submit three (3) sets of plans, drawings, specification and other information required by the Safety Codes Officer with each application.
2. All plans submitted must be legible, drawn to scale and be detailed enough to show compliance with the Code.
3. 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/or a plan of survey showing its location.

#### **FEES**

7. The permit fees as per Schedule "A" shall be based on the estimated project value by the formula in Schedule "A" and no permit shall be issued until the fees have been paid in full. Schedule "A" may be amended from time to time by resolution of Council.

#### **PERMIT ISSUANCE, TERM, EXTENSIONS, REVOCATION & REINSTATEMENT**

1. **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 his knowledge, in accordance with the provisions of the Act and Regulations made pursuant to the Act and that the fees specified pursuant to Appendix A 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.

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- d) One set of examined plans, drawings and specification shall be retained by the Village of Beiseker
- e) The permit placard shall be posted at all times at a conspicuous place on the site.

2. **Permit Term 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 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 Safety Codes Officer may, from time to time, extend a permit for additional periods of up to twelve (12) months except when the permit has expired or been revoked.
3. 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.
4. 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.

9. **REVISIONS AND RE-EXAMINATIONS**

- 1. 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 services as set out in Schedule "A."
- 2. If the documents submitted with an application for a permit submitted with an application for a permit contain 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 in accordance with the Village of Beiseker Policy shall be charged for each and every re-examination.
- 3. Any documents submitted which do not form the basis of the permit issued may be destroyed by the Safety Codes Officer.

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**10. INSPECTIONS AND RECORD KEEPING**

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

**11. OCCUPANCY PERMIT**

1. No building that is regulated by the Act shall be used or occupied unless an occupancy permit has been issued.
2. An occupancy permit shall be issued if, in the opinion of the Safety Codes Officer, the building does not contravene the provisions of the Act or any regulations made pursuant to the Act.
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.

**12. VALIDITY**

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

**13. OFFENCE**

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

**14. REPEAL**

1. Notwithstanding subsection 13.1, any permit issued prior to the time this bylaw came into force shall continue in force subject to the terms and conditions under which the permit was issued.
2. By-Law #96-10, By-Law #97-02 and amendments thereto are hereby repealed.
3. This Bylaw shall come into full force and effect upon the date of third and final reading.

READ A FIRST TIME this 8TH DAY OF SEPTEMBER, 2003.

READ A SECOND TIME this 8TH DAY OF SEPTEMBER, 2003.

READ A THIRD TIME AND FINALLY PASSED THIS 8TH DAY OF SEPTEMBER, 2003.

  
MAYOR

*J. Ireland-Bunelle*  
MUNICIPAL ADMINISTRATOR

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