

**THE CORPORATION OF THE TOWNSHIP OF
PERTH SOUTH**

BY-LAW NUMBER 7-2015

BEING A BY-LAW TO PROVIDE FOR THE ISSUING OF PERMITS, THE ESTABLISHMENT OF A FEE SCHEDULE AND THE INSPECTION OF CONSTRUCTION CARRIED OUT IN ACCORDANCE WITH THE ONTARIO BUILDING CODE ACT.

WHEREAS, the Ontario Building Code Act empowers Municipal Councils to pass By-laws and Regulations respecting building permits and their issuance:

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PERTH SOUTH HEREBY ENACTS AS FOLLOWS:

SECTION 1 - SHORT TITLE

- 1.1 This By-law may be cited as "The Building By-law of the Township of Perth South"
- 1.2 Definitions (respecting this By-law)
 - 1.2.1 "Act" means the Building Code Act of Ontario, including amendments thereto.
 - 1.2.2 "Building" means a building as defined in the Act.
 - 1.2.3 "Chief Official" means the Chief Building Official appointed by By-law of the Corporation of the Township of Perth South for the purpose of enforcement of the Act.
 - 1.2.4 "Corporation" means the Corporation of the Township of Perth South.
 - 1.2.5 "Permit" means the written permission or written authorization from the Chief Official to perform work regulated by this By-law and the Act.
 - 1.2.6 "Regulation" means the regulations made under the Act.

SECTION 2 - PERMITS

- 2.1 CLASSES OF PERMITS
 - 2.1.1 Classes of Permits with respect to the construction and demolition of buildings shall be set out in schedule "A" to this By-law.

2.2 APPLICATION FOR PERMIT

- 2.2.1 To obtain a permit the owner or his authorized agent shall file an application in writing by completing the prescribed forms available at the office of the Township of Perth South.
- 2.2.2 Except as otherwise permitted by the Chief Official, every application shall:
- (a) identify and describe in detail the work and describe the land on which the work is to be done, by a description that will readily identify and locate the building lot, including the municipal address of the said lot;
 - (b) be accompanied by complete plans and specifications as described in subsection 2.3;
 - (c) state the valuation of the proposed work and be accompanied by the required fee;
 - (d) State the names, addresses, and telephone numbers of the owner, architect, engineer or other designer and constructor;
 - (e) be accompanied, where applicable, by a written acknowledgement of the owner that he/she has retained the architect or professional engineer to carry out the field review of the construction, as described in the Regulations; and
 - (f) all abandoned wells to be closed to Ministry of Environment specifications.
 - (g) be signed by the owner(s) or his/her authorized agent(s) who shall certify the truth of the contents of the application.

2.3 PLANS, SPECIFICATIONS, AND INFORMATION

- 2.3.1 Sufficient information, including detailed site plans where necessary, shall be submitted with each application for a permit to enable the Chief Official to determine whether or not the proposed work will conform with the Act, the Regulations thereunder and any other applicable law, including any other By-law of the Corporation.
- 2.3.2 Plans shall be drawn to scale upon paper, or other durable material.
- 2.3.3 Plans, specifications and information furnished with the application shall be in numbers as prescribed by the Corporation.
- 2.3.4 This Chief Official may require, if he deems it necessary for the purposes

of Subsection 2.3.1, that the site plans be referenced to a current plan of survey of the land certified by a registered O.L.S. (Ontario Land Surveyor) and that a copy of such survey shall be submitted prior to the granting of a permit.

- 2.3.5 Where application is made for a Sewage System Permit issued under section 8(1) of the Act, the application shall:
- a) include complete plans and specifications, documents and other information as required under Article 1.3.5.4 C of the Building Code and as described in this By-law for work to be covered by this permit;
 - b) where the person installing the sewage system requires a licence under the Act and/or the Building Code, the number and date of issuance of the licence, and the name of the qualified person supervising the work to be done under the sewage system permit shall be provided;
 - c) unless otherwise specified by the Chief Building Official, a site evaluation prepared by a qualified designer shall be submitted with the following information:
 - i) the date the evaluation was done;
 - ii) the legal description, lot size property dimensions, existing right of way, easements of municipal/utility corridors;
 - iii) the location of any existing or proposed buildings
 - iv) depth of bedrock
 - v) depth to zones of soil saturations
 - vii) soil properties, including soil permeability.

2.4 AS CONSTRUCTED PLANS

On completion of the construction of a building, the Chief Building Official may require a set of as constructed plans, including a plan of survey from a registered O.L.S (Ontario Land Surveyor) showing the location and elevations of the building and lot.

SECTION 3 - FEES

- 3.1 Fees for a required permit shall be in accordance with Schedule "A" to this By-law.
- 3.2 Where the fees are based on the cost or valuation of the proposed work (which may be based on the square footage method of calculation set out in section 3.2.1) such valuation shall mean the total cost of all work regulated by the permit including cost of professional and related services.

3.2.1 Valuation Guideline Minimums

Pole barn	\$12.00 per square foot
House	\$150.00 per square foot
Attached garage	\$50.00 per square foot

Barn as per owner's contract for construction

3.3 The Chief Official may place a valuation on the cost of the proposed work for the purposes of establishing the permit fee, and where disputed by the applicant, the applicant shall pay the required fee under protest and upon completion of the project, shall submit audited statements of the actual costs, and where the audited costs are determined to be less than the valuation, the corporation shall issue a refund.

3.4 REFUND OF PERMIT FEES

<u>Stage of Permit Application</u>	<u>Refund</u> (% of Entire Fees Payable)
i) Application received - no administrative functions done	90%
ii) Applications processed - plans review and permit issued	60%
iii) Permit fee of \$100 or less	0%

SECTION 4 - NOTIFICATIONS

4.1 The owner of his/her authorized agent shall notify the Chief Official at least one business day in advance of the stages of construction as follows:

- (a) the commencement of construction of the building;
- (b) the readiness to construct the footings;
- (c) the completion of the framing in the case of housing and small buildings;
- (d) the readiness to apply interior finishes and plumbing;
- (e) the completion of the structure before occupancy;

to permit the Chief Official to make such inspections as he deems necessary in order to ensure compliance with the provisions of the By-law.

SECTION 5 - VALIDITY AND EFFECTIVE DATE

5.1 VALIDITY

Every provision of this By-law is hereby declared severable from the remainder of the By-law, and if any provision of this By-law shall be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder thereof.


5.2 By-law 32-2008 and 41-2013, and all amendments thereto not consistent with this By-law, be and they are hereby repealed.

5.3 EFFECTIVE DATE


This By-law shall be effective April 1, 2015.

READ a FIRST and SECOND time this 3rd day of March 2015.

READ a THIRD time and **FINALLY PASSED** this 3rd day of March 2015.



Mayor, Robert Wilhelm



Clerk, Lizet Scott