

# **TOWN OF SHELBURNE**

## **BUILDING CODE BY-LAW**

By-Law No. (2)

**BE IT ENACTED** by the Council of the *Town of Shelburne* that the Clerk file a copy in the office of the Minister of Service Nova Scotia and Municipal Relations and the office of the Minister of Environment and Labour pursuant to the Building Code Act R.S.N.S., c.46.

### **PART 1 – DEFINITIONS**

- 1.1 CONSTRUCT – means to do anything in the erection, installation, extension, relocation, material alteration or material repair of a building and includes the installation of a factory-made building fabricated or moved from elsewhere.
- 1.2 MATERIAL ALTERATION AND MATERIAL REPAIR – means work that is done in the alteration or repair of a building, which work is covered by the Building Code, and which:
- (a) is a non-structural repair or alteration which has a monetary value of more than \$5,000.00, or
  - (b) is a repair or alteration to the structure of the building.
- 1.3 OWNER – includes a person controlling the property under consideration, and also includes prima facie the assessed owner of the property whose name appears on the assessment roll prepared in accordance with the Assessment Act.

### **PART 2 - PERMITS**

- 2.1 Every application for a permit shall:
- (a) identify and describe in detail the work and occupancy to be covered by the permit for which application is made.
  - (b) describe the land on which the work is to be done by a description that will readily identify and locate the building lot.
  - (c) include plans and specifications as required by the Building Code and show the occupancy of all parts of the building.
  - (d) state the monetary valuation and square footage of the proposed work and be accompanied by the required fee, and
  - (e) such other information as may be reasonably required by the Building Inspector to determine compliance with the Building Code and safety requirements.
  - (f) state the names, addresses and telephone numbers of the owner, architect, professional engineer or other designer and constructor.

- 2.2 When an application for a permit has not been completed in conformance with the requirements of this By-Law within six (6) months after it is filed, the application shall be deemed to have been abandoned.
- 2.3 A permit is valid for one (1) year from the date of issuance and may be renewed upon payment of a \$5.00 fee.
- 2.4 Before issuing a demolition or building permit, the authority having jurisdiction shall be satisfied that the building is not subject to the provisions of a By-Law passed pursuant to the Heritage Property Act.
- 2.5 A permit for a temporary building:
- (a) Shall state the date after which the permit is no longer valid and in any event, a permit for a temporary building shall not be valid for a period longer than 12 months.
  - (b) May be extended in writing
- 2.6 (a) Should a permit be issued for part of a building, the holder of the permit may proceed, but without any assurance that the permit for the entire building will be granted.
- (b) Any permit issued for part only of a building shall be clearly marked as for that part only, and shall also indicate that a permit for the entire building is not assured.
- 2.7 (a) A permit may be issued at the risk of the owner, with conditions to ensure compliance with the Building Code, to excavate or to construct a portion of the building before all the plans of the project have been submitted or accepted.
- (b) The permit shall be clearly marked “At Owner’s Risk”.
- 2.8 (a) A permit for the whole project may be issued conditional upon the submission of additional information prior to commencing the work for which the information is pertinent, provided that the information is of such a nature that withholding the permit until the information was available would delay the work unreasonably.
- (c) The condition shall be set out on the permit.

**PART 3 – PERMIT FEES**

3.1 Fees for permits shall be as follows:

Residential	Up to four units	\$0.10/sq.ft.+\$25.00
	Four units and over	\$0.14/sq.ft.+\$50.00
Residential Repairs & Renovations		\$1.00per\$1,000.00+\$25.00
Additions to Residential		\$0.10/sq.ft.+\$25.00
Residential Outbuildings		\$0.04/sq.ft.+\$25.00
Patio, Decks, Steps, Car-Ports, Etc.		\$1.00per\$1,000.00+\$25.00

Assembly		\$0.14/sq.ft.+\$50.00
Commercial		\$0.14/sq.ft.+\$50.00
Industrial		\$0.14/sq.ft.+\$50.00
Institutional		\$0.14/sq.ft.+\$50.00
Additional to Commercial, Industrial, Institutional		\$0.14/sq.ft.+\$50.00
Repairs & Renovations other than Residential	\$1.00per\$1,000.00sq.ft.+\$50.00	
Outbuildings other than Residential		\$0.06/sq.ft.+\$35.00
Relocation of an Existing Structure or Mobile Homes		\$50.00
Demolition of a building	Up to 500 sq.ft.	\$15.00
	500 sq.ft. and over	\$35.00
Location of New Mobile Homes		\$0.10/sq.ft.+\$25.00
Replacement of a Single Family Dwelling		\$0.10/sq.ft.+\$25.00

### **3.2 Cancellation Fees**

(1) A twenty-five (25%) percent fee with respect to the price of the Building/Demolition permit will be withheld if the permit is cancelled.

(2) No refund will be issued for abandoned permits.

### **PART 4 – INSPECTIONS**

4.1 The authority having jurisdiction shall be notified and given an opportunity to inspect at the following stages of construction:

- (1) Footings in place.
- (2) The site before commencing backfilling of the laterally supported foundation, before a superstructure is placed on the foundation. In the case of a mobile or modular home, installation as per the required CSA Standard.
- (3) The framing, roof, plumbing and mechanical.
- (4) Insulation and vapour barrier before the interior of the walls are finished.
- (5) Before occupancy.

### **PART 5 – REPEAL**

All By-Laws of the Town of Shelburne in relation to Building By-Laws heretofore passed by the Council are hereby repealed.

**Clerk's Annotation for Official By-Law Book**

Date of first reading: April 1<sup>st</sup>, 2009

Date of advertisement of Notice of Intent to Consider: April 14<sup>th</sup>, 2009

Date of second reading: May 6<sup>th</sup>, 2009

\*Date of advertisement of Passage of By-Law: May 12<sup>th</sup>, 2009

Date of mailing to Minister a certified copy of the By-Law: June 30<sup>th</sup>, 2009

I certify that this Building Code By-Law was adopted by Council and published as indicated above.

\_\_\_\_\_  
Clerk

June 30<sup>th</sup>, 2009  
Date

\* Effective Date of By-Law unless otherwise specified in the text of the By-Law\*