

THE MUNICIPALITY OF THE DISTRICT OF GUYSBOROUGH

BY-LAW NAME: MUNICIPALITY OF THE DISTRICT OF GUYSBOROUGH
BUILDING BY-LAW

BY-LAW #: 1

AMENDED DATE: June 21, 2023

PART 1 – DEFINITIONS:

All words defined in the Building Code Act, the Provincial Building Code, the regulations and amendments and amendments thereto shall prevail.

PART 2 – PERMITS:

2. A building permit, occupancy permit and demolition permit shall be in the forms as prescribed by the Municipality.
2. Before a permit is issued, an applicant **MUST** complete an application form, which shall be in the form as prescribed by the Municipality.
3. Every application for a permit **SHALL**:
 - a. identify and describe in detail the work and occupancy to be covered by the permit for which the 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 valuation and square footage of the proposed work and be accompanied by the required fee;
 - e. state the names, addresses, and telephone numbers of the owner, architect, professional engineer or other designer and constructor.
4. 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 be abandoned.
5. A permit is valid for **ONE (1) YEAR** from the date of issue and is renewable.

6. In addition to the permit requirements of the regulations, a building permit is required for:
 - a) public utility towers, television and radio towers
 - b) flood control and hydro electric dams and structures
 - c) fences over two (2) meters (6.56 feet) in height
 - d) swimming pools - both in ground and above ground with a greater depth than .91 meters (3 feet)
 - e) all other buildings not specifically covered under the Nova Scotia Building Code;
 - i. barns and other farm buildings
 - ii. shed over ten (10) square meters (107.6 square feet)
 - iii. shell warehouses and garages
7. Building Permits ARE NOT required for:
 - a) accessory buildings not greater than ten (10) square meters (107.6 square feet) in building area
 - b) fence less than two (2) meters (6.56 feet) in height
 - c) where construction value is less than \$2,500.00;
 - i. installation of siding over existing exterior finish
 - ii. installation of storm windows
 - iii. replacing an existing roof surface
 - iv. ground level patios and walkways
 - v. interior and exterior nonstructural repairs
8. An application for a building permit for the construction of a building requiring a new on site sewage disposal system shall be accompanied by the results of an application for an on site sewage disposal system permit.
9. An application for a building permit or the construction of a building requiring Municipal water and sewer services shall be accompanied by written permission for connections to the aforementioned services.
10. Before issuing a Demolition Permit, the authority having jurisdiction shall be satisfied that the Building is not subject to the provisions of the Heritage By-law passed pursuant to the Heritage Property Act.
11. No owner or owner's representative having authority in the construction, reconstruction, demolition, alteration, removal, relocation or occupancy of a building shall cause, allow or maintain any unsafe condition.
12. Should occupancy occur prior to the completion of any work being undertaken that requires a permit, every owner shall ensure that no unsafe condition exists or will exist because of the work being undertaken or not completed.
13. No owner or his/her representative shall authorize or undertake excavation or work on, over or under public property or erect or place any construction or work or store any materials therein without approval having first been obtained in writing from the appropriate government authority.

14. Every owner is responsible for the cost of repair of any damage to public property or works located thereon that may occur as a result of undertaking work for which a permit was required.
15. No owner or his/her representative shall allow the ground elevations or the property boundaries of a building lot to be changed so as to place a building, or part thereof, in contravention of these requirements, unless the building, or part thereof, is also altered, after obtaining the necessary permit, that no contravention will occur as a result of the change of the property boundary or grades.
16. The granting of a permit, the approval of the drawings and specifications or inspections made by the authority having jurisdiction, shall not in any way relieve the owner of a building from full responsibility for carrying out the work or having it carried out in accordance with the Building Code, including ensuring that the occupancy of the building or any part thereof, is in accordance with the terms of any occupancy permit.
17. Every constructor and owner who is unable to continue work due to bankruptcy or other cause, is responsible for ensuring that no unsafe condition remains at the site of the work.
18. Where any failure occurs which causes or has the potential to cause injury or loss of life, the authority having jurisdiction may require the owner or his/her representative to submit a report stating:
 - a) the name and address of the owner or the building
 - b) the address or location of the building involved in the failure
 - c) the name and address of the constructor, and
 - d) the nature and details of the failure
19. The authority having jurisdiction may, in the case of the construction of new buildings or structures, withhold a building permit until satisfied that any permit required pursuant to the Public Highways Act has been obtained.
20. Permit for a Temporary Building:
 - a) shall state the date after which the conditions under which the permit is no longer valid;
 - b) may be extended in writing.
21.
 - 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 part only and shall also indicate that a permit for the entire building is not assured.
22.
 - 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 a building before all the plans of the project have been submitted or accepted.
 - b) The permit shall be clearly marked “AT OWNERS RISK”.

23.

- a) A permit for a 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.
- b) The condition shall be set out on the face of the permit.

PART 3 – PERMIT FEE SCHEDULE:

For the purpose of this by-law, schedule of PERMIT FEES SHALL be as follows:

- a) Residential buildings, community centres and churches, EXCLUDING unfinished basements
 - i. base charge \$25.00; square foot cost \$0.15
- b) Commercial / Industrial - base charge \$25.00; square foot cost \$0.20
- c) Accessory Buildings (sheds, shell warehouses, garages, barns and other farm buildings) - base charge \$25.00; square foot cost \$0.05
- d) Renovations and Repairs - base charge \$25.00; \$2.00 per \$1,000.00
- e) Permit Renewal Fee - \$25.00
- f) Demolition Permit - base charge \$25.00
- g) Occupancy Permit - no charge

PART 4 – INSPECTION:

The authority having jurisdiction shall be notified forty-eight (48) hours in advance and given an opportunity to inspect at the following stages of construction:

- a) the foundation before back filling occurs and before a superstructure is placed on a foundation;
- b) the framing, roof, plumbing and insulation complete before interior wall coverings installed;
- c) before occupancy and upon final completion.

PART 5 – REPEALING

1. All former Building By-Laws, passed by the Council of the Municipality of the District of Guysborough are hereby repealed and this By-Law substituted therefore.