

THE CORPORATION OF TAY VALLEY TOWNSHIP

BY-LAW NO. 2013-005

BUILDING BY-LAW

WHEREAS, Section 7(1) of the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, authorizes a municipality to pass by-laws for,

- (a) prescribing classes of permits under this Act, including permits in respect of any stage of construction or demolition;
- (b) providing for applications for permits and requiring the applications to be accompanied by such plans, specifications, documents and other information as is prescribed;
- (c) requiring the payment of fees on applications for and on the issuance of permits, requiring the payment of fees for maintenance inspections, and prescribing the amounts of the fees;
- (c.1) requiring the payment of interest and other penalties, including payment of collection costs, when fees are unpaid or are paid after the due date;
- (d) providing for refunds of fees under such circumstances as are prescribed;
- (e) requiring a person specified in the building code to give notice to the chief building official or an inspector or to a registered code agency if one is appointed, of any of the stages of construction specified in the building code, in addition to the stages of construction prescribed under subsection 10.2 (1) and prescribing the period of time after such notice is given during which an inspection may be carried out;
- (f) prescribing forms respecting permits and applications for permits and providing for their use;
- (g) enabling the chief building official to require that a set of plans of a building or any class of buildings as constructed be filed with the chief building official on completion of the construction under such conditions as may be prescribed in the building code;
- (h) providing for the transfer of permits when land changes ownership;
- (i) requiring the person to whom a permit is issued to erect and maintain fences to enclose the site of the construction or demolition within such areas of the municipality as may be prescribed;
- (j) prescribing the height and description of the fences required under clause (i).

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NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of Tay Valley Township enacts as follows:

1. DEFINITIONS

For the purposes of this by-law:

- 1.1. **“Act”** means the *Building Code Act, S.O. 1992, Chapter 23*, including thereto;
- 1.2. **“Basement”** means a “basement” as defined in Section 1.1.3.2 (1) of the Act;
- 1.3. **“Basement Finished” or “Finished Basement”** shall mean a basement as defined herein of part of the basement space which includes or is designed to include one or more of the following:
 - a double, patio or french type door to an exterior yard facing a waterbody and within 30m of the highwater mark; or
 - interior wall partitions not load bearing of any height separating basement space for any other use or intended use;
 - plumbing appliances(s) connected or to be connected directly or indirectly to a plumbing system;
- 1.4. **“Building”** means a “building” as defined in Section 1.1.3.2.(1) of the Act;
- 1.5. **“Building Code”** means the regulations made under Section 34 of the Act;
- 1.6. **“Chief Building Official”** means the Chief Building Official appointed by By-law of the Corporation of Tay Valley Township for the purposes of the enforcement of the Act;
- 1.7. **“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;
- 1.8. **“Corporation”** means the Corporation of Tay Valley Township;
- 1.9. **“Demolish”** means to do anything in the removal of a building or any material part thereof and **“Demolition”** has a corresponding meaning;
- 1.10. **“Fixture”** means a “fixture” as defined in Section 1.1.3.2.(1) of the Act;

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- 1.11. **“Material Alteration”** means the substitution, changing, or altering of materials used in buildings, such as insulation, structural components; heating systems, plumbing, sewage systems and other building components described and regulated under the Building Code;
- 1.12. **“Municipality”** means the Corporation of Tay Valley Township;
- 1.13. **“Permit”** means permission or authorization, in writing, from the Chief Building Official to perform work regulated by this By-law and the Act and, in the case of an occupancy permit, to occupy any building or part thereof;
- 1.14. **“Plumbing”** means “plumbing” as defined in Subsection 1.1.3.2.(1) of the Act;
- 1.15. **“Work”** means anything in the construction or demolition or change of use or plumbing work for a building, which is regulated by the Act, and **“Project”** has a corresponding meaning.
- 1.16. Unless specifically defined otherwise here, words defined in the Act shall have the same meaning as if defined herein.

2. PERMITS

2.1. CLASS OF PERMITS

- 2.1.1. Classes of permits with respect to construction and demolition and change of use of a building or structure shall be as set out in Schedules “A” and “B” attached hereto as part of this By-law.

3. APPLICATION FOR PERMIT

- 3.1. To obtain a permit, the owner, or an agent authorized by the owner, shall file an application in writing by completing the prescribed Provincial and Municipal forms in their entirety.
- 3.2. Every application for a building permit shall be submitted to the Chief Building Official and contain the information set out in Subsections (2) to (7) hereof on the forms provided by the Province and Municipality for such purposes. Every application shall include the applicable fees and deposits as prescribed in Schedules “A”, “B” and “C”. Every application shall include a plot plan and 2 complete sets of building plans. The application forms (Provincial and Municipal), the fees, the security deposit, the plot plan and the building plans together form a complete application.

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- 3.3.** Where application is made for a **building permit** under Subsection 8(1) of the Act, the application shall;
- 3.3.1.** identify and describe in detail the work and occupancy to be covered by the permit for which the application is made;
 - 3.3.2.** describe the land on which the work is to be done, by a description that will readily identify and locate the building lot;
 - 3.3.3.** include one (1) plot plan and two (2) sets of complete building plans and specifications as described in this By-law for the work to be covered by the permit, and show the occupancy of all parts of the building;
 - 3.3.4.** state the valuation of the proposed work, including materials and labour and be accompanied by the required fees;
 - 3.3.5.** state the names, addresses and telephone numbers of the owner and any authorized agent, architect, engineer or other designer and constructor;
 - 3.3.6.** be accompanied, where applicable, by a written acknowledgement of the owner that the owner has retained the architect or professional engineer or both to carry out the field review of the construction, where required by the Building Code;
 - 3.3.7.** be signed by the owner or authorized agent who shall certify the truth of the contents of the application;
 - 3.3.8.** where the work includes plumbing (other than for single family dwellings and semi-detached dwellings), the application shall also:
 - 3.3.8.1.** identify and describe in detail the plumbing work to be covered by the permit for which the application is made;
 - 3.3.8.2.** include plans for multi dwelling units and commercial structures that show the location and size of every building drain and every trap or inspection piece that is on the building, and a sectional drawing that shows the size and location of every soil or waste pipe, trap and vent pipe where the installation contains more than five (5) fixtures;
 - 3.3.8.3.** state the names, addresses and telephone numbers of the plumber or contractor; and,
 - 3.3.8.4.** be completed only by a plumber or plumbing contractor; and
 - 3.3.9.** include life-safety systems;
 - 3.3.10.** identify provisions for meeting requirements of Section 39 of this By-law related to safety guard (barrier) fencing, where such requirements are warranted.

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- 3.4.** Where application is made for a **demolition permit** under Subsection 8.(1) of the Act, the application shall:
- 3.4.1.** contain the information required by Clauses 5.(2) (a) to (j);
 - 3.4.2.** be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the cutting off and plugging of all water, sewer, gas, electric, telephone or other utilities and services; and,
 - 3.4.3.** meet all requirements of the Labour Code;
 - 3.4.4.** clearly indicate methods of removal and disposal of materials that are in compliance with applicable laws;
 - 3.4.5.** indicate the date by which demolition and disposal will be completed; and
 - 3.4.6.** if the demolition site is not the site of an active construction or renovation/alteration/repair permit, confirm the site will be cleared of debris and restored to a natural state, including active revegetation with native species if the demolition site is within 30m of the highwater mark.
- 3.5.** Where application is made for a **conditional permit** under Subsection 8.(3) of the Act, the application shall;
- 3.5.1.** contain the information required by Clauses 5.(2) (a) to (j);
 - 3.5.2.** contain such other information, plans and specifications concerning the complete project as the Chief Building Official may require;
 - 3.5.3.** provide written reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit were not granted;
 - 3.5.4.** state the necessary approvals, which must be obtained in respect of the proposed building and the time in which such approvals will be obtained; and,
 - 3.5.5.** state the time in which plans and specifications of the complete building will be filed with the Chief Building Official.
- 3.6.** Where application is made for a **renovation (alteration/repair) permit** under Subsection 11 of the Act, the application shall:
- 3.6.1.** contain the information required by Clauses 5.(2) a(a) to (j);
 - 3.6.2.** include an associated demolition permit application if applicable;
 - 3.6.3.** contain sufficient information for the Chief Building Official to determine the magnitude of the renovation, alteration or repair and compliance with other land use planning regulations; and

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- 3.6.4. include signed confirmation from the owner and the builder that the nature of the works, the undertaking of the works and the magnitude of the works shall not be altered, expanded or changed unless or until approval to do so has been sought from the Chief Building Official, who shall, at the time of notice of change, re-confirm compliance with other land use planning regulations.
- 3.7. Where application is made for a **change of use permit** issued under Section 10 of the Building Code, the application shall:
- 3.7.1. describe the building in which the occupancy is to be changed, by a description that will readily identify and locate the building;
 - 3.7.2. identify and describe in detail the current and proposed occupancies of the building or part of a building for which the application is made;
 - 3.7.3. include plans and specifications which show the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the Building Code, including: floor plans, details of wall, ceiling and roof assemblies, identifying required fire resistance ratings and load bearing capacities;
 - 3.7.4. state the name, address and telephone number of the owner and any authorized agent; and,
 - 3.7.5. be signed by the owner or authorized agent who shall certify the truth of the contents of the application.
- 3.8. The Municipality has delegated the authority to issue sewage system permits and to implement a sewage system reinspection program to Mississippi Valley Conservation, the fees for which are established in Schedule "B". Where application is made for a **sewage system permit**, the application shall contain all information requested by the Mississippi-Rideau Sewage System Office on the Provincial permit application form and on forms provided by the Mississippi-Rideau Sewage System Office for such purposes. As a minimum the application shall:
- 3.8.1. contain the information required by Clauses 5.(2) a(a) to (j); and
 - 3.8.2. state the number of fixtures proposed;
 - 3.8.3. state the number of bedrooms proposed; and
 - 3.8.4. describe the type of system proposed, the installation process and the nature of the site topography and soils condition; and
 - 3.8.5. state the name, contact information and license number of the Certified Sewage System Installer involved in the project.

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- 3.9. An application for a permit may be deemed to have been abandoned six (6) months after the date of filing, unless such application has been proceeded with by the applicant. There being no permit has been issued, the Chief Building Official shall close the file and return all fees and securities paid, save and except the hourly rate for the time spent by the Chief Building Official in preparing to issue the permit or \$60 whichever is greater.

4. BUILDING PLANS AND SPECIFICATIONS

- 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 to the Act, the Building Code and any other applicable law and whether or not it may affect adjacent property. Additional application information is required on the municipality's prescribed forms and is needed to evaluate compliance with applicable laws.
- 4.2. Prescribed application forms are available at the Municipal Office.
- 4.3. Submitted plans must be prepared by the owner or by a qualified and registered designer and must be prepared in compliance with the Ontario Building Code and the Ontario Building Code Act. The application must clearly indicate the section of Code which states the basis for allowing any exemptions.
- 4.4. Each application shall be accompanied by two (2) complete sets of plans and specifications, as well as the required plot plan. Grading plans may be required at the discretion of the Chief Building Official.

5. BUILDING PLANS

Building plans shall:

- 5.1. be drawn to scale upon paper or other substantial material;
- 5.2. be legible and durable; and,
- 5.3. indicate the nature and extent of the work or proposed occupancy in sufficient detail to establish that the completed work will conform to the Act, the Building Code and any other applicable law.

6. PLOT PLANS AND GRADING DETAIL

- 6.1. Plot plans shall be referenced to an up-to-date survey when available and, when required to demonstrate compliance with the Act, the Building Code or other applicable law. When available copy of the survey shall be submitted to the Chief Building Official. If Site Plan Control is applicable to the development, the plot plan approved and attached to the Site Plan Control Agreement shall be submitted as the plot plan.

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6.2. Plot plans shall show:

6.2.1. Lot size, dimensions of the property, setbacks to property lines for any existing or proposed buildings and structures, including decks, docks, fences, septic system, etc. All drawings shall be drawn to scale with scale clearly identified;

6.2.2. The dimensions of any existing or proposed buildings and structures (fences, docks, decks, septic system, well) on the property and their measured relationship to each other;

6.2.3. Other natural or artificial site features including water course defined by highwater mark, drainage ditches, wetlands, significant slopes and swales, general direction(s) of drainage, wooded areas, railway, access road (marked private or municipal), driveway, parking area, retaining wall, terracing, berm, etc;

6.2.4. Existing right-of-ways, easements and utility services;

6.2.5. Exterior lighting details for non-residential structures;

6.3. In lieu of separate specifications, the Chief Building Official may allow the essential information to be shown on the plans, but in no case shall such terms as "in accordance with the Act", "legal", or similar terms be used as substitutes for specific information.

7. REAL PROPERTY REPORT/PLAN

7.1. Projects involving new construction of vacant land which is subject to site plan control may require, at the discretion of the Chief Building Official, a real property report / plan or written confirmation from an Ontario Land Surveyor to verify compliance. When required, the real property report or confirmation letter must be submitted and approved verifying compliance with municipal setbacks prior to any works commencing past the footing and foundation stage.

7.2. Building permits may require a real property report / plan or written confirmation from an Ontario Land Surveyor or other professional, at the discretion of the Chief Building Official, in cases where compliance with other applicable law is in dispute.

8. PARTIAL PERMITS & CONDITIONAL PERMITS

8.1. When land use planning regulations have been met for the full scope of a development proposal and when in order to expedite work, approval of a portion of the building or project is requested, application may be made and fees paid for the portion of the work for which immediate approval is desired. Complete plans and specifications covering the portion of work for which immediate approval is desired shall be filed with the application to the Chief Building Official.

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- 8.2. Where a permit is issued for part of a building or project, the holder of such permit may proceed, but the issuance shall not be construed to authorize construction beyond the plans for which the building approval was given or guarantee that approval will necessarily be granted for the entire building or project until all conditions are satisfied.
- 8.3. A restricted permit for a temporary building may be issued by the Chief Building Official authorizing, for a stated time only, the erection and existence of a building or part thereof which complies with all parts of Section 8(3) of the Act and other applicable law.
- 8.4. A building permit for a temporary building may be extended, provided permission, in writing, is granted by the Chief Building Official.

9. REVISION TO PERMIT

- 9.1. After the issuance of a permit under the Act, where a person is desirous of making a material change or causing a material change to be made to a plan, specification, document or other information on the basis for which a permit was issued, the applicant shall notify the Chief Building Official as required by the Act. Application shall then be made for a revision to the permit and such application shall be made in the same manner as for the original permit.
- 9.2. Before any alteration or change is made on-site, application shall be made and if approved, application forms, applicable plans, fees (paid) and other requirements shall be adjusted to accommodate the approved change.

10. EQUIVALENTS

- 10.1. Where an application for a permit or for authorization to make a material change to a plan, specification, document or other information on the basis of which a permit was issued, contains an equivalent material, system or building design for which authorization under Section 9 of the Act is requested, the following information shall be provided to the Chief Building Official:
 - 10.1.1. a description of the proposed material, system or building design for which authorization under Section 9 of the Act is requested;
 - 10.1.2. any applicable provisions of the Building Code; and,
 - 10.1.3. evidence that the proposed material, system or building design will provide the level of performance required by the Building Code.

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- 10.2. The permit shall indicate whether the Chief Building Official has allowed the use of the proposed material, system or building design and, if allowed, the reasons why the Chief Building Official was of the opinion that the material, system or building design will provide the level of performance required by the Ontario Building Code.
- 10.3. The Applicant shall supply "as-built plans" showing any changes to the project when requested by the Chief Building Official.

11. RENEWAL OR RE-APPLICATION OF PERMIT

- 11.1. The Chief Building Official may revoke an existing permit and request a renewal of a permit where:
 - 11.1.1. after six (6) months after its issuance, the construction or demolition in respect of which it was issued has not, in his or her opinion, been substantially commenced; or,
 - 11.1.2. the construction or demolition of the building is, in his or her opinion, substantially suspended or discontinued for a period of more than one (1) year;
 - 11.1.3. the owner failed to obey orders, agreements, or meet obligations for compliance with any applicable laws.

12. BUILDING INSPECTIONS ON PERMITS

- 12.1. Building inspections for a period of three (3) years from the date of issuance of the permit are included in the cost of the permit. After the initial three (3) year period the applicant shall pay, in advance, as outlined in Schedule "A" attached hereto, applicable fees for any remaining inspections and plans review required.

13. BUILDING WITHOUT PERMIT ADMINISTRATION FEE

- 13.1. Where an owner commences with construction, demolition, building, renovation or alteration prior to the issuance of the required building permit, the owner shall be subject to any legal recourse available to the municipality and required to bring the site into compliance with all building and other applicable law and shall pay the prescribed fee for such violation (100% surcharge) in addition to the required building permit fee.

14. TRANSFER OF PERMIT

- 14.1. It is a condition of the issuance of any permit that the permit shall not be transferred to a different owner without the approval of the Chief Building Official and the payment of the required fee as outlined on Schedule "A" to this By-law.

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- 14.2.** The new owner shall apply for a transfer of the permit, and such application shall confirm the continuation of, or provide the particulars of any change in the arrangements for general review of the construction in accordance with Section 2.3, Design and General Review, of the Building Code. The requirement for permit transfer or re-application shall be determined by the Chief Building Official.
- 14.3.** In the case where ownership changes, new owners shall have 20 days from the time of transfer to complete all required inspections. At the expiration of the 20day period, the new owners shall re-apply for a building permit and pay fees in accordance with Schedule "A" attached to this By-law.

15. FEES AND SECURITY DEPOSITS

- 15.1.** The fees for a required permit shall be as set out in Building Permit Fees - Schedule "A" and Sewage System Fees – Schedule "B" attached. Other fees may also be applicable for some types of building related applications, permits or requests for information and will be collected at the time of building permit issuance or prior to information being provided to the owner.
- 15.2.** The building permit fees and security deposits may be reviewed and amended by by-law of Council.
- 15.3.** Where an application is made for a minor revision to a permit, and the Chief Building Official determines that the work involved in plan processing and enforcement is minor, such revision may be processed without charge.
- 15.4.** Where the fees are based on the cost or valuation of the proposed work, such cost or valuation shall mean the total cost of all work regulated by the permit, including the cost of all materials, labour, equipment, overhead and professional and related services.
- 15.4.1.** The Chief Building Official may place a valuation on the cost of the work and, even if the permit applicant or holder disagrees with the valuation, the prescribed fee shall be paid before the issuance of the permit.
- 15.4.2.** Upon completion of the work, if the actual cost of the work was less than the valuation placed by the Chief Building Official, an audited statement may be submitted detailing the cost of all component parts of the work.
- 15.4.3.** The Chief Building Official shall, if the statement referred to in Subsection (2) above contains the cost of all component parts of the work upon which the valuation was required to be based, value the work in accordance with this statement and issue the appropriate refund.

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15.5. A security deposit, as assurance for completion of the works and in the amount prescribed in Schedule "C" to this by-law, shall be payable to the municipality prior to the issuance of a building permit. The security deposit shall be held in trust by the municipality until full completion of the work for which the permit was issued. Upon completion of the works to the satisfaction of the Chief Building Official, the security deposit, without interest, shall be returned as directed on the prescribed application documentation.

15.6. Failure to complete the project as described in the permit may result in forfeiture of the security deposit to the municipality to cover costs of certain activities including but not limited to activities associated with completing the works on site, making the site safe, fees and or administrative costs associated with revision, cancellation, extension or revocation of the permit, issuance of notices to comply or stop work order, legal or planning advice, etc. Should the municipality use all or any portion of the security deposit for any purpose, a full accounting shall be provided to the applicant.

15.7. No security deposit payable pursuant to this By-law shall be payable if and when a security deposit has already been paid by the applicant or their authorized agent as part of the Site Plan Control approval process.

16. REFUNDS

16.1. In the case of abandonment of all or a portion of the work or of the non-commencement of any project, the Chief Building Official shall determine the amount of refund or permit fees, if any, that may be available to the owner or authorized agent. Any available refund shall be based on the percentage of work not yet undertaken by the Chief Building Official and other departmental staff in processing the application, permit and inspection processes. If no application or request for a refund is made within three (3) years after the permit was issued, no refund will be considered.

16.2. Despite Subsection (1) and subject to Subsection (3), no refund shall be made when the amount is calculated to be \$60.00 or less.

16.3. The fee for the transfer of a building permit is non-refundable.

17. TIME FOR NOTICE OF INSPECTION OR TESTING

17.1. The owner or authorized agent shall notify the Chief Building Official at least two (2) business days prior to the date that the inspection or testing is required. The two business days notice shall commence the day after notice of inspection or testing was provided.

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17.2. Prescribed Notices of Inspection are listed on the back of the Building (Construction) Permit.

17.3. The owner or authorized agent shall;

17.3.1. plumbing work is ready to be inspected and tested; and,

17.3.2. furnish any equipment, material, power or labour that is necessary for inspection and testing.

18. AS CONSTRUCTED PLANS (As-Built Plans)

18.1. The Chief Building Official may require a set of plans of a building or any class of building as constructed to be filed with the Chief Building Official on completion of construction under such conditions as may be prescribed in the Building Code. These plans shall be provided prior to occupancy permission being issued by the Chief Building Official.

19. SAFETY GUARD (BARRIER) FENCING

19.1. Where the construction location warrants protection for the public, a guard completely surrounding the site shall be required. The safety guard may be constructed as set out below or a combination of each and must clearly identify and mark the construction site:

19.1.1. A solid guard of sufficient strength and design to restrict access to the site. A minimum height of 2 m, designed to protect the public and separate construction workers from the public. The guard shall sufficiently identify the site as a construction site.

19.1.2. A fence of wire mesh or equivalent that resists climbing and be structurally capable of resisting access. The guard shall sufficiently identify the site as a construction site.

19.1.3. In some specific locations, boarding and or engineered scaffolding may be required to protect the public and construction workers. This requirement shall be stipulated on the building permit.

20. CODE OF CONDUCT

20.1. The Chief Building Official shall be required to conform to any municipal Code of Conduct adopted by by-law for its employees.

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21. ALLEGED BREACH OF CONDUCT/IF UNRESOLVED/AND DISPUTE RESOLUTION OF NON TECHNICAL NATURE

21.1. Where it is the opinion of persons that a breach of conduct or non technical disputes may have occurred, the following procedure shall be followed:

21.1.1. A letter shall be delivered to the C.A.O. or the Reeve of the municipality, in confidence.

21.1.2. The letter shall clearly explain the perceived violation of conduct, the date the violation occurred and who was affected.

21.1.3. The C.A.O., or the Reeve, upon receiving this notice will, depending on the nature of the violation, discuss the matter with the perceived offender and obtain a written submission from the accused as to the details.

21.1.4. The C.A.O. or the Reeve shall arrange a meeting between the parties to attempt to resolve the issue. If unresolved, or the severity of the accusation warrants action, review the matter with the Committee of the Whole. The Committee of the Whole shall ensure that all parties in the dispute have an opportunity to be heard.

21.1.5. A written declaration of any Committee of the Whole action on the matter will be sent to all affected parties.

22. APPOINTMENTS AND CONTRACT AGREEMENTS

22.1. Staff and principal authorities shall be appointed by a By-law for specific duties based on qualifications and registration as set out in the Ontario Building Code. Appropriate appointments shall be registered with Ministry of Municipal Affairs and Housing.

23. DISPUTE RESOLUTIONS, REVIEWS & APPEALS (Section 24 of the Act)

23.1. Section 24.(1) of the Act outlines area of dispute.

23.2. Where a dispute occurs, all parties shall attempt to resolve the issue in an amicable manner.

23.2.1. Issues of process and of a non-technical nature shall follow the similar process outlined above in Section 41.

23.2.2. Issues of a technical nature or of direct interpretation of the Building Code Act or the Building Code shall be made through an application to the Building Code Commission for a hearing in accordance with Section 24.(1) (1.1.) of the Act.

23.2.3. The decision of the Building Code Commission is final.

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24. OFFENCE

24.1. Any person who contravenes any provision of the Building Code Act or this By-law is guilty of an offence as provided for in Section 36 of the Act.

25. GENERAL REQUIREMENTS

25.1. Copies of the building permit, provided by the Chief Building Official to the applicant, shall be posted by the applicant in a location that is visible and conspicuous from the road or right-of-way providing access to the property and from bodies of water, where the work described on the permit is to take place.

25.1. Plans and specifications furnished according to this by-law or otherwise required by the Act will be disposed or retained in accordance with relevant legislation and the municipal retention by-law.

25.2. Schedules "A", "B" and "C" attached hereto form part of this By-law as if recited herein.

26. BY-LAW REPEALED

26.1. By-Law No. 2010-088 is hereby repealed.

26.2. All by-laws or parts thereof and resolutions passed prior to this by-law which are in contravention of any terms of this by-law are hereby rescinded.

27. ULTRA VIRES

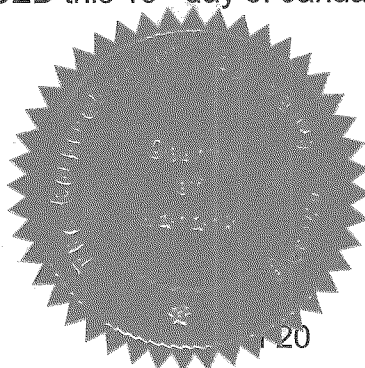
27.1. Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

28. EFFECTIVE DATE

THAT, this by-law shall come into force and effect as of the 1st day of February 2013.

ENACTED AND PASSED this 15th day of January, 2013.


Keith Kerr, Reeve




Janie Laidlaw, Acting Clerk

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SCHEDULE "A"

BUILDING PERMIT FEES

RESIDENTIAL/FARM Building-New Construction or Addition, Demolition

Class of Permit	Fee / per sq.ft. of gross floor area
Single Detached Dwelling	
Living Space/Habitable	\$0.50
Unfinished Basement Space	\$0.25
Finish Basement Upgrade	\$0.25 (in addition to \$0.25 above)
Accessory Area (eg. Garage)	\$0.30
Plumbing fixtures or System	\$10 per fixture, \$100 minimum
Solid Fuel/Wood Heat System/Appliance	\$75
Outdoor Swimming Pool and Enclosure	\$75
Multiple residential	\$0.75
Farm Building per code	\$0.15 (OFA id.)
Demolition or Removal of Building or Building System	\$75

RESIDENTIAL/FARM Building-Renovation (Alteration/Repair)

Class of Permit	Fee / sq.ft or percentage of value
Living Space/Habitable	1%
Accessory Area (eg. Garage)	1%
Finish Basement	\$0.30 per sq.ft
Farm Building per code	0.33% of value (OFA id.)
Change of Use (Part 10)	1%
Multiple residential	1.5%
Demolition or Removal of Building or Building System	\$60
Non-Commercial Roof-Mounted Solar Panel Installations	\$120
Plumbing Fixtures	\$10 per fixture, \$100 minimum

COMMERCIAL Building-New Construction or Addition, Demolition

Class of Permit	Fee / sq.ft
Demolition or Removal of Building or Building System	\$150/building
Group A & B per code: Assembly & Institutional	\$0.75 to 2000 sq.ft., \$0.50 thereafter
Group D & E per code: Business & Mercantile	\$0.75 to 2000 sq.ft., \$0.50 thereafter
Group F per code: Industrial	\$0.75 to 2000 sq.ft., \$0.50 thereafter
Commercial HVAC unit	\$150 per unit

COMMERCIAL Building-Renovation (Alteration/Repair)

Class of Permit	Fee / percentage of value
Group A & B per code: Assembly & Institutional	1.5%
Group D & E per code: Business & Mercantile	1.5%
Group F per code: Industrial	1.5%
Change of Use (Part 10)	1.5%

MISC. Fees - Permit and/or Inspection (If not otherwise accounted)

Class of Permit	Fee / percentage of construction value
Conditional	10% s/c + agreement + deposit
Designated Structure as per building code, save and except Non-Commercial Roof-Mounted Solar Panel Installations	1%
Occupancy permit	\$75 (Commercial only)
Relocation of Building	\$75/building
Revision Permit	\$75, includes 1 review hour, any extra time to be billed at the plans review rate of \$35/hour

<u>Site inspection (extra):</u> -Other than mandatory -Pre-Permit or Revision -Same type more than 2x -Work Order posting	\$75/inspection
Temporary Permit	\$75+ \$30/mth.+ agreement
Transfer of open permit	\$75, for new Owner(s)

OTHER Administrative Fees of the Building Department

Description	Fee / percentage of construction value
Plans Review rate / hr.	\$35 per hour, CBO
Legal File Search	\$75/property
Minimum Permit Fee	\$75
Commercial application deposit for Plans Review	1%
Cancellation of permit	Graduated refund based on work done by CBO, calculated by CBO at the time
Permit Extension / Renewal (no activity after 6 months of issuance or lapse in activity for more than 1 year)	\$75 (max 1 extension available following which permit revoked, no refund of fee and return of security deposit)
Permit Expiry after 3yrs.	No refund of fee, forfeit of security deposit and/or extra fees to cover plans review and inspections undertaken after expiry
Revocation of permit (inappropriate action/inaction of applicant-false information)	No refund fee and forfeit of security deposit if required to cover site, administration or legal/planning advice
Building without permit	Double the Permit Fee, \$500 minimum

**THE CORPORATION OF TAY VALLEY TOWNSHIP
BY-LAW NO. 2013-005**

SCHEDULE "B"

MISSISSIPPI RIDEAU SEPTIC SYSTEMS OFFICE FEES



Mississippi Rideau Septic System Office Fee Schedule

Permit Fees for Class 2-5 Onsite Sewage Disposal Systems

Effective May 1, 2010 – Revised May 17, 2010

Service	Fee
Sewage System Permit - Class 4 and Class 5*	
Residential	\$600.00
Other occupancies (i.e. commercial)	\$650.00
Other Sewage System Permit	
Class 2 and 3	\$225.00
Additional Inspections	
Sub-grade, Partial Install, Third site visit for same deficiency	\$100.00
Partial System Alteration	
Tank Replacement	\$175.00
Treatment Unit only, no modification to bed	\$225.00
Mantle Installation (Existing Bed)	\$175.00
Effluent Filter Installation	\$120.00
Revisions to Existing Approved Sewage Permits	
Addition of Fixtures/Floor Area with no increase in Design Flow	\$50.00
General Revision (i.e. increase in design flow, elevations)	\$100.00
Different Type of System	50% of Permit Fee
Different Location in excess of 10m from Original Coordinates	50% of Permit Fee
Renewals and Cancellations*	
Current Owner Cancels Application	Refund 50% of fee paid
Renewal/Deferral Fee (Maximum One Year)	\$100.00
Renovation/Change of Use*	
Part 10&11 Permit	\$175.00
Revision to Part 10&11 Permit	\$50.00
Written Responses*	
Property Clearances	\$75.00
File Searches	\$75.00
Lawyer's Letter	\$75.00
Planning Comments	\$150 per Application
Miscellaneous*	
Additional Copies of Signed Permit for Construction	\$20.00
Septic Re-Inspection Fee	
Septic Tank Excavation	\$20.00

* All Fees are to be made payable to Tay Valley Township

**THE CORPORATION OF TAY VALLEY TOWNSHIP
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SCHEDULE "C"

SECURITY DEPOSIT

Description	Deposit
Sewage System	\$0
Accessory Buildings	\$250
Additions/ Renovations	\$500
New Dwellings	\$750
Commercial Work (new or renovations)	\$1000