

**CORPORATION OF THE MUNICIPALITY OF CENTRAL HURON**

**BYLAW 17-2010**

**“Being a Bylaw to provide for Administration and Enforcement of the Building Code.”**

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**BYLAW 17-2010**  
**CORPORATION OF THE MUNICIPALITY OF CENTRAL HURON**

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**A BYLAW TO PROVIDE FOR ADMINISTRATION AND ENFORCEMENT OF  
THE BUILDING CODE**

**WHEREAS** Section 7 of the *Building Code Act*, S.O. 1992, c. 23, as amended, empowers Ontario municipalities to pass certain bylaws respecting construction, demolition, change certificates, inspections and other matters relating to the enforcement and administration of the Act;

**AND WHEREAS** the *Building Code Act*, S.O. 1992, c.23, as amended, and the *Municipal Act*, S.O. 2001, c. 25 (the "Municipal Act, 2001") provide that Ontario municipalities may impose fees for activities regulated under the Act, as defined herein, and for actions undertaken on behalf of the municipality;

**AND WHEREAS** Council deem it necessary to provide a comprehensive Building Bylaw for the municipality as defined herein.

**NOW THEREFORE**, Council for The Corporation of the Municipality of Central Huron hereby enacts as follows:

**REPEAL**

1. The Building Bylaw being Bylaw No. 40 for 1988 for the Clinton, and Building Bylaw No. 17 for 1986 for the former Township of Goderich, and Building Bylaw No. 21 for 1997 for the former Township of Hullett, or any other Building Bylaws or Amending Bylaws to Building Bylaws of the Municipality of Central Huron, the former Town of Clinton, Township of Goderich and Township of Hullet are hereby repealed.

**INTERPRETATION**

2. For the purpose of this Bylaw, the following words and expressions are defined, and where the same words and expressions are defined in the Building Code, the definitions in this Bylaw shall prevail:

“**Act**” means the *Building Code Act*, S.O. 1992, c. 23, as amended and shall include any Regulations passed pursuant to the Act.

“**Agent**” includes a person representing the owner by designation or contract.

**“Applicant”** means the owner of a building or property who applies for a permit or any person authorized by the owner to apply for a permit on the owner’s behalf, or any person or corporation empowered by statute to cause a demolition of a building or buildings and anyone acting under the authority of such person or corporation. Where applicable, the term “Applicant” may include a Registered Code Agency, Designer, architect, or engineer.

**“Application”** shall mean an Application to obtain permission to complete work under this Bylaw.

**“As constructed plans”** shall have the meaning ascribed thereto in the Building Code.

**“Architect”** means a holder of a license, a certificate of practice, or a temporary license under the *Architects Act (Ontario)*, as amended.

**“Building”** has the same meaning ascribed thereto in the Act.

**“Building Code”** shall have the meaning ascribed thereto in the Act.

**“Building Inspector”** means the person or persons appointed from time to time by the Council as Building Inspector and includes deputy and assistant Building Inspectors.

**“Change Certificate”** shall have the meaning ascribed thereto in the Act.

**“Chief Building Official”** means the person appointed from time to time by Council of the municipality and other persons falling within the definition of Chief Building Official in Section 1(1.3) of the Act.

**“Code of Conduct”** shall have the meaning ascribed thereto in Section 7.1 of the Act.

**“Council”** means the Council of The Corporation of the Municipality of Central Huron.

**“Construct”** shall have the same meaning ascribed thereto in the Act and “construction” has a corresponding meaning. For clarity, construction includes reconstruction, installation, repair, alteration, moving, and demolition.

**“Demolish”** means to do anything in the removal of a building or any material part thereof and demolition has a corresponding meaning.

**“Demolition permit”** shall have the meaning ascribed thereto in Section 9 herein.

**“Designer”** shall have the meaning ascribed thereto in the Act and Regulation 305/03.

**“Fee”** means the fee prescribed in Schedule “A” to this Bylaw.

**“Municipality”** means The Corporation of the Municipality of Central Huron.

**“Occupancy Permit”** means an Occupancy Permit issued pursuant to this Bylaw.

**“Owner”** means any person having any right, title or interest in the subject property including without limitation the registered owner, the beneficial owner, a joint tenant and tenant in common owner of the subject property, a lessee, mortgagee in possession and the authorized agent in lawful control of the property.

**“Permit”** means written permission or authorization from the Chief Building Official to perform work, to change the use of a building or part thereof, or to occupy a building or a part thereof, as regulated by this Bylaw, the Act and/or the Building Code.

**“Permit holder”** shall have the meaning ascribed thereto in the Act and the Building Code.

**“Plumbing”** shall have the same meaning ascribed thereto in the Act.

**“Professional engineer”** or **“engineer”** means a licensed professional engineer who holds a certificate of authorization issued by the Association of Professional Engineers of Ontario or who is employed by a partnership or corporation authorized by the Association to offer professional engineering services to the public.

**“Registered Code Agency”** shall have the meaning ascribed thereto in Section 15.15 of the Act.

**“Sewage system”** referred to in Division A, Part 1 Section 1.4.1.2 of the Ontario Building Code.

**“Swimming pool”** means any constructed or prefabricated structure used or intended to be used for swimming, bathing, or wading, capable of holding water in excess of 0.76m (2 feet 6 inches) in depth at any point.

**“Work”** means construction, demolition or the moving of a building, swimming pool, fence, walkway, sewage system, plumbing system or any part thereof.

Any word or term not defined in this Bylaw shall have the meaning ascribed to it in the Act or the Building Code.

## **CLASSES OF PERMITS**

3. The classes of permits set out in Schedule “A” of this Bylaw are hereby established.

## **PROHIBITIONS**

4. (1) No person shall construct or demolish a building or structure or cause a building or structure to be constructed or demolished unless a permit has been issued for the work by the Chief Building Official.

(2) No person shall occupy or use a building or any part thereof without obtaining an Occupancy Permit from the Chief Building Official.

(3) No person shall occupy or use a building, or any part thereof, following a Change of Use of the building without obtaining the required Change Certificate from the Chief Building Official.

(4) No person shall construct a sewage system without obtaining the required sewage system permit from the appropriate approval authority.

(5) No person shall construct a plumbing system without obtaining the required plumbing permit from the appropriate approval authority.

(6) No person shall construct a swimming pool without obtaining the required swimming pool permit from the Chief Building Official.

(7) No person shall, unless authorized by the Chief Building Official, alter, reverse, deface, cover, remove, or in any way tamper with any notice, permit or certificate posted or issued pursuant to the provisions of this Bylaw, the Building Code, and/or the Act.

## **AUTHORITY OF CHIEF BUILDING OFFICIAL**

5. (1) The Chief Building Official shall have the authority to undertake all actions authorized under the Building Code, the Act and the regulations issued thereunder. Without limiting the generality of the foregoing, the Chief Building Official shall have the right but not the obligation to:

- (a) administer and enforce this Bylaw, the Act and the Building Code;
- (b) retain records of submitted applications, permits and orders issued, inspections, reports and tests, copies of all papers and documents connected with the administration of this Bylaw, the Act and the Building Code in accordance with the municipal retention bylaw;
- (c) take such action that he/she considers necessary in order to establish whether any method or type of construction or material used in the construction of a building conforms with the requirements and provisions of this Bylaw, the Act, the Building Code and any other applicable law;

- (d) enter in accordance with the Act, this Bylaw or the Building Code upon any building to determine whether this Bylaw, the Building Code, the Act and any permit or order issued thereunder have been complied with;
- (e) issue any orders required to bring any building or other work undertaken pursuant to this Bylaw into compliance with this Bylaw, the Building Code and the Act and any other applicable law;
- (f) issue a stop work order or other cessation of work that is proceeding in contravention of this Bylaw, the Building Code, the Act or any Permit or Order issued thereunder.

## **PERMITS**

6. (1) The Chief Building Official shall issue a permit under this Bylaw provided the following prerequisites have been fulfilled:

- (a) an Application has been completed including all necessary approvals, to the satisfaction of the Chief Building Official;
- (b) the work proposed in the Application complies with the Building Code, the Act, this Bylaw and all other applicable law; and
- (c) the applicant for the permit has paid to the municipality the entire fee prescribed and set out in Schedule "A" hereto.

Contents of the permit are referenced in schedule "D" of this Bylaw

## **PERMIT CONDITIONS**

- (2) Any permit shall be issued on the following conditions:
  - (a) construction of any building or other structure shall commence within six (6) months from the date the permit is issued;
  - (b) work is not to be discontinued or suspended for a period of more than twelve (12) months;
  - (c) in the event of (a) or (b) of this Section 6(2) occurs, the permit shall lapse;
  - (d) all permits issued under this Bylaw shall lapse within twenty-four (24) months from the date the permits are issued;
  - (e) there shall be no fee refund or renewal for a permit that lapses in accordance with the provisions of this Bylaw. If a permit lapses, the owner shall apply for a new permit for any work that has yet to be completed;

- (f) the exterior finish of the structure shall be completed within twelve (12) months of the date the permit is issued and prior to occupancy, whichever shall first occur;
- (g) if at any time after issuance of the permit but before the work under the permit has commenced, the Applicant applies for cancellation of the permit, the Chief Building Official shall, if satisfied that the work has not commenced, cancel the permit and shall refund to the Applicant fifty (50%) percent of the fee paid by the owner;
- (h) if inspections are required by the municipality due to violations of this Bylaw, the Act, the Building Code or any other applicable law, or due to the failure of the Applicant to have the work accessible and ready for inspection at the time the inspection is requested, the Chief Building Official may, in his/her sole and absolute discretion, charge additional re-inspection fee as set out in Schedule "A" attached hereto;
- (i) the Applicant shall not complete any work that is at variance with the descriptions, plans and specifications submitted in the Application, unless the variance has been authorized by the Chief Building Official;
- (j) notwithstanding the issuance of the permit, no person shall complete any work or carry out any construction pursuant to any issued permit contrary to a provision of this Bylaw, the Building Code, the Act, or any other applicable law;
- (k) the Chief Building Official may revoke a permit where there is a violation of a condition under which the permit was issued or a violation of this Bylaw, the Building Code, the Act, or any other applicable law. Such revocation shall be in writing and communicated to the permit holder;
- (l) the owner and the Applicant shall be responsible for determining that the building site will not be affected by flooding caused by surface run-offs or otherwise, by land slip or other hazards;
- (m) neither the granting of the permit nor acceptance of plans and specifications in the Application, or inspections made by or on behalf of the municipality, shall in any way relieve the owner from full responsibility to perform the work in strict compliance with this Bylaw, the Building Code, the Act, and any other applicable law;
- (n) the Chief Building Official and the municipality shall have the authority to exercise its powers under this Bylaw, the Act, the Building Code, and any other applicable law.

## **CONTENTS OF APPLICATION**

(3) The Application for a permit shall be made in the form prescribed by the Province of Ontario and shall include such additional and further information (see schedule "C") as the municipality and the Chief Building Official shall determine. Without limiting the generality of the foregoing, the Application may be required to include:

- (a) the signature of the Applicant, the owner, the owner's contractor or the owner's agent;
- (b) the intended use or uses of the building or structure;
- (c) the estimated value of the proposed work in the Application;
- (d) exhibits, copies, specifications and scale drawings of the building or structure showing such details as may be required by the Chief Building Official;
- (e) information necessary to establish compliance with this Bylaw, the Act, the Building Code, the Zoning Bylaw of the municipality, and all applicable law;
- (f) details of the grades and elevations of the streets and public services including sewer and drainage abutting the parcel and showing access to the buildings, parking, driveways, or site drainage and finished grades;
- (g) a survey in a form satisfactory to the Chief Building Official;
- (h) drawings of any proposed plumbing system or sewage system and the necessary approvals;
- (i) details relating to any services for the building or structure in a form satisfactory to the Chief Building Official;
- (j) sufficient information to enable the Chief Building Official to determine whether or not the proposed construction, demolition, change of use or other work will conform with the Act, the Building Code and any other applicable law; and
- (k) any other approvals from other applicable agencies as deemed necessary.
- (l) such further and other materials as the Chief Building Official may require.

(4) The Chief Building Official's decision regarding any application shall be rendered in compliance with the Act, the Building Code, and any other applicable law and, in the event the Application is denied, shall include such reasons for the decision as may be required.

(5) 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 showing the location of the building.

(6) Where the Application requires a Site Plan, the owner shall have all rights of appeal to the Ontario Municipal Board conferred by the Act, the Building Code, and any other applicable law.

(7) Where any decision on an Application requires interpretation of the Act, the Building Code or any other applicable law, any rules by the Minister having jurisdiction shall prevail.

## **PHASED CONSTRUCTION**

7. (1) When approval of a portion of a building or project is desired prior to the issuance of a permit for the complete building or project,

- (a) an Application shall be submitted to the Chief Building Official and all the required fees for the complete project shall be paid; and
- (b) at a minimum, complete plans and specifications covering the portion of the work for which immediate approval is desired shall be filed with the Chief Building Official.

(2) The Chief Building Official may issue a permit for the construction of a part of a building before the entire plans and specifications for the whole building have been submitted or approved, provided adequate information and detailed information has been filed complying with all pertinent requirements of the Bylaw.

(3) Where a permit is issued for part of a building or project, this shall not constitute authorization to proceed with construction beyond the plans for which approval has been provided nor shall such partial approval be considered any assurance that approval will necessarily be granted for the entire building or project.

(4) Although the permit for part of the building or project may be issued in such circumstances, the requirements of this Bylaw, the Act and the Building Code shall apply to the remainder of the building, as if the permit had not been issued.

## **TEMPORARY BUILDINGS**

8. (1) Subject to compliance with other applicable Bylaws, the Chief Building Official may issue a permit for the erection or placement of a temporary building (a "building permit for a temporary building") if he/she is satisfied that the building is safe for the stated use and duration.

(2) The word "temporary" as used in this subsection shall mean a period not exceeding twelve (12) consecutive months.

(3) In addition to the requirements for a permit issued under this Bylaw, an application for a permit to construct a temporary building shall be accompanied by:

- (a) a statement of the intended use and the duration of the temporary building's use; and

(b) an irrevocable letter of credit in a form and an amount satisfactory to the Chief Building Official which will guarantee that the building will be removed entirely and the site left in a safe condition when the permit has expired.

## **DEMOLITION PERMITS**

9. (1) All lands situated within the boundaries of the municipality are hereby designated areas of demolition control pursuant to Section 33 of the *Planning Act*, R.S.O. 1990, c.P.13.

(2) Before a demolition permit is issued, the Applicant shall deliver to the municipality a demolition permit application in the form prescribed by the Province of Ontario and/or the municipality, the demolition permit application fee and the deposit prescribed in Schedule "A" to secure payment for injury to, destruction, defacement or disturbance of Municipal property, including installations, sewer, drainage and all utilities, roads and accesses, caused by the work for which the permit was issued or by a person doing the work.

(3) Upon receipt of the demolition permit application, the demolition permit application fee and the required deposit, if applicable, the Chief Building Official shall determine in his/her sole and absolute discretion, whether to issue the demolition permit.

(4) The municipality may apply the deposit towards making good such injury, destruction, defacement or disturbance, and shall return any balance of the deposit to the Applicant upon completion of all demolition work, including the removal of all material and debris, concrete foundations, septic tanks, and the site being left in a clean and tidy condition.

(5) Where, in the opinion of the Chief Building Official, the nature of the work is such that it is unlikely to cause any injury and has a value that is not material in the opinion of the Chief Building Official, the Chief Building Official may, in his/her sole and absolute discretion, waive the requirements for a deposit.

(6) Notwithstanding this section and any decision of the Chief Building Official, the Applicant is responsible for the cost to repair any damage to public property resulting from work for which a permit has been issued under this Bylaw pursuant to part XIV, section 445 and 446 of the *Municipal Act* S.O. 2201

## **INSPECTIONS**

10. (1) The Applicant and the owner shall, during construction, request the Chief Building Official to make or cause to be made inspections at the following phases:

- (a) after the excavation, forms for footings or footings and foundation are complete, including the placement of all reinforcing steel as required by the Building Code, supported in place, but prior to placing of any concrete

therein. Prior to approval of a foundation, a licensed Ontario Land Surveyor's certificate may be required by the Chief Building Official if deemed necessary to determine the location of the improvements on the site. Work shall not proceed until the siting has been approved;

- (b) after removal of form work from a concrete foundation and installation of perimeter drain tiles and dampproofing, but prior to backfilling against the foundation;
- (c) when the framing and sheathing of the building are complete including, fire-stopping, bracing, chimney, duct work, rough plumbing, rough wiring, heating and air-conditioning systems, roof and crawl space venting, but before any insulation, lath or other interior or exterior finish is applied which would conceal such work;
- (d) after the installation of the fireplace smoke damper but prior to the installation of the first flue liner and any material that would conceal the details of the construction of the fire-box and smoke chamber;
- (e) when the insulation, air barriers and vapour barriers have been completed but before any interior finish is applied which would conceal such work;
- (f) substantial completion of all required fire separations and closures and all fire protection systems including standpipe, sprinkler, fire alarm and emergency lighting systems;
- (g) completion of construction and installation of components required to permit the issuance of an occupancy permit under Division C, Part 1 Sentence 1.3.3.1. (2) or to permit occupancy under Division C, Part 1 Sentence 1.3.3.2. (1), if the building or part of the building to be occupied is not fully complete;
- (h) a final inspection after all exterior work is complete including final grading and exterior cladding.

(2) The required inspection shall be made by giving notice to the Chief Building Official a minimum of two (2) working days prior to the inspection being required, and the owner shall not proceed with any further work which would prevent a thorough inspection until the inspection has been completed and the work has been approved. A notice pursuant to this part of the Bylaw is not effective until written or oral notice is actually received by the Chief Building Official.

## **ESSENTIAL SERVICES**

11. (1) No permit for the construction of any residential, agricultural, commercial, industrial, and community facilities building shall be issued unless the following essential services are provided for:

- (a) ROAD. A road within dedicated road allowance of sufficient strength, grade and width is available to provide ready access to the property by fire and emergency vehicles at all times;
- (b) WATERMAIN. A public water service or other source of supply of water approved by the appropriate approval authority having jurisdiction, is available for the building or structure unless water is not required for the particular use of a building or structure;
- (c) SEWER. A public sewer or other approved method of sewage disposal has been installed to service the building or structure;
- (d) STORM DRAIN. An approved method of storm drainage disposal has been installed to service the building or structure;
- (e) ACCESS TO PROPERTY. A driveway of sufficient strength, grade, and width for access to all buildings by fire and emergency vehicles.

(2) Any connection by an owner or Applicant to municipal services shall be completed by the municipality and on terms satisfactory to the municipality. The owner and the Applicant shall comply with such terms as may be imposed by the municipality or Chief Building Official for the connection of municipal services, including, without limitation, any policy adopted by the municipality from time to time in connection with municipal services.

## **POOLS**

12. (1) Before any swimming pool permit is issued, the Applicant and owner shall deliver to the municipality a swimming pool permit application in the form prescribed by the Province of Ontario and/or the municipality and, without limiting and in addition to the general requirements for a permit set out in Section 6 herein, the following information shall also be included:

- a) municipal address where the pool is proposed;
- b) construction value for the swimming pool;
- c) contractor's name and address;
- d) site plan which provides the following details:
  - e) pool location and configuration including:
    - i. setbacks to property lines and existing buildings;

- ii. fence location which confirms compliance with the municipality's pool bylaw and includes the type of construction;
- f) for above-ground swimming pools, the following are also required;
  - i. Include a site plan that shows the limits of the new deck around the pool;
  - ii. if the deck is greater than 24" above ground, additional drawings may be required including a floor plan, cross section and guard details; and
  - iii. a deck permit may be required when the deck surface is greater than 24" above the adjacent ground surface;
- g) and such further and other information that the Chief Building Official may require to determine compliance with this Bylaw, the Act, and the Building Code.

(2) Upon receipt of a swimming pool permit Application, the Chief Building Official shall determine, in his/her sole and absolute discretion, whether to issue the swimming pool permit.

(3) For clarity, in addition to the provisions of this Bylaw, any Application for a swimming pool permit must also comply with the municipality's Pool Bylaw 25-2008, the Building Code, the Act, and all other applicable laws.

## **TRANSFER OF PERMITS**

13. (1) A permit is transferable only after the new owner or the new Applicant completes a permit Application form in accordance with the requirements of this Bylaw.

(2) A fee shall be payable on a permit transfer as provided in Schedule "A" of this Bylaw.

(3) The new owner or the new Applicant shall, upon the transfer of a permit, be the permit holder for the purpose of the Act, the Building Code and this Bylaw.

## **AGENTS OF THE OWNER**

14. Any Registered Code Agency, Designer, professional engineer, engineer or architect shall provide to the Chief Building Official satisfactory evidence of compliance with all requirements of the Act, the Building Code, and any other applicable law, failing which the Registered Code Agency, Designer, engineer or architect shall not be permitted to complete work on behalf of any Applicant, owner or the municipality.

## **PROFESSIONAL CERTIFICATION**

15. (1) Where the site conditions, the size or complexity of the proposed work or an aspect of the proposed work to which a permit relates requires in the opinion of the Chief Building Official, certification by a professional engineer or architect that the plans

submitted with the Application comply with the Building Code, the Act, , this Bylaw, the Application and any other applicable law, the Chief Building Official may require the Applicant and owner to provide such certification. Such certification may be required prior to or after issuance of the permit. If such certification is provided, the permit issued by the municipality shall include an endorsement confirming that it is issued in reliance upon the certification by the professional engineer or architect

(2) Notwithstanding any other provisions of this Bylaw, whenever in the opinion of the Chief Building Official the proposed work requires specialized technical knowledge, he/she may require, as a condition of the issuance of a permit, that all drawings, specifications and plot plans, or any part of them, be prepared, signed and sealed and the construction carried out under the supervision of an architect or professional engineer having the necessary qualifications. Where an architect or professional engineer designs the work the said professional shall provide a signed letter of commitment, or sign a letter of commitment, as set out in Schedule "B" attached hereto.

## **GENERAL PROVISIONS**

16. (1) In the event that any term, covenant, or provision of this Bylaw is declared by a court of competent jurisdiction to be invalid, in whole or in part, this shall not affect the validity of the remaining provisions of this Bylaw.

(2) Notwithstanding Section 1 of this Bylaw, for any Application received prior to the date of enactment of this Bylaw, the Application shall be governed by Building Bylaw No. 40 for 1988 for the Clinton, and Building Bylaw No. 17 for 1986 for the former Township of Goderich, and Building Bylaw No. 21 for 1997 for the former Township of Hullett, respectively.

(3) Nothing in this Bylaw shall relieve any person from any obligation to comply with the requirements of any other Bylaw or legislation or with the requirement to obtain any licence, permit, certificate, authority, approval, consent or remit any fee, security deposit, letter of credit or any other security or payment otherwise required.

(4) Where any section, clause or provision of this Bylaw conflicts with any section, clause or provision of any other Bylaw of the municipality or any other legislation, the section or clause or provision that establishes the higher standard shall prevail.

(5) Where any act or any portion of any act is referred to in this Bylaw, such reference shall be interpreted as referring to any subsequently re-numbered sections of the Act and/or changes to the date of the Act and/or amendments or revisions to the Act or re-enactments of the Act or any legislation that replaces the Act.

(6) If any owner or Applicant, by any act or omission, contravenes any term, covenant, provision of this Bylaw or any permit issued hereunder, without in any way limiting the obligations of such applicant or owner, the municipality shall have the right, but not the obligation, to take such actions as may be necessary to remedy the contravention of the term, covenant, provision or any permit issued hereunder. In the event that the municipality takes such actions as are necessary to remedy any contravention of any term, covenant, provision of this Bylaw or any permit issued

hereunder, the municipality shall have the right to collect any costs, disbursements or other expenses in like manner as the collection of municipal taxes pursuant to Part XIV, section 445 and 446 of the *Municipal Act* S.O. 2001.

- (7) Any notice required under this Bylaw shall be effectively given when:
- (a) personally delivered to the intended recipient; or
  - (b) mailed by pre-paid registered mail to the intended recipient at his last known address shown on the records of the municipality; or
  - (c) by posting a notice on the property of the intended recipient.

Notice personally delivered to the intended recipient shall be deemed received on the date of delivery. Notice given by pre-paid registered mail shall be deemed received on the third business day following the mailing thereof. Notice posted on any property owned by the intended recipient shall be deemed received the day following delivery thereof.

This bylaw comes into force and takes effect on the date it is passed by Council

***Read a First Time and Second Time this 12<sup>th</sup> day of April, 2010.***

***Read a Third Time and Finally Passed this 12<sup>th</sup> day of April, 2010.***

  
\_\_\_\_\_  
***Bert Dykstra, Reeve***

  
\_\_\_\_\_  
***Brenda MacIsaac, Clerk***

## SCHEDULE "A"

### THE CORPORATION OF THE MUNICIPALITY OF CENTRAL HURON

#### BYLAW NO. 17-2010

#### PART A

#### SCHEDULE OF FEES – Building Permits

##### RESIDENTIAL

New Buildings, Renovations & Additions attached garages, finished basements, any consecutive storeys	\$50.00 plus .40 cents/sq. ft. of gross floor area
Unfinished Basements, Accessory Buildings, attached decks (any size)	\$50.00 plus .20 cents/sq. ft. of gross floor area
*Decks not attached	\$50.00 flat rate
Mobile Homes, Park Model Trailers/Travel Trailers (must have CSA Certification for unit with manufacturers installation and anchorage requirements)	\$50.00 plus .30 cents/sq.ft. of gross floor area.

##### COMMERCIAL:

New Commercial, Industrial, Institutional Community facilities, Additions & renovations thereto <b>Wind</b> Generators and solar collectors	\$100.00 plus \$10.00 per \$1,000 of total construction cost
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##### FARM BUILDINGS:

Livestock Barns & accessory buildings	\$50.00 plus .20 cents/sq. ft. of gross floor area
Manure Storage:           round tank other pits minimum fee	\$50.00 plus \$3.00/ft. of diameter \$50.00 plus \$1.00/ft. of perimeter \$300.00
Silos/Grain Storage: grain & hopper bins, grain silos, bunkers or towers	\$150.00 flat rate

##### SWIMMING POOLS:

inground	\$150.00 flat rate
above ground	\$100.00 flat rate

##### DEMOLITION PERMITS:

Up to 1,000 square feet	\$50.00 flat rate
Over 1,000 square feet	\$150.00 flat rate
Agricultural/Livestock Bldgs.	n/c

Demolition Permit shall be accompanied by a separate security cheque for \$1,000.00 to cover any costs incurred for damage to municipal property. Such cheque shall be returned upon completion and verification that municipal property has not been damaged.

Sign Permit	\$35.00 for the first \$2,000 of value plus \$5.00 for every \$1,000 of value thereafter
Transfer Fee	\$50.00
Temporary Garden Centre, tents (6 months)	\$75.00 flat rate

**Municipal Property Protection and Performance Security** deposit – 10% of the value of the work to a maximum of \$1,500.00 to be refunded in part or whole upon verification by a municipal officer, that no damage has occurred to municipal property, and no occupancy has taken place prior to occupancy permit, final grading certificate bearing the seal and signature of a Professional Engineer or Ontario Land Surveyor and a final approved inspection has been completed. Re-Inspections \$50.00. Such fees may be subject to forfeiture from the Municipal Property Protection and Security Deposit.

Where any work related to the permit has started prior to the issuance of a Building Permit, the permit fee payable shall be doubled.

Where a building is occupied prior to the issuance of an Occupancy Permit, the Municipal Property Protection and Performance Security may be forfeited.

- \* Decks not attached to the main structure and less than 10 sq. m. in area, do not require a Building Permit (zone provisions must still be complied with).
- \* Decks larger than 10 sq. m., and all decks regardless of size, that are attached to a building, and /or are more than 20" above grade, do require a building permit.

#### COST RECOVERY AND FUTURE ADJUSTMENT

The municipality confirms that the fees set out in this Schedule "A" are based on recovery of the municipality's reasonable costs. The municipality shall have the authority to amend the fees set out in Schedule "A" based on the municipality's reasonable costs from time to time.

**SCHEDULE "B"**

**THE CORPORATION OF THE MUNICIPALITY OF CENTRAL HURON**

**BYLAW NO. 17-2010**

**LETTER OF COMMITMENT**

TO: THE CORPORATION OF THE MUNICIPALITY OF CENTRAL HURON,  
BUILDING DEPARTMENT,  
23 ALBERT STREET, P.O. BOX 400  
CLINTON, ONTARIO N0M 1L0

RE: PROJECT: \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_

\_\_\_\_\_

LOCATION: (CIVIC ADDRESS) \_\_\_\_\_

\_\_\_\_\_

I/WE

being the Architect/Engineer for the above noted project, certify that I have sealed the drawings and I will be responsible for the structural inspections of the building during construction.

On substantial completion of the project, a letter will be submitted to THE CORPORATION OF THE MUNICIPALITY OF CENTRAL HURON, Building Department, confirming that the building was constructed according to the sealed structural drawings and in compliance with the Ontario Building Code.

\_\_\_\_\_  
DATE SIGNED

## **SCHEDULE "C"**

### **THE CORPORATION OF THE MUNICIPALITY OF CENTRAL HURON**

#### **BYLAW NO. 17-2010**

##### **List of plans or working drawings to accompany applications for permits.**

1. Site plan
2. Floor plan
3. Foundation plan
4. Framing plan, including engineered floor drawings, LVL's and floor beams, if applicable
5. Roof plan, including engineered truss drawings, if applicable
6. Reflected ceiling plans
7. Sections and details
8. Building elevations
9. Heating, ventilation, air conditioning drawings
10. Plumbing drawings
11. Fire alarm system drawings
12. Standpipe and hose drawings
13. Lot grading and drainage by a licensed professional OLS
14. Additional Engineering/Architectural plans/specifications/approvals/inspections.

Note: The Chief Building Official may specify that not all the above-mentioned plans are required to accompany an application for permit. (However, the plans that are required must be in duplicate (two (2) copies) of each before an application can be accepted for processing.)

## **SCHEDULE "D"**

### **THE CORPORATION OF THE MUNICIPALITY OF CENTRAL HURON**

#### **BYLAW NO. 17-2010**

#### **CONTENT OF PERMIT**

##### **REQUIRED INSPECTIONS**

1. After excavation, forms for footings or footings and foundations are complete but before the placing of any concrete therein.
2. After removal of form work from concrete and installation of perimeter drain tiles and dampproofing but before any backfilling against the foundation.
3. After framing and sheathing of the building are complete but before any insulation, lath or other interior or exterior finish is applied.
4. After installation of fireplace smoke damper but before any installation of first flue liner and material that would conceal and any other material that would conceal the construction of the firebox and smoke chamber.
5. After insulation and vapour barrier has been completed but before any interior finish is applied to conceal the work.
6. An occupancy inspection is required prior to occupancy.
7. A final inspection of all exterior work including final grading and exterior cladding is required.
8. Any other inspection deemed necessary.

##### **TERMS AND CONDITIONS OF THE PERMIT**

1. Any permit shall be issued on the conditions set out in the Building Bylaw which conditions include but are not limited to:
  - (a) construction shall commence within six (6) months from the date the permit is issued;
  - (b) work shall not be discontinued or suspended for a period of more than twelve (12) months;
  - (c) in the event of (a) or (b), the permit shall lapse;
  - (d) all permits shall lapse within twenty-four (24) months from the date of issuance;
  - (e) No fee refund or renewals for permits that lapse. If a permit lapses, the owner shall apply for a new permit for work that has yet to be completed;
  - (f) the exterior finish of the structure shall be completed within twelve (12) months of the date the permit is issued and prior to occupancy, whichever shall first occur;

- (g) the Applicant shall not complete any work that is at variance with either the descriptions, plans and specifications submitted in the Application or, inconsistent with any applicable laws;
- (h) the Chief Building Official may revoke a permit where there is a violation of any kind.
- (i) Permission is not included to dig, tunnel or bore into or under any part of a road or street, nor to occupy or obstruct any road, street, sidewalk or other municipal property. To obtain permission to occupy any of these areas, present this permit at the municipal office of the Municipality of Central Huron.
- (j) The above noted inspections are the minimum level of inspections required. The permit holder shall ensure that all construction and demolition is carried out in accordance with the Act, the Building Code and all municipal bylaws, and shall inform the Chief Building Official of any problems or discrepancies that arise during construction and/or demolition as it relates to the conformity or non-conformity with the Act, the Building Code or Municipal bylaws.
- (k) The Chief Building Official may require notice of inspections not listed above, and subsection 12(1) of the Act states an inspector may enter upon lands and into buildings at any reasonable time without a warrant for the purpose of inspecting the building or site in respect of which a permit is issued or an application for a permit is made.

#### **MUNICIPAL PROPERTY PROTECTION AND PERFORMANCE SECURITY DEPOSIT AND FORFEITURE**

A security deposit shall be submitted with the permit Application. The Security Deposit shall be forfeited, in whole or in part at the discretion of the Chief Building Official, if the Applicant or owner damages municipal property or occupies a building without obtaining an occupancy permit. Refunds will be refunded upon completion of the project and receipt of an approved final inspection.

#### **PERMIT FEES**

If inspections are required for violations of permit conditions or failure of the Applicant or owner to comply with any applicable law, or failure to have the work accessible and ready for inspection when the inspection is requested, the Chief Building Official may, in his/her sole and absolute discretion, charge additional re-inspection fees as set out in Schedule "A".