

COUNTY OF VERMILION RIVER

PROVINCE OF ALBERTA BYLAW 12-05

- A BYLAW** of the County of Vermilion River, in the Province of Alberta, being a Safety Codes Services Permit Bylaw, regulating the form, content and costs of permits for the use, occupancy, relocation, construction or demolition of buildings and any work done to an electrical, plumbing and private septic system, or gas installation on required projects.
- WHEREAS** by the authority of the Safety Codes Act, RSA 2000, c. S-1, the County of Vermilion River has been designated as an accredited municipality in the Building, Electrical, Plumbing, and Gas disciplines under the Safety Codes Act.
- AND WHEREAS** pursuant to the Safety Codes Act, the County of Vermilion River may make Bylaws respecting the carrying out of its powers and duties as an accredited municipality and respecting fees charged for permits issued or services provided pursuant to the Safety Codes Act, Regulations and Guidelines.
- AND WHEREAS** the Municipal Government ACT, RSA 2000, c. S-1 as amended or repealed and replaced from time to time, authorizes the Council of the County of Vermilion River to pass Bylaws with respect to the safety, Health and welfare of people, the protection of people and property and the enforcement of Bylaws within the County of Vermilion River.
- NOW THEREFORE** the Municipal Council of the County of Vermilion River, in the province of Alberta duly assembled and pursuant to the authority conferred upon it by the Safety Codes Act, Municipal Government Act, Regulation and Guidelines, hereby enacts as follows:

1. TITLE

This bylaw shall be cited as the "Safety Codes Services Permit Bylaw".

2. DEFINITIONS

In this bylaw the following shall mean;

- a) "Act" means the Safety Codes Act, RSA 2000, c. S-1, and amendments thereto;
- b) "Accredited Municipality" means a municipality that is designated as an accredited municipality under the Act.
- c) "Agency" means the company, companies, agency or agencies contracted to conduct business with or within the County of Vermilion River.
- d) "Applicant" means the Owner of a building or a property or a representative authorized in writing by the Owner who applies for a Permit;
- e) "Application" means the Application for a Permit by the Owner for those services regulated by the Safety Codes Act and this Bylaw;
- f) "Building Code" means the Alberta Building Code 2006, declared by Order in Council to be in effect in Alberta, and amendments thereto;
- g) "Building Permit" means a Permit issued pursuant to this Act and Bylaw in relation to activities for use, occupancy, relocation, construction or demolition of buildings;
- h) Chief Administrative Officer (CAO) means the Chief Administrative Officer of the County as appointed by Council pursuant to Section 205 of the Municipal Government Act, RSA 2000, c. S-1 and amendments thereto or his designate;
- i) "County" means the County of Vermilion River;
- j) "Estimated Construction Cost" is the total estimated cost of constructing and finishing a building, excluding furniture and office equipment;
- k) "Owner" includes a lessee, a person in charge, a person who has care and control and a person who holds out that the person has the powers and authority of Ownership or who for the time being exercises the power and authority of Ownership;
- l) "Occupancy Permit" means a Permit issued with respect to the occupancy or use of a building and includes a PSR authorizing occupancy;
- m) "Permit" means a Permit issued pursuant to this Bylaw;
- n) "Partial Permit" means a Permit to proceed with construction of a part of a building or structure;

- o) "Permit Placard" is an identification card issued to notify the Owner and/or a public that a Permit has been issued for the building;
- p) "Plan of Survey" means a plan which establishes surveyed boundaries defining the extent of a person's Ownership, or other rights in land, consisting of a demarcation on the ground of the boundaries of the rights and a legally authorized document depicting the location of the boundaries;
- q) "PSR" means a Permit Services Report provided by the County or Agency;
- r) "Safety Codes Council" shall mean Alberta Safety Codes Council;
- s) "Safety Codes Officer" means a person appointed as such pursuant to the Safety Codes Act, Chapter S-1 R.S.A. 2000 and amendments thereto;
- t) "Services" means the functions, duties, tasks and responsibilities as described in the Act, Regulation, guidelines and QMP;
- u) "Site" means the physical location of the work that is the subject of the Permit;
- v) "Quality Management Plan" or "QMP" means Quality Management Plan approved by the Safety Codes Council dated July 27, 2001 and adopted by the County of Vermilion River Council and amendments thereto;
- w) "QMP Manager" means the person who has been designated by the CAO to administer the Quality Management System;
- x) All definitions contained in the Safety Codes Act and the Regulations made pursuant to the Act shall apply in this Bylaw.

3. **SCOPE**

Pursuant to the Act and the Quality Management Plan the provisions of this Bylaw shall apply to the administration and enforcement of the Act within the County of Vermilion River for the disciplines of Building, Electrical, Gas and Plumbing.

4. **QMP'S POWERS AND DUTIES**

- 4.1 The QMP Manager is hereby authorized to:
 - a) Enforce all provisions of this Bylaw, the Quality Management Plan and the Act in accordance with the Safety Codes Officer's specific designation(s) of discipline.

5. **POWERS AND DUTIES OF A SAFETY CODES OFFICER AND/OR AGENCY**

- 5.1 A Safety Codes Officer, or his designate, or an Agency contracted by the County, is hereby authorized to:
 - a) receive applications and issues permits of the type for which that person has received the applicable designation by the Safety Codes Council, in accordance with the Quality Management Plan and the Safety Codes Act and Regulations;
 - b) keep an accurate account of all permits issued and all fees collected and received under this Bylaw, as amended from time to time.
 - c) Any Agency shall perform the services as required by their contract with the County and in accordance with the Act, the QMP and this Bylaw.

6. **PREVENTION**

- 6.1 Unless there is a valid and subsisting Permit, no person shall commence or cause commencement of:
 - a) the occupancy, relocation, construction or demolition of any building or part thereof unless there is a valid and subsisting Permit thereof;
 - b) the excavation of any land for the purpose of erecting or relocating any building;
 - c) the installation of any heating, venting or air conditioning equipment specifically governed by the Act;
 - d) the installation of any masonry or factory built fireplace or other fuel fired appliance governed by the Alberta Building Code;
 - e) any electrical, gas, plumbing or privates sewage disposal system installations as governed by the Safety Codes Act, Regulations or Standard of Practice.
- 6.2 A Permit is not required for construction, where in the opinion of the Safety Codes Officer, the construction will not affect the health and safety of the occupants and/or the public, and no changes which may be regulated under the Safety Codes Act or applicable code are made and may include the following:

- a) Construction, demolition, alteration of any building other than a residence on a parcel of land greater than 80 acres where in the opinion of the Safety Codes Officer, the building constitutes a definite part of an agricultural operation.;
- b) Construction, alterations or minor repairs of buildings less than 13.5 sq. m (145 sq. ft) where matters affecting health or safety are not involved.

7. PERMITS ADMINISTRATION

- 7.1 Where a Development Permit is required, a Building Permit shall not be issued prior to issuance of a **valid** Development Permit.
- 7.2 To obtain a Permit, an Applicant shall file an application on the form prescribed by the County and contains the suitable information essential to the QMP and Safety Codes Council.
- 7.3 Every application shall:
 - a) identify and describe details of the work covered by the Permit for which the application is made;
 - b) describe the land upon which the proposed work is to be done, by a legal description and when available by a civic address, that will readily and definitely locate the proposed building;
 - c) be accompanied by plans and specifications;
 - d) state the estimated value of the proposed work;
 - e) state the name, address and phone number of the applicant and if applicable the contractor ;
 - f) be signed by the registered Owner or his authorized agent who may be required to submit evidence to indicate such authority;
 - g) be accompanied by the Permit fee calculated in accordance with Schedule "A" – Permit Fees of this Bylaw;
 - h) follow the municipalities QMP for necessary information for each discipline
- 7.4 An Application for a Permit shall not be considered complete until all information and documentation is supplied to the safety codes officer. If all information and documentation has not been supplied to the safety codes officer within ninety (30) days of the application, the application will be returned to the Applicant and shall not be accepted or processed until such time as the complete information can be supplied.

8. PERMIT ISSUANCE

- 8.1 If a Safety Codes Officer is satisfied that the work described in an application for a Permit, and the plans submitted therewith are in accordance with the provisions of the Act and Regulations, the QMP and this Bylaw, and that the fees specified in Schedule "A" have been paid, the permit shall be issued to the applicant.
- 8.2 A Safety Codes Officer may issue a Permit for part of the work prior to the plans and specifications for the complete work having been submitted or examined providing that adequate information and detailed statements have been submitted complying with all the pertinent requirements of the Act, the QMP and this Bylaw. The holder of such a Permit shall proceed at their own risk without the assurance that the Permit for the remainder of the work will be granted.
- 8.3
 - a) In the case of a Building Permit a placard will be issued by the Safety Codes Officer. The Permit Placard shall be posted at all times in a conspicuous location on the Site;
 - b) When a Permit is issued, one set of examined plans, drawings and specifications shall be kept on file at the County Administration Office or Agency's Office and shall be made available to the QMP manager, Safety Codes Officer, landowner or their authorized representative on demand.
- 8.4 Permit Term and Extensions:
 - a) A Building Permit Issued under this Bylaw shall expire:
 - i. if work authorized by the Permit has not commenced within twelve (12) months of the date of issue of the Permit;
 - ii. if the work authorized by the Permit is commenced but is later suspended or abandoned for a continuous period of more than twelve (12) months; or
 - iii. if the work authorized by the Permit is commenced but is not completed within twelve (12) months of the Permit.
- 8.5 The Safety Codes Officer may, in writing, suspend or revoke a Permit if the Permit is:

- a) found to be in error;
 - b) issued on the basis of incorrect information; or
 - c) in violation of any provision of the Act or regulations made pursuant to the Act.
- 8.6 A Permit which has expired may be reinstated by the Safety Codes Officer, or his designate, at the written request of an Applicant within thirty (30) days of expiry provided:
- a) no changes are made in the documents submitted with the original application.

9. PLANS AND SPECIFICATIONS

- 9.2 Every Applicant shall submit two (2) sets of plans, drawings, specifications and other information as required by the Safety Codes Officer with each application.
- 9.3 All Plans submitted must be legible, drawn to scale and be detailed enough to show compliance with applicable legislation or code.
- 9.4 On completion of Permitted activities the Safety Codes Officer may require an updated set of plans including all changes reviewed by the Safety Codes Officer and/or a Plan of Survey showing its location.

10. FEES

- 10.1 Fees to be charged by the County or its contracted Agency for services rendered and the application for or issuance of any Permits shall be as set out in Schedule A.
- 10.2 Payment of the required fees is necessary for any application to be complete and no Permit shall be issued until all required fees have been paid in full.

11. REVISIONS AND RE-EXAMINATIONS

- 11.1 A Safety Codes Officer may accept a revision to the construction for which a permit has been issued and determine the appropriate fee to be charged for the service as set out in this bylaw.
- 11.2 If the document submitted with an application for a Permit contains substantial errors or omissions the documents may be returned to the Applicant by the Safety Codes Officer, as an incomplete application.

12. INSPECTIONS AND RECORD KEEPING

- 12.1 All inspections and record keeping shall be as outlined in the County of Vermilion River's Quality Management Plan, and shall be available to the public in accordance with the Freedom of Information and Privacy Act.

13. OCCUPANCY PERMIT

- 13.1 No activity that is regulated by this Bylaw and the Safety Codes Act shall be used or occupied unless a final inspection has occurred in all disciplines, and a PSR issued by a Safety Codes Officer qualified in each applicable discipline, confirming that it is deemed ready to occupy.
- 13.2 Occupancy shall be granted if in the opinion of the Safety Codes Officer, the building does not contravene the provisions of the Act or any regulations made pursuant to the Act.
- 13.3 The issuance of an Permit Services Report (PSR) shall not be construed to be permission for, or approval of, a contravention of any provision of any other Act, Regulation or Bylaw.

14. REFUNDS

- 14.1 An Applicant for a Permit may at any time cancel, withdraw or surrender the Permit by making an application in writing to the County or Agency.
- 14.2 Applicants that cancel, withdraw or surrender their Permit may qualify for a refund as outlined in this bylaw at the discretion of the QMP Manager or his designate or Agency.
- 14.3 The QMP Manager or his designate may authorize a refund of a Permit fee, less administration charges, as set out in Schedule B.
- 14.4 No refund shall be made if:

- a) The Permit has been revoked or has expired;
- b) The use, occupancy, relocation, construction or demolition of the building or the installation of the mechanical equipment or systems has commenced; or
- c) When an application has been returned to the Applicant due to the Applicant not supplying complete information and documentation to the Safety Codes Officer within Thirty (30) days of the date of application for the Permit.

15. OFFENCE & PENALTIES

- 15.1 Any Person who contravenes the provisions of this bylaw is guilty of an offence and is liable for the penalty set out in Schedule "C", or if no penalty is specific in Schedule "B" for the particular offence, for the penalty in accordance with section 15.6 of this bylaw.
- 15.2 When a Person is alleged to have contravened any provision of this bylaw, an Officer or a Community Peace Officer may issue a Violation Ticket pursuant to the Provincial Offences Procedure Act R. S. A. 2000 c. P-24.
- 15.3 Where there is a specified penalty listed for an offence in Schedule "C" to this bylaw, that amount is the specified penalty for the offence.
- 15.4 In lieu of prosecution, the Person named in the Violation Ticket may elect to voluntarily make payment to the County of the penalty amount specified in the Violation Ticket.
- 15.5 If the payment specified in the Violation Ticket is not paid in accordance with the terms of the ticket and in the time required by the ticket, a prosecution may be commenced for the alleged contravention of this bylaw.
- 15.6 If no penalty is set out in Schedule "C" for an offence, the penalty is Two Hundred (\$200.00) Dollars.

16. REPEAL

- 16.1 Bylaw No. 05-13 and amendments thereto are hereby repealed.
- 16.2 Bylaw No. 2401 and amendments thereto are hereby repealed.

17. VALIDITY

- 17.1 Should any provision of this Bylaw be invalid, then such invalid provision shall be severed and the remaining Bylaw shall be maintained

18. ENACTMENT

- 18.1 This Bylaw shall come into full force and effect upon receiving third and final reading and having been signed by the reeve and Chief Administrative Officer.

READ a first time in Council this 8th day of MAY, 2012.

READ a second time in Council this 8th day of MAY, 2012.

READ a third time in Council and finally passed the 8th day of MAY, 2012.

SEVERED

REEVE

SEVERED

CHIEF ADMINISTRATIVE OFFICER

Schedule "A" FEE SCHEDULE

SEE "COUNTY FEE SCHEDULE"

Schedule "B"

Administration Fees

DISCIPLINE	FEE DESCRIPTION
Building	A minimum cancellation fee of \$25.00 will be retained when a permit is cancelled or 25% of the fee if a drawing review has been completed or an inspection has been carried out.
Electrical	A minimum cancellation fee of \$25.00 will be retained when a permit is cancelled. No fee will be returned when an inspection(s) is carried out.
Gas	A minimum cancellation fee of \$25.00 will be retained when a permit is cancelled. No fee will be returned when an inspection(s) is carried out.
Plumbing	A minimum cancellation fee of \$25.00 will be retained when a permit is cancelled. No fee will be returned when an inspection(s) is carried out.
Private Septic	A minimum cancellation fee of \$25.00 will be retained when a permit is cancelled. No fee will be returned when an inspection(s) is carried out.

Schedule "C"

Penalties

DESCRIPTION	FINE AMOUNT
First offence	\$100.00
Second and any subsequent offence	\$200.00

Note: Each day that a breach of the Bylaw has occurred may be considered a separate offence.