

## MUNICIPALITY OF THE DISTRICT OF ARGYLE

### BY-LAW #17A

### BUILDING

**Be it resolved** by the Council of the Municipality of the District of Argyle that the following by-law be enacted and that the CAO shall file a copy at the office of the Minister of Service Nova Scotia and Municipal Relations pursuant to Section 7 of the Building Code Act, R.S.N.S., c 46, 1989

1. This by-law shall be known as By- Law #17A and shall be cited as the “Building By-Law”.

#### Definitions

2. (1) Unless otherwise defined herein, definitions contained in the Building Code Act, Nova Scotia Building Code regulations, also apply to this By-Law:
  - (2) In this By-Law
    - (a) “Authority Having Jurisdiction” means any person appointed as a Building Inspector by the council of the Municipality of the District of Argyle, as per Section 5 of the Building Code Act, R.S.N.S, C.46, 1989;
    - (b) “Owner” includes a person controlling the property under construction, and also prima facie the assessed owner of the property whose name appears on the assessment role prepared in accordance with the Assessment Act;
    - (c) “Building Code Act” or “Act” means Chapter 46 of the Revised Statues of Nova Scotia, 1989, the Building Code Act;
    - (d) “Nova Scotia Building Code Regulations” or Regulations” refer to regulations made pursuant to Section 4 of the Building Code Act.
    - (e) “storey” means that portion of a building that is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above.

#### Application

3. (1) This By-Law shall apply to the entire Municipality.
  - (2) The requirements and provisions of this by-law and the Nova Scotia Building Code apply to the administration and enforcement of the Building Code Act and the corresponding Regulations, as enabled under Section 7 of the Building Code Act and established under Section 1.2 of the Regulation.

## Permits

4. (1) An application form, as prescribed from time to time, must be completed in full, before a building permit, demolition permit or occupancy permit is issued.
- (2) All applicable fees, as set out in the “Fees Policy” for the Municipality, must be paid in full before a building permit, occupancy permit or a demolition permit shall be issued.
- (3) Every application for a permit shall;
  - (a) identify and describe in detail the work and occupancy to be covered by the permit for which the application is made;
  - (b) describe the land by including the Nova Scotia Information Management Service Parcel Identification Number (PID), or such description that will readily identify and locate the building lot;
  - (c) include plans and specifications, as required by Division C Section 2.2.2 of the National Building Code and described in Schedule “A”;
  - (d) state the valuation of the proposed work based on material and labour, and be accompanied by all required fees as set out in the “Fees Policy”;
  - (e) state the names, addresses and telephone number of the owner, architect, professional engineer, or other designer, contractor and any inspection or testing agency that has been engaged to monitor the work or part of work;
  - (f) describe any special building systems, materials, and applications;
  - (g) include any such additional information as may be required by the authority having jurisdiction.
- (4) When an application for a permit has not been completed in conformance with the requirements of this by-law within six months after it has been filed, the application shall be deemed to have been abandoned and no fees shall be refunded.

## Building Permit

6. (1) A building permit is valid for (1) one year from the date of issue and **may** be renewed upon written request, at no cost.
- (2) A building permit may be withheld until the authority having jurisdiction is satisfied that, where applicable;
  - (a) a “development permit” has been issued pursuant to the provisions of the Land Use By-Law for the Municipality of Argyle;
  - (b) any applicable Development Agreement provisions are being followed;
  - (c) provisions of the Heritage Property Act are being followed;
  - (d) a valid on-site sewage disposal system permit issued by the Department of the Environment for the construction of a building requiring a new private sewage disposal system;
  - (e) appropriate permit(s) issued by the Nova Scotia Department of



writing, from the owner or their representative, all certificates of compliance from various testing groups, provincial and federal agencies and identified service providers, all to be identified on the “Building Permit” at time of issuance.

### **Inspections**

9. (1) Every owner shall notify the Building Inspector at least forty-eight (48) hours in advance to inspect for compliance with this By-Law, the Building Code Act and corresponding Regulations, which may be changed from time to time.
- (2) For mobile and modular homes conforming to 1.4.1.9. of the Nova Scotia Building Code Regulations, every owner shall notify the authority having jurisdiction at least forty-eight (48) hours in advance to inspect for compliance with this By-Law, the Building Code Act and corresponding Regulations at the following stages:
  - (a) footing in place;
  - (b) in the case of a mobile home, the site preparation, foundation installation and anchorage in accordance with the regulation;
  - (c) in the case of modular home site preparation and foundation;
  - (d) installation and anchorage;
  - (e) before occupancy.


### **Coming Into Force**

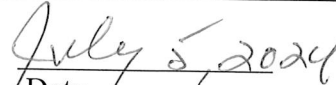
10. This By-Law shall have effect from and after February 2<sup>nd</sup>, 2016 and all other building by-laws previously passed by the Municipality of the District of Argyle are hereafter repealed.

**Chief Administrative Officer's Annotation for Official By-Law Book**

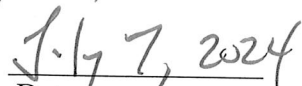
Date of First Reading	September 8, 2016
Date of Advertisement of Notice of Intent to Consider	December 22, 2016
Date of Second Reading	January 12, 2016
Date of Advertisement of Passage of By-Law	February 2, 2016
Date of Mailing to Minister a Certified Copy of By-Law	January 13, 2016
Effective Date of By-Law	February 2, 2016

I certify that this Building By-Law #17A was adopted by Council and published as indicated above.

  
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 Warden

  
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 Date

  
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 Chief Administrative Officer

  
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 Date