

COUNCIL PRESENT:

Reeve	Tom S. Hougham
Division 1	Leonard Larre
Division 2	Carri Zeller via electronic means @1:02 p.m.
Division 3	Owen Fischer
Division 4	Ronald Gory
Division 5	Gay Noeth

COUNCIL ABSENT:

Division 6 Evan Priest

STAFF PRESENT:

Allison Roschker, Chief Administrative Officer
Vanessa Nasby, Administrative Assistant
Dan Fedirko, Public Works @ 9:14 a.m.
Aaron Neilly, Infrastructure Manager @ 9:14 a.m.

DELEGATES:

S/Sgt. Ken Burnouf and Constable Ryan Martino @ 3:00 p.m.

CALLED TO ORDER:

9:00 a.m. The Regular Meeting was called to order by Reeve Hougham.

1-1 SEPTEMBER 13, 2023 AGENDA:

2023-09-13-001 NOETH: That the R.M. of Frenchman Butte No. 501 Council approves the September 13, 2023 Agenda to be used as a guideline.
Carried

2-1 AUGUST 23, 2023 MINUTES:

2023-09-13-002 FISCHER: That the R.M. of Frenchman Butte No. 501 Council approves the August 23, 2023 minutes as presented.
Carried

4-1 AUGUST 2023 BANK RECONCILIATION:

2023-09-13-003 FISCHER: That the R.M. of Frenchman Butte No. 501 Council acknowledges the August 2023 month end Bank Reconciliation balances as follows:

Chequing Account Operating	\$	5,935,887.56
St. Walburg Health Account	\$	2,339.20
Turtleford Health Account	\$	8,087.89
Online Banking Account	\$	3831.01
Term Deposits (0.25%-3.45% Expiring 31-Jan-24 to 31-Jan-28)	\$	1,157,302.49
Total Cash in Bank as of August 31, 2023	\$	7,107,448.15
Petty Cash	\$	200.00
Total Cash and Short-Term Investments	\$	7,107,648.15

Carried

9:14 a.m. Aaron Neilly and Dan Fedirko entered Council Chambers to discuss Public Works Report.

11:23 a.m. Aaron Neilly left Council Chambers.

IN-CAMERA:

2023-09-13-004 NOETH: That the R.M. of Frenchman Butte No. 501 Council moves in-camera to discuss legal issues as authorized by the legislative authority of *The Municipalities Act* Section 120 including the exemptions in Part III of *The Local Authority Freedom of Information and Protection of Privacy Act*.
11:23 a.m. Carried

OUT-OF-CAMERA:

2023-09-13-005 LARRE: That the R.M. of Frenchman Butte No. 501 Council rises from the in-camera discussion.
11:25 a.m. Carried


Reeve


CAO

RECESS MEETING:

2023-09-13-006 FISCHER: That the R.M. of Frenchman Butte No. 501 Council recess
11:26 a.m. for a 10 minute break.

Carried

RECONVENED MEETING:

11:35 a.m. The Regular Meeting of Council was reconvened by Reeve Hougham.

6-4 SALARY GRID RECOMMENDATION:

2023-09-13-007 LARRE: That the R.M. of Frenchman Butte No. 501 Council acknowledges the following wage step increase using Salary Grid in effect May 24, 2023:

- Derek Lessard from Salary Grid 12, Step 4 to Salary Grid 12, Step 5 effective July 30, 2023;

Carried

4-2 AUGUST 2023 STATEMENT OF FINANCIAL ACTIVITIES - DETAILED:

2023-09-13-008 NOETH: That the R.M. of Frenchman Butte No. 501 Council acknowledges the August 31, 2023 month end Statement of Financial Activities – Detailed, which is attached to and forms part of these minutes as Appendix C.

Carried

5-1 PAYROLL- PP2023-18:

2023-09-13-009 NOETH: That the R.M. of Frenchman Butte No. 501 Council approves the payroll accounts for the pay period **August 13 – August 26, 2023. Authorization #416 direct deposit dated September 1, 2023, totaling \$51,258.11.**

Further, that a schedule of these payments be annexed to and form part of these minutes as **Appendix A Salaries and Wages August 13 – August 26, 2023.**

Carried

5-2 PAYROLL- PP2023-19:

2023-09-13-010 LARRE: That the R.M. of Frenchman Butte No. 501 Council approves the payroll accounts for the pay period **August 27 – September 9, 2023. Authorization #417 direct deposit dated September 15, 2023, totaling \$48,144.12.**

Further, that a schedule of these payments be annexed to and form part of these minutes as **Appendix B Salaries and Wages August 27 – September 9, 2023.**

Carried

5-3 LOST CHEQUE AFFIDAVIT:

2023-09-13-011 FISCHER: That the R.M. of Frenchman Butte No. 501 Council acknowledges voiding and reissuing of the following lost cheque:

- **Cheque # 31372 Wurth Canada Ltd. \$52.60**

Carried

5-4 VOID CHEQUE:

2023-09-13-012 LARRE: That the R.M. of Frenchman Butte No. 501 Council acknowledges voiding the following cheque:

- **Cheque # 31694 102152652 Saskatchewan Ltd. \$37.72**

Carried

11:59 a.m. Dan Fedirko entered Council Chambers.

12:01 p.m. Dan Fedirko left Council Chambers.

5-5 ACCOUNTS – SEPTEMBER 13, 2023:

2023-09-13-013 GORY: That the R.M. of Frenchman Butte No. 501 Council approves the following payments dated September 13, 2023.

- **31723 to 31774 Totaling \$418,440.16**

Carried


Reeve


CAO

RECESS MEETING:

2023-09-13-014 NOETH: That the R.M. of Frenchman Butte No. 501 Council recess
12:02 p.m. for a 60 minute break.
Carried

RECONVENED MEETING:

1:02 p.m. The Regular Meeting of Council was reconvened by Reeve Hougham.
1:19 p.m. Councillor Zeller entered Council Chambers via electronic means.

6-1 OFFICE DESIGN:

2023-09-13-015 LARRE: That the R.M. of Frenchman Butte No. 501 Council
instructs administration to hire Bar Engineering to do a concept design for
a new office building of approximately 5,000 sq feet.
Carried

6-1 OFFICE DEFICIENCIES:

2023-09-13-016 ZELLER: That the R.M. of Frenchman Butte No. 501 Council
instructs the C.A.O. to have our current office/shop building inspected for
health hazards and deficiencies.
Carried

13-4 TWP 533 AND TWP 534 ROAD ALLOWANCE INQUIRY:

2023-09-13-017 FISCHER: That the R.M. of Frenchman Butte No. 501 Council approves
Paul Van Metre to cut wood on TWP 533 and TWP 534 between RR 3250
and 3251 Road Allowance as long as it is cleaned up and left safe.
Carried

13-7 PERMISSION TO WORK ON MUNICIPAL RESERVE:

2023-09-13-018 NOETH: That the R.M. of Frenchman Butte No. 501 Council
authorizes Adrian Rogers permission to cut grass on Municipal Reserve 1
located at Perch Lake.
Carried

13-1 TENDER BLK/PAR A PLAN 101642677 EXT 33:

2023-09-13-019 LARRE: That the R.M. of Frenchman Butte No. 501 Council approves
the tender received from Philip Jetzke for the purchase of BLK/Par A Plan
101642677 Ext 33 in the amount of \$1,800.
Carried

13-5 PURCHASE LEASE LAND SW 11-53-24-W3M:

2023-09-13-020 LARRE: That the R.M. of Frenchman Butte No. 501 Council
authorizes administration to pursue purchasing 5.3 acres located east of
The R.M. of Frenchman Butte main yard, which is currently being leased by
the R.M. of Frenchman Butte No. 501 and to hire an appraiser to complete
an appraisal.
Carried

6-4 COUNCIL MEETING DATE CHANGE:

2023-09-13-021 FISCHER: That the R.M. of Frenchman Butte No. 501 Council
approves the change of the regular Council meeting date of November 08,
2023 to November 14, 2023.
Carried

2:58 p.m. S/Sgt. Ken Burnouf and Constable Ryan Martino entered Council
Chambers.
3:19 p.m. S/Sgt. Ken Burnouf and Constable Ryan Martino left Council Chambers.

RECESS MEETING:

2023-09-13-022 FISCHER: That the R.M. of Frenchman Butte No. 501 Council recess
3:57 p.m. for a 10 minute break.
Carried

RECONVENED MEETING:

4:15 p.m. The Regular Meeting of Council was reconvened by Reeve Hougham.


Reeve


CAO

5-6 COUNCIL REMUNERATION:

2023-09-13-023 FISCHER: That the R.M. of Frenchman Butte No. 501 Council approves the electronic payment of August 2023 Council Remuneration for the following amounts less deductions on September 29, 2023:

• Reeve Hougham	\$530.80
• Councillor Larre	\$577.00
• Councillor Zeller	\$697.60
• Councillor Fischer	\$508.40
• Councillor Gory	\$832.60
• Councillor Noeth	\$780.90
• Councillor Priest	\$906.80

Carried

6-1 STAFF/COMMITTEE REPORTS:

2023-09-13-024 NOETH: That the R.M. of Frenchman Butte No. 501 Council acknowledges written and verbal reports by Infrastructure Manager, Aaron Neilly, Chief Administrative Officer, Allison Roschker, and Public Works Foreman, Dan Fedirko.

Carried

12-1 BYLAW 2023-09 A BYLAW RESPECTING BUILDINGS:

2023-09-13-025 GORY: That the R.M. of Frenchman Butte No. 501 Bylaw 2023-09 A Bylaw Respecting Buildings, be read a first time.

Carried

2023-09-13-026 FISCHER: That the R.M. of Frenchman Butte No. 501 Bylaw 2023-09 A Bylaw Respecting Buildings, be read a second time.

Carried

2023-09-13-027 ZELLER: That the R.M. of Frenchman Butte No. 501 Bylaw 2023-09 A Bylaw Respecting Buildings, be given three readings at this meeting.

Carried Unanimously

2023-09-13-028 LARRE: That the R.M. of Frenchman Butte No. 501 Bylaw 2023-09 A Bylaw Respecting Buildings, be read a third time and passed.

Carried

12-2 PURCHASE OF MINISTRY OF AGRICULTURAL LEASE LAND:

2023-09-13-029 GORY: That the R.M. of Frenchman Butte No. 501 Council authorizes the C.A.O. to sign the application to purchase the following agricultural lease land:

• Parcel 2 SW 20-53-27 W3
• Parcel 1 NW 29-53-26 W3
• Parcel 1 SW 29-53-26 W3

Carried

13-2 SUBDIVISION SW ¼ 08-53-23W3 CASH IN LIEU OF DEDICATED LANDS:

2023-09-13-030 NOETH: That the R.M. of Frenchman Butte No. 501 Council accept the amount of \$1,115.04 for Cash In lieu of Dedicated Lands for Parcel C SW ¼ 08-53-23W3 based on 10% of the Fair Market Value of Parcel C established by Saskatchewan Assessment Management Agency and Council deems it to be a fair estimate of the market value of subdivided un-serviced property in the RM of Frenchman Butte No. 501.

Carried

13-3 TAX ABATEMENT ROLL # 10368 000:

2023-09-13-031 LARRE: That the R.M. of Frenchman Butte No. 501 Council; pursuant to *The Municipalities Act* Sub-Section 274(2)(a) as this property is deemed to be exempt from taxation; approve the tax abatement of Municipal Tax \$7.90; School Tax \$1.72 for a total of \$9.62 in regards to Roll # 10368 000; SW 04-52-24W3.

Carried


Reeve


CAO

13-6 HAMLET MONTHLY WATER REPORT:

2023-09-13-032 FISCHER: That the R.M. of Frenchman Butte No. 501 Council acknowledge the presentation of the Hamlet of Frenchman Butte Water Treatment Plant Monthly Report for August 2023 and the Hamlet Compliance Reports, and instructs Administration to place a copy of the report on file for future reference.

Carried

13-8 EMO CO-ORDINATOR RESIGNATION:

2023-09-13-033 GORY: That the R.M. of Frenchman Butte No. 501 Council acknowledges the resignation of Walter Gobert as the R.M. of Frenchman Butte EMO Co-ordinator effective September 9, 2023.

Carried

14-1 CORRESPONDENCE – SEPTEMBER 13, 2023:

2023-09-13-034 LARRE: That the R.M. of Frenchman Butte No. 501 Council accepts the September 13, 2023 correspondence as information to be filed as presented to Council, outlined in Appendix C.

Carried

4:30 p.m. Vanessa Nasby left Council Chambers.

13-1 GRADER TENDER 2023A:

2023-09-13-035 LARRE: Whereas, The R.M. of Frenchman Butte No. 501 called for tenders; one to lease the grader, one to purchase the grader with no trade in, and one to trade in the following motor graders:

- 2017 John Deere 872G Serial Number 1DW872GXHD679875 (with 8574 hours on August 10, 2023) to be submitted by 3:00 pm Central Standard Time, September 8, 2023;
- 2018 John Deere 872G Serial Number 1DW872GXJHD684994 (with 8135 hours on August 10, 2023) to be submitted by 3:00 p.m. Central Standard Time, September 8, 2023

Whereas the tender document included a clause stating that “The lowest or any tender not necessarily accepted”; and

Whereas the new grader to be delivered no later than April 15, 2024. If delivery is later than this date, a \$500.00/day penalty will be owed to the R.M. of Frenchman Butte No. 501.

Whereas Council has reviewed the tender packages from Brandt and Finning Canada.

Therefore, be it resolved, that the R.M. of Frenchman Butte No. 501 Council purchases the following from Finning Canada.

One 2024 Caterpillar 150 AWD Motor Grader, serial number TBD with 12 month full comprehensive warranty with 12 months of travel included on all warranty claims:

1 New 2024 Motor Grader	\$577,060.14
12 Month Warranty with travel	\$ 0.00
Subtotal	<u>\$577,060.14</u>
GST Tire Recycling Fee	\$ 17.10
GST	\$ 31,141.51
PST	\$ 37,369.81
Provincial Tire Levy	\$ 342.00
Total Sale Price	<u>\$645,930.56</u>

Plus 7yr 9000 hour Full Machine Warranty at \$73,538.00 plus applicable taxes.

Carried

15-1 ADJOURNMENT:

2023-09-13-036 FISCHER: That the R.M. of Frenchman Butte No. 501 Council adjourns this Regular Meeting of Council at 4:50 p.m.

Carried


Reeve


Chief Administrative Officer


Reeve


CAO

Rural Municipality of Frenchman Butte No. 501

BYLAW NO. 2023-09

A BYLAW RESPECTING BUILDINGS

The Council of the Rural Municipality of Frenchman Butte No. 501 in the Province of Saskatchewan enacts as follows:

SHORT TITLE

- 1 This bylaw may be cited as the Building Bylaw.

PURPOSE OF THE BUILDING BYLAW

- 2 The purpose of this bylaw is to provide for the administration and enforcement of the Act, the regulations, the National Building Code of Canada, the National Energy Code of Canada for Buildings, ministerial interpretations and Saskatchewan Construction Standards Appeal Board orders and building official orders within the local authority.

INTERPRETATION/LEGISLATION

- 3 Definitions contained in *The Construction Codes Act*, *The Building Code Regulations* and *The Energy Code Regulations* shall apply in this building bylaw.

"**Act**" means The Construction Codes Act.

"**building official**" means a person who holds a building official licence.

"**competent person**" means a person who is recognized by the local authority as having:

- (a) a degree, certificate or professional designation; or
- (b) the knowledge, experience and training necessary to design or review the design of a building.

"**local authority**" means the municipality to which this Building Bylaw applies.

"**NBC**" means the edition and provisions of the National Building Code of Canada, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and the regulations.

"**NECB**" means the edition and provisions of the National Energy Code of Canada for Buildings, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and the regulations.

"**occupancy certificate**" means a certificate issued with respect to the approved use or occupancy of a building.

"**owner**" means:

- (a) any person who has any right, title, estate or interest in land, improvements or premises other than that of a mere occupant, tenant or mortgagee;
- (b) any person, firm or corporation that controls the property under consideration; or
- (c) if the building is owned separately from the land on which the building is located, the owner of the building.

"**owner's representative**" means any person, company, employee or contractor who has authority to act on behalf of an owner.

"**permit**" means written authorization issued by the local authority or its building official in the form of a building permit.

"**plan review**" means the examination of building drawings and related documents by a building official to ascertain whether those drawings and documents meet the requirements of the Act and the regulations.

"**regulations**" means *The Building Code Regulations* and *The Energy Code Regulations*.

"**SAMA fee**" means a fee charged to the local authority by the Saskatchewan Assessment Management Agency with respect to the work.

"**value of construction**" means the total costs to the owner for the building construction in its

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completed form and includes the cost of all building work, materials of construction, building systems, labour and overhead, and profit of the contractor and subcontractors.

"work" means any construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building.

SCOPE OF THE BYLAW

- 4 This building bylaw applies to all work undertaken or to be undertaken within the geographical jurisdiction of the local authority.

GENERAL

- 5(1) It is the duty of every owner or the owner's representative of a building in Saskatchewan to ensure that the building and work is in accordance with the Act, the regulations, any associated codes, interpretations and orders and any bylaws adopted by the local authority with which the building is associated.
- (2) It shall be the responsibility of the owner or the owner's representative to arrange for all permits, inspections and certificates required by any other applicable bylaws, Acts and regulations.
- (3) A building or part of a building for which a permit has been granted shall not be occupied before the issuance of an occupancy certificate by the local authority or the building official pursuant to clause 16(11)(h) of the Act.
- (4) The provisions of this building bylaw apply to buildings greater than 10m² (107.6 ft²) in building area except as otherwise exempted by the Act or the regulations.

PERMIT - ISSUANCE

- 6(1) Every application for a permit for work shall be on the form provided by the local authority, and shall be accompanied by a minimum of two sets of plans and specifications of the proposed building and work.
- (2) Every permit application shall be reviewed and approved by the building official including plan review and approval.
- (3) If the work described in an application for a permit, to the best of the knowledge of the local authority or the building official, complies with the requirements of this building bylaw, the Act, or the regulations, the local authority or the building official shall, on receipt of the required fee, issue a permit on the form provided by the local authority. In addition, one set of the approved plans and specifications will be returned to the owner or the owner's representative with the permit.
- (4) A permit issued pursuant to this building bylaw must include:
- (a) the name of the person, or company to whom the permit is issued;
 - (b) the period for which the permit is valid;
 - (c) a statement of all fees, deposits or bonds charged for the permit;
 - (d) the scope of work authorized by the permit;
 - (e) the municipal address or legal description of the property on which the work described in the permit is located;
 - (f) the buildings or portion of buildings to which the permit applies;
 - (g) the date of completion of the stages of construction for which a permit holder must inform the local authority;
 - (h) any conditions that the permit holder is required to comply with; and
 - (i) any information required by this building bylaw.
- (5) No person, or company to whom a permit is issued pursuant to the Act shall fail to comply with the terms and conditions of the permit.
- (6) Work must not commence before a permit is issued.
- (7) The permit fee shall be calculated according to the sum of the following:
- (a) a permit administration fee listed in a fee bylaw for the processing, handling and issuance of a permit;
 - (b) the fees for plan review, field inspection of construction and enforcement in accordance with a fee bylaw or the agreement between the provider of building official services and the local authority;



- (c) the fees charged by the Saskatchewan Assessment Management Agency; and
 - (d) a deposit, if required, in an amount determined by the local authority.
- (8) If a deposit is collected it shall, on request by the owner or owner's representative, be refundable on satisfactory completion of the work or on approval of use or occupancy of the building by the local authority or the building official.
 - (9) All permit fees and deposits will be collected before the permit is issued and subject to any applicable taxes.
 - (10) The local authority or the building official may establish the value of construction for the work described in an application for a permit, for the purpose of calculating a permit fee, based on established current construction costs, the owner's or the owner's representative statement of costs or constructor's contract values, or similar methods selected by the local authority or the building official.
 - (11) It is the responsibility of the owner or the owner's representative to ensure that all notifications required by section 7 of the Act and this building bylaw are given to the local authority and that all inspections are scheduled and completed. Failure to do so may result in additional fees for follow up inspections.
 - (12) The owner or the owner's representative will be invoiced by the local authority for additional inspection fees and payment of the inspection fees will be due on receipt of an invoice. Unpaid inspection fees will be considered a debt due to the local authority and may be recovered from the owner of the land or premises in or on which the work was carried out as per the Act.
 - (13) The local authority may, at its discretion, rebate a portion of a permit fee or deposit where work is reduced in scope or discontinued, or where other exceptional circumstances occur.

PERMITS - REFUSAL TO ISSUE

7(1) The local authority may refuse to issue a permit if:

- (a) the proposed work described on the permit application would contravene:
 - (i) the Act;
 - (ii) the regulations;
 - (iii) an order of the appeal board;
 - (iv) a written interpretation of the minister pursuant to section 8 of the Act; or
 - (v) the local authority's building bylaw;
 - (b) the person who designed or reviewed the design of a proposed building that is within the scope of Part 9 of the NBC is not a competent person;
 - (c) the person who designed or completed a design review of a proposed building that is within the scope of the NECB is not an architect or engineer;
 - (d) the application for a permit is incomplete;
 - (e) any fees, deposits or bonds required pursuant to the local authority's building bylaw for the issuance of a permit have not been paid; or
 - (f) the proposed work described on the permit application would contravene any other Act, regulations or bylaw that applies to the proposed work.
- (2) Where the local authority refuses to issue a permit pursuant to subsection (1), the local authority shall:
- (a) provide written notice to the applicant as to the reasons for the local authority's refusal to issue a permit; and
 - (b) refund any fee or deposit paid as part of the permit application for work pursuant to the Act, less any fees paid for:
 - (i) plan review; and
 - (ii) permit application or administration.

PERMITS - REVOCATION

8(1) The local authority may revoke a permit issued pursuant to the Act:

- (a) if the holder of the permit requests in writing that it be revoked;

- (b) if the permit was issued on mistaken, false or incorrect information;
 - (c) if the permit was issued in error;
 - (d) subject to subsection (2), if, after 6 months after the permit's issuance, the work for which the permit was issued has not, in the opinion of the local authority's building official, been seriously commenced and no written agreement for the delay has been given by the local authority; or
 - (e) subject to subsection (2), if the work for which the permit was issued is, in the opinion of the local authority's building official, substantially suspended or discontinued for a period of more than 6 months after the permit's issuance and no written agreement for the delay has been given by the local authority.
- (2) If the local authority revokes a permit pursuant to subsection (1) it shall provide written notice to the permit holder as to the reasons for the revocation.

PERMITS - EXPIRY

- 9(1) The expiry of a permit does not relieve the owner or the owner's representative from the obligation to complete the work approved in the permit.
- (2) All permits issued pursuant to this building bylaw shall expire on the date stated in the permit, or if no date is stated:
- (a) twenty-four months from date of issue;
 - (b) six months from date of issue if work is not commenced within that period;
 - (c) on the date specified by the local authority if work has not seriously commenced and is suspended for a period of six months; or
 - (d) on the date specified by the local authority if work has been suspended with written permission by the local authority or building official and the agreed upon period has been exceeded.
- (3) An owner or the owner's representative that does not complete all the work listed on a permit before the permit expires shall apply to the local authority that issued the permit to do one of the following:
- (a) revoke the permit;
 - (b) extend the term of the permit;
 - (c) vary the condition of the permit.
- (4) The local authority may revoke, extend or vary the conditions of a permit on written application of the permit holder and subject to any condition or fees listed in the bylaw.

ENFORCEMENT

- 10 The local authority or the building official may take any measures as permitted by section 24, 25 or 26 of the Act and sections 13 and 14 of *The Building Code Regulations* for the purpose of ensuring compliance with this building bylaw.

NOTIFICATION

- 11(1) The owner or the owner's representative of a building to be constructed shall ensure that the local authority is notified of:
- (a) when excavation is to be commenced;
 - (b) when the foundation is to be placed;
 - (c) when a superstructure is to be placed on the foundation;
 - (d) any other event at the time required by the permit under which work has been undertaken;
and
 - (e) any other specified event at the specified time.
- (2) Before commencing work at a building site, the owner or the owner's representative shall give notice to the local authority of:
- (a) the date on which the owner or the owner's representative intends to commence the work;
and
 - (b) subject to subsection (8), the name, address and telephone number of:
 - (i) the constructor or other person in charge of the work;
 - (ii) the designer of the work;

- (iii) the person or firm that is to review the work to determine whether or not the construction conforms to the design; and
 - (iv) any inspection or testing agency that is engaged to monitor the work.
- (3) During the course of construction, the owner or the owner's representative shall give notice to the local authority of:
- (a) subject to subsection (8), any change in, or termination of, the employment of a person or firm mentioned in clause (2)(b);
 - (b) the owner's or owner's representative intent to do any work that has been ordered by a building official or local authority to be inspected during construction;
 - (c) the owner's or owner's representative intent to enclose work that has been ordered by a building official or local authority to be inspected before enclosure;
 - (d) subject to subsection (8), any proposed deviation from the plans approved and permitted by the local authority;
 - (e) subject to subsection (8), any construction undertaken that deviates from the plans approved and permitted by the local authority; and
 - (f) the completion of work.
- (4) Subject to subsection (8), the owner or the owner's representative of a building under construction shall give notice to the local authority of:
- (a) any change in ownership or change in address of the owner or the owner's representative that occurs before the issuance of an occupancy certificate as soon as the change occurs; and
 - (b) the owner's or owner's representative intention to occupy a portion of the building if the building is to be occupied in stages.
- (5) The owner of a building or the owner's agents, contractors, employees, successors or assigns or the registered owner of the land on which the building is situated shall submit a written report to the local authority of the occurrence of the following that causes or has the potential to cause serious injury or loss of life:
- (a) structural failure of the building or part of the building;
 - (b) failure of any equipment, device or appliance that is regulated by the Act or the regulations.
- (6) A report submitted pursuant to subsection (5) must:
- (a) contain:
 - (i) the name and address of the owner;
 - (ii) the address or location of the building involved in the failure;
 - (iii) the name and address of the constructor of the building; and
 - (iv) the nature of the failure; and
 - (b) be submitted to the local authority within 15 days after the occurrence of the failure mentioned in clause (5)(a) or (b).
- (7) On receipt of the report pursuant to subsection (5), the local authority may require an owner to do the following:
- (a) provide any other information that the building official or local authority may consider necessary;
 - (b) complete any additional work that is necessary to ensure compliance.
- (8) Notice given pursuant to clause (2)(b), (3)(a), (3)(d), (3)(e) or subsection (4) is to be in writing.

SPECIAL CONDITIONS

- 12(1) An owner or the owner's representative that undertakes to construct or have constructed a building that is within the scope of Parts 3, 5, 6 and 7 of the NBC shall have an architect or engineer complete the design or design review of:
- (a) the building; and
 - (b) all building systems.
- (2) An owner or the owner's representative that undertakes to construct or have constructed a building with a structure that is within the scope of Part 4 of the NBC shall have an architect or engineer complete:

- (a) the design or design review of the structure;
 - (b) an inspection of construction of the structure to ensure compliance with the design; and
 - (c) the reviews required by the NBC.
- (3) An owner or the owner's representative that undertakes to construct or have constructed a building with a structure within the scope of the NECB shall have an architect or engineer complete:
- (a) the design or design review of the structure;
 - (b) the inspection of construction of the structure to ensure compliance with the design; and
 - (c) the reviews required by the NECB.
- (4) In addition to the requirements of subsection (1), (2) or (3), the local authority or building official shall require that an engineer or architect provide:
- (a) a Commitment for Field Review letter as part of the permit application for work; and
 - (b) an Assurance of Field Review and Compliance letter, on completion of the work, providing assurance that the work conforms to the engineer's or architect's design.
- (5) An owner or the owner's representative that undertakes to construct or have constructed a building that is within the scope of Part 9 of the NBC shall ensure that a competent person has designed or reviewed the design of the building.
- (6) An owner or the owner's representative shall ensure that copies of any inspection or review reports made pursuant to this section are made available to a building official or the local authority on the request of the building official or local authority, as the case may be.
- (7) No owner of a building or an owner's representative shall cause or allow the ground elevations of a building to be changed so as to place in contravention of the NBC:
- (a) the building or part of the building; or
 - (b) an adjacent building.
- (8) If the property boundaries of a building lot are changed so as to place a building or part of a building in contravention of the NBC, the owner or the owner's representative shall immediately alter the building or part of the building to bring it into compliance with the NBC.

PENALTY

- 13(1) Any person who contravenes any of the provisions of this building bylaw may be subject to the penalties provided in Part 8 of the Act.
- (2) Conviction of a person or corporation for breach of any provision of this building bylaw shall not relieve the person or corporation from compliance with the Act and regulations.

REPEAL OF BYLAW(S)

14 On enactment of this building bylaw, Bylaw 2017-07 is hereby repealed.

Enactment pursuant to Section 17 of *The Construction Codes Act*.

adopted by resolution on the 13TH day of
September, 2023

Affix certification seal below:



X [Signature]
Reeve

X [Signature]
Chief Administrative Officer