Municipality of Cumberland By-Law 87-01

Building Code By-Law

Sec. 1. (a) "Council" means the Council of the Municipality of the County of Cumberland.

(b) "Inspector" means the Building Inspector as appointed by the Council pursuant to Section 5 of the Building Code Act.

(c) "Municipality" means the Municipality of the County of Cumberland.

Sec. 2. A building permit, occupancy permit and demolition permit shall be in the forms set out in Schedule "A", annexed hereto.

Sec. 3. Before a permit is issued, an applicant must complete an application form, which shall be appended in Schedule "A", annexed hereto.

Sec. 4. Every application for a permit shall:

(a) identify and describe in detail the work and occupancy to be covered by the permit for which application is made,

(b) describe the land on which the work is to be done by a description that will readily identify and locate the building lot,

(c) include plans and specifications as required by the Building Code and show the occupancy of all parts of the building,

(d) state the square footage of the proposed work and be accompanied by the required fee, and

(e) state the names, addresses and telephone numbers of the owner, architect, professional engineer or other designer and constructor.

Sec. 5. When an application for a permit has not been completed in conformance with the requirements of this by-law within six months after it is filed, the application shall be deemed to have been abandoned.

Sec. 6. A permit is valid for 1 year from the date of issue and is renewable.

Sec. 7. No more than one (1) accessory building under twenty (20) square meters (215.2 square feet) shall be built in relation to any one principal building without obtaining a building permit therefore.

Sec. 7A No demolition permit is required for any building measuring twenty (20) square meters or less.

Sec. 8. Before issuing a demolition permit, the authority having jurisdiction shall be satisfied that the building is not subject to the provisions of a by-law of the Municipality passed pursuant to the Heritage Property Act.

Sec. 9. The authority having jurisdiction may, in the case of the construction of new buildings or structures, with-hold a permit until satisfied that any permit required pursuant to the Public Highways Act has been obtained.

Sec. 10. A permit for a temporary building:

(a) shall state the date after which the conditions under which the permit is no longer valid,

(b) may be extended in writing,

(c) shall be posted on the building.

Sec. 11. **(1)** Should a permit be issued for part of a building, the holder of that permit

may proceed, but without any assurance that the permit for the entire building will be granted.

(2) Any permit issued for part only of a building shall be clearly marked as for part only, and shall also indicate that a permit for the entire building is not assured.

Sec. 12. **(1) A permit may be issued at the risk of the owner, with conditions to ensure compliance with the Building Code, to excavate or to construct a portion of a building before all the plans of the project have been submitted or accepted.**

(2) the permit shall clearly be marked "At Owner's Risk".

Sec. 13. **(1) A permit for a whole project may be issued conditional upon the submission of additional information prior to commencing the work for which the information is pertinent, provided that the information is of such a nature that withholding the permit until the information was available would delay the work unreasonably.**

(2) The condition shall set out on the face of the permit.

Sec. 14. **Fees for permits shall be as follows:**

New Construction and Additions:

--$5.00 plus $0.06 per square foot to include all finished livable areas but excluding unfinished basement areas for residential buildings, community centres and churches.

--$5.00 plus $0.10 per square foot for commercial and industrial buildings.

--$5.00 plus $0.02 per square foot for sheds, shell warehouses, garages and barns.

--$5.00 plus 0./1% of value for other non-residential uses.

Repairs and Alterations:

--$5.00 plus 0.1% of value for repairs and alterations.

Permit renewals: $5.00

Sec. 15. **The authority having jurisdiction shall be notified verbally or in writing at least three days in advance and given an opportunity to inspect at the following stages of construction:**

(a) **the foundation before backfilling, and before a superstructure is place on a foundation,**

(b) **the framing, roof, plumbing and insulation complete before interior wall coverings are installed,**

(c) **before occupancy.**

Sec. 16. **Coming into force.**

This bylaw shall have effect from and after April 1, 1987.

Sec. 17. **Chapter XI of the by-laws of the Municipality of the County of Cumberland, Building By-Law, approved by the Minister of Municipal Affairs on March 23, 1984 is hereby repealed on the effective date of this by-law.**

I, F. A. Harrison, Clerk for the Municipality of the County of Cumberland, do hereby certify that the foregoing is a true copy of a By-Law duly passed at a duly called meeting of the Council of the Municipality of the County of Cumberland duly held and convened on the 1st day of April, A.D. 1987.

Given under the hand of the Municipal Clerk and under the Corporate seal of the Municipality this 1st day of April, A.D. 1987.

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Municipal Clerk

Municipality of the County of Cumberland