

Certified Copy of Amendments to Town of Lunenburg
By-law #31, Building By-law

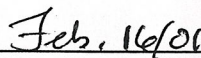
Motion: moved by Deputy Mayor Dauphinee, seconded by Councillor Parks that the revised By-law No. 31, the Building By-law (*Schedule "E"*) be given third and final reading and the Town Manager/Clerk is hereby authorized to advertize same which shall be the effective date of the revised By-law.
Motion carried.

Relevant extract from Schedule "E" attached:

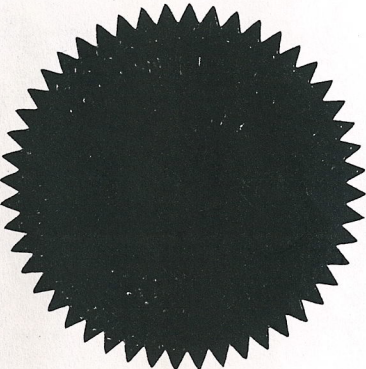
- ▶ *Part I - Definitions - 1. (i) (1) \$1,000.00 limit be replaced with \$5,000.00;*
- ▶ *Part II - Permits - 3. (g) the \$1,000.00 limit be replaced with the \$5,000.00 limit;*
- ▶ *Part II - Permits - 2(c) the requirement for an Occupancy Permit to be updated as noted above to say "An Occupancy Permit shall be required where a person wishes to occupy any building or a portion of a building to which a Building Permit applies and where a person wishes to change the class of occupancy of a building or any portion of a building except that Occupancy Fees would not apply to exterior stairs, decks and landings and interior renovations to existing dwelling units which are already occupied".*
- ▶ *Part III - Permit Fees - A note for clarification would be placed in this section to read "Occupancy Permit Fees would not apply to exterior stairs, decks and landings and interior renovations to existing dwelling units which are already occupied".*



Bea Renton
Town Manager/Clerk



Date

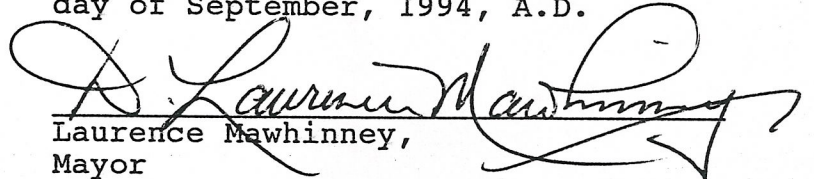


I, Bea Renton, Town Manager/Clerk for the Town of Lunenburg, do certify that the foregoing is a true and current copy of amendments to Building By-law No. 31 of the Town of Lunenburg, duly passed by the Lunenburg Town Council on January 11, 2001 with first reading having been given on December 14, 2000 and second and third reading on January 11, 2001 and an effective date of February 7, 2001.

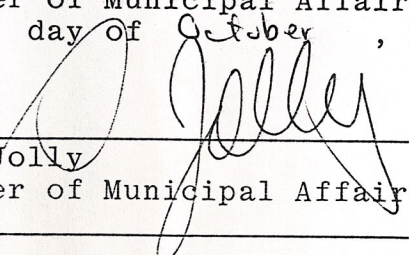
The Council of the Town of Lunenburg under the authority vested in it by Section 7 (1) (d) of the Building Code Act, RSNS 1989, c.46, enacts the following amendments to the Town of Lunenburg By-law No. 31, Building By-law:

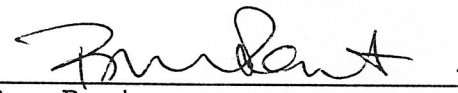
1. Section 19 (a) of By-law No. 31 is amended by deleting the symbols and numbers "\$10.00" and "0.1%" and substituting therefor the symbols and numbers "\$20.00" and "0.2%" respectively.
2. Section 19 (c) of By-law No. 31 is amended by deleting the symbols and numbers "\$10.00" and substituting the symbols and numbers "\$20.00" therefor.

Done and passed in Council this 29th day of September, 1994, A.D.

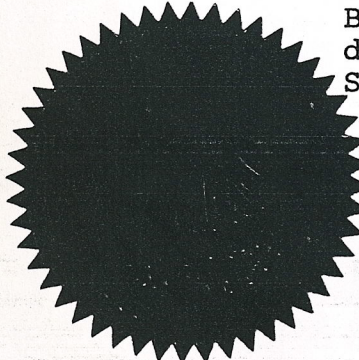

Laurence Mawhinney,
Mayor

Filed in the office of the
Minister of Municipal Affairs
this 20 day of October, 1994.


Sandy Jolly
Minister of Municipal Affairs


Bea Renton,
Town Manager/Clerk

I, Bea Renton, Town Manager/Clerk for the Town of Lunenburg, do certify that the foregoing is a true and current copy of amendments to By-law 31 of the Town of Lunenburg, duly passed by the Town Council on September 29, 1994.



TOWN OF LUNENBURG

BY-LAW NO. 31

BUILDING BY-LAW

PART 1 - DEFINITIONS:

1. In this By-law:

(a) "Act" means the Building Code Act, S.N.S. 1986, c.3.

(b) "Authority having jurisdiction" means the Council of the Town of Lunenburg and its inspectors acting pursuant to Section 5 of the Act.

(c) "Building" means a building as defined from time to time by the Building Code.

(d) "Building Code" means the regulations made pursuant to Section 4 of the Building Code Act.

(e) "Clerk" means the Clerk of the Town of Lunenburg.

(f) "Construct" means to do anything in the erection, installation, extension, relocation, material alteration, or material repair of a building and includes the installation of a factory-made building, fabricated or moved from elsewhere.

(g) "Council" means the Council of the Town of Lunenburg.

(h) "Demolish" or "Demolition" means the doing of anything in the removal of a building or any material part thereof.

(i) "Material Alteration" and "Material Repair" means work that is done in the alteration or repair of a building which work is covered by the Building Code and which:

(1) is a non-structural repair or alteration which has a monetary value of more than \$1,000.00, or

(2) is a repair or alteration to the structure of the building.

(k) "National Building Code of Canada" means the National Building Code issued by the National Research Council.

(l) "Occupancy" or "Class of Occupancy" means the use or intended use of a building as defined in the Building Code.

(m) "Owner" includes a person controlling the property under consideration, and also includes prima facie the assessed owner of the property whose name appears on the Assessment Roll prepared in accordance with the Assessment Act.

(n) "Permit" means a permit issued pursuant to this by-law and includes a Building Permit, a Demolition Permit, an Occupancy Permit, and a Permit for a Temporary Building issued pursuant to this by-law.

(o) "Regulations" mean the regulations made pursuant to Section 4 of the Act.

PART II - PERMITS

2. (a) A Building Permit shall be required where a person wishes to construct a building to which this by-law applies and shall be in the form set forth in Schedule "A" annexed hereto.
- (b) A Demolition Permit shall be required where a person wishes to demolish a building to which this by-law applies and shall be in the form set forth in Schedule "A" annexed hereto.
- (c) An Occupancy Permit shall be required where a person wishes to occupy or change the class of occupancy of a building to which this by-law applies and shall be in the form set forth in Schedule "A" annexed hereto.
- (d) A permit shall be required for the placement of a temporary building to which this by-law applies and shall be in the form set forth in Schedule "A" annexed hereto.
3. A building permit is not required for:
- (a) accessory buildings not greater than 20 square meters (215.2 square feet) in building area;
- (b) fences less than 2 meters (6.56 feet) in height;
- (c) installation of siding over an existing exterior finish;
- (d) installation of storm windows;
- (e) ground level patios and walkways;
- (f) replacing an existing roofing surface;

(g) interior and exterior non-structural repairs which have a monetary value of \$1,000.00 or less.

A building permit is required for interior and exterior non-structural repairs which have a monetary value of more than \$1,000.00 except for those matters set forth in (a), (b), (c), (d), (e) and (f) hereof.

4. Before a permit is issued, an applicant shall complete an application in the form set forth in Schedule "B" annexed hereto and shall file the application with the authority having jurisdiction.

5. 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 valuation and 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.

6. 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.

7. A permit, other than a permit for a temporary building, is valid for one (1) year from the date of issuance and may only be renewed upon application in writing by the owner within one (1) year from the date of issuance. A permit, other than a permit for a temporary building, as renewed, shall be valid for a period of one (1) year from the date of renewal and may only be further renewed upon application in writing by the owner within one (1) year from the date of renewal.
8. No permit may be renewed unless the applicant demonstrates that all approvals required prior to the issuance of the permit continue to exist at the date of application for renewal.
9. Before a building permit is issued, a complete application shall be filed with the authority having jurisdiction.
10. No work shall be carried out except in accordance with the terms of the permit. No substantial changes from the work authorized in the permit is permitted unless a new application is filed with the authority having jurisdiction and a new permit is granted.
11. An application for a building permit for the construction of a building requiring a new on-site sewage disposal system shall be accompanied by a copy of a valid on-site sewage disposal system permit issued by the Board of Health for the Town of Lunenburg, and the authority having jurisdiction may withhold a building permit until satisfied that there is a valid on-site sewage disposal system permit in force.
12. The authority having jurisdiction may withhold a permit until satisfied that any applicable requirements of the Heritage Property Act and any by-law of the Town of Lunenburg passed pursuant to the Heritage Property Act, as well as any applicable requirements of the Planning Act, the Town of Lunenburg Land Use By-law and any Development Agreement thereunder have been complied with and that any required development permit has been issued by the development officer of the Town of Lunenburg.

13. The authority having jurisdiction may withhold a permit until satisfied that any applicable requirements of the Fire Prevention Act have been complied with, and for greater certainty, the requirements of the Fire Prevention Act shall be deemed not to have been complied with unless the building plans and specifications required to be submitted have been examined and approved by the Fire Marshall's Office.

14. It shall be the duty of the owner to ensure that any construction, demolition, or occupancy complies with the requirements of all applicable Federal and Provincial Statutes and Regulations and all applicable By-laws of the Town of Lunenburg.

15. A permit for a temporary building:
 - (a) shall state the date after which the permit is no longer valid,
 - (b) shall state the conditions, if any, under which the permit ceases to be valid.

The date after which a permit for a temporary building is no longer valid may be extended upon application in writing.

16. (a) The issuance of a permit with respect to part of a building shall not constitute an assurance that a permit will be issued with respect to the entire building or any parts thereof.
 - (b) Any permit issued with respect to part of a building may be marked indicating that the permit for the entire building or any other parts thereof is not assured.

17. (1) A permit may be issued at the risk of the owner, with conditions to ensure compliance with the Building Code, to excavate a site, or to construct a portion of a building before all the plans of the project have been submitted or accepted.
 - (2) The permit shall be clearly marked "At Owner's Risk"

18. (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 be set out on the face of the permit.

PART III - PERMIT FEES:

19. Fees for permit shall be as follows:
- | | |
|---------------------------------------|------------------------|
| (a) Minimum Non-Refundable Fee - | \$10.00 20. |
| PLUS | |
| 0.2% of the value of the construction | |
| (b) Demolition Permit | \$20.00 |
| (c) Occupancy Permit | \$10.00 20. |
| (d) Permit renewal | \$10.00 |
| (e) Permit for a temporary building | \$10.00 |

PART IV - INSPECTIONS:

20. The authority having jurisdiction shall be given an opportunity to inspect:
- (a) the foundation, before backfilling and before a superstructure is placed on the foundation;
- (b) the completed framing, roof, plumbing, and insulation, before interior wall coverings are installed;
- (c) before occupancy;
- (d) at all other times required in the permit.

By notice in writing, the owner shall give the authority having jurisdiction, five (5) business days within which the inspector may inspect. No construction shall be carried out prior to the end of the said five (5) business day period which will hinder, delay, or prevent an inspection by the inspector.

The inspector may, in his sole discretion, waive the necessity of any of the inspections contained in this section of the By-law if he is satisfied that the requirements of the Building Code have been met.

PART V - COMING INTO FORCE:

21. This by-law shall have effect from and after the date on which it is filed in the office of the Minister of Municipal Affairs.

Approved by Town Council: October 29, 1987

Filed in the office of the M.M.A.: December 10, 1987