

## BUILDING BY-LAW

Be it resolved by the Municipal Council of the Municipality of the County of Victoria that the following by-law be enacted and that the Clerk file a copy in the office of the Minister of Municipal Affairs pursuant to Section 7 of the Building Code Act S.N.S. 1986, C.3.

### PART 1 - DEFINITIONS

- 1.1 (A) "Building Code" means the regulations made pursuant to Section 4 of the Building Code Act.
- (B) "Construct" means to do anything in the erection, installation, extensions, re-location, material alteration or material repair of building and includes the installation of a factory-made building fabricated or moved from elsewhere.
- (C) "Demolition" means the doing of anything in the removal of a building or any material part thereof.
- (D) "Material alternation" 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:
- i) is a non-structural repair or alteration which has a monetary value of more than one thousand dollars
  - ii) is a repair or alteration to the structure of the building
- (E) "National Building Code of Canada" means the National Building Code 1985 issued by the National Research Council.
- (F) "Occupancy" or "class of occupancy" means the use or intended use of a building, as defined in the Building Code.
- 1.2 Words that are underlined in the by-law have the same meaning as in the National Building Code 1985, as amended by Section 1.1 of the Building Code.

### PART 2 - PERMITS

- 2.1 A building permit, occupancy permit and demolition permit shall be in the forms set out in Schedule "A", annexed hereto.
- 2.2 Before a permit is issued, an applicant must complete an application form, which shall be appended to Schedule "A", annexed hereto.

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- 2.2.1** 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.
- 2.2.2** When an application for a permit has not been complete 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.
- 2.2.3** A permit is valid for 1 year from the date of issue and is renewable.
- 2.3** In addition to the permit requirements of the Regulations a building permit is required for:
- (A)** Accessory Buildings greater than 10 sq. meters (114 sq. ft.) in building area.
- 2.4** Before issuing a building permit, the authority having jurisdiction shall be satisfied that a development permit has been issued pursuant to the Land Use By-Law of the Village of Baddeck.
- 2.5** 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 passed pursuant to the Heritage Property Act.
- 2.6** The authority having jurisdiction may, in the case of the construction of new building or structures, withhold a building permit until satisfied that any permit required pursuant to the Public Highways Act has been

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- 2.7.1** 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 (optional)
- 2.7.2**
- (A) Should a permit be issued for part of a building, the holder of the permit may proceed, but without any assurance that the permit for the entire building will be granted.
  - (B) 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.
- 2.7.3**
- (A) 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.
  - (B) The permit shall be clearly marked "At Owner's Risk".
- 2.7.4**
- (A) 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.
  - (B) The condition shall be set out on the face of the permit.

**PART 3 - PERMIT FEES**

- 3.1** Fees for permit shall be as follows:
- Minimum Non-Refundable Fee \$10.00
- PLUS
- up to \$10,000.00 valuation \$1.00 per \$1,000.00
- \$10,000.00 - \$50,000.00 valuation \$1.00 per \$1,000.00
- over \$50,000.00 valuation \$1.00 per \$1,000.00
- demolition permit \$ 10.00

PART 4 - INSPECTIONS

4.1 The authority having jurisdiction shall be notified in writing, 48 hours prior or inspection and shall be given an opportunity to inspect at the following stages of construction as required in Section 5.1 of the Building Code.

PART 5 - COMING INTO FORCE

5.1 This by-law shall have effect from and after April 1, 1987.

THIS IS TO CERTIFY that the by-law of which the foregoing is a true copy was duly passed at a duly called meeting of the Council of the Municipality of Victoria County held on the 30<sup>th</sup> day of March A.D. 19 87.

GIVEN under the hand of the Clerk and under the corporate seal of the said \_\_\_\_\_ Municipality this 30 day of March A.D. 19 87.

Mahtel Albert Dubern - Clerk-treasurer  
(Type of Unit) Clerk

Filed in the Office of the  
Minister of Municipal Affairs  
on this 6th day of April  
1987.

David Nantes  
David Nantes  
Minister of Municipal Affairs

AMENDMENT TO THE BUILDING BY-LAW

Be it enacted by the Council of the Municipality of the County of Victoria as follows:

1. That Part 3, Section 3.1 of the Building By-law, Victoria County, is amended by striking out the words and punctuation "One Dollar (\$1.00) per one thousand dollars (\$1,000.00)" in the said section and substituting therefore the following amended Part 3, Section 3.1.

"PART 3 - PERMIT FEES

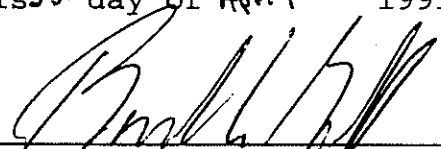
3.1 Fees for permit shall be as follows:

Minimum non-refundable fee \$10.00

PLUS: up to \$10,00.00 valuation \$1.50 per \$1,000.00;  
\$10,000.00-\$50,000.00 valuation \$1.00 per \$1,000.00;  
over \$50,000.00 valuation \$1.00 per \$1,000.00.

demolition permit \$10.00.  
occupancy permit \$20.00.  
permit renewal \$10.00.

Filed in the Office of the  
Minister of Municipal Affairs  
this 23<sup>rd</sup> day of April 1991.

  
\_\_\_\_\_  
Ronald C. Giffin, C.C.  
Acting Minister of Municipal  
Affairs

THIS IS TO CERTIFY that the foregoing  
is a true copy of an amendment to a  
by-law duly passed at a duly called  
meeting of the Municipality of the  
County of Victoria Council for the said  
county held on the 11th day of  
February, 1991.

GIVEN under the hand of the Clerk and  
under the seal of the Municipality of  
the County of Victoria this 19<sup>th</sup> day of  
March 1991.

  
\_\_\_\_\_  
MUNICIPAL CLERK-TREASURER

Approved the \_\_\_\_\_ day of \_\_\_\_\_,  
1991, by the Minister of Municipal  
Affairs.

**BUILDING BY-LAW**

Be it enacted by the Council of the Municipality of the County of Victoria as follows:

1. That Part 3, Section 3.1 of the Building By-Law, Victoria County, is amended by deleting the present section and substituting therefore, the following amended Part 3, Section 3.1.

**Part 3 - Permit Fees**

**3.1 Fees for permits shall be as follows:**

**Minimum non-refundable fee \$10.00**

**plus \$1.50 per thousand valuation**

**Demolition Permit - \$10.00**

**Occupancy Permit - \$20.00**

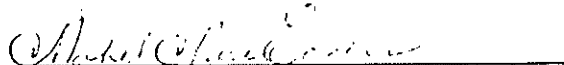
**Permit Renewal - \$10.00**

Filed in the Office of the  
Minister of Municipal Affairs  
this 25<sup>th</sup> day of September,  
1991.

**THIS IS TO CERTIFY** that the foregoing  
is a true copy of an amendment to a  
by-law duly passed at a duly called  
meeting of the Municipality of the County  
of Victoria Council for the said County  
held on the 12th day of August, 1991.

  
\_\_\_\_\_  
Brian Young  
Minister of Municipal Affairs

**GIVEN** under the hand of the Clerk and  
under the seal of the Municipality of  
the County of Victoria this 27 day  
of August, 1991.

  
\_\_\_\_\_  
**MUNICIPAL CLERK-TREASURER**

**AMENDMENT TO THE BUILDING BY-LAW**

Be it enacted by the Council of the Municipality of the County of Victoria as follows:

1. That Part 1, Section 1.1 (E) is amended by striking out the numerals 1985 in the said section and substituting therefore the numerals 1990.
2. That Part 1, Section 1.2 is amended by striking out the numerals 1985 in the said section and substituting therefore the numerals 1990.

**THIS IS TO CERTIFY** that the foregoing is a true copy of an amendment to a by-law duly passed at a duly called meeting of the Municipality of the County of Victoria Council for the said County held on the <sup>11<sup>th</sup></sup> day of *January*, 1993.

**GIVEN** under the hand of the Clerk and under the seal of the Municipality of the County of Victoria this <sup>18<sup>th</sup></sup> day of *January*, 1993.

*Mahel MacEachern*  
**MUNICIPAL CLERK-TREASURER**