

BY-LAW NO. 2022-01
VILLAGE OF DOAKTOWN
BUILDING BY-LAW

The *Council* of the Village of Doaktown, under authority vested in it by section 5 of the New Brunswick Building Code Administration Act, enacts as follows:

NUMBERING SYSTEM

- 1 – Section
- 1.1 – Subsection
- 1.1(a) – Clause
- 1.1(a)(i) – Subclause

SECTION 1 – SCOPE

1.1 The purpose of this By-law is

- a) to prescribe standards for the building, locating or relocating, demolishing, *altering*, structurally *altering*, repairing or replacing, or any combination of the *work*, of a *building*,
- b) to prohibit the undertaking or continuing of *work* mentioned in clause (a) in violation of standards prescribed herein, and
- c) to prescribe a system of *permits* for *work* mentioned in clause (a), their terms and conditions, the conditions under which they may be issued, refused, suspended, reinstated, revoked, or renewed, their forms and the fees thereof.

1.2 This By-law does not apply to a *structure* for which the *Code* does not apply.

SECTION 2 – DEFENITIONS AND INTERPRETATION

2.1 In this By-law the word "shall" is mandatory and not permissive. Words used in the present tense shall include the future; words used in the singular number shall include the plural and words used in the plural number shall include the singular. The word "used" shall include "intended to be used", "arranged" and "designed". Except as indicated in subsection 2.2, all words shall carry their customary meaning except for those defined hereinafter:

- a) **ACCESSORY BUILDING** means a subordinate *building*, not *attached* to any other *building*, not used for sleeping accommodation or open to the public, located on the same lot as the main *building* to which it is accessory. Does not include a deck or other similar exterior platform but may include gazebo style *buildings*.
- b) **ACT** means the Building Code Administration Act, and amendments thereto.
- c) **ALTERING** means, in relation to a *building*, make any structural or non-structural change thereto which is not for purpose of maintenance only, including change in occupancy of the *building* or part thereof.

- d) **APPLICANT** means the *owner*, or a person authorized by the *owner* to act on their behalf, includes an individual, association, firm, partnership, corporation, trust, incorporated company, tenant, organization, trustee or agent, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law. The *applicant* is not intended to be the person or contractor performing the *work*, unless the person or contractor is the one controlling the property under consideration.
- e) **ATTACHED**, in reference to an *attached building*, deck or *structure*, means a *building* or *structure* that is supported on or connected in any way to another *building* or *structure*.
- f) **BUILDING** means any *structure* used or intended for supporting or sheltering any use or occupancy.
- g) **BUILDING INSPECTOR** means a *Building Inspector* as defined in the *Act*.
- h) **BUILDING PERMIT** means a permit, in the form of a numbered document, issued under this By-law by the *Building Inspector*, which pertains to *work*.
- i) **BUILDING PERMIT WAIVER** means a numbered document, issued for the purpose of confirming that the *work*, as proposed by an *applicant*, is exempt from the requirement to obtain a *building permit*, pursuant to the exemptions listed within this By-law or the *Act*.
- j) **CODE** means the *Code*, as defined in the *Act*.
- k) **COMMENCED**, in terms of *work* having been *commenced*, means *work* having been *commenced* on the *building* itself and does not include excavation, cutting or filling of land related to a *development*.
- l) **COMPLETED** means *work* that has been *completed* to the minimum requirements of the *Code*.
- m) **CONFIRMATION OF FIELD REVIEW** is a document, or a prescribed form produced or completed by a *qualified professional*, which states that the construction authorized by the *building permit* has been *completed* and in accordance with the detailed specifications and plans submitted to the *Building Inspector* for the *building permit*.
- n) **COUNCIL** means the *Council* of the Village of Doaktown.
- o) **DEMOLISH** or **DEMOLITION** means to permanently destroy, raze, level, ruin, flatten or tear down a *building*. Partial *demolition* is to be considered an alteration (*altering*).
- p) **DEVELOPMENT** means *development* as defined in the Community Planning Act.
- q) **DEVELOPMENT OFFICER** means *Development Officer*, as defined in the Community Planning Act.
- r) **DEVELOPMENT PERMIT** means a *development permit* issued pursuant to the *Rural Plan*.
- s) **GMRSC** means the Greater Miramichi Reginal Service Commission – Planning Services, established under the Regional Service Delivery Act.
- t) **MAJOR OCCUPANCY** means *major occupancy* as defined by the *Code*.

- u) **OWNER** means a person who holds title to real property and includes a person who has entered into an agreement to purchase the real property.
- v) **QUALIFIED PROFESSIONAL** means a registered member of the Architect's Association of New Brunswick, the Association of Professional Engineers and Geoscientists of New Brunswick, or the Association of New Brunswick Land Surveyors, certified and/or licensed to practice in the Province of New Brunswick, in the applicable discipline.
- w) **RURAL PLAN** means the current Village of Doaktown Rural Plan By-law, and any amendments thereto, as adopted by the Village of Doaktown under the Community Planning Act.
- x) **STRUCTURE** means anything that is erected, built, or constructed of parts joined together.
- y) **TOTAL ESTIMATED VALUE** means the total monetary worth for all proposed *work*, including all painting, papering, roofing, electrical, plumbing, permanent heating equipment, elevator equipment, fire sprinkler equipment and all labour, materials, and other devices necessary to the completion of the proposed *work*, including profit, but excluding HST.
- z) **WAREHOUSE** means a *warehouse* or storage *building*, used primarily for the storage of goods and materials, for a personal or commercial purpose.
- aa) **WORK** means building, locating or relocating, demolishing, *altering*, structurally *altering*, repairing or replacing, or any combination of the *work*, of a *building*.

2.2 For any words or terms not defined in subsection 2.1, refer to the *Act*, regulations made under the *Act*, the *Code*, and the *Rural Plan* in this order of precedence, as applicable.

SECTION 3 – PROHIBITIONS

3.1 Except as permitted by subsections 3.2 and 4.1, an *owner* shall not undertake or continue, or authorize the undertaking or continuing of any *work* unless

- a) the *work* conforms with the *Code*,
- b) the *work* conforms with this By-law, the *Act* and applicable regulations made under the *Act*, and
- c) a *building permit* has been issued for the *work* pursuant to this By-law.

3.2 Subsection 3.1 does not apply to *work* that is exempt from a *building permit*, pursuant to clauses 4.1(c) to 4.1(g).

SECTION 4 – EXEMPTIONS AND SPECIAL PROVISIONS

4.1 Despite clause 3.1(c), an *owner* or *applicant* shall be exempted from obtaining a *building permit* when

- a) the proposed *work* is solely of an electrical nature, and
 - i) is not part of a fire alarm or life safety system,

- ii) does not impact any structural aspect of the *building*,
 - iii) does not impact the exterior wall assembly or the *building* envelope, any firewall, fire separations, or fire rated materials, fire rated assemblies by conduit penetrations or otherwise, and
 - iv) there is no change in occupancy,
- b) the proposed *work* is of the following nature and there is no change in occupancy:
- i) maintenance of heating, ventilating or electrical equipment in all *buildings* provided that such maintenance does not affect fire separations or fire dampers,
 - ii) playground equipment,
 - iii) retaining walls less than 1 m in height from the top of the wall to the lowest adjacent surface,
 - iv) re-roofing, excluding structural changes,
 - v) painting,
 - vi) replacement of floor covering,
 - vii) replacing doors, provided they are the same type, swing, location and size,
 - viii) replacing exterior floor decking where such repairs are the same type and configuration as that being repaired,
 - ix) replacing windows of same size,
 - x) plaster and drywall repairs and replacement, except for walls, floors and ceilings that are required to be a fire separation or require a fire resistance rating,
 - xi) wallpaper installation,
 - xii) electrical maintenance,
 - xiii) installation of gutters or downspouts,
 - xiv) repairing or reinstalling cosmetic interior trim,
 - xv) installation of a fence,
 - xvi) installation of an exterior swimming pool, excluding the deck or other similar exterior platform, including exterior stairs to access the pool, except as permitted in clauses 4.1(d) and 4.1(e),
 - xvii) signage,
 - xviii) installation of storm doors or shutters, serving a single unit dwelling,
 - xix) re-cladding or re-siding, or
 - xx) re-facing or replacing kitchen cabinets,
- c) the proposed *work* pertains to
- i) a *building* designed for sleeping accommodation, with a total floor area of less than 56 m²,
 - ii) an *accessory building*, serving only one dwelling unit,
 - iii) a *warehouse* or *accessory building* with a total floor area of not more than 56 m²,
 - iv) a detached single-storey *building* having a building area not greater than 20 m²,
 - v) a *building* on a construction site that is intended to be used only during the course of the construction on the site, or
 - vi) a temporary *building* which is not intended to remain where it is erected or located for more than 28 days,
- d) the proposed *work* is a deck or other similar exterior platform, including exterior stairs,
- i) serving only a single unit dwelling,
 - ii) not *attached* to any *building* that requires a *building permit* under this By-law,
 - iii) not more than 56 m² in floor area,
 - iv) not more than 600 mm from the top of the floor surface to the adjacent ground, and

- v) not supporting a roof,
 - e) the proposed *work* is a deck or other exterior platform, including exterior stairs,
 - i) not *attached* to any *building* that requires a *building permit* under this By-law,
 - ii) not more than 2 m from the top of the platform to the adjacent ground surface, and
 - iii) not more than 20 m² in floor area,
 - f) the proposed *work* is to *demolish* a *building*, which would have been exempt from a *building permit* by this section, or
 - g) The proposed *work* is to *demolish* a *building* in its entirety, without keeping any remainder of the *building* for future use.
- 4.2** Where the proposed *work* pertains to a Home Business, as defined, and in compliance with the provisions for Home Business within the *Rural Plan*, the Home Business shall be considered as part of the dwelling unit and therefore shall not be considered as a separate *major occupancy*, nor shall it be considered as a separate suite when applying the *Code*. A Home Business, in compliance with the *Rural Plan* shall be considered as a Group C, Residential Occupancy for the application of the *Code*.
- 4.3** Where the proposed *work* pertains to an Early Learning and Childcare Home, as defined, and in compliance with the provisions for Early Learning and Childcare Home within the *Rural Plan*, the Early Learning and Childcare Home shall be considered as part of the dwelling unit and therefore shall not be considered as a separate *major occupancy*, nor shall it be considered as a separate suite when applying the *Code*. An Early Learning and Childcare Home, in compliance with the *Rural Plan* shall be considered as a Group C, Residential Occupancy for the application of the *Code*.
- 4.4** Where the *work* pertains to an Order issued by a Fire Prevention Officer or another authorized person under the Fire Prevention Act, directing an *owner* to perform *work* to an existing *building* that does not comply with the current *Code*, the subject *work* may be exempt from a *building permit*, when the intention is to make a non-compliant *building* safer, with respect to fire safety, at the discretion of the *Building Inspector*.
- 4.5** Despite the *building permit* exemptions within this section, a *development permit* may be required, pursuant to the *Rural Plan*.
- 4.6** Where the proposed *work* is exempted from the requirement to obtain a *building permit* pursuant to this section, it is the *owner's* full responsibility to ensure that the *work* complies with all applicable By-laws and if regulated by *Code*, under section 3, complies with the *Code*.
- 4.7** Where a *building* has been constructed under an exemption permitted under this By-law, if an *applicant* or *owner* wishes to modify the *building* in anyway so that it no longer complies with the exemption initially applied, the *applicant* or *owner* is required to bring the entire *building*, including existing portions, into compliance with this By-law and the *Code*.

SECTION 5 – BUILDING PERMIT WAIVER

- 5.1** If an *applicant* wishes to obtain confirmation in writing that the *work* being proposed is exempt from the requirement to obtain a *building permit*, pursuant to section 4, the *applicant* shall make application for the *building permit waiver* in writing to the *Building Inspector* and shall pay the fee, as prescribed in section 13, at the time of making application.
- 5.2** The *building permit waiver* application referred to in subsection 5.1 shall be made by prescribed application form, containing the information listed in clauses 6.2(a) to 6.2(j).
- 5.3** Where a *building permit waiver* is requested and a complete application is received pursuant to this section, including payment of all fees required by this By-law, the *Building Inspector* shall within a reasonable time issue a *building permit waiver*, provided that the description of *work* complies with section 4.
- 5.4** Where a *building permit waiver* has been issued under this section, it may be used to obtain an electrical wiring permit under the Electrical Installation and Inspection Act, only if the electrical wiring permit is being issued for the same *work* described in the *building permit waiver*.

SECTION 6 – BUILDING PERMIT APPLICATION PROCESS

- 6.1** An *applicant* seeking to obtain a *building permit* for *work*, as required by section 3, shall make application in writing to the *Building Inspector* and shall comply with the remainder of this section, and when applicable, section 7, and shall pay the fee as prescribed in section 13 at the time of making application.
- 6.2** Unless waived by the *Building Inspector*, the *building permit* application referred to in subsection 6.1 shall include a prescribed application form and such form shall include
- a) the name, mailing address, telephone number and email address of the *owner*,
 - b) the name, mailing address, telephone number and email address of the *applicant*,
 - c) the name, mailing address, telephone number and email address of the person or contractor performing the *work*,
 - d) the location of the property on which the *work* is to be performed, its civic number, street name, lot number, property identification number or any other information that could be used to locate the property,
 - e) the description of the *work* to be performed,
 - f) the total estimated cost of the proposed *work*, including materials and labour,
 - g) a description of the intended use of the *building*,
 - h) a proposed starting date for the *work*,
 - i) the signature of the *applicant*, and
 - j) any other information deemed necessary by the *Building Inspector*.

- 6.3** Unless waived by the *Building Inspector*, the *building permit* application referred to in subsection 6.1 shall include one (1) paper copy and one (1) digital copy of legible scale drawings, detailing the site with respect to the proposed *work* to be carried out, indicating
- a) the site plan requirements pursuant to the applicable sections of the *Rural Plan*,
 - b) the proposed finished land elevation at each corner of the foundation walls, and
 - c) any other information the *Building Inspector* or *Development Officer* deems necessary to determine whether the proposed *development* and/or *work* conforms to the requirements of this By-law and all other applicable By-laws.
- 6.4** Unless waived by the *Building Inspector*, the *building permit* application referred to in subsection 6.1 shall include one (1) paper copy and one (1) digital copy of legible scale drawings, detailing the *building* with respect to the proposed *work* to be carried out, indicating sufficient details to demonstrate *Code* compliance, such as but not limited to:
- a) the proposed use and dimensions of the *building* and of each room,
 - b) details, such as, but not limited to
 - i) foundation plans and details,
 - ii) full cross sections details of the entire *building*, stair detail, relevant wall sections,
 - iii) columns and load-bearing wall details,
 - iv) door and window sizes including unobstructed window opening for bedrooms, as well as their lintel size and type,
 - v) details pertaining to decks and other types of exterior platforms, including but not limited to foundation, framing, and flashing,
 - vi) occupant safety information such as but not limited to smoke alarms, guards and handrails, soil gas protection,
 - vii) roof system layout and shop drawings. If an engineered system is used, it shall bear the seal and signature of a *qualified professional*,
 - viii) floor system layout and shop drawings. If an engineered system is used, it shall bear the seal and signature of a *qualified professional*, and
 - ix) engineered lintel or beam design bearing the seal and signature of a *qualified professional*, and
 - c) any other details such as, but not limited to, electrical, mechanical, sprinkler drawings and information pertaining to energy efficiency, fire protection, occupant safety and accessibility and identification numbers for manufactured *buildings*, may be required by the *Building Inspector* for the purpose of determining compliance with this By-law, the *Code*, the *Act*, and any applicable regulations made under the *Act*.
- 6.5** Unless waived by the *Building Inspector*, the *building permit* application referred to in subsection 6.1 shall include all applicable documents and approvals required by the Building Permit Prerequisites Regulation under the Community Planning Act.
- 6.6** The *Building Inspector* may require that the design of a *building* or part thereof be certified under the seal and signature of a *qualified professional*, licensed or registered to practice in the Province of New Brunswick in the applicable discipline, where the *work* described pursuant to this section is not permitted to be designed under Part 9 of the *Code*.

SECTION 7 – SPECIAL APPLICATION REQUIREMENTS

- 7.1** In addition to the requirements of section 6, all plans and specifications provided in a *building permit* application shall be certified under the seal and signature of *qualified professional* licensed or registered to practice in the Province of New Brunswick in the applicable discipline, where the *work* described in the *building permit* application pertains to a *building* that
- a) exceeds 600 m² in building area or exceeds three (3) storeys in building height,
 - b) is used for *major occupancies* classified as Group A (assembly occupancies), Group B (care, treatment, or detention occupancies), Group F, Division 1, (high-hazard industrial occupancies), or
 - c) is classified as a post-disaster *building*.

SECTION 8 – ISSUANCE OF A BUILDING PERMIT

- 8.1** Where a *building permit* is required by section 3 and a complete application is received pursuant to section 6, including payment of all fees required by this By-law, the *Building Inspector* shall within a reasonable time issue a *building permit*, provided that
- a) the proposed *work* complies with this By-law, the *Act* and applicable regulations made under the *Act*,
 - b) except as permitted in subsection 3.2, the proposed *work* complies with the *Code*,
 - c) the proposed *work* complies with the Building Permit Prerequisites Regulation under the Community Planning Act, and
 - d) if applicable, the *Development Officer* has approved the *development*, pursuant to the *Rural Plan*.
- 8.2** A *building permit* may be refused by the *Building Inspector* where
- a) an application is deemed incomplete as per the requirements of section 6, or
 - b) an application is not in compliance with this By-law, the *Act* or applicable regulations made under the *Act*.

SECTION – 9 CONDITIONS OF A BUILDING PERMIT

- 9.1** A *building permit* issued pursuant to section 8 is conditional on the *work* described in the *building permit* being
- a) except as permitted in subsection 9.3, *completed* within twenty-four (24) months from the date of issuance,
 - b) unless otherwise approved by the *Building Inspector*, carried out as per the plans and specifications approved in the *building permit*,
 - c) except as permitted in subsection 3.2, carried out as per the requirements of the *Code*,

- d) unless waived by the *Building Inspector*, inspected at all the following phases:
- i) phase 1 – prior to backfilling foundations,
 - ii) phase 2 – at substantial completion of the structural *work* including plumbing, ventilation and electrical rough-in, but prior to insulation and vapour barrier,
 - iii) phase 3 – prior to the installation of interior wall and ceiling finishes, and
 - iv) phase 4 – when all *work* described in the *building permit* is *completed* or before occupying the *building*,
- e) inspected at any additional inspection phase deemed necessary by the *Building Inspector*, as indicated in the *building permit*, to verify compliance with this By-law, and
- f) carried out in compliance with this By-law, the *Act* and applicable regulations made under the *Act*.
- 9.2** If the *work* authorized by a *building permit* fails to be *completed* by the time indicated in clause 9.1(a) or subsection 9.3, the *building permit* may be renewed only one time and only for a period of 12 months, subject to the fee identified in subsection 13.10 being paid. Otherwise, the *applicant* shall make application for a new *building permit*, pursuant to section 6.
- 9.3** Upon request by the *applicant* at the time of an application pursuant to section 6, where the *work* described in the *building permit* pertains to a *building* that exceeds 600 m² in building area or exceeds three (3) storeys in building height, the *Building Inspector* may extend the time period listed in clause 9.1(a), if the *building* is not expected to be *completed* within that time period.
- 9.4** The *Building Inspector* may set out any additional terms or conditions to a *building permit* that he or she considers necessary for the administration or enforcement of this By-law, the *Act* and applicable regulations made under the *Act*, and such terms and conditions shall be set out in the *building permit*.
- 9.5** Where a *building permit* is issued for *work*, pursuant to section 8, the *GMRSC* may share the collected *building permit* information with other government agencies for the purpose of regulating, enforcing, or administering any other Act, regulation, or By-law, in compliance with the Right to Information and Protection of Privacy Act of New Brunswick.
- 9.6** Unless waived by the *Building Inspector*, where a *building permit* has been applied for under section 7, and issued under section 8, a *confirmation of field review* shall be completed by each *qualified professional* involved in the design of the *building* and shall be submitted to the *Building Inspector* prior to the inspection required by subclause 9.1(d)(iv) being performed.

SECTION 10 – RESPONSIBILITY OF OWNER, APPLICANT AND CONSTRUCTOR

- 10.1** Unless waived by the *Building Inspector*, where a *building permit* has been issued pursuant to section 8, the *applicant* shall provide to the *Building Inspector*,
- a) prior to any *work* being *commenced*, the date of the intention to start the *work* described in the *building permit*,
 - b) prior to any *work* being *commenced*, the names of all constructors, architects, engineers or designers, as the case may be, that will perform *work* with respect to the *building*,

- c) prior to any *work* being *commenced*, the name of all inspection or testing agencies engaged to monitor the *work* or part of the *work*,
 - d) two (2) business days notice that the *work* is ready for the inspection, at each phase indicated in clauses 9.1(d) and 9.1(e), and make arrangement by setting a date and time to allow for inspection with the *Building Inspector*, and
 - e) at least two (2) business days, from the arranged date and time set under clause 10.1(d), for the *Building Inspector* to perform the requested inspection.
- 10.2** Except as permitted by subsection 10.3, the *applicant* shall receive written confirmation that the requested inspection, pursuant to clause 10.1(d), has been completed without issues, prior to moving on to the next phase.
- 10.3** Where the *applicant* has given notice to the *Building Inspector* in compliance with clause 10.1(d), and arrangements have been made between the *Building Inspector* and the *applicant*, and where the *Building Inspector* did not inspect the *work* within the allocated time stated in clause 10.1(e), the *applicant* may continue the *work* without the requested inspection being completed and without receiving written confirmation required by subsection 10.2.
- 10.4** Where tests of any materials are made to ensure conformity with the requirements of this By-law, records of the test data shall be kept and made available to the *Building Inspector* for inspection.
- 10.5** The issuance of a *building permit*, the verification of the drawings and specifications or inspections made by the *Building Inspector* during the carrying out of the *work* shall in no way relieve the *owner* from responsibility for carrying out the *work* or having it carried out in accordance with the requirements of this By-law.
- 10.6** When required by the *Building Inspector*, every *owner* shall uncover to allow for inspection and replace at his or her own expense, any *work* that has been covered contrary to the provisions of this By-law or conditions of the *building permit*, or contrary to an order issued by the *Building Inspector*, regardless of if such uncovered *work*, after being inspected, is determined to be in compliance with the *Code*.
- 10.7** An *owner* shall not allow an unsafe condition to exist in or upon a *building* or any part thereof, as a result of *work* done under a *building permit* or as a result of *work* having been *commenced* under a *building permit* but not *completed*.
- 10.8** An *owner* or *applicant* shall
- a) ensure that a copy of the *building permit* is posted, in a prominent place on the premises in respect of which the *building permit* was issued, before the *work* begins and shall remain posted until the *work* is *completed*, and
 - b) ensure that all approved plans and specifications related to the *building* and construction are made available to the *Building Inspector*, on the premises referred to in clause 10.8(a), during working hours.

- 10.9** In addition to the requirements of this By-law, the constructor shall comply with section 8 of the General Regulation – Building Code Administration Act, “Obligations of the Constructor”.

SECTION 11 – RESPONSIBILITY OF THE BUILDING INSPECTOR

- 11.1** The *Building Inspector* shall review all complete applications received, pursuant to section 6 and 7, for compliance with this By-law, the *Act* and Regulations made under the *Act*.
- 11.2** The *Building Inspector* is responsible for the interpretation and administration of this By-law and the *Code*, for the purpose of reviewing an application, conducting an inspection, and enforcing this By-law.
- 11.3** The *Building Inspector* shall keep copies of all applications received, *building permits* and orders issued, inspections and tests made and of all papers and documents connected with the administration of this By-law for such time as other regulations require.
- 11.4** The *Building Inspector* shall answer any relevant questions as may be reasonable with respect to the provisions of this By-law, the *Act*, regulations made under the *Act*, and the *Code* when requested to do so, but shall refrain from assisting in the laying out of any *work* and from acting in the capacity of a designer or engineering or architectural consultant.
- 11.5** The *Building Inspector* shall provide, when requested to do so, his or her reasons for refusing to issue a *building permit*.
- 11.6** The *Building Inspector* shall keep copies of the *Code* in both Official Languages available for public use, inspection, and examination during regular business hours.
- 11.7** The *Building Inspector* shall, once a notice and arrangement are made to allow for inspection pursuant to clause 10.1(d), inspect the visible and reasonably accessible *work*, but in any case, the *Building Inspector* may conduct an inspection without notifying the *applicant*, subject to section 9 of the *Act*.
- 11.8** The *Building Inspector* may, once a *building permit* is issued pursuant to section 8, and where inspections are required pursuant to section 9, post a notice on Service New Brunswick’s Real Property Information Internet Service – Land Gazette – to indicate the owner and potential third parties that a *building permit* was issued, and inspections are required.

SECTION 12 – ENFORCEMENT

- 12.1** Where a person violates a provision of this By-law, the *Act* or a regulation made under the *Act*, the *Building Inspector* may proceed with enforcement pursuant to the authority given to him or her under the *Act*.
- 12.2** The *Building Inspector* may

- a) suspend or revoke a *building permit* if there is a contravention of any condition set out in the *building permit* or in this By-law that has not been remedied within 90 days of the *applicant* or owner being notified of such contravention,
- b) revoke a *building permit* if the *building permit* was issued in error,
- c) revoke a *building permit* if the *building permit* was issued based on incorrect information, or
- d) reinstate the suspended *building permit* if the violation leading to the suspension is subsequently corrected.

12.3 If a *building permit* has been revoked pursuant to subsection 12.2, the *building permit* is then rendered null and void. Consequently, if *work* described in the *building permit* has already *commenced*, such *work* is to be considered a violation of this By-law, pursuant to clause 3.1(c) and may be subject to enforcement under this section.

SECTION 13 – FEES

13.1 In this section the *total estimated value* shall be determined by the *Building Inspector* using Schedule A.

13.2 Except as permitted by subsection 13.3, no *building permit* may be issued, pursuant to section 8, until the following fee has been paid to the *GMRSC*:

- a) Five dollars (\$5.00) per one thousand dollars (\$1000), or part thereof, of the *total estimated value* of the *work*, pursuant to subsection 13.1, but in any case, not less than twenty-five dollars (\$25.00).

13.3 No *building permit waiver*, pursuant to section 5, may be issued until the fee of twenty-five dollars (\$25.00) is paid to the *GMRSC*.

13.4 The *Building Inspector* may refuse to issue a *building permit* if there is reason to believe that an estimate mentioned in clause 6.2(f) or *total estimated value* determined pursuant to subsection 13.1 is unreasonable.

13.5 Despite anything herein contained, where *work* requiring a *building permit* under this By-law has *commenced*, by anyone, prior to the issuance of such *building permit*, the fees prescribed in subsection 13.2 shall be doubled.

13.6 The *GMRSC* shall retain 50% of the fee paid by the *applicant*, pursuant to this section, and refund the balance to the *applicant* if

- a) the *applicant*
 - i) wishes to have the *building permit* annulled,
 - ii) wishes to withdraw his or her application for a *building permit*, or
 - iii) is refused a *building permit* application, pursuant to subsection 8.2,
- b) the *work* described in the *building permit* has not *commenced*, and
- c) except for a refund pursuant to subclause 13.6(a)(iii), the *applicant* applies for refund in writing

- i) within six (6) months of the *building permit* issuance date, in the case of that mentioned in subclause 13.6(a)(i), or
- ii) at any time during the application process, prior to the *building permit* being issued, in the case of that mentioned in subclause 13.6(a)(ii).

- 13.7** Despite subsection 13.6, the *Council* shall have the discretion to modify the amount returned to any *applicant*.
- 13.8** In addition to the required fees under this section, there may be additional fees required for a *development permit*, as indicated in the *Rural Plan*.
- 13.9** Where a *building permit* is revoked pursuant to section 12, the *GMRSC* shall retain 100% of the applicable fees.
- 13.10** No *building permit* shall be renewed, pursuant to subsection 9.2, until a fee equal to 50% of the original *building permit* fee, to a maximum of one thousand dollars (\$1000), is paid to the *GMRSC*.

SECTION 14 – BY-LAW REPEALED

- 14.1** By-law No. 2017-2, entitled, Village of Doaktown Building By-law, enacted June 21, 2017, and any amendments thereto, is hereby repealed upon enactment of this By-law.

SECTION 15 – ENACTMENT

- 15.1** Pursuant to section 5 of the *Act*, this By-law shall come into effect on the date that it is filed with the land registry office.

READ IN ITS ENTIRETY:

DATE

MAYOR

READ THE FIRST TIME BY TITLE:

DATE

READ THE SECOND TIME BY TITLE:

DATE

CLERK

READ THE THIRD TIME BY TITLE:

DATE

MOTION PASSED:

DATE

Schedule A: Calculation of *Total Estimated Value of Construction*

How to Use this table?

- Except for section 7, costs/ft² listed in one particular section are cumulative, as applicable.
- Except as otherwise listed, this table applies to new construction, additions and renovations of their respective sections.

Section 1 – Single Unit dwelling with/without secondary suite	
First storey	\$115/ft ²
Storeys other than the first storey, except for basements	\$75/ft ²
Foundation with finished or unfinished basements	\$25/ft ² (Add \$20/ft ² for house with a secondary suite)
Crawl space, frost wall, slab-on-ground, and pier type foundations	\$15/ft ²
Decks and other similar exterior platforms (includes foundation)	\$15/ft ²
Interior renovations	\$20/ft ²
Attached Garage (includes foundation)	\$40/ft ²
Other type of <i>work</i> not listed	Twice the estimate of materials
Section 2 – Accessory building serving only one dwelling unit	
Detached Garage	\$40/ft ²
Baby barns, storage sheds, gazebos or similar	\$20/ft ²
Other types of <i>accessory buildings</i>	Twice the estimate of materials
Section 3 – Manufactured mobile and mini homes – for additions/renovations to, see section 1	
New or less than 10 years of age	\$80/ft ²
10 to less than 15 years of age	\$50/ft ²
15 years of age or older	\$30/ft ²
Surface, pier type, crawl space and frost wall foundations	No additional cost
Foundation with finished or unfinished basement	\$25/ft ²
Other type of <i>work</i>	Twice the estimate of materials
Section 4 – Multi-Residential (other than listed in section 1)	
All interior floor areas (cost includes foundations)	\$105/ft ²
Decks, balconies and other similar exterior platform	\$15/ft ²
Other type of <i>work</i>	Twice the estimate of materials
Section 5 – Demolition	
All <i>buildings</i>	As per contractor's estimate
Section 6 – Electrical work only	
All <i>buildings</i>	As per contractor's estimate
Section 7 – All other buildings not listed above – One of the following methods	
<ul style="list-style-type: none"> • Contract, estimate or bid amount – signed by both the <i>owner /applicant</i> and the contractor, • Real Estate Appraisal – prepared by a registered/licensed/certified real estate appraiser, or • If <i>work</i> estimated to be under \$50 000, estimated value given by the <i>owner</i> or <i>applicant</i>. 	