

TOWN OF BERWICK BYLAW

BUILDING BYLAW

Part 1 – DEFINITIONS

1. All words in this Bylaw have the same meaning as in the Building Code Act and the Regulations prescribed pursuant thereto.
2. The monetary value established by this Bylaw for the purposes of Regulations 1.1(a) (vi) (a) of the Provincial Building Code Regulations is \$1500.00

Part 2 – PERMITS

1. A building permit, occupancy permit and demolition permit shall be in the forms set out in Schedule “A”, annexed hereto.
2. Before a permit is issued, an applicant must complete an application form, which shall be appended in Schedule “A”, annexed hereto.
 - 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. When an application for a permit has not been completed in conformance with the requirements of this Bylaw within six months after it is filed, the application shall be deemed to have been abandoned.
 - 2.3. A permit is valid for one (1) year from the date of issue and is renewable.
3. A building permit is not required for:

- (a) accessory buildings less than 20 square meters (215.2 square feet) in building area;
 - (b) fences less than two meters (6.56) in height;
 - (c) installation of siding over an existing exterior finish;
 - (d) ground level patios and walkways;
 - (e) replacing an existing roofing surfaces; and
 - (f) interior and exterior non-structural repairs.
1. Before issuing a building permit, the authority having jurisdiction shall be satisfied that a development permit has been issued pursuant to the Land Use Bylaw of the Town of Berwick.
 2. Before issuing a demolition permit, the authority having jurisdiction shall be satisfied that the building is not subject to the provisions of a Bylaw passed pursuant to the Heritage Property Act.
 3. 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 - (a) shall state the date after which the conditions under which the permit is no longer valid,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.
- 2.4.4 (1) 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.
- (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.
- 2.4.5 (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 be clearly marked “At Owner’s Risk”.
- 2.4.6 (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 additional information shall be submitted within a specified period of time.
- (3) The conditions and specified time periods shall be set out in the face of the permit.
5. Any revision to the work to be covered by a permit shall require an application for an amended permit.
1. An occupancy permit may be issued before the conditions required by this Bylaw and the Provincial Building Code Act and its regulations are met subject to the prior compliance with provisions to safeguard persons in or about the premises and providing the remaining required conditions hereinbefore referred to are met within a specified period of time.
2. The provisions, conditions and periods of time referred to in the aforementioned subparagraph shall be clearly marked on the permit.
3. If the within conditions referred to are not met within the stated period of time, the occupancy permit so issued shall be void.
1. Any building permit issued in relation to a demolition project shall not be issued unless the application is accompanied by a proposal of the demolition material and such proposal shall be in accordance with the requirements of the Municipal Disposal Site Bylaw of the Municipality of the County of Kings.

Part 3 – PERMIT FEES

1. Fees for permits shall be:
 - (a) New construction and additions to residential buildings, community centres, cottages, and churches - \$20.00 plus 10 cents per square foot based on all usable floor area of the new construction or addition.
 - (b) New construction of and additions to commercial, industrial and other buildings not otherwise specified - \$20.00 plus 14 cents per square foot based on all usable floor area of the new construction or addition
 - (c) New construction of and additions to sheds, decks, shell storage buildings, garages, barns and other farm, forestry or fishing buildings not designed for human occupancy - \$10.00 plus 4 cents per square foot based on all usable floor area of the new construction or addition
 - (d) Repairs, renovations or alterations - \$25.00 plus \$2.00 per \$1,000 of estimated

	to all existing buildings	value of construction work
(e)	Location or relocation of an existing structure, or mobile home	- \$75.00
(f)	Construction or location of a swimming pool including required fencing	- \$50.00
(g)	Renewal of an approved permit in force	- \$15.00
(h)	Erection of a General Sign	- \$15.00
(i)	Erection of a Business Directional Sign	- \$50.00
(j)	Building or structure demolition	- \$30.00
(k)	Development Permit	- \$50.00

2. All square footage under this Section shall be calculated as follows:
 - (a) buildings intended for human occupancy shall include all usable floor space;
 - (b) buildings not intended for human occupancy shall be based on the area of the main floor only.
3. Fees, less a \$15.00 processing charge, shall be refunded in situations where the application was not completed or the application was denied.

Part 4 – INSPECTIONS

1. The authority having jurisdiction shall be notified on 48 hours verbal notice and given an opportunity to inspect at the following stages of construction:
 - (1) the foundation before backfilling;
 - (2) when the roof is tight;
 - (3) when the outside is finished and rough plumbing, electrical wiring and insulation are installed;
 - (4) when the interior and exterior are complete.

History of this Bylaw:

Enacted - July 9, 1963

Amended - March 31, 1987
May 11, 1993
September 10, 1996