

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 22-84

BEING A BY-LAW TO REGULATE THE ADMINISTRATION
OF BUILDING PERMITS AND RELATED MATTERS

WHEREAS the Council is responsible for the enforcement of the Building Code Act, as amended, and may pass by-laws respecting building permits and related matters.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. DEFINITIONS

1.1 In this By-law;

- (a) "Act" means the Building Code Act, R.S.O. 1980, Chapter 51, as amended.
- (b) "Architect" means a member or licensee of the Ontario Association of Architects under the Architects Act.
- (c) "Building" means a structure occupying an area greater than 100 square feet consisting of a wall, roof and floor, or any one or more of them, or structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto, and includes such other structures as are designated in the regulations, but does not include a structure used directly in the extraction of ore from a mine.
- (d) "Building Code" means any regulation made by Lieutenant Governor in Council under Section 19 of the Act.
- (e) "Building Inspector" means any person appointed by the Council under Section 3(2) of the Act.
- (f) "Chief Building Official" means the person appointed as the Chief Building Official by the Council under Section 3(2) of the Act.
- (g) "City" means The Corporation of the City of North Bay.
- (h) "Council" means The Municipal Council of the City.
- (i) "Construct" means to do anything in the erection, installation or extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere, and "construction" has a corresponding meaning.
- (j) "Demolition" means the doing of anything in the removal of a building or any material part thereof.
- (k) "Director of Planning and Works" means the Director of Planning and Works appointed by the Council.
- (l) "Owner" is defined in Section 1 of the Building Code and includes:
 - (i) any person shown on the last revised assessment roll for the City as the owner of the land;
 - (ii) any person shown as having an interest in the land at the Land Titles Office for the Division of Nipissing or the Land Registry Office for the District of Nipissing.

- (m) "Professional Engineer" means a member or licensee of the Association of Professional Engineers of the Province of Ontario under the Professional Engineers Act.

2. PERMITS

- 2.1. The classes of permits set out on Schedule "A" of this by-law for the demolition or construction of buildings shall be in effect in the City of North Bay.

3. PERMIT APPLICATIONS

- 3.1. Prior to any construction or demolition, the owner or his agent shall apply in writing for a building permit for the construction or demolition with the form set out on Schedule "B" of this By-law.

- 3.1.2. Every application for a building permit shall:

(a) include plans and specifications as described in Section 4;

FIELD
REVIEW

(b) for a building referred to in Sub.Sec. 2.5.1. of the Building Code, include a written acknowledgement by the owner, confirmed by an architect or professional engineer, that the owner has retained the architect or professional engineer to carry out the design and the field review as described in Sub.Sec. 2.5.1. of the Building Code;

(c) include the fee prescribed by Schedule "C" of this by-law;

(d) include evidence of approvals required under any other applicable law, including, without limiting the generality of the foregoing;

APPROVALS

(i) zoning by-law approval from the office of the Director of Planning and Works

(ii) if applicable, a duly executed site plan control agreement

(iii) engineering approvals for city services required by by-law if applicable from the office of the Director of Planning and Works

(iv) if applicable, Occupational Health and Safety Act approval from the Ministry of Labour

(v) if applicable, Environmental Protection Act approval from the Ministry of Environment

(vi) if applicable, Public Health Act approval from the North Bay and District Health Unit

(vii) if applicable, the approval of the Office of the Fire Marshall

(f) be signed by the owner or the authorized agent of the owner who shall certify the accuracy of the information contained in the application.

4. PLANS AND SPECIFICATIONS

(a) Plans, specifications and documents shall be submitted in duplicate, with every application for a building permit in sufficient detail to enable the Chief Building Official to determine whether or not the proposed construction or demolition will conform to the Building Code.

4. PLANS AND SPECIFICATIONS

- (b) Plans shall be drawn to scale and shall indicate the nature and extent of the proposed work or proposed occupancy in sufficient detail to establish that when completed, the proposed work or proposed occupancy will conform with the Building Code.
- (c) A site plan shall be submitted setting out the compatibility of the building design with the proposed land area grading and drainage and a site plan shall include:
 - (i) Lot dimensions
 - (ii) A location and setback of the proposed building from the property lines of the lot
 - (iii) Location and distance of every other adjacent building on the lot from the proposed building
 - (iv) Existing and finished grade levels of the proposed building, and the lot
- (d) The Chief Building Official may require a plan of survey certified by an Ontario Land Surveyor to establish compliance of a proposed building on the lot.

4.2 Plans submitted for all building or construction regulated by Part 9 of the Building Code:

HOUSING AND SMALL BUILDINGS

- (a) shall be drawn to scale or with clear dimensions
- (b) shall show the use and occupancy of each room or area of the building
- (c) shall include sufficient plans, sections and details and material specifications to show compliance with the Building Code, and bear the name, address and the telephone number of the responsible designer.

4.3 All buildings other than housing and small buildings

4.3.1. Plans, specifications and documents submitted with an application to construct a building referred to in this section 4.3 and regulated by Sub.Sec. 2.5.1. and by Parts 1, 2, 3, 4, 5, and 6 of the Building Code shall be dated and bear the authorized professional seal and signature of the architect or professional engineer.

4.3.2. Plans, specifications and documents submitted with an application for a building permit shall show all documents for fire protection and safety systems required by the Building Code, including;

USE AND OCCUPANCY REQUIREMENTS (PART 3)

- (a) the building area with complete floor plans showing all rooms and areas of the building and stating the use and occupancy of all areas;
 - (b) the location, rating and design of any proposed fire wall
 - (c) the degree of fire separation of storeys, shafts and spec rooms or areas, including the location and rating of closure in fire separations;
- the source of information for fire-resistance ratings of construction, including material specifications of material used and its flamespread rating;
- location of exits;

(c) cont'd.

fire detection and alarm systems; and

full details of any proposed sprinkler system and relevant details of the building in which it is to be installed drawn to an indicated scale.

4.3.3. Structural drawings and documents submitted with an application for a building permit to construct shall indicate:

(a) the date of issue of the standards to which the design conforms and conformity thereof of the Building Code;

STRUCTURAL (b) the dimensions, location and sizes of all structural
REQUIREMENTS members in sufficient detail to demonstrate compliance
(PART 4) of the design to the Building Code;

(c) sufficient detail to enable the loads due to materials of construction incorporated in the building to be determined;

(d) all effects and loads, other than dead loads, used in the design of the structural members;

(e) calculations and analysis made in the design of the structural members, including parts and components, of a building shall be available for inspection upon request;

4.3.4. Foundation drawings submitted with an application to construct or excavate shall indicate:

(i) the type of condition of the soil or rock, as well as the groundwater investigation;

STRUCTURAL (ii) the allowable bearing pressures on the soil or rock,
REQUIREMENTS the allowable loads when applicable and the design
(PART 4) loads applied to foundation units; and

(iii) the earth pressures and other loads applied to the supporting structures of supported excavations;

(iv) when required by the Chief Official evidence that justifies the information on the drawings shall be submitted with the application

4.3.5. Structural drawings of parts or components including guards designed by a person other than the designer of the building shall be dated and shall bear the authorized professional seal and signature of the person responsible for the design of such parts or components. Such design shall be accepted and authorized in writing by the designer responsible for the building design pursuant to Section 2.5.1. of the Building Code.

4.3.6. Plans and specifications for mechanical and electrical construction shall contain information and design of all systems required by the Building Code including;

MECHANICAL (a) Heating and Ventilation System;
AND material specifications, showing size and location
ELECTRICAL of all ducts, shafts, flues, fire dampers, chimneys,
(PART 6) gas vents and ventilation opening and shall include
reference to all standards applicable to the
construction and installation;

(b) Electrical system, lighting, exit lights, emergency lights, fire alarm systems including interconnections with other services or systems and equipment, and shall include reference to all standards applicable to the construction and installation.

- 4.3.6. (b) Plumbing, location of all fixtures, floor drains, drainage and supply piping, size and location and capacity of pipes, specifications of system and materials used in the construction and installation, and reference to all standards applicable to the construction and installation;

Sprinkler and standpipe system, material and installation specifications and reference to all applicable standards and Codes.

5. APPROVAL IN PART

5.1.1. STAGED PERMITS The Chief Building Official may issue a permit to construct or demolish a portion of a building prior to the issuance of a permit for the entire project, provided an application is made for the complete project.

5.1.2. Complete plans, specifications and an application covering the portion of the work for which a permit is desired, shall be filed with the Chief Building Official together with complete schematic plans and description of the complete project including sufficient details, information to establish compliance with the Building Code and a schedule and timing of further stage permits together with a commitment to obtain further permits and to complete the work.

5.1.3. Staged permits may be issued only for the three stages indicated in Schedule "A" of this by-law, but, issuance of a staged permit is not a representation that a permit will be issued for the other stages.

6. OCCUPANCY OF UNFINISHED BUILDING

6.1 The Chief Building Official may issue a permit to occupy a partially completed building in accordance with Section 2.6 of the Building Code on receipt of the opinion in writing of the architect or professional engineer that the work in the partially completed portion conforms with the Building Code.

7. FEES

7.1 Prior to issuance of a building permit the owner or his agent shall pay the fees for permits.

7.2 The chief official may place a valuation on the cost of work, and if the permit applicant or holder disagrees with this valuation, the prescribed fee shall be paid before the issuance of the permit. Upon completion of the work, if the actual cost of the work was less than the valuation placed by the chief official, an audited statement may be submitted detailing the cost of all component parts of the work. The chief official shall, if the statement contains the cost of all component parts of the work upon which the valuation was required to be based, value the work in accordance with this statement and issue the appropriate refund.

8. REFUND

8.1 Upon the applicant's written consent for the withdrawal of an application prior to issuance of a permit, the Chief Building Official shall mark the application for a permit withdrawn and shall return all plans, specifications and information filed together with the fee for the permit required under Schedule "A" less the following applicable portion of the fees:

See Schedule "B" to By-law 82-76

9. REVOCAATION

9.1 The Chief Building Official may revoke a permit without refund:

- (a) where it was issued on mistaken or false information;
- (b) where, after six months after its issuance, the construction or demolition in respect of which it was issued has not, in the opinion of the Chief Building Official, been seriously commenced;
- (c) where the construction or demolition of the building is, in the opinion of the Chief Building Official, substantially suspended or discontinued for a period of more than one year.

10. SITE DOCUMENTS

10.1 Where a permit has been issued pursuant to the Act, the person to whom it is issued shall have the permit or a copy thereof posted at all times during construction or demolition in a conspicuous place on the property in respect of which the permit was issued.

10.2 The person in charge of the construction of a building shall keep and maintain on the site of the construction,

- (a) at least one copy of drawings and specifications, certified by the Chief Official or a person designated by him to be a copy of those submitted with the application for the permit to construct the building together with changes that are authorized by the Chief Official or a person designated by him; and,
- (b) authorization of facsimiles thereof received from the Building Materials Evaluation Commission, including specified terms and conditions.

11. NOTIFICATIONS

11.1 The owner or his authorized agent shall notify the Chief Building Official at least one business day in advance of the following stages of construction of any building:

- (a) of the commencement of the construction of the building;
- (b) of the readiness to construct the footings;
- (c) of the substantial completion of the footings and foundations;
- (d) where the building is within the scope of Part 9, of the substantial completion of,
 - (i) structural framing
 - (ii) insulation and vapour barriers, and
 - (iii) ductwork and piping for heating and air-conditioning systems;
- (e) where the building is within the scope of other parts of the code, of the substantial completion of,
 - (i) structural framing of each storey,
 - (ii) insulation and vapour barriers, and,
 - (iii) rough-in of heating, ventilation, air conditioning and air-contaminant extraction equipment;
- (f) of the substantial completion of all required fire separations and closures and all fire protection systems including standpipe, sprinkler, fire alarms and emergency lighting systems;

- 11.1 (g) of the substantial completion of interior finishes and heating, ventilating, air-conditioning and air-contaminant extraction equipment;
- (h) of the substantial completion of exterior cladding, fire access routes and site grading;
- (i) of the completion and availability of drawings of the building as constructed.
- 11.2 One business day after delivery to the City of a notice pursuant to Subsection (a), the next stage of construction may be commenced, but without assurance that any inspection of the construction will be made.
12. APPOINTMENTS
- 12.1 For the purposes of enforcement of the Building Code Act, its regulations and this by-law, the persons listed in Schedule "C" of this by-law are hereby appointed to the offices set opposite their names.
13. SEVERABILITY
- 13.1 Should any section, clause or provision of this by-law be declared by a court of competent jurisdiction to be invalid, the same does not affect the validity of the by-law as a whole or in part thereof, other than the part which was declared to be invalid.
14. REPEAL
- 14.1 Save and except Section 16 of By-law No. 32-72, By-laws Nos. 32-72, 16-73, 59-73, 92-74 and 82-76 are hereby repealed.
15. PENALTY
- 15.1 Every person who contravenes any provision of this by-law is guilty of an offence and shall be liable to a fine of not more than \$2,000.00.

READ A FIRST TIME IN OPEN COUNCIL THE 27TH DAY OF FEBRUARY 1984.

READ A SECOND TIME IN OPEN COUNCIL THE 12TH DAY OF MARCH 1984.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 12TH DAY OF MARCH , 1984.


DEPUTY MAYOR


CITY CLERK

