

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 82-76

WHEREAS Subsection 2 of Section 5 of The Building Code Act, 1974 empowers municipal councils to pass by-laws and regulations respecting building permits;

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

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| <u>SECTION 1</u> | <u>SHORT TITLE</u> |
| 1.1 | This By-law may be cited as "The Building Permit By-law". |
| <u>SECTION 2</u> | <u>PERMITS</u> |
| 2.1 | <u>CLASSES OF PERMITS</u> |
| 2.1.1 | Classes of Permits with respect to the construction and demolition of buildings shall be as set out in Schedule "A" to this By-law. |
| 2.2 | <u>APPLICATION FOR PERMIT</u> |
| 2.2.1 | To obtain a permit, the owner or his authorized agent shall file an application in writing by completing the prescribed forms available at the offices of the municipality. |
| 2.2.2. | Every application shall <ul style="list-style-type: none"> (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) be accompanied by complete plans and specifications as described in Subsection 2.3 except as otherwise permitted by the chief official; (d) state the valuation of the proposed work and be accompanied by the required fee; (e) state the names, addresses and telephone numbers of the owner, architect, engineer or other designer and constructor; (f) be accompanied, where applicable, by a written acknowledgement of the owner that he has retained the architect, or professional engineer to carry out the field review of the construction, as described in Section 2.4 of the Regulations, and; (g) be signed by the owner, or his authorized agent who shall certify the truth of the contents of the application. |
| 2.2.3 | <u>PERMIT FOR A TEMPORARY BUILDING</u> <ul style="list-style-type: none"> (a) Notwithstanding anything contained elsewhere in this By-law, a permit for a temporary building may be issued by the Chief Building Official, authorizing for a limited time only the erection and existence of a building or part thereof for an |

- 2.2.3 occupancy which because of its nature will exist for a short time under circumstances which warrant only selective compliance with the By-law and provided that the application for a temporary building permit first has been submitted to and approved in principle by Council.
- (b) A permit for a temporary building may be extended provided the extension is approved by Council.
- (c) A permit for a temporary building shall state the date after which, and the conditions under which the permit is no longer valid.

2.2.4 MOVING PERMIT

A permit for moving an existing building within the City limits, or for moving an existing building from outside the City limits to within the City limits may be issued by the Chief Building Official provided all other laws and regulations affecting the moving are complied with.

The relocated building is for the purpose of this By-law considered as a new building and is subject to all regulations contained in this By-law and the Building Code Act.

The moving permit will govern the building being moved only. The erection of foundations, basements, additions and any alterations or renovations to this building shall be classified as new construction.

- 2.2.5 The permit for work approved by this application must be obtained within six (6) months from date of approval, or the application becomes null and void.

SECTION 2.3 PLANS, SPECIFICATIONS AND INFORMATION

- 2.3.1 Sufficient information shall be submitted with each application for a permit to enable the Chief official to determine whether or not the proposed work will conform with the Act, the regulations thereunder and any other applicable law.
- 2.3.2 Plans shall be drawn to scale upon paper, cloth or other durable material, and each drawing shall be identified by project name, drawing number and shall bear the name of the designer.
- 2.3.3 Unless otherwise permitted by the chief official, the applicant shall submit with each application two (2) complete sets of drawings and specifications. One set will be retained by the City and one set will be returned to the owner, or his authorized agent following the approval of the plans and the issuance of the building permit. This set of plans shall be identified as permit drawing and shall form part of the permit documents.
- 2.3.4 Unless otherwise permitted by the chief official, site plans shall be referenced to a current plan of survey, certified by a registered Ontario Land Surveyor, and a copy of such survey shall be submitted.

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2.4 APPROVAL IN PART

2.4.1 When, in order to expedite work, a permit for a portion of the building is desired prior to the issuance of a permit for the whole project, application shall be made and fees paid for the complete project, and complete plans and specifications covering the portion of work for which immediate approval is desired shall be filed with the chief official.

2.4.2 Should a permit be issued for part of a building, the holder of such permit may proceed, but the municipality gives no assurances that permits required for the remainder of the project will be granted.

SECTION 3 FEES

3.1 Fees for the required permit shall be in accordance with Schedule "A" to this By-law.

3.2 The fees shall be based on the cost or valuation of the proposed work, such valuation shall mean the total cost of all work regulated by the permit including cost of professional and related design service.

3.3 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 issued the appropriate refund.

3.4 In the case of the non-commencement of any project, and upon written request, the chief official shall determine the amount of refund of permit fees, if any, that may be returned to the permit holder, in accordance with Schedule "B" to this By-law.

READ A FIRST TIME IN OPEN COUNCIL THIS 7TH DAY OF JUNE, 1976

READ A SECOND TIME IN OPEN COUNCIL THIS 5TH DAY OF JULY, 1976

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED THIS 5TH DAY OF JULY, 1976.

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MAYOR

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DEPUTY CITY CLERK

THIS IS SCHEDULE "A" TO BY-LAW NO. 82-76 OF THE CORPORATION OF THE
CITY OF NORTH BAY

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CLASSES OF PERMITS AND PERMIT FEES

| <u>CLASS OF PERMIT</u> | <u>PERMIT FEE</u> |
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| 1. TO CONSTRUCT A BUILDING | \$ 4.00 for first \$1,000. value \$ 3.00 for each additional \$1,000. or part thereof |
| 2. TO DEMOLISH A BUILDING | \$ 5.00 |
| 3. TO AUTHORIZE OCCUPANCY OF A BUILDING PRIOR TO ITS COMPLETION | \$ 5.00 |
| 4. TO MOVE A BUILDING | \$25.00 for the moving permit and fees as per Class 1. for the construction of basements, additions, alterations and/or renovations. |
| 5. PERMIT FOR A TEMPORARY BUILDING | \$25.00 |

THIS IS SCHEDULE "B" TO BY-LAW NO. 82-76 OF THE CORPORATION OF THE CITY OF NORTH BAY
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REFUND OF PERMIT FEES

CLASS 1 PERMITS

A. THE FEES THAT MAY BE REFUNDED SHALL BE A PERCENTAGE OF THE FEES PAYABLE UNDER THIS BY-LAW AS FOLLOWS;

- (i) 80 Percent if administrative functions only have been performed;
- (ii) 70 Percent if administrative and zoning functions only have been performed;
- (iii) 45 Percent if administrative, zoning and plan examination functions have been performed;
- (iv) 35 Percent if the permit has been issued and no field inspections have been performed subsequent to permit issuance;
- (v) 5 Percent shall additionally be deducted for each field inspection that has been performed after the permit has been issued.

B. NOTWITHSTANDING PARAGRAPH "A" ABOVE, NO REFUND SHALL BE MADE OF AN AMOUNT LESS THAN \$10.00.

Permit fees for Class 2, 3, 4 & 5 permit shall not be refunded.

Permit fees for a revoked permit shall not be refunded.