

MOUNTAIN VIEW COUNTY

BYLAW NO. 18/09

SAFETY CODES SERVICE PERMITS

**Mountain View County
Province of Alberta**

Bylaw No. 18/09

A BYLAW OF MOUNTAIN VIEW COUNTY IN THE PROVINCE OF ALBERTA TO REGULATE THE ISSUANCE OF SAFETY CODE SERVICES PERMITS

SECTION 1 - SHORT TITLE AND PURPOSE

- 1.01 This bylaw may be cited as the “Safety Code Services Permit Bylaw”.
- 1.02 This bylaw is established for the purpose of regulating the issuance of Safety Codes permits for Plumbing, Gas, Electrical, and Building disciplines within Mountain View County.

SECTION 2 - DEFINITIONS

- 2.01 In this Bylaw, unless the context otherwise requires:
- a. “Accredited Agency” means an agency accredited pursuant to the Act and contractually responsible to the County for the application and enforcement of the Act in the County.
 - b. “Act” means the Alberta Safety Codes Act and Regulations including amendments thereto.
 - c. “Building” means any structure used or intended for supporting or sheltering any use or occupancy.
 - d. “County” means Mountain View County.
 - e. “Health or Safety” means that the building or portion thereof including any dwelling unit, guestroom or suite of rooms, or the premises on which the same is located endangers the life, limb, health, property, safety or welfare of the public or the occupants thereof shall be deemed and hereby is declared to be a substandard building.
 - f. “Quality Management Plan” means the Uniform Quality Management Plan for Mountain View County.
 - g. “Safety Codes Officer” shall mean a certified Building, Plumbing, Gas or Electrical Safety Codes Officer designated pursuant to the Act and Regulations.
 - h. “Development Officer” shall mean a person employed by Mountain View County as a Development Officer.
 - i. “Safety Codes Council” shall mean Alberta Safety Codes Council.
 - j. All definitions contained in the Act shall apply to this Bylaw.

SECTION 3- SCOPE

3.01 Pursuant to the Act and the Quality Management Plan the provisions of this Bylaw shall apply to the administration and enforcement of the Act within the County for the disciplines of Building, Electrical, Gas and Plumbing.

SECTION 4- POWERS AND DUTIES OF A SAFETY CODES OFFICER

4.01 A Safety Codes Officer is hereby authorized to:

- a. Enforce all provisions of this Bylaw, the Uniform Quality Management Plan and the Act in accordance with the Safety Codes Officer's specific designation(s) of discipline.

SECTION 5 - POWERS AND DUTIES OF A DEVELOPMENT OFFICER

5.01 A Development Officer is hereby authorized to:

- a. To receive applications and issue permits for which the person has received the applicable designation by the Safety Codes Council, in accordance with the Quality Management Plan and the Safety Codes Act and Regulations.
- b. Keep an accurate account of all permits issued and all fees collected and received under the Mountain View County Fee Bylaw 36-08, as amended from time to time by resolution of Council.

SECTION 6 -APPLICATION FOR PERMIT

6.01 A permit shall be obtained when:

- a. A Building Permit is required for excavation, construction, change of occupancy, relocation, alteration, addition to, repair of and demolition of any building in Mountain View County or the installation of any fireplace or solid fuel-burning appliance.
- b. An Electrical Permit is required to carry out any electrical work to which the Electrical Code or any amendments thereto applies and in accordance with the Act.
- c. A Plumbing Permit is required to install, renew, remove or change any plumbing equipment to which the National Plumbing Code of Canada or any amendments thereto applies and in accordance with the Act.
- d. A Gas permit is required to install, alter or make an addition to any gas installation to which the CAN\ CGA-B149 Codes or any amendments thereto apply and in accordance with the Act.
- e. A permit for a Private Sewage Disposal System is required to install, alter or make an addition to any private sewage disposal system to which the Alberta Private Sewage Standard Practice or any amendments thereto applies and in accordance with the Act.

6.02 Notwithstanding Section 6.01 (a) of this Bylaw, a permit is not required for:

- a. Painting and Decorating;

- b. Construction that does not exceed \$5000 in prevailing market value if matters affecting health or safety are not at risk;
- c. Construction, demolition, alteration of any building other than a residence on a parcel of land greater than 40 acres where in the opinion of the Safety Codes officer, the building constitutes a definite part of an agricultural operation.
- d. Construction, alterations, or minor repairs of building less than 10 m² (100 ft²) where matters affecting health or safety are not involved.

SECTION 7 - PERMIT ADMINISTRATION

- 7.01 Where a Development Permit is required, a Building Permit shall not be issued prior to issuance of a valid Development Permit.
- 7.02 Where a Development Permit or Building Permit is required an Electrical Permit shall not be issued prior to the issuance of the Development Permit and Building Permit.
- 7.03 Where a Development Permit or Building Permit is required a Plumbing Permit shall not be issued prior to the issuance of the Development Permit and Building Permit.
- 7.04 Where a Development Permit or Building Permit is required a Gas Permit shall not be issued prior to the issuance of the Development Permit and Building Permit.

SECTION 8 - APPLICATION FORM

- 8.01 To obtain a permit an applicant shall first file an application in writing on the prescribed form and each such application shall:
 - a. Identify and describe the work to be covered by the permit for which the application is made;
 - b. Describe the land upon which the proposed work is to be done, by a legal description and when available by a street address, that will readily identify and definitely locate the proposed building;
 - c. Be accompanied by plans and specifications;
 - d. State the estimated value of the proposed work;
 - e. State the name, address and phone number of the registered owner(s) of the property;
 - f. State the name, address and phone number of the applicant;
 - g. State the name, address and phone number of the contractor;
 - h. Be signed by the applicant or his authorized agent who may be required to submit evidence to indicate such authority;
 - k. Provide such other information as may be required by the Safety Codes Officer and the Quality Management Plan.

SECTION 9 - PLANS AND SPECIFICATIONS

- 9.01 Each application for a permit shall be accompanied by two sets of plans and specifications and any other information as required by the Safety Codes Officer, except that when authorized by the Safety Codes Officer, plans and specifications need not be submitted if consistent with the Uniform Quality Management Plan and the Act.
- 9.02 Plans and specifications shall be drawn upon substantial paper and shall be of sufficient clarity and scale to indicate the nature and extent of the work proposed and show in detail that it will conform to the provisions of the Act, all County bylaws and any Federal or Provincial laws and regulations.
- 9.03 Each set of plans shall state the name and address of the owner of the building and the name and address of the person who prepared the plans.
- 9.04 Each set of plans shall include a site plan showing the actual dimensions of the property, the location of any existing buildings on the property and the location of the proposed building on the property in relation to the property lines and the existing buildings.
- 9.05 If required by the Safety Codes Officer, the applicant shall submit an up-to-date plan of survey or real property report, certified by an Alberta Land Survey or, showing the information required by Subsection 9.04.
- 9.06 If required by the Safety Codes Officer, the applicant shall submit computations, test results, professional engineering reports and all other evidence deemed necessary to show that the work will be in accordance with the Act and the Regulation.

SECTION 10 - ISSUANCE OF A PERMIT

- 10.01 If the Safety Codes Officer/ Development Officer is satisfied that the work described in an application for permit, and, if the Safety Codes Officer is satisfied that the plans filed therewith are in accordance with the provisions of the Act and Regulations, the Uniform Quality Management Plan and this Bylaw, and that the fees specified in Mountain View County Fees Bylaw have been paid, the permit shall be issued to the applicant.
- 10.02 The Safety Codes Officer may issue a permit for part of the work before the entire plans and specifications for the complete work have been submitted or examined providing that adequate information and detailed statements have been submitted complying with all the pertinent requirements of the Act and this Bylaw. The holder of such a permit shall proceed at his own risk without assurance that a permit for the remainder of the work will be granted.
- 10.03 One set of plans, specifications and compilations shall be retained by the County and one set shall be returned to the applicant and shall be kept at the work site at all times that the work is in progress and shall be made available for inspection by the Safety Codes Officer upon request of the Safety Codes Officer.
- 10.04 If required by the Safety Codes Officer, an owner shall have uncovered and replaced at his own expense any construction that has been covered prior to inspection or contrary to the Uniform Quality Management Plan or an order, or conditions of a permit issued by a Safety Codes Officer.
- 10.05 Neither the issuance of a permit, nor inspections, made by the Safety Codes Officer or Development Officer, as the case may be, shall in any way relieve the owner of a building from full responsibility for carrying out the construction or having the construction carried out

in accordance with the requirements of the Act, Regulations made pursuant to the Act, the Uniform Quality Management Plan, this Bylaw or the permit, including compliance with any special conditions required by the Safety Codes Officer.

- 10.06 The issue of a permit based upon plans and specifications shall not prevent the Safety Codes Officer from thereafter requiring the correction of errors in the said plans and specifications or from preventing the building operation being carried on thereunder when in violation of the Act, this bylaw or any other bylaw of the County.
- 10.07 Every permit issued by a Safety Codes Officer shall be valid for a period of time not to exceed two (2) years from the date that the permit is issued. Within this period of time the work authorized shall be substantially completed and the exterior of the building shall be totally finished in a manner acceptable to the County.
- 10.08 Notwithstanding subsection 10.07, every permit issued by the Safety Codes Officer or the Development Officer shall expire and become null and void if the work authorized by the permit is not commenced within ninety (90) days from the date of issue of the permit, or if the work authorized by the permit is suspended or abandoned after the work is commenced for a period of one hundred and twenty (120) days. Upon expiry of the permit pursuant to this Section, the permit fees paid shall not be refunded.
- 10.09 Exceptions to the Permit expiry provisions of subsection 10.08 may be made at the discretion of the Municipal Planning Commission or Administrative Subdivision and Development Approving Authority provided the applicant can provide evidence that delays for submission of approval documents were delayed due to a government department or agency.
- 10.10 The Safety Codes Officer or the Development Officer may by notice in writing, suspend or revoke a permit if:
- a. There is a contravention of any condition under which the permit was issued,
 - b. The permit was issued in error,
 - c. The permit was issued on the basis of incorrect information supplied, or
 - d. The fees for the permit are not paid.
- 10.11 Notwithstanding the requirements of subsection 10.10,
- a. A person who personally undertakes the construction, installation, repair or alteration of a single detached dwelling which is or will be owned and occupied by the person, or
 - b. A journeyman who holds a certificate of proficiency in a specific trade relevant to the work to be undertaken,
- is not prohibited from obtaining a permit.
- 10.12 Homeowners / Contractors who engage tradesmen who do not hold a certificate of proficiency in their respective trades do so at their own risk.

- 10.13 Plans and specifications submitted for checking, for which no permit is issued, and on which no action is taken by the Safety Codes Officer for ninety (90) days, may be returned to the applicant or may be destroyed by the Safety Codes Officer.

SECTION 11 - FEES

- 11.01 Fees to be charged by the County for services rendered and the application for or issuance of any Permits shall be as set out in the Fees Bylaw.

SECTION 12 - RELOCATED BUILDINGS

- 12.01 Any person who intends to relocate a building within the County or move a building into the County from outside the County shall have the said building inspected by a Safety Codes Officer to ensure compliance with the Act, and the bylaws and regulations of the County, before the building is relocated or moved into the County. Such building shall only be relocated or moved after a satisfactory inspection by the Safety Codes Officer.

SECTION 13 - OFFENSE

- 13.01 Any person who contravenes the Act or regulations made pursuant thereto, including this Bylaw, shall be guilty of an offence under Section 67 of the Act and subject to fines according to Section 68 of the Act.

SECTION 14 - EFFECTIVE DATE

- 14.01 This Bylaw shall come into effect October 1, 2009.