

**BY-LAW NO. 4-96**  
**GRAND MANAN BUILDING BY-LAW**

The Council of the VILLAGE OF GRAND MANAN, under authority vested in it by Section 59 of the Community Planning Act, enacts as follows:

**INTERPRETATION**

- 1.1 “alter” in relation to a building or structure, includes making any structural or other change thereto which is not for purpose of maintenance only.
- 1.2 “maintenance”, which does not require a building permit, shall include the following: roofing, siding, repair doorstep or new doorstep, changing windows, painting, well curbs, repair patio or new patio, inside alteration and non commercial green house.

**ADOPTION OF CODE**

2. The National Building Code of Canada, 1995, is adopted by reference, as follows:

2.1 Parts 1, 2, 7 and 8 thereof apply to all buildings;

2.2 Parts 3, 4, 5 and 6 thereof apply to all buildings used for:

- i) Group A, Assembly occupancies,
- ii) Group B, Institutional occupancies,
- iii) Group F, Division I, high hazard industrial occupancies,

2.3 all buildings exceeding 600 m<sup>2</sup> in building area or exceeding 3 storeys in building height used for:

- i) Group C, residential occupancies,
- ii) Group D, business and personal services occupancies,
- iii) Group E, mercantile occupancies, and
- iv) Group F, Division 2 and 3, medium and low hazard industrial occupancies,

2.4 Part 9 applies to buildings of 3 storeys or less in building height, having a building area not exceeding 600 m<sup>2</sup> and which are used for:

- i) Group C, residential occupancies,
- ii) Group D, business and personal service occupancies
- iii) Group E, mercantile occupancies, and
- iv) Group F, medium and low hazard industrial occupancies

2.5 This code applies both to site assembled and factory made buildings.

## **APPOINTMENT OF DEVELOPMENT OFFICERS**

3. The Council shall appoint a Development Officer who shall exercise such powers and perform such duties as are provided by this By-Law.

## **BUILDING PERMITS**

4.1 No one shall undertake or continue the building, location or relocating, demolishing, altering or replacing of a building or structure unless a building permit therefore has been issued.

4.2 The fee for the building permit shall be \$0.50 per square metre except that there shall be no fee for a building permit to demolish a building or structure or to relocate an existing building or structure elsewhere on the same property.

4.3 No building permit will be issued for the construction or placement of a new building or structure to be located within 30 metres of a school, church or cemetery.

4.4 A person seeking to obtain a building permit shall submit to the Village a written application in the form prescribed by the Council (annexed to and forming part of this By-Law), and such application shall be signed by the applicant and provide the following information:

- a. the intended use of the building or structure,
- b. the name of the owner and the NBGIC property identification number in respect of the lands for which the building permit is being applied for,
- c. the Department of Health approval for the sewage disposal field construction, where such is applicable for the nature of the structure and stated intended use of the structure for which the building permit application has been made,
- d. a description of the work to be undertaken including specifications and a scale drawing,
- e. a sketch showing the following:
  - i) dimensions and area of the land referred to,
  - ii) the position, height and horizontal dimensions of all building or structures on, or those proposed to be located on, the land referred to,
  - iii) the setback of the proposed building or structure from the street centre line and all abutting properties (with the names of the owners if known),
  - iv) the location of the intended highway access or right-of-way to the lands referred to,

5. Where in the opinion of the Development Officer it is impractical to provide the information required to accompany the application and such information is not necessary for his review of the application then the Development Officer may waive any of these requirements as he determines appropriate;

6. Where in the opinion of the Development Officer additional information is required for his review of the application then the Development Officer may require the applicant to provide such additional information as he determines appropriate;

7. Upon approval by the Development Officer and payment of the prescribe building permit fee to the Village Clerk, a building permit hereunder shall be issued by the clerk on the condition that the work mentioned therein

- a) is commenced within six months from the date of issue of the permit,
- b) is not discontinued or suspended in excess of one year or in such manner that any exterior surface intended to be cladded pursuant to specifications mentioned in subsection 4 (d) remains uncladded in excess of one year,
- c) is carried out, unless otherwise approved by the Development Officer, in compliance with the specifications contained in the application for the permit, and
- d) is performed in conformity with the standards provided in the National Building Code of Canada as provided for by section 2 of this by-law.

8. Where the Development Officer has reason to believe that there has been a violation of a condition mentioned in subsection (7), or any provision of this Bylaw, the Development Office may, by written notice served personally on or sent by registered mail to the person named in the permit and posted at the work site, state the nature of the alleged violation and order the production of proof of compliance and/or the cessation of work within a reasonable time mentioned in the notice.

9. Where there has been a failure to comply with an order mentioned in subsection (8), the Development Officer may suspend or revoke the building permit and may, if the conditions leading to the suspension are subsequently corrected, reinstate the suspended permit.

## **RESPONSIBILITY OF PERMIT HOLDER AND WORKERS**

5.1 Where a building permit has been issued, the person named in the permit or a person performing the work shall give to the Development Officer

- a. at least 48 hours notice of the intention to commence work or place the structure authorized by the permit;
- b. notice of the completion of the work described in the permit within 10 of such completion; and
- c. such other information as may be requested by the Development Office.

5.2 It is the responsibility of the permit holder and all persons performing work under the building permit to ensure that construction is in compliance with the building permit and meets or exceeds the standards of the National Building Code of Canada as provided for in section 2 of this by-law

5.3 Where tests of any materials are made to ensure conformity with the requirements of the by-law, records of the test data. Shall be kept available for inspection during the carrying out of the work authorized.

5.4 The approval of plans or specifications and the issuing of a building permit do not relieve any person of any duty or responsibility for carrying out works in accordance with this by-law.

### **DOCUMENTS ON THE SITE**

6. During the carrying out of the work authorized by a permit, there shall be kept posted in a conspicuous place on the property in respect of which the permit was issued
- a) a copy of the building permit, or a poster of placard in lieu thereof, and
  - b) a copy of any plans and specifications approved by the Development Officer.

### **RECORDS**

7. The Village Clerk shall keep copies of all application received, permits and orders issued and all papers and documents connected with the administration of this by-law.

### **COPIES OF CODE AVAILABLE**

8. The Village Clerk shall keep one copy of the adopted code available for public use, inspection and examination.

9. The Grand Harbour Building By-Law #16 and the Seal Cove Building By-Law #12 are hereby repealed.

Read First March 18-96

Read Second March 18-96

Read Third and Enacted July 7-97

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Clerk

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Mayor