

## ***S2 BUILDING BYLAW***

**Be it enacted by the Municipal Council of the Municipality of the County of Annapolis, under the authority of the *Nova Scotia Building Code Act*, Chapter 46 of the Revised Statutes of Nova Scotia, 1989 and amendments thereto, as well as regulations passed pursuant to the *Act* and any amendments thereto, as follows:**

This Bylaw shall be known and cited as the “*S2 Building Bylaw*.”

### **Definitions**

1. Unless otherwise defined herein, terms used in this bylaw shall have the same meanings as those defined in the *Building Code Act* and the regulations prescribed pursuant thereto.
2. In this bylaw:
  - (1) “***Building Code Act***” or “***Act***” means Chapter 46 of the Revised Statutes of Nova Scotia, 1989, the *Building Code Act*, as amended;
  - (2) “***Municipality***” means the Municipality of the County of Annapolis; and
  - (3) “***Nova Scotia Building Code Regulations***,” “***Building Code***” or “***Regulations***” refers to regulations made pursuant to the *Building Code Act*.

### **Application**

3. The Municipality is responsible for the administration and enforcement of the *Building Code Act* in the Municipality.
4. This bylaw applies to all construction or demolition or any stage thereof, and for occupancy and change of occupancy of a building located in the Municipality of the County of Annapolis.

### **Permits**

5. A permit is required, prior to commencing work, if work regulated by the *Building Code* is to be done.
6. In accordance with the *Building Code*, a permit is required, prior to commencing work, for:
  - (1) the design, construction, erection, placement and occupancy of new buildings; and
  - (2) the alteration, reconstruction, demolition, removal, relocation, occupancy and change of occupancy classification of existing buildingsin the Municipality.
7. Except as required by another enactment, a permit is not required for:
  - (1) accessory buildings not greater than 20 square metres (215.2 square feet) in area;
  - (2) interior and exterior non-structural material alterations and material repairs with a monetary value of five thousand dollars or less; or
  - (3) replacement or installation of a new plumbing fixture that does not increase the hydraulic load of the drainage system or require alterations to an existing water distribution system or drainage system.

## ***S2 BUILDING BYLAW***

8. A permit shall expire three (3) years from the date of issuance and the permit conditions shall no longer be valid.
9. All permit applications shall be signed:
  - (1) by the owner(s) of the property (relevant to the application); or
  - (2) by an authorized agent of the owner of a property provided that the owner of the property submits a signed letter appointing the agent; and
  - (3) any other person apparently having a legal interest in the property.
10. An application for a permit shall be in such form and contain such information as may from time to time be required for the proper administration of this bylaw.
11. An application form must be completed and submitted in full before any permit may be issued.
12. 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.
13. The Municipality may withhold the issuance of a building permit until satisfied that any and all applicable provincial and municipal regulatory requirements have been met including, but not limited to, any requirements under a land use bylaw or subdivision bylaw.

### **Permit Fees**

14. A building permit fee will be charged to an applicant in accordance with Building Permit Fee Schedule as set out in *Schedule A*.
15. A portion of the permit fees may be refunded as per the Building Permit Fee Schedule.

### **Inspections**

16. The owner of a building, or the authorized agent of the owner, shall notify the Building Official at least forty-eight (48) hours in advance for a required inspection.
17. A permit is deemed to have expired if an inspection is not completed prior to one year from:
  - (1) the date of issuance; or
  - (2) the last inspectionand the permit conditions shall no longer be valid.

#### **Clerk's Annotation For Official Bylaw Book**

Date of first reading:	October 18, 2011
Date of advertisement of Notice of Intent to Consider:	November 24, 2011
Date of second reading:	December 20, 2011
Date of advertisement of Passage of Bylaw*:	December 29, 2011

I certify that this *S2 BUILDING BYLAW* was adopted / amended by Municipal Council and published as indicated above.

**Carolyn A. Young**  
**Municipal Clerk**

**December 29, 2011**  
**Date**

*\* Effective Date of the Bylaw unless otherwise specified*

New construction of and additions to: residential buildings, community centres, cottages and churches	\$25 + 10¢ per sq. ft. (based on all useable floor area of new construction or addition)
New construction of and additions to: commercial, industrial and other buildings not otherwise specified	\$25 + 15¢ per sq. ft. (based on all useable floor area of new construction or addition)
New construction of and addition to: sheds, decks, shell storage buildings, agricultural storage buildings	\$25 + 6¢ per sq. ft. (based on all useable floor area of new construction or addition)
New construction of and additions to: barns for the primary purposes of agriculture and greenhouses (less than 50,000 sq. ft.)	\$25 + 3¢ per sq. ft. (based on all useable floor area of new construction or addition)
New construction of and additions to structures for the primary purposes of agriculture and greenhouses - 50,000 sq. ft. or greater	\$25 + 1¢ per sq. ft. (based on all useable floor area of new construction or addition)
Repairs, renovations or alterations to all existing buildings	\$25 + \$1 per \$1,000 of estimated value of construction work
Location or re-location of an existing building	\$50
Change of occupancy classification	\$50 + \$1 per \$1,000 of estimated value of construction work
Demolition of building or structure	\$25
<i>All square footage under this section shall be calculated as follows:</i>	
<i>a) buildings intended for human occupancy shall include all useable floor space;</i>	
<i>b) buildings not intended for human occupancy shall be based on the area of the main floor.</i>	
<b><u>Permit fees shall be refunded in situations and proportions as follows:</u></b>	
<b>Applications never completed</b>	<b>Retained fee of \$25 / balance refunded</b>
<b>Permit denied</b>	<b>Retained fee of \$25 / balance refunded</b>
<b>Permit revoked or abandoned before work commenced</b>	<b>50% of fee refunded</b>
<b>Permit revoked or abandoned after work commenced</b>	<b>No refund</b>