THE CORPORATION OF THE TOWNSHIP OF LAURENTIAN VALLEY

BY-LAW NUMBER 2012-04-022

Being A By-Law to Amend By-law No. 00-01-10, "Building Permit By-law" of the Township of Laurentian Valley.

WHEREAS a by-law passed under section 7 of the Building Code Act, 1992 to pass certain by-laws prescribing classes of permits, permit application documents, fees, inspections and other related matters within the municipality, namely Laurentian Valley Township By-law No. 00-01-10 (the Building Permit By-law), is in effect in the Township of Laurentian Valley;

AND WHEREAS there have been changes to the Building Code Act since By-law 00-01-10 was enacted;

NOW THEREFORE the Council of the Township of Laurentian Valley deems it necessary to amend By-law No. 00-01-60 as follows:

1. By adding the following new subsections immediately following subsection 4(5)(b):

"(c) A written agreement, in a form provided by the Chief Building Official, executed by the applicant, the owner and such other necessary persons the Chief Building Official determines for the purposes set out in subsection 8(3)(c) of the Act; and

(d) payment of the conditional permit fee as set out in Schedule 'A' herein."

2. Section 4 is amended by adding the following new subsections immediately following subsection 4(5) as follows:

"(6) The Chief Building Official is hereby authorized to execute on behalf of the Corporation of the Township of Laurentian Valley the written agreement referred to in subsection (5)(c) in this By-law as part of the conditional building permit application.

(7) The Chief Building Official may, where conditions in subsection 8(3) and 8(5) of the Act and subsection (5) above have been fulfilled, issue a conditional permit for a building subject to compliance with the Act, the Building Code and any applicable law."

3. By deleting subsection 4(8) and existing 4(9) in their entirety and renumbering subsequent subsections accordingly.

4. By amending clause 4(11) by deleting the words "Where an application for a permit remains incomplete or inactive for six months after it is made, the application may be deemed by the Chief Building Official to have been abandoned and notice thereof shall be given to the applicant" and replacing them with the following words:

"An application for a permit shall be deemed to have been abandoned by the applicant where;

(a) the application is incomplete according to Section 7 and remains incomplete or inactive for six months after it was submitted, or
(b) six months have elapsed after the applicant was notified that the proposed building, construction, demolition or change of use will not comply with the Act or the building code or will contravene other applicable law.

5. By adding new Sections 6 and 7 as follows, and renumbering subsequent subsections and associated references accordingly:

"6. AUTHORIZATION OF EQUIVALENCENTS"

(1) Where approval for an equivalent material, system of building design under Section 9 of the Act is proposed in either an application for a permit, or in a material change to a plan, specification, document or other information on the basis of which a permit is issued, the applicant shall submit:

(a) a completed "Equivalent Application Form" as described in Schedule C;

(b) a description of the proposed location(s) the equivalent is proposed to be installed;

(c) a description of the proposed material, system or building design for which authorization is sought;

(d) a description of all applicable provisions of the building code in contravention;

(e) supporting documentation demonstrating that the proposed material, system or building design will provide the level of performance required by the building code; and

(f) payment of the required fee as set out in Schedule "A".

(2) The Chief Building Official may accept or reject any proposed equivalents and may impose conditions or limitations on their use.

(3) Equivalents that are accepted under this Section shall be applicable only to the location described in the application, and are not transferable to any other building permit.

7. INCOMPLETE PERMIT APPLICATIONS

(1) An application shall be deemed not complete according to sentence 8.(2).(e) of the Building Code Act where any of the applicable requirements of Section 4 of this by-law have not been complied with.

(2) Except as provided in subsection 7(3), an application deemed incomplete shall not be accepted by the Chief Building Official.

(3) The Chief Building Official may accept an incomplete application where the applicant acknowledges, in writing, that the application is incomplete and waives the time period prescribed in the Building Code within which a permit must be issued or refused.

(4) Where an applicant declares that an application is complete in all respects and complies with the Act, the building code and other applicable law, the Chief Building Official shall issue or refuse to issue a permit within the time period prescribed in the building code.

(5) Where an applicant declares that an application is complete in all
respects, but the application is determined to be incomplete or does not comply with the Act, the building code or other applicable law, an additional fee as prescribed in Schedule 'A' may be applied to the re-examination of the documents required to be submitted by the applicant."

6. To amend Schedule "A" by adding the words "and decks" after "Residential - Accessory Buildings"; by adding the words "Pools - $0.10 per square foot" on a separate line before the words "Demolition Permits"; and by adding the following words listed after the words "Deferral of Revocation of Permits":

"Conditional Permit - $125.00
Authorization of Equivalents - $75.00
Incomplete Application - $50.00"

7. This by-law shall come into force and take effect on the day of final passing thereof.

READ A FIRST AND SECOND TIME THIS SEVENTEENTH DAY OF APRIL, 2012.

READ A THIRD TIME AND PASSED THIS SEVENTEENTH DAY OF APRIL, 2012.

JACK WILSON, MAYOR

JOHN BAIRD, CAO/CLERK