

**VILLAGE OF BOYLE  
BYLAW # 05-15**

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**BYLAW # 05-15 BEING A BYLAW TO REGULATE THE CONSTRUCTION, DEMOLITION, RELOCATION, ALTERATION, REPAIR, OR OCCUPANCY OF BUILDINGS.**

**Whereas**, The Safety Codes Act, being Chapter S1, Statutes of Alberta 2000, 26(1) on the application of a local authority, the Minister may, by order, designate a municipality as an accredited municipality authorized to administer all or part of this Act with respect to any or all things, processes or activities to which this Act applies within the boundaries of the municipality

**Whereas**, the Village of Boyle has been so authorized in the disciplines of building, electrical, plumbing and gas; and

**Whereas**, Council has deemed it necessary to regulate issues with regard to the following subject matters:

- a) Prohibiting the commencement by any person of the use, occupancy, relocation, construction or demolition of any building unless that person is authorized by a permit to do so;
- b) Providing that the granting of the permit does not entitle the permittee, his successors or assigns or anyone on his or their behalf to construct any building that fails to comply with the requirements of any building restriction agreement affecting the site described in the permit;

**NOW THEREFORE**, The Council of the Village of Boyle duly assembled enacts as follows:

1. Bylaw 06-11 is hereby rescinded.

2. Definitions

- a) "Act" means the Safety Codes Act being Chapter S1 Statutes of Alberta 2000 as amended henceforth from time to time.
- b) "Safety Codes Officer" shall be a person accredited by the safety Codes Council and approved to operate within the Village of Boyle in compliance with the existing Quality Management Plan.
- c) "Village" Means the Village of Boyle
- d) All definitions contained in the Act shall apply to this Bylaw.

3. Scope

The Provisions of this By-law shall apply to the issue of permits respecting the construction, demolition, relocation, alteration, repair or occupancy of any building or part thereof regulated by the Act within the Village of Boyle.

4. Power and Duties of the Safety Codes Officer

The Safety Codes Officer is hereby authorized and directed to enforce all provisions of this By-law.

5. Application for Permit

- a) Unless the permit has previously been obtained from the Safety Codes Officer, no person shall commence or cause the commencement of:
  - i. The construction of any building or part thereof,
  - ii. The demolition of any building or part thereof. (demolition subject to only development permit)
  - iii. The relocation of any building or part thereof.



- iv. The major repair or renovation of any building or part thereof,
- v. The excavation of any land for the purpose of erecting or locating any building or part thereof,
- vi. The installation or use of any mechanical equipment specifically governed by the Act.

b) A Permit is not required for the following:

- i. Construction, including a renovation or an addition, that does not exceed \$ 5000.00 in prevailing market value if matters affecting health and safety are not at risk,
- ii. Painting, decorating, re-roofing or re-siding if; matters affecting health and safety are not at risk ;and there is no structural change to the building  
  
To replace or alter ducting serving a space heating appliance if; it is located in a single family residential dwelling; and there is no design change required to the heating and ventilation system
- iii. Fences and retaining walls, however said developments are subject to guidelines and restrictions outlined in the current Land-Use-By-law.

#### 6. Application Form

To obtain a permit, an applicant shall first file an application in writing on the prescribed form as required by the inspection agency, and 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 on 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 work;
- c) Show the use of occupancy of all parts of the work;
- d) Be accompanied by plans and specifications as required;
- e) Be signed by the owner of the land or his authorized agent who shall submit evidence to indicate such authority;
- f) Give such other information as may be required by the Safety Codes Officer.

#### 7. Grading Plans

Every applicant shall strictly adhere to the grading plan supplied by the Village, or if no grading plan available, shall landscape the said property in a manner which will ensure positive drainage from the site without unduly affecting the neighboring properties.

#### 8. Security Deposit

Each applicant applying for a building permit for the construction of a new residential and/or commercial property or any substantial renovation shall, at the discretion of the Development Authority, be required to post a certified cheque or cash or other securities in accordance with the fees and schedules Policy as set out by Council and no application will be issued until the said security has been posted. Larger scale commercial development security deposits shall be determined by the Development Officer. Conditions for the release of the certified cheque or cash shall be determined by Council Policy and the applicant shall sign an acknowledgment accepting said policy procedures for building within the Village of Boyle.

#### 9. Offences

Any person who contravenes the conditions of the By-law is guilty of an offence under the Safety Codes Act and is liable to a fine of not more than \$10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment for not more than one year, or to both fine and imprisonment.


*PK* *CJR*

Village of Boyle  
Bylaw 05-15

Read for a first, second, and by unanimous consent for a third and final time this 8<sup>th</sup> day of July 2015.

VILLAGE OF BOYLE

  
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Bob Clark, Mayor

  
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Charlie Ashbey, CAO