

**CITY OF MELVILLE  
BYLAW NO. 15/97**

**(CONSOLIDATED FOR OFFICE USE ONLY)  
INCLUDES AMENDMENTS 23/98, 9/99, 17/03, 19/03, 13/04, 01/2012 AND 16/2014**

**A BYLAW OF THE CITY OF MELVILLE, SASKATCHEWAN RESPECTING  
BUILDINGS.**

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Interpretation/Legislation

1.           1)     "Act" means **The Uniform Building and Accessibility Standards Act** being Chapter U-1.2 of the Statutes of Saskatchewan, and amendments.
- 2)     "Regulations" mean regulation made pursuant to the Act.
- 3)     "Administrative Requirements" mean **the Administrative Requirements for Use with the National Building Code.**
- 4)     "Municipality" means the Urban Municipality of the City of Melville.
- 5)     "Council" means the Council of the City of Melville.
- 6)     "Authorized Representative" means an inspector appointed by the Council pursuant to the Act.
- 7)     Definitions contained in the Act and Regulations shall apply in the Bylaw.
- 8)     "Value of construction" means the cost of the building to the owner in it's completed form and includes the cost of all building work, materials of construction, labour, overhead and profit tot eh contractor and subcontractors. Costs of labour and used material are deemed to be the current market rate
- 9)     **Principal Building” a building within which the principal use of the lot is housed or conducted**

Scope of the Bylaw

2.           1)     This Bylaw applies to matters governed by the Act and the Regulations, including the National Building Code, and the Administrative Requirements.
- 2)     Notwithstanding subsection (1) references and requirements in the Administrative Requirements respecting matters regulated by the Act and Regulations shall not apply.
- 3)     Notwithstanding subsection (1) references and requirements in the Administrative Requirements respecting "occupancy permits" shall not apply except as and when required by Council or its authorized representative.

## General

3.
  - 1) A permit is required whenever work regulated by the Act & Regulations is to be undertaken.
  - 2) No owner, owner's agent, or contractor shall work, authorize work or allow work to proceed on a project for which a permit is required unless a valid permit exists for the work to be performed.
  - 3) The granting of any permit which is authorized by the Bylaw shall not:
    - a) entitle anyone to erect a building that fails to comply with the requirements of any building restriction agreement, bylaw, act or regulation affecting the site described in the permit, or
    - b) make either the Council or its authorized representative liable of damages or otherwise by reason of the fact that a building, the construction, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use or occupancy of which has been authorized by permit, does not comply with the requirements of any building restriction agreement, bylaw, act and/or regulation affecting the site described in the permit.
  - 4) Subsection (1) shall not apply to the restoration of painting or plastering or the maintenance of any existing part of a building or of its fixtures or appurtenances by which the height, bulk or fire risk is not increased or the strength is not diminished, when the said work is of a maintenance nature only.

## Building Permits

4.
  - 1) Every application for a permit to construct, erect, place, alter, repair, renovate or reconstruct a building, shall be in Form A (attached to this bylaw), and shall be accompanied by two sets of the plans or drawings and specifications of the proposed building, except that when authorized by Council or its authorized representative plans and/or specifications need not be submitted.
  - 2) Every application for a permit to construct, erect, place, alter, or reconstruct a principal building, shall provide the building inspector a copy of a legal real property report (survey certificate) or professionally have the property pins located (lot survey) on the property prior to receiving a permit. All other structures may be required to provide one of the above documents at the discretion of the Building Inspector under section 4 and subsequently change the numbering in section 4 to show this change.
  - 3) If the work described in an application for a building permit, to the best of the knowledge of the Council or its authorized representative, complies



of the building or work shall not include Goods and Services Tax.

### Demolition or Removal Permits

5. 1) The fee for a permit to demolish a building shall be based on the following schedule. In addition, the applicant shall deposit with the municipality a sum sufficient to cover the cost of restoring the site after the building has been demolished or removed to such condition that it is not dangerous to public safety. If the applicant who demolishes or removes the building restores the site to a condition satisfactory to the Council or its authorized representative, the sum deposited or portion thereof shall be refunded.

#### Demolition Permit Fees and Deposit Fees

Residential Buildings (including apartments, hotels, motels and detached occupancies): - a \$20.00 permit fee plus a \$2,000.00 deposit fee.

Accessory Buildings: - a \$10.00 permit fee plus a \$300.00 deposit fee.

Commercial/Industrial Buildings: - a \$100.00 permit fee plus a \$5,000 deposit fee.

**A penalty for proceeding without a permit shall result in the permit fees increasing to twice the regular fees as outlined in the above schedule.**

- 2) Every application for a permit to demolish or remove a building shall be in Form C.
- 3) Where a building is to be demolished or removed from the municipality and the Council or its authorized representative is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, the municipality, upon receipt of the fee and deposit prescribed, shall issue a permit for the demolition or removal in Form C.
- 4) Where a building is to be removed from its site and set upon another site in the municipality, and Council or its authorized representative is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, and the building, when placed on its new site and completed, to the best of the knowledge of the Council or its authorized representative, will conform with the

requirements of this bylaw, the municipality, upon receipt of the fee and deposit prescribed, shall issue a permit for the move in Form C.

- 5) All permits issued under this section expire six months from the date of issue except that a permit may be renewed for six months upon written application to the municipality.

### Numbering of Buildings

6.
  - 1) The owner or occupant of a building shall cause the number or numbers to be at all times prominently displayed in a conspicuous place on the front of the building facing the street near the main entrance door of the building.
  - 2) The building number or numbers shall be of sufficient size and shall be placed so as to be plainly visible from the street, provided that the number or numbers shall be at least 100 mm in height and have a stroke width of at least 15mm, and shall be of contrasting colour to the surface upon which such numbers are installed.
  - 3) The owner or occupant of a building shall ensure that the building number or numbers are not obscured by vegetation or any other matter.
  - 4) In any case where an owner or occupant of a building neglects to install or properly install the building number or numbers as required by this section, the City of Melville may serve a written request upon the owner or occupant to cause the building number or numbers to be installed or properly installed as required by this Section, and if the owner or occupant of the building does not comply with the request within 30 days, the City of Melville may proceed to install or properly install the building number or numbers as required by this Section, and the cost of doing so shall be recoverable from the owner or occupant.
  - 5) The owner or occupant of a building with more than one dwelling unit or rental unit that has a separate exterior entrance door, shall cause the building number or numbers to be prominently displayed at each such entrance door in accordance with this Section.
  - 6) The provisions in this Section are effective October 1, 2003.
  - 7) Effective October 1, 2005, all buildings within the City of Melville will be required to have the civic address of each building posted so that it is clearly visible from the back lane of each building. The building numbers shall be at least 100 mm in height and have a stroke width of at least 15mm, and shall be of contrasting colour to the surface upon which such numbers are installed.

### Enforcement of Bylaw

7.
  - 1) If any building or part thereof or addition thereto is constructed, erected, placed, altered, repaired, renovated or reconstructed in contravention of any provision of this bylaw, the Council or its authorized representative may take any measure as permitted by Part V of the Act for the purpose of ensuring compliance with this bylaw, but not limited to:

- a) entering a building,
  - b) ordering production of documents, tests, certificates, etc. relating to a building,
  - c) taking material samples,
  - d) issuing notices to owners which order actions within a prescribed time,
  - e) eliminating unsafe conditions,
  - f) completing actions, upon an owner's non-compliance with an order, and adding the expenses incurred to the tax payable on the property,
  - g) issuing a stop work order, and
  - h) obtaining restraining orders.
- 2) If any building, or part thereof, is in an unsafe condition due to its faulty construction, dilapidated state, abandonment, open or unguarded condition or any other reason, the Council or its authorized representative may take any measures allowed by subsection (1).
- 3) The owner of a building for which a permit has been issued or for which actions are being taken in compliance with an order shall give notice in writing to the municipality as required in Section 17.2 of the Act including, but not limited to:
- a) on start, progress and completion of construction,
  - b) of change in ownership prior to completion of construction, and
  - c) of intended partial occupancy prior to completion of construction.

### Special Conditions

- 8.
- 1) Notwithstanding the requirements of the Regulations, an architect or professional engineer registered in the Province of Saskatchewan shall be engaged by the owner for assessment of design and inspection of construction or certification of a building or part of a building where required by the Council or its authorized representative.
  - 2) An up-to-date plan or survey of the site described in a permit application prepared by a registered land surveyor shall be submitted by the owner where required by the Council or its authorized representative.
  - 3) It shall be the responsibility of the owner to ensure that change in property lines and/or change in ground elevations will not bring the building or an adjacent building into contravention of this bylaw.
  - 4) It shall be the responsibility of the owner to arrange for all permits, inspections and certificates required by other applicable bylaws, acts and regulations.

### Penalty

9.
  - 1) Any person who contravenes any of the provisions of this bylaw shall be liable to the penalties in Section 22 of the Act.
  - 2) Conviction of a person or corporation for breach of any provision of this bylaw shall not relieve him from compliance therewith.
  
10. That Bylaw No.4/82 is hereby repealed.

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Mayor

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City Manager

INTRODUCED AND READ A FIRST time this 20 Day of May, 1997 A.D.

READ A SECOND time this 20th Day of May, 1997 A.D.

READ A THIRD TIME AND PASSED by the Unanimous consent of all members present this 20th Day of May, 1997 A.D.