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**TOWN OF HIGH LEVEL  
BYLAW NO. 1019-21**

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**WHEREAS** the Safety Codes Act, R.S.A 2000, c. S-1 (hereinafter referred to as “the Safety Codes Act”), as amended, and the Municipal Government Act, R.S.A. 2000, c. M-26 (hereinafter referred to as “the Act”), as amended, provides that an accredited municipality may pass a bylaw:

- a) respecting fees for anything issued or any material or service provided pursuant to the Safety Codes Act;
- b) respecting the carrying out of its powers and duties as an accredited municipality; and
- c) respecting public utilities, municipal engineering standards and inspections to determine if bylaws are being complied with.

**WHEREAS** the Council of the Town of High Level deems it appropriate to repeal Bylaw No. 686-98, and all amendments thereto, and replace it with a new Building Permit and Standards Bylaw;

**NOW THEREFORE**, under the authority and subject to the provision of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of High Level, duly assembled does hereby enact the following:

**SHORT TITLE**

1. This Bylaw shall be known as the “Building Permit and Standards Bylaw”.

**DEFINITIONS**

2. In this bylaw, unless the context otherwise requires, the following definitions shall apply:
  - a) “Act” means the Safety Codes Act, being Chapter S-1 of the revised Statutes of Alberta, and any amendments thereto.
  - b) “Council” means the elected Council of the Town of High Level, as defined in Part 5 Division 1 of the Municipal Government Act.

- c) “Development Authority” means a person or persons appointed by the Town, pursuant to Section 624 of the Municipal Government Act to administer the provisions of the Land Use Bylaw, the Quality Management Plan and the Building Permit and Standards Bylaw.
- d) “Land Use and Planning Assistant” means a person employed by the Town of High Level who is designated by the Development Authority to administer specific duties and provisions of this Bylaw.
- e) “Land Use and Planning Officer” means a person employed by the Town of High Level who is designated by the Development Authority to administer specific duties and provisions of this Bylaw.
- f) “Quality Management Plan” means the plan outlining the parts of the *National Building Code – Alberta Edition* that the Town of High Level will administer and perform compliance monitoring for as approved by the Administrator of Certification and Accreditation of the Safety Codes Council of Alberta.
- g) “Safety Codes Officer” means a person who holds a Certificate of Competency in the building discipline and a Designation of Powers Certificate pursuant to the Act, who is authorized by the Town of High Level to administer specific duties and provision of this Bylaw.
- h) “Town” means the Town of High Level, an incorporated body in the Province of Alberta.

### SCOPE

- 3. The provisions of this Bylaw shall apply to the issue of permits respecting the use, construction, demolition, relocation, alteration, repair or occupancy of any building or part thereof regulated by the Act and within the scope of the Town of High Level’s Quality Management Plan, and the regulating of surface drainage and Municipal Engineering Standards.

### POWERS AND DUTIES

- 4. The Safety Codes Officer has the authority to inspect all construction activities related to the Act and the scope of this Bylaw.
- 5. The Development Authority shall ensure that an accurate account of all permits issued, all fees and other levies collected and received under this Bylaw is retained.

**APPLICATION FOR A PERMIT**

6. Unless a permit has been obtained from a Safety Codes Officer, no person shall commence any of the following:
- a) the erection or construction of any building or part thereof;
  - b) the demolition of any building or part thereof;
  - c) the relocation of any building or part thereof;
  - d) the occupancy of any building or part thereof;
  - e) the excavation of any land for the purpose of erecting or locating any building or part thereof;
  - f) the installation or use of any mechanical equipment specifically governed by the Act; or
  - g) the relocation or placement of a Manufactured Home – Mobile, Manufactured Home – Modular or Manufactured Home – Ready to Move on any lot.
7. Notwithstanding Section 6 of this Bylaw, a permit is not required for interior renovations that do not involve any structural changes.

**PERMIT APPLICATIONS**

8. To obtain a permit an applicant shall file an application in writing on the prescribed form, and each 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 completed by a legal land location, and when possible, a civic address;
  - c) show the use or occupancy of all parts of the work;
  - d) be accompanied by plans and specification drawings as required in Section 9;
  - e) state the project value with a current fair market cost of the proposed work;
  - f) be signed by the landowner or the landowner's authorized agent, who shall submit evidence to indicate such authority; and

- g) provide such other information as may be required by a Safety Codes Officer, the Development Authority, the Land Use and Planning Officer or the Land Use and Planning Assistant.

### **PLANS AND SPECIFICATION DRAWINGS**

- 9. For each application submitted for a permit, the following is required:
  - a) one set of plans and specification drawings;
  - b) plans and specification drawings shall be drawn to scale and presented, either electronically or in hardcopy formats that ensures sufficient clarity to indicate the nature and extent of the proposed work. The plans and specification drawings should show in detail that the proposed work will conform to the Act, the Town of High Level's Land Use Bylaw as amended, and all other applicable Federal, Provincial and Municipal regulations;
  - c) all plans and specification drawings shall state the civic address, the name and address of the landowner, the name and address of the person who prepared the plans, and when an agent represents the landowner, the name and address of the agent;
  - d) all plans and specification drawings shall include a site plan showing the actual dimensions of the lot, the location of proposed buildings in relation to the lot lines and other buildings on the same lot;
  - e) if requested, the applicant shall submit a current Plan of Survey or a Real Property Report prepared by a Registered Alberta Land Surveyor;
  - f) if requested, the applicant shall provide an accepted contract or bona fide detailed estimate of the fair market cost to complete the proposed work; and
  - g) if requested, the applicant shall submit calculations, test results and any other evidence deemed necessary to show the proposed work will comply with the Act.

### **ISSUANCE OF PERMITS**

- 10. When an application for a permit is submitted, the following is to be adhered to:
  - a) plans and drawing specifications may be examined by the Town of High Level, and when necessary, the Government of Alberta to ensure compliance with relevant orders, regulations or bylaws under their jurisdiction;

- b) if a Safety Codes Officer, the Land Use and Planning Officer and/or the Land Use and Planning Assistant are satisfied that the works described in an application for permit and the plans submitted therein conform to the requirements of the Act, this Bylaw and all other relevant orders, regulations or bylaws, the permit shall be issued;
- c) plans and specification drawings shall be stamped "EXAMINED" by a Safety Codes Officer when the permits are issued;
- d) the examined plans and specification drawings shall not be altered, changed or modified without written authorization from a Safety Codes Officer, and all work shall be done in accordance with the examined plans and performed to meet the requirements of the Act;
- e) a Safety Codes Officer may issue a permit for part of the work before all of the plans and specification drawings have been submitted or examined, provided that adequate information and detailed statements have been filed complying with all pertinent requirements of the Act or this Bylaw;
- f) the holder of the permit for part of the work shall proceed at their own risk without the assurance that a permit for the remainder of the proposed work will be granted;
- g) the Town of High Level will retain a set of plans and specification drawings, and shall provide another set to a Safety Codes Officer;
- h) the plans and specification drawings submitted for a Building Permit where the permit application was refused, may be destroyed by the Land Use and Planning Officer or the Land Use and Planning Assistant after 90 days from the date of notice of refusal;
- i) the issue or granting of a permit or the examination of plans and specification drawings shall not be construed to be a permit for, or an approval of any violations of any provisions of the Act;
- j) no permit presuming to give authority to violate or cancel the provisions of the Act shall be valid except in so far as the work or use that it authorizes is lawful;
- k) the issuance of a permit based upon plans and specification drawings shall not prevent a Safety Codes Officer from thereafter requiring the correction of work being carried on thereunder when in violation of the Act, this Bylaw or any other bylaw of the Town of High Level;
- l) every permit issued by a Safety Codes Officer shall expire by limitation and become null and void if the work authorized by such permit is not commenced

within 12 months from the date of issue of each permit, or if the Safety Codes Officer on reasonable and probably grounds is of the opinion that the permit holder is in non-compliance with the Act;

- m) on receipt of a written application, a Safety Codes Officer may, in writing, extend the validity time of a permit for up to an additional 12 months if the permit has not expired when the application for an extension is received;
- n) on receipt of a written application, a Safety Codes Officer may, in writing, suspend or revoke a permit whenever the permit has been issued:
  - i) in error;
  - ii) on the basis of incorrect information being supplied; or
  - iii) in violation of any provision of the Act, Federal or Provincial legislation or regulations, or any Town of High Level Bylaw;
- o) except as permitted in Subsection 10. (q), no permit for the installation, repair or alteration of any system regulated by the Act shall be issued to a person other than a qualified contractor;
- p) it shall be the responsibility of the contractor undertaking the installation, repair or alteration of any system regulated by the Act to engage only tradesman who hold a Certificate in Proficiency in their respective trades;
- q) notwithstanding the requirements of Section 10. (o), the following persons are not prohibited from obtaining a Building Permit:
  - i) a person who personally undertakes the installation, repair or alteration of any system regulated by the Act within or about a Dwelling – Single Family, which is or will be owned and occupied by the person; or
  - ii) a journeyman who holds a Certificate of Proficiency in a specific trade relevant to the work to be undertaken and who is regularly employed for the installation, repair or alteration of any system regulated by the Act if the work is performed on the property of their employer.

### **LOT GRADING CERTIFICATES**

11. The submission of a Lot Grading Certificate shall be in accordance with the following:

- a) a Lot Grading Certification shall be submitted to the Town by the landowner or the Building Permit applicant, to verify conformance with the Municipal Engineering Standards;
- b) the Lot Grading Certificate is to be submitted with 12 months from the date of issuance of the Occupancy Permit for the building by a Safety Codes Officer;
- c) the Lot Grading Certificate is to be stamped and signed by a Registered Alberta Land Surveyor, a Professional Engineer or a Registered Architect. The Surveyor, Engineer or Architect shall stake the locations of elevations shown on the Lot Grading Certificate with the elevation marked on the stake for verification by the Town;
- d) all grading of lots shall comply with Subsection 5.6 of the Land Use Bylaw, and Subsections 8.3.2 and 13.1 of the Municipal Engineering Standards; and
- e) upon approval of the Lot Grading Certificate by the Town of High Level, the landowner is responsible for maintaining the surface grades to the standards established at approval in perpetuity.

### **OCCUPANCY PERMITS**

12. Occupancy Permits shall be issued in accordance with the following:

- a) no building shall be used or occupied, and no change in the existing occupancy classification of a building or part thereof shall be made except as specified in the Act;
- b) changes in the use of occupancy of a building or part thereof shall not be made, except as specified in the Act; and
- c) after final inspection, if the building complies with the provisions of the Act and the applicant has made a request, a Safety Codes Officer shall issue an Occupancy Permit.

### **BUILDING RELOCATION PERMIT**

13. All relocated buildings shall comply with the following:

- a) no Manufactured Home – Mobile, Manufactured Home – Modular, Manufactured Home – Ready To Move or other building shall be moved onto or from a lot within the Town of High Level corporate limits without a valid Building Permit;

- b) a description or a map of the proposed route shall accompany all applications to relocate any building within the Town of High Level;
- c) a damage deposit may be required by the Town prior to the issuance of a Building Permit to relocate a building to cover the costs of repairing or replacing curb stops, valve boxes, manhole covers, culverts, sidewalks, curbs and gutters, lanes, roadways, and any other improvement that may be damaged as a direct result of the building relocation;
- d) the damage deposit shall be an amount set by the Town's annual Fees Bylaw;
- e) building relocation shall only proceed after all existing utility services have been disconnected from the building, Manufactured Home – Mobile, Manufactured Home – Modular or Manufactured Home – Ready To Move; and
- f) any excavation left as a result of a building relocation operation shall be filled in immediately or otherwise covered to protect the public.

#### DEMOLITION PERMITS

14. Demolition Permits shall be in accordance with the following:

- a) the demolition of any building, or part thereof, shall not be performed without a Demolition Permit;
- b) a description or a map of the proposed route to dispose of debris shall accompany all applications to demolish a building within the Town of High Level;
- c) demolition shall be done in accordance with the CSA–S350 Code of Practice for the Safety in Demolition of Structures and the *National Building Code – Alberta Edition*; and
- d) any demolition shall only proceed after all existing utility services have been disconnected from the building.

#### MUNICIPAL ENGINEERING AND CONSTRUCTION STANDARDS

- 15. The Municipal Engineering and Construction Standards may be replaced or amended from time to time, as deemed necessary by the Town of High Level.
- 16. The requirements of the Municipal Engineering and Construction Standards may be altered, revised or omitted if the requirement is proven unnecessary, or a revision will meet the intent of the requirement and approved by a Professional Engineer and/or the Development Authority.

**PERMIT FEES**

17. Fees for permits issued under this Bylaw shall be in accordance with the following:

- a) a non-refundable application fee shall be submitted with all Building Permit applications. The application fee will be credited to the final Building Permit fee if the permit is approved;
- b) when a Building Permit is issued without the permit fee being paid in full, an invoice will be issued for the permit fees to the applicant;
- c) in the event that any work, including excavation, has commenced prior to the issuance of a permit, the permit fee shall be doubled; and
- d) all application and permit fees shall be set by the Town's annual Fees Bylaw.

**ENFORCEMENT**

18. It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, improve, install, concert, remove, demolish, equip, relocate, use or occupy any building, or part thereof, or cause the same to be done without first obtaining a permit in accordance with this Bylaw.

19. Enforcement of this Bylaw will be in accordance with the Act.

**REPEALING OF FORMER BYLAW**

20. The Town of High Level's Building Permit and Standards Bylaw No. 686-98, and all amendments thereto, is hereby repealed; and

21. Bylaw 1019-21 shall take effect and be implemented upon Third reading.

READ a First time this 8<sup>th</sup> day of February, 2021.

STATUTORY Public Hearing held this 8<sup>th</sup> day of March, 2021.

READ a Second time this 8<sup>th</sup> day of March, 2021.

READ a Third time this 8<sup>th</sup> day of March, 2021.

SIGNED AND PASSED this 11<sup>th</sup> day of March, 2021.

[Original signed by Crystal McAteer]  
MAYOR

[Original signed by Sandra Beaton]  
MUNICIPAL CLERK