

CITY OF CORNER BROOK BUILDING BY-LAW

PURSUANT to the powers vested in it under section 236, 280.1, 280.2 and 280.04 of the *City of Corner Brook Act*, R.S.N.L. 1990, c. C-15, as amended, and all other powers it enabling, the Corner Brook City Council in a session convened on the 21st day of April, 2008, hereby passes and enacts the following regulation relating to buildings in the City of Corner Brook.

1. These Regulations may be cited as the *City of Corner Brook Building By-law*.

Definitions:

2. In these Regulations:
 - (a) "Building" shall mean a structure, erection, excavation, alteration or improvement placed on, over, or under land, or attached, anchored, or moored to lands and includes mobile structures, vehicles and marine vessels adapted or constructed for residential, commercial, industrial and other similar uses and any part thereof;
 - (b) "City" means the City of Corner Brook;
 - (c) "Code" means the National Building Code of Canada 2005 and the National Plumbing Code of Canada 2005 and any updates or amendments thereto.
 - (d) "Council" means Corner Brook City Council;
 - (e) "Inspector" means the person or persons appointed and authorized by Council pursuant to these Regulations to carry out such acts as are prescribed by these Regulations and includes but is not limited to those employees of the City employed by the City as building inspectors.

Code Applies

3. The Code, and other codes, supplements and amendments as the Minister of Municipal and Provincial Affairs may from time to time direct to be included in these Regulations, are hereby declared to be and shall form part of these Regulations as if the same were repeated herein in full.

Conformity with Regulations

- 4 (a) No Building shall be designed, constructed, erected, altered, reconstructed, changed, extended, repaired or maintained except in conformity with these Regulations.

- (b) Where:
- (i) a Building is designed, built or constructed, these Regulations apply to the design, building and construction of the Building;
 - (ii) the whole or any part of a Building is moved or relocated, these Regulations apply to all parts of the Building, whether moved or relocated or not;
 - (iii) the whole or any part of a Building is demolished, these Regulations apply to any remaining part thereof and to the work involved in the demolition;
 - (iv) a Building is altered, changed, repaired or extended, these Regulations apply to the whole building, including all alterations, changes, repairs and extensions; and
 - (v) the occupancy of a Building is changed, these Regulations apply to all parts of the Building affected by the change in occupancy.

Permit

5. No person shall design, construct, erect, alter, reconstruct, change, extend or repair a Building without first obtaining a permit from the City.
6. An application for a permit pursuant to these Regulations to construct, erect, alter, reconstruct, change, extend or repair a Building shall:
 - (a) be made in the form prescribed by the City;
 - (b) be signed by the owner, or if the applicant is not the owner, identify the owner and confirm under oath the permission of the owner to make the application;
 - (c) state the intended, construction, erection, alteration, change, alteration, extension, repair, demolition, removal or relocation of a Building, as applicable;
 - (d) if requested, include copies, in duplicate or triplicate as required, of the specifications and scale drawings of the Building with respect to which work is to be carried out showing, as applicable:
 - i. the dimensions of the building, including but not limited to the elevation of the floors;

- ii. the proposed use of each room and the floor area of each room;
 - iii. the location, grade, elevation and dimensions of the land on which the Building is, or is to be, situated;
 - iv. the grades of the streets and sewers abutting the land referred to in sub-clause (iii);
 - v. the property owner, the project engineer/architect to be involved (if applicable), the contractor to be involved (if applicable), a description of the project, the estimated cost of the project and any other information as may be required by the City;
- (f) include duplicate copies of complete fully dimensioned plans and specifications outlining the project in clearly legible detail;
- (g) when required by the Code or Council, plans and specifications submitted with an application for a permit shall bear the authorized seal and signature of a Professional Engineer or Architect registered in the Province of Newfoundland and Labrador.
- (h) contain any other information required by these Regulations or by Council.
7. Where an application is made in accordance with section 6, the application, including all plans and supporting documents filed therewith, shall be reviewed by an Inspector and if the Inspector finds the proposed work to be in accordance with these Regulations, the Inspector may issue a permit for the work proposed upon the payment of the applicable permit fee, as set out in Schedule "A" attached hereto.
8. The City may reject any application which does not comply with these Regulations or any other applicable legislation, regulation or code.
9. The City and an Inspector acting under section 7, may impose such conditions upon a permit as may be necessary to fulfill the requirements of these Regulations, the Code or otherwise as the City may deem advisable, which conditions shall be imposed upon a permit upon the issuance of the permit to the applicant.
- 10 (a) The City may, at any time, either conditionally or unconditionally, revoke a permit where:
- (i) there is, or will likely be, a breach of a condition of the permit, these Regulations or the Code;

- (ii) the work for which the permit was issued has ceased for a period of six (6) months;
 - (iii) in the opinion of the Inspector, the completion of the work for which the permit was issued has been unduly delayed;
 - (iv) there has been a violation of any legislation, regulation or code applicable to the work for which the permit was issued; or
 - (v) in the opinion of the Inspector, the continuance of the work for which the permit was issued becomes dangerous to life or property.
- (b) Notice of revocation of a permit shall be mailed or delivered to the applicant at the address of the applicant as noted in the application for the permit or posted upon the work site by the City. After such notice is received by the applicant or is posted at the work site it shall be a violation of these Regulations to proceed with any work for which such permit was issued.

Duties of the owner:

11. Every owner and occupier of residential property shall:
- (a) permit the City or its agents and employees, including but not limited to, Inspectors to enter any Building or premises at any reasonable time for the purpose of administering or enforcing these Regulations;
 - (b) obtain, where applicable, from the City, permits relating to building, zoning, grades, sewers, water mains, plumbing, signs, blasting, street occupancy, electricity, highways, and all other permits required in connection with the proposed work;
 - (c) give at least 2 clear days notice, excluding Saturdays, Sundays and statutory or municipal holidays, to the City of the intention to start work on a Building site in order to permit site inspection;
 - (d) give at least 1 clear day notice, excluding Saturdays, Sundays and statutory or municipal holidays, to the City:
 - (i) where water and sewer are connected to municipal works and before any backfilling of the excavation has been carried out;
 - (ii) where a foundation wall below land surface has been placed and before any backfilling of the excavation has been carried out;
 - (iii) where footing forms have been completed;

- (iv) where internal framing is complete and before any application of drywall; and
 - (v) as may otherwise be required by these Regulations;
 - (e) give written notice to the City within 30 days of the completion of the work described in a permit; and
12. Every owner and occupier of property shall obtain an occupancy permit from the City prior to any:
- (i) occupancy of a Building or any part thereof after the construction, erection, alteration, reconstruction, change, extension, repair, demolition or alteration of that Building or part; or
 - (ii) change in the class occupancy of any Building or part thereof.
13. Where tests of any materials are made to ensure conformity with the requirements of these Regulations, records of the test data shall be kept available for inspection during the construction of the building and for such a period thereafter as may be required by the City.
14. The person to whom a permit is issued pursuant to these Regulations shall, during the period in which the work for which the permit was issued is being carried out, keep:
- (a) posted in a conspicuous place on the property in respect of which the permit was issued a copy of the permit;
 - (b) a copy of the approved drawing and specifications on the property in respect of which the permit was issued readily available by the City and the Inspector.

Powers of the City

15. The City or an employee designated under these Regulations, including but not limited to, the Inspector may:
- (a) enter any Building or premises at any reasonable time for the purpose of administering or enforcing these Regulations;
 - (b) cause a written notice to be delivered to the owner or occupier of any property directing such owner or occupier to correct any condition of that property where, in the opinion of the City or the Inspector, that condition constitutes a violation of these Regulations;

- (c) direct that tests of materials, devices, construction methods, structural assemblies or foundation conditions be made, or sufficient evidence or proof be submitted, at the expense of the owner or occupier of any property, where such evidence or proof is necessary to determine whether the material, device, construction or foundation condition meets the requirements of these Regulations;
- (d) revoke or refuse to issue a permit where in the opinion of the City or the Inspector, the results of the tests referred to in subsection 14(c) do not meet the requirements of these Regulations; and
- (e) revoke or refuse to issue a permit where taxes on the property for which the permit is sought or issued are unpaid.

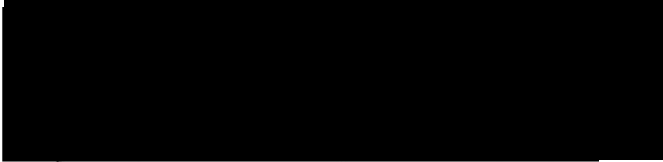
Penalty

- 15. Where any person contravenes any provision of these Regulations:
 - (a) such person is guilty of an offence and liable on summary conviction to a fine or to a period of imprisonment or both in accordance with the *City of Corner Brook Act*; and
 - (b) such person may be issued a violation notice pursuant to section 280.1 of the *City of Corner Brook Act*.
- 16. All Municipal Enforcement Officers are designated persons employed by Council who may issue a violation notice pursuant to section 280.1 of the *City of Corner Brook Act* for any contravention or failure to comply with these Regulations.

Repeal

- 17. These regulations shall come into force as of the date enacted by Council and the City of Corner Brook National Building Code By-Law Number 26 (cited as the Building By-law) and all amendments thereto, are hereby repealed upon the coming into force of these Regulations.

IN WITNESS WHEREOF these Regulations are sealed with the Common Seal of the City of Corner Brook and subscribed by the Mayor and City Clerk on behalf of the Council at the City of Corner Brook, in the Province of Newfoundland and Labrador, this 2nd day of May, A.D., 2008.



Mayor



City Clerk



Published in the Western Star – March 12, 2008

First Reading – March 3, 2008

Second Reading – April 21, 2008

Schedule "A"

Fee Schedule

RESIDENTIAL CONSTRUCTION

- Regular Rate.....1/2 of 1% of construction value
- Subsidiary Apartment (minimum fee).....\$50.00
(When not constructed during construction of main dwelling)
- Alteration, Extensions, Repairs (minimum fee).....\$25.00
- Accessory Building (minimum fee).....\$25.00
- Patio/Deck/Pool.....flat rate \$25.00
- Retaining Wall/Driveway.....flat rate \$25.00
- Residential Landscaping Deposit (Paid with & in addition to the Building Permit fee).....\$500.00
(No refund in landscaping not completed within one (1) year of occupancy)

COMMERCIAL / INDUSTRIAL / INSTITUTIONAL CONSTRUCTION

- Regular Rate.....3/4 of 1% up to \$300, 000 of construction value
plus 1/2 of 1% over \$300, 000
- Extensions (minimum fee).....\$50.00
- Alterations, Repairs (minimum fee).....\$25.00
- Accessory Building (minimum fee).....\$25.00
- Sign (up to \$5,000.00 construction value – minimum fee).....\$25.00
(Over \$5000.00 construction value).....1/2 of 1%
- Landscaping Deposit (Paid with & in addition to the Building Permit Fee).....\$1500.00
(No refund if landscaping not completed within one (1) year of occupancy)

DEVELOPMENT

- Development Application Fee.....\$50.00
- Subdivision or Consolidation of Property (each lot).....\$50.00
- Change of Use.....\$50.00
- Commercial Demolition Approval.....\$50.00
- Temporary Use Permit.....\$20.00
- Residential Demolition Approval.....\$30.00
- Development Regulation Amendment.....\$150.00
- Municipal Plan Amendment/ Rezoning.....\$300.00
- Appeal Fee.....\$100.00 plus HST
- Public Notice (Variance, Discretionary Use etc.).....\$150.00

For new buildings, extensions and major alterations a **Building Permit Application** shall be accompanied by two (2) sets of detailed plans drawn to $\frac{1}{4}'' = 1'$ or similar scale. Plan as follows:

1. Legal survey showing location of building with reference to adjoining sheet, lot lines and parking area
2. Cross-section
3. Foundation plans
4. Floor plans
5. Front, rear, left and right elevations
6. Plumbing layout/ riser diagram
7. Roof design detail
8. Plans for apartment buildings with more than three (3) dwelling units and plans for commercial, office, institutional and industrial buildings shall include: complete architectural, structural, electrical and mechanical plans stamped by an engineer or architect licensed to practice in Newfoundland and Labrador.

NOTE: If approved, one (1) set of plans will be retained by the City of Corner Brook.

A Development Application shall be accompanied by:

1. Development Application Fee.
2. Legal survey, Location Certificate or Surveyors Real Property Report, showing the site and/or location of the buildings with reference to adjoining street and lot lines.
3. Plans drawn to an appropriate scale clearly outlining the development.

CITY OF CORNER BROOK

BUILDING INSPECTION OFFICE, COMMUNITY SERVICES, CITY HALL, 637-1557/ 637-1552

BUILDING PERMIT/ DEVELOPMENT APPLICATION

RESERVED FOR OFFICE USE	
PROPERTY ID	PERMIT NUMBER

OWNER/ APPLICANT:		DATE:
ADDRESS:		
CITY:	PROVINCE:	
POSTAL CODE:	TELEPHONE:	
PROPERTY LOCATION:		
BUILDER:		
ADDRESS:		
CITY:	PROVINCE:	
POSTAL CODE:	TELEPHONE:	

BUILDING PERMIT APPLICATION (Please check appropriate box)		
BUILDING TYPE	CONSTRUCTION TYPE	PATIO/ DECK <input type="checkbox"/>
ASSEMBLY <input type="checkbox"/>	ERECT (NEW) <input type="checkbox"/>	CARPORT/ GARAGE <input type="checkbox"/>
INSTITUTIONAL <input type="checkbox"/>	REPAIR <input type="checkbox"/>	ACCESSORY BUILDING <input type="checkbox"/>
RESIDENTIAL <input type="checkbox"/>	EXTEND <input type="checkbox"/>	APARTMENT <input type="checkbox"/>
BUSINESS/ SERVICE <input type="checkbox"/>	ALTERATION <input type="checkbox"/>	RETAINING WALL <input type="checkbox"/>
MERCANTILE <input type="checkbox"/>	SIGN <input type="checkbox"/>	DRIVEWAY <input type="checkbox"/>
INDUSTRIAL <input type="checkbox"/>	POOL <input type="checkbox"/>	OTHER <input type="checkbox"/>

DEVELOPMENT APPLICATION

(Please check appropriate box)

DEVELOPMENT TYPE

RESIDENTIAL DEMOLITION	<input type="checkbox"/>	SITE DEVELOPMENT	<input type="checkbox"/>
COMMERCIAL DEMOLITION	<input type="checkbox"/>	HOME BASED BUSINESS	<input type="checkbox"/>
SUBDIVISION/ CONSOLIDATION OF PROPERTY	<input type="checkbox"/>	NEW BUSINESS	<input type="checkbox"/>
NEW BUILDING (RESIDENTIAL/ COMMERCIAL)	<input type="checkbox"/>	CHANGE OF USE	<input type="checkbox"/>
		RELOCATION OF BUILDING	<input type="checkbox"/>
		OTHER	<input type="checkbox"/>

DESCRIPTION OF WORK:

ESTIMATED CONTRUCTION VALUE – (MATERIAL & LABOUR) \$

DECLARATION:

I hereby apply for permission to carry out the development herein. I declare that all the information given by me in connection with this application is true and correct to the best of my belief and that the development described, if permitted, will be carried out in accordance with all applicable laws and regulations of the Province of Newfoundland and Labrador and the City of Corner Brook.

NOTE:

Where the Applicant and Property Owner are not the same, the signature of the Property Owner may be required before the application can be processed.

SIGNED BY:

APPLICANT:

PROPERTY OWNER:

WITNESS:

**THIS APPLICATION IS NOT VALID UNTIL COMPLETED AND SIGNED
SEE REVERSE FOR FEES AND CONDITIONS**

CITY OF CORNER BROOK CREST - PUBLIC NOTICE

THE CITY OF CORNER BROOK REGULATIONS AMENDMENTS

PURSUANT to the powers vested in it under the *City of Corner Brook Act, R.S.N.L. 1990, c.C-15*, as amended, and all other powers it enabling, the Council of the City of Corner Brook, at its Regular Council Meeting of December 15, 2008, adopted and enacted amendments to sections of the *City of Corner Brook Anti Litter Regulations* and *City of Corner Brook Building By-Law Regulation*.

Any person(s) wishing to view the Regulations may do so at the City/Clerk's Office, Third Floor, City Hall, Corner Brook, NL.



Marina Redmond
CITY CLERK

Western Star - (Acc # 4285) – Saturday, 20 December 2008

City of Corner Brook

Building By-Law Amendments

Pursuant to the powers vested in it under section 236,280.1, 280.2 and 280.04 of the City of Corner Brook Act, R.S. N.L. 1990, c. C-15, as amended, and all other powers it enabling, the Corner Brook City Council in a session convened on the 15th day of December, 2008, hereby passes and enacts the following amendments to City of Corner Brook Building By-Law Regulations

Section 9: to read "the Code or otherwise as the City or Inspector may deem advisable.. ."

Section 10(a): to read "The City or an Inspector may, at any time..."

Section 12(ii): to read "change in the class of occupancy of any Building or part thereof."

Section 15: to read "including but not limited to, an Inspector may:"

Section 15(d): to read "the results of the tests referred to in subsection 15 (c) do not meet the requirements of these Regulations; and"

To correct the numbering under the section Penalty to read 16 and **17**.

To correct the numbering under the section Repeal to read 18.

These regulations shall come in effect on the 20th of December, 2008.