



Town of Norquay

BYLAW NO. 01-2026

Building Bylaw

A BYLAW REPECTING BUILDINGS IN THE TOWN OF NORQUAY, IN THE PROVINCE OF SASKATCHEWAN

The Council of the Town of Norquay in the Province of Saskatchewan enacts as follows:

SHORT TITLE

1 This bylaw may be cited as the Building Bylaw.

PURPOSE OF THE BUILDING BYLAW

2 The purpose of this bylaw is to provide for the administration and enforcement of the Act, the regulations, the National Building Code of Canada, the National Energy Code of Canada for Buildings, ministerial interpretations and Saskatchewan Construction Standards Appeal Board orders and building official orders within the local authority.

INTERPRETATION/LEGISLATION

3 Definitions contained in *The Construction Codes Act*, *The Building Code Regulations* and *The Energy Code Regulations* shall apply in this building bylaw.

“Act” means *The Construction Codes Act*.

“building official” means a person who holds a building official licence.

“building official services” means plan review services, inspection services and enforcement services carried out by an appointed building official.

“certificate of occupancy” means a written document issued by the local authority giving the owner of the building permission to occupy the building for its intended use.

“competent person” means a person who is recognized by the local authority as having:

- (a) a degree, certificate or professional designation; or
- (b) the knowledge, experience and training;

necessary to design or review the design of a building.

“inspection” means the inspection of the following by an appointed building official to ascertain whether the Act and the regulations have been or are being complied with:

- (a) ongoing or incomplete building construction, materials of construction or building systems;

(b) completed or existing building construction, materials of construction or building systems.

“local authority” means the Town of Norquay to which this Building Bylaw applies.

“NBC” means the edition and provisions of the National Building Code of Canada, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and the regulations.

“NECB” means the edition and provisions of the National Energy Code of Canada for Buildings, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and *The Energy Code Regulations*.

“owner” means:

- (a) any person who has any right, title, estate or interest in land, improvements or premises other than that of a mere occupant, tenant or mortgagee;
- (b) any person, firm or corporation that controls the property under consideration; or
- (c) if the building is owned separately from the land on which the building is located, the owner of the building.

“owner’s representative” means any person, corporation, employee or contractor who has authority to act on behalf of an owner.

“permit” means written authorization issued by the local authority or its appointed building official. As sighted in the Fees & Charges Bylaw, Bylaw 04-2025

“plan review” means the examination of building drawings and related documents by a building official to ascertain whether those drawings and documents meet the requirements of the Act and the regulations.

“regulations” means *The Building Code Regulations* and *The Energy Code Regulations*.

“SAMA fee” means a fee charged to the local authority by the Saskatchewan Assessment Management Agency with respect to the work.

“value of construction” means the total costs to the owner for the building construction in its completed form and includes the cost of all building work, materials of construction, building systems, labour and overhead, and profit of the contractor and subcontractors.

“work” means any design, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, change of use, occupancy or change of occupancy of a building.

SCOPE OF THE BYLAW

4 This building bylaw applies to all work undertaken or to be undertaken within the geographical

jurisdiction of the local authority.

GENERAL

5(1) It is the duty of every owner or the owner's representative of a building in Saskatchewan to ensure that the building and work is in accordance with the Act, the regulations, any associated codes, interpretations and orders and any bylaws adopted by the local authority with which the building is associated.

(2) It shall be the responsibility of the owner or the owner's representative to arrange for all permits, inspections and certificates required by any other applicable bylaws, Acts and regulations.

(3) A building or part of a building for which a permit has been granted shall not be occupied before the issuance of a certificate of occupancy by the local authority or the building official pursuant to clause 16(11)(h) of the Act.

(4) The provisions of this building bylaw apply to buildings greater than 10m² (107.6 ft²) in building area except as otherwise exempted by the Act or the regulations.

PERMIT – ISSUANCE

6(1) Every application for a permit for work shall be on the form provided by the local authority, and shall be accompanied by plans and specifications of the proposed building and work in a format acceptable to the local authority.

(2) Every permit application shall be reviewed and approved by the building official including plan review and approval.

(3) If the work described in an application for a permit, to the best of the knowledge of the local authority or the building official, complies with the requirements of this building bylaw, the Act, or the regulations, the local authority or the building official shall, on receipt of the required fee, issue a permit on the form provided by the local authority. In addition, one set of the approved plans and specifications will be returned to the owner or the owner's representative with the permit.

(4) A permit issued pursuant to this building bylaw must include:

- (a) the name of the person, or company to whom the permit is issued;
- (b) the period for which the permit is valid;
- (c) a statement of all fees, deposits or bonds charged for the permit;
- (d) the scope of work authorized by the permit;
- (e) the municipal address or legal description of the property on which the work described in the permit is located;
- (f) the buildings or portion of buildings to which the permit applies;
- (g) the stages of construction for which a permit holder must inform the local authority;
- (h) any conditions that the permit holder is required to comply with; and
- (i) any information required by this building bylaw.

(5) No person or company to whom a permit is issued pursuant to the Act shall fail to comply with

the terms and conditions of the permit.

- (6) Work must not commence before a permit is issued.
- (7) The permit fee shall be calculated according to the sum of the following:
 - (a) a permit administration fee listed in bylaw 04-2025 Fees and Charges Bylaw for the processing, handling and issuance of a permit;
 - (b) the fees for plan review, field inspection of construction and enforcement in accordance with Bylaw 04-2025 Fees and Charges bylaw or the agreement between the provider of building official services and the local authority;
 - (c) the fees charged by the Saskatchewan Assessment Management Agency; and
 - (d) a deposit, if required, in an amount determined by the local authority.
- (8) If a deposit is collected it shall, on request by the owner or owner's representative, be refundable on satisfactory completion of the work or on approval of use or occupancy of the building by the local authority or the building official.
- (9) All permit fees and deposits will be collected before the permit is issued and are subject to any applicable taxes.
- (10) The local authority or the building official may establish the value of construction for the work described in an application for a permit, for the purpose of calculating a permit fee, based on established current construction costs, the owner's or the owner's representative statement of costs or constructor's contract values, or similar methods selected by the local authority or the building official.
- (11) It is the responsibility of the owner or the owner's representative to ensure that all notifications required by Section 7 of the Act and this building bylaw are given to the local authority and that all inspections are scheduled and completed. Failure to do so may result in additional fees for follow up inspections.
- (12) The owner or the owner's representative will be invoiced by the local authority for additional inspection fees and payment of the inspection fees will be due on receipt of an invoice. Unpaid inspection fees will be considered a debt due to the local authority and may be recovered from the owner of the land or premises in or on which the work was carried out as per the Act.
- (13) The local authority may, at its discretion, rebate a portion of a permit fee or deposit where work is reduced in scope or discontinued, or where other exceptional circumstances occur.

PERMITS – REFUSAL TO ISSUE

- 7(1) The local authority may refuse to issue a permit if:
- (a) the proposed work described on the permit application would contravene:
 - (i) the Act;
 - (ii) the regulations;
 - (iii) an order of the appeal board;
 - (iv) a written interpretation of the minister pursuant to section 8 of the Act; or
 - (v) the local authority's building bylaw;
 - (b) the person who designed or reviewed the design of a proposed building that is within

- the scope of Part 9 of the NBC is not a competent person;
- (c) the person who designed or completed a design review of a proposed building that is within the scope of Part 3, 4, 5, 6 or 7 of the NBC is not an architect or engineer;
- (d) the person who designed or completed a design review of a proposed building that is within the scope of the NECB is not an architect or engineer;
- (e) the application for a permit is incomplete;
- (f) any fees, deposits or bonds required pursuant to the local authority's building bylaw for the issuance of a permit have not been paid; or
- (g) the proposed work described on the permit application would contravene any other Act, regulations or bylaw that applies to the proposed work.

(2) Where the local authority refuses to issue a permit pursuant to subsection (1), the local authority shall:

- (a) provide written notice to the applicant as to the reasons for the local authority's refusal to issue a permit; and
- (b) refund any fee or deposit paid as part of the permit application for work pursuant to the Act, less any fees paid for:
 - (i) plan review; and
 - (ii) permit application or administration.

PERMITS – REVOCATION

8(1) The local authority may revoke a permit issued pursuant to the Act:

- (a) if the holder of the permit requests in writing that it be revoked;
- (b) if the permit was issued on mistaken, false or incorrect information;
- (c) if the permit was issued in error;
- (d) subject to subsection (2), if, after 6 months after the permit's issuance, the work for which the permit was issued has not, in the opinion of the local authority's building official, been seriously commenced and no written agreement for the delay has been given by the local authority; or
- (e) subject to subsection (2), if the work for which the permit was issued is, in the opinion of the local authority's building official, substantially suspended or discontinued for a period of more than 6 months after the permit's issuance and no written agreement for the delay has been given by the local authority.

(2) If the local authority revokes a permit pursuant to subsection (1) it shall provide written notice to the permit holder as to the reasons for the revocation.

PERMITS – EXPIRY

9(1) The expiry of a permit does not relieve the owner or the owner's representative from the obligation to complete the work approved in the permit.

(2) All permits issued pursuant to this building bylaw expire on the date stated in the permit, or if no date is stated:

- (a) Twelve (12) months from date of issue;
- (b) Six (6) months from date of issue if work is not commenced within that period;
- (c) on the date specified by the local authority if work has not seriously commenced and

is suspended for a period of six months; or

- (3) All Permits for demolition shall expire six (6) months from the date of issue
- (4) If the permit expires as Per subsection 9(2) and deficiencies still exist, the building official or local authority may extend the permit or a maximum of 12 months; or
- (5) Uphold the permit expiration as per subsection 9(2) and require the owner to apply for a new permit. New permit applications are subject to the current applicable regulations.
- (6) If a permit has received the maximum time extensions as per clause 9(4) and all the work is still not complete, any deposits shall be deemed to be forfeited by the owner or owner's representative.
- (7) If the owner wishes to terminate the work, the owner or owner's representative must first provide written notification to the local authority and receive written approval for the local authority to terminate the permit.
- (8) The local authority may revoke, extend or vary conditions of a permit on written to the owner or owner's representative and subject to any conditions or fees listed in the bylaw.

DEMOLITION OR REMOVAL PERMITS

10 (1) The fee for a permit to demolish, relocate or remove a building shall be in accordance with Bylaw 01-2025 Fees & Charges Bylaw.

(a) The applicant shall be responsible to remove buildings and materials at their own expense.

(b) In addition, the applicant shall provide a deposit in accordance with Bylaw 04-2025 Fees & Charges Bylaw that to cover the cost of restoring the site after the building has been demolished or removed to such condition that it is, in the opinion of the local authority or its building official, not dangerous to public safety.

(c) if the applicant who demolishes or removes the building restores the site to a condition satisfactory to the local authority or its building official, the sum deposited, or portion thereof, shall be refunded.

(2) Every application for a permit to demolish or remove a building shall be in a form approved by the local authority.

(3) Where a building is to be demolished and the local authority 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 local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the demolition or removal.

(4) Where a building is to be removed from the geographical jurisdiction of the local authority, and the local authority 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 local authority, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in a form approved by the local authority.

(5)(a) Where a building is to be removed from its current site and set upon another site in the geographical jurisdiction of the local authority, and the local authority 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 local authority or its building official, will conform with the requirements of this bylaw, the local authority or its building official, upon receipt of the fee and deposit prescribed, shall issue a permit for the removal in a form approved by the local authority.

(b) In addition, the local authority, upon receipt of the fee prescribed in subsection 6(7), shall issue a permit for the placement of the building in a form approved by the local authority.

(c) All permits issued under this section expire Twelve (12) months from the date of issue

(d) Six (6) months from date of issue if work is not commenced within that period;

(e) on the date specified by the local authority if work has been suspended with written permission by the local authority or building official and the agreed upon period has been exceeded

(6) provide proof satisfactory to the local authority that the applicant has arranged with the municipality for all obsolete or redundant sewer and water connections to the building to be sealed off or removed and has made payment for such services.

(7) provide proof satisfactory to the local authority that the applicant has arranged for the discontinuation or removal of any gas, electrical or telephone utilities.

(8) All demolition work shall be carried out in a safe and professional manner in accordance with The Occupational Health and Safety Regulations, 2020.

(9) All concrete slabs, footings and foundations shall be removed to a minimum of 300 millimeters below final grade.

(10) The demolition site and all excavations shall be filled to level grade.

(11) Demolition work shall not be considered as complete until the demolition site is free of all debris.

BUILDING DEPOSIT - RETENTION, INSPECTION, REMEDIATION, AND FORFEITURE

11 (1) A building deposit shall be paid to the local authority at the time of issuance of the building permit. The deposit shall be held by the local authority until the building site has been cleaned and restored to an acceptable condition to the satisfaction of the local authority.

(2) For the purposes of this section, acceptable condition means the removal of construction debris, excess materials, and waste; proper grading to prevent ponding or runoff onto an adjacent property or public right-of-way; restoration of boulevards, sidewalks, lanes, ditches, and road surfaces affected by construction, and compliance with all applicable bylaws, permit conditions, and orders of the local authority.

(3) The owner or owner's representative shall provide notification in writing to the local authority stating that the site is ready for inspection when the work is deemed completed:

(a) Within 10 days of receipt of the notice of completion the local authority shall endeavor to complete a property inspection.

(b) The owner or owner's representative shall make the site available for inspection and shall provide reasonable access.

(4) Where, following the property inspection, the local authority determines the site is not in an acceptable condition, the local authority may issue a written notice to owner or owner's representative specifying the deficiencies and directing that the site be remedied within fourteen (14) calendar days of the date of the notice.

(5) The local authority may, grant an extension where it is satisfied that the owner or owner's representative has encountered exceptional circumstances and provided public safety is assured.

(6) If the permit holder fails to remedy the deficiencies within the specified timeframe, the local authority may:

(a) undertake, or contract for, to remedy the deficiencies of the site.

(b) Where the local authority undertakes or contracts the completion of the deficiencies, the building deposit shall be forfeited.

(c) If the actual costs of the completion of the deficiencies exceeds the amount of the deposit, the balance may be recovered by as stated in subsection 6(12).

(7) Notwithstanding subsections (4) and (5), where the local authority or building official determines the site is in a condition that constitutes an unsafe condition, the building official may order the owner to take any steps set out in the order to eliminate the unsafe condition or if the condition constitutes an imminent risk or danger, the building official or person appointed by the local authority may enter the land or the building and do, or cause to be done any acts necessary to eliminate the imminent risk or danger and take any measures authorized by the Act to eliminate the risk or danger, and subsection 26(3) and (4) of the Act apply, with any necessary modification, to the expenses incurred in eliminating the risk or danger.

(8) The deposit shall be refundable on satisfactory completion of the work as determined by the local authority or the building official.

(9) The retention or forfeiture of the deposit under this section does not limit the local authority's ability to enforce this bylaw, order, or permit condition, or to pursue any other legal and or financial remedy."

ENFORCEMENT

12 The local authority or the building official may take any measures as permitted by section 24, 25 or 26 of the Act and sections 13 and 14 of *The Building Code Regulations* for the purpose of ensuring compliance with this building bylaw.

NOTIFICATION

13(1) The owner or the owner's representative of a building to be constructed shall ensure that the local authority is notified of:

(a) when excavation is to be commenced;

(b) when the foundation is to be placed;

(c) when a superstructure is to be placed on the foundation;

(d) any other event at the time required by the permit under which work has been

undertaken; and
(e) any other specified event at the specified time.

(2) Before commencing work at a building site, the owner or the owner's representative shall give notice to the local authority of:

- (a) the date on which the owner or the owner's representative intends to commence the work; and
- (b) subject to subsection (8), the name, address and telephone number of:
 - (i) the constructor or other person in charge of the work;
 - (ii) the designer of the work;
 - (iii) the person or firm that is to review the work to determine whether or not the construction conforms to the design; and
 - (iv) any inspection or testing agency that is engaged to monitor the work.

(3) During the course of construction, the owner or the owner's representative shall give notice to the local authority of:

- (a) subject to subsection (8), any change in, or termination of, the employment of a person or firm mentioned in clause (2)(b);
- (b) the owner's or owner's representative intent to do any work that has been ordered by a building official or local authority to be inspected during construction;
- (c) the owner's or owner's representative intent to enclose work that has been ordered by a building official or local authority to be inspected before enclosure;
- (d) subject to subsection (8), any proposed deviation from the plans approved and permitted by the local authority;
- (e) subject to subsection (8), any construction undertaken that deviates from the plans approved and permitted by the local authority
- (f) the completion of work.

(4) Subject to subsection (8), the owner or the owner's representative of a building under construction shall give notice to the local authority of:

- (a) any change in ownership or change in address of the owner or the owner's representative that occurs before the issuance of a certificate of occupancy as soon as the change occurs; and
- (b) the owner's or owner's representative's intention to occupy a portion of the building if the building is to be occupied in stages.

(5) The owner of a building or the owner's agents, contractors, employees, successors or assigns or the registered owner of the land on which the building is situated shall submit a written report to the local authority of the occurrence of any of the following that causes or has the potential to cause serious injury or loss of life:

- (a) structural failure of the building or part of the building;
- (b) failure of any equipment, device or appliance that is regulated by the Act or the regulations.

(6) A report submitted pursuant to subsection (5) must:

- (a) contain:
 - (i) the name and address of the owner;

- (ii) the address or location of the building involved in the failure;
 - (iii) the name and address of the constructor of the building; and
 - (iv) the nature of the failure; and
- (b) be submitted to the local authority within 15 days after the occurrence of the failure mentioned in clause (5)(a) or (b).

(7) On receipt of the report pursuant to subsection (5), the local authority may require an owner to do the following:

- (a) provide any other information that the building official or local authority may consider necessary;
- (b) complete any additional work that is necessary to ensure compliance.

(8) Notice given pursuant to clause (2)(b), (3)(a), (3)(d) or (3)(e) or subsection (4) is to be in writing.

SPECIAL CONDITIONS

14(1) An owner or the owner's representative that undertakes to construct or have constructed a building that is within the scope of Parts 3, 4, 5, 6 and 7 of the NBC shall have an architect or engineer complete:

- (a) the design or design review of the building and all building systems;
- (b) field review of construction of the structure to ensure compliance with the design and
- (c) the reviews required by the NBC.

(2) An owner or the owner's representative that undertakes to construct or have constructed a building with a structure within the scope of the NECB shall have an architect or engineer complete:

- (a) the design or design review of the structure;
- (b) a field review of the structure to ensure compliance with the design; and
- (c) the reviews required by the NECB.

(3) In addition to the requirements of subsections (1) and (2), the local authority or building official shall require that an engineer or architect provide:

- (a) a Commitment for Field Review as part of the permit application for work; and
- (b) an Assurance of Field Review and Compliance letter, on completion of the work, providing assurance that the work conforms to the engineer's or architect's design.

(4) An owner or the owner's representative that undertakes to construct or have constructed a building that is within the scope of Part 9 of the NBC shall ensure that a competent person has designed or reviewed the design of the building.

(5) An owner or the owner's representative shall ensure that copies of any inspection or review reports made pursuant to this section are made available to a building official or the local authority on the request of the building official or local authority, as the case may be.

(6) No owner of a building or an owner's representative shall cause or allow the ground elevations of a building to be changed so as to place in contravention of the NBC:

- (a) the building or part of the building; or
- (b) an adjacent building.

(7) If the property boundaries of a building lot are changed so as to place a building or part of a building in contravention of the NBC, the owner or the owner's representative shall immediately alter the building or part of the building to bring it into compliance with the NBC.

(8) Building permits will be required for all buildings that have sleeping accommodations.

PENALTY

15(1) Any person who contravenes any of the provisions of this building bylaw may be subject to the penalties provided in Part 8 of the Act.

(2) Conviction of a person or corporation for breach of any provision of this building bylaw shall not relieve the person or corporation from compliance with the Act and regulations.

REPEAL OF BYLAW(S)

16 On enactment of this building bylaw, all previous building bylaws, building bylaw amendments, and Building Bylaw GOVSK 1-2024 are repealed.

Enactment pursuant to Section 17 of *The Construction Codes Act*.

Certified a true copy of Bylaw No. _____
Adopted by resolution of the Council this
_____ day of _____, 20____

Administrator

SEAL

Mayor

Administrator