

## PUBLISHED BY AUTHORITY

The following regulations have been made by the Council of the Town of Mount Moriah under the provisions of Section 414 of *The Municipalities Act, 1999* and were approved by council on the 2 day of June A. D., 2021.

### BUILDING REGULATIONS

1. Interpretations. In these regulations unless the context otherwise requires:
  - (a) “Act” means the Municipalities Act, 1999.
  - (b) “Council” means the Council of the Town of Mount Moriah constituted under the provisions of the said Act.
  - (c) “Town” means the Town of Mount Moriah as defined by paragraph 2 of Order-in-Council dated the 12<sup>th</sup> day of October, A. D., 1971, and made under the Municipalities Act, 1999.
  - (d) “Building” includes every structure, erection, excavation, alteration, or improvement whatsoever placed on, over, or under the land and every part of same, and any chimney, porch or other structure used in connection with such building.
  - (e) “Dwelling” means a building used as a residence.
  - (f) “Assembly Rooms” shall mean any room other than a habitable room, business or work room used by persons assembling for civic, political, religious, educational, social, recreational or amusement purposes.
  - (g) “Inspector” means any person appointed as such by the Council.
2. The Inspector shall enforce all the building laws and regulations of the Town and shall make a record of any violations thereof, stating the nature of the violation, the street or locality at which any violations is found, the owner of the building, the architect and master mechanic employed, and any other matter in his judgment proper to be recorded and shall report such violation to the Council who shall forthwith take such action as may be necessary to compel compliance with the law. The duty of the Inspector shall be, during the progress of the construction, repair, alteration, removal or demolition of any building for which a permit has been issued, to inspect the work from time to time and ensure a strict compliance with all the provisions of the Act and all other laws, rules,

regulations and bylaws applicable thereto.

3. Except with the prior approval in writing of the Council, every dwelling and every automobile service station, shop, restaurant, office, school, church, club, lodge, hall, lounge, theatre, warehouse, hotel, canteen, industrial building, and every assemble room, shall be located on a lot of dimensions which in the opinion of the Council shall be adequate having regard to access to and exit from such buildings, parking space for vehicle, and access to highways and such other factors relating to the use, water and supply, sanitation, safety and appearance of such buildings as it may deem relevant.
4. No building or any part of any building shall hereafter be constructed except in conformity with the provisions of these regulations and all other laws, rules and regulations which may be applicable thereto.
5. Except as specifically permitted by the act, all alterations, additions, or repairs made hereafter, whether to existing buildings or to buildings hereafter erected, shall conform to the requirements of these regulations except with the permission of the Council in writing.
6. Any existing building which for any reason whatsoever requires alterations or repairs at any one time equal to or in excess of fifty (50) per centum of the cost of erecting a new building of the same character and dimensions, such cost being calculated without including the cost of constructing cellars or chimneys, shall be made to conform to the requirements of these regulations and all other laws, rules and regulations applicable thereto or shall demolished.
7. No person shall erect, construct or repair any building within the Town unless a permit for the erection, construction, or repair of such building shall have been first issued by the Council.
8. Every application for a permit to erect, construct or repair any building shall be accompanied by plans and specifications thereof, provided that in case of repairs where no structural alteration is contemplated, it shall be sufficient to submit a full description and specification of the same without plans.
9. The plans and specifications shall set forth:
  - (a) The use or purpose for which the building is intended.
  - (b) The location and dimensions of the lot to be built upon.
  - (c) The heights and dimensions of the proposed buildings.
  - (d) the sewer and water connections or the location of the privy, or septic tank and well, as the case may be.
  - (e) The materials to be used.
  - (f) The name of the builder.
  - (g) Any other information as the Council deems requisite in any particular case.
10. (1) No person shall erase, alter or modify any drawings or specifications upon which a building permit has been granted by the Council unless the Council has agreed to

such changes.

- (2) If during the progress of the work it is desired to deviate from the plan filed with the application for building permit in any manner effecting the construction or other essentials of the building, notice of such desired alterations, together with new plans and specifications shall first be given in writing to the council whose written approval shall be obtained before such alterations are commenced.
11. Any building permit issued by the Council under the provisions of these regulations shall expire unless building is construction is started within six months from the date of issue.
12. The Council may revoke any permit issued under the provisions of these regulations or may stop the work for any of the following reasons:
  - (a) When construction is discontinued for a period of one year.
  - (b) When, in the opinion of the Council, the completion of the construction has be unduly delayed.
  - (c) Whenever there has been a violation of the provisions of these regulations or any law, rule or regulations applicable thereto.
  - (d) Whenever the continuance of the work becomes dangerous to life or property.
13. The revocation of any permit shall be notice in writing and shall be served upon the owner, his agent, or the person having charge of the work. A revocation by notice shall also be posted upon the building by the Inspector, after such notice is received or posted, it shall be unlawful for any person to proceed with any work for which such permit was issued.
14. The Council may require an applicant for a permit to give notice of the application by letter to any persons whose interest may be affected by any proposed construction, alteration or repairs, or may require notice of such application to be given at the cost of the applicant by public advertisement in a newspaper circulating in the Town.
15. There shall be kept posted in a conspicuous place on the premises where any work, matter or thing is being done for which a permit has been issued, a copy of such permit, or a poster in lieu thereof as supplied by the Council, during the whole progress of said work, or the doing of the said matter or thing, until completion.
16. The Council may refuse to issued a permit for any building, the size, design, or appearance of which, or the location of which, or the use of which is in the Council's opinion unsuitable for the locality in which it is proposed to be erected, or inferior in general character to other buildings in that locality.
17. No building shall be moved to a new location unless a permit for such change of location and removal has been first obtained from the Council.
18. A change of location of a building shall be considered a re-erection of such building and be subject to all provisions of the regulations.
19. (1) All foundation walls supporting masonry construction shall be built of masonry or reinforced concrete. Wood frame construction shall be supported on

- walls or piers.
- (2) This regulation shall not apply to the foundations of detached garages or similar accessory building or not more than one storey in height.
20. No detached dwelling shall be build less than five feet from the side lines of the lot on which it is located, and no semi-detached dwelling shall be built so as to have the exposed sides thereof less than five feet from the side lines of the lot.
21. (1) No roof of any building is permitted to slope towards the street unless such building is set back a least ten feet from the street line.
- (2) Applicants for permission to repair sloping roof of buildings situated on street where snow and ice formation create hazards for those using the street on which such buildings abut shall give a detailed description of the repairs contemplated and plans if so required. If any such rook, its members or portions thereof requires an expenditure equal to fifty per centum of the cost of building a new roof, then the council shall require such applicant to build a roof which shall shed water away from the street.
22. No person, except with the approval of the Council in writing, shall erect any building at a distance of less than fifty (50) feet from the centre of any road or street.
23. Every building hereafter erected on any road or street shall have the side thereof fronting on the said road or street parallel, or as nearly as possible parallel to the said road or street.
24. (1) No door or gate shall be hung so as to project over the street more than twelve inches when fully open except that in buildings used as places of assembly at the date of the passing of these regulations, existing doors may open over the street, and if to remain open shall be fastened flat against the main street walls of such buildings in a fashion approved by the Inspector.
- (2) No entrance step or steps to any building shall extend beyond the street line.
25. (1) It shall not be lawful discharge any spout or rain conductor directly upon a public street. Such spouts or rain conductors shall be connected with a drain or sewer leading from the building to which such spout or conductor is attached.
- (2) Nothing in this section shall be deemed to authorize the projection beyond the street line of anything which has not bee specified.
26. Every floor area used or intended for use as a place of assembly for one hundred or more persons, shall have direct access to not less than the number of exits indicated in the following table.

TABLE

Number of Persons

Number of Exits Required

100 to 600

2

601 to 1200

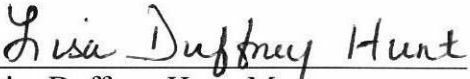
3

More than 1200

4

27. Where a floor is required to have two exits, they shall be placed as remote from each other as practicable. When more than two exits are required, they shall be distributed as uniformly as practicable throughout the space they are to serve.
28. Every required exit shall lead, either directly or through a required passageway or hallway, to a street or to an open space communicating with a street.
29.
  - (1) All doors in exit doorways shall open in the direction of exit travel, excepting doors in residential occupancies and doors serving only a ground floor area of not more than fifteen hundred square feet; provided that this requirement shall not prohibit the use of doors swinging both inwards and outwards, nor of sliding doors to stables, garages, or shipping or receiving rooms of business and storage buildings.
  - (2) All doors, whether exit doors or not, which lead from rooms occupied by fifty or more persons shall be hung to swing in the direction of exit travel.
  - (3) No exit door shall open immediately on a flight of stairs, but shall open on a landing of which neither the length nor width shall be less than the width of such doors. No riser of any flight of stairs shall be located within one foot of the jam of any exit door.
30. Fastening on any required exit door shall be such that the door may be readily opened from the inside without the use of keys; provided that this equipment shall not apply to doors of rooms where persons are under legal restraint. This requirement shall not prohibit the installation of locks on doors of floor areas, such locks to be used only when such spaces are not occupied by any persons. Draw bolts or chains shall not be used on doors to places of assembly at any time. No entrance or exit door serving a place of assembly shall be fastened while occupied in any manner except by self releasing latches, panic bolts or similar devices which can be opened from the inside without the use of keys.
31. All chimneys and smoke flues shall be built of brick, concrete, stone, hollow tile of clay or concrete, concrete blocks, or reinforced concrete, and shall be not less than four inches thick on all sides. Any deviation from above, particularly the use of funnelling, shall only be by special consent of the Council.
32. Chimneys shall be built upon concrete or solid masonry foundations. The footing for an exterior chimney shall start below the frost line, or at the minimum dept of four feet.
33.
  - (1) The Council or any person appointed by the Council may enter and inspect any burnt, dilapidated or dangerous building, or any dwelling which is suspected to be unfit for human habitation, and the Council may, after due notice in writing to the owner of the same or his agent, adjudge the same to be a nuisance and may make an order in writing prescribing such disposition, alteration or regulation thereof, or the destruction thereof as the Council may deem necessary.

- (2) If the order of the Council issued under the authority of the provisions of paragraph (1) of this regulation is not complied with or is not so far complied with as the Council may regard as reasonable within twenty days after the service thereof, then such order may be executed by the Council through its officers, agents, employers or contractors, and the cost of such execution may be recovered from the owner at the suit of the Council as a civil debt.
- (3) If the owner of such burnt, dilapidated or dangerous building or dwelling unfit for human habitation cannot be found within the area, the Council may service or order made under paragraph (1) of this regulation by posting it in a conspicuous place on such building and, if the order is not complied with, or is not so far complied with as the Council may regard as reasonable within twenty days after the posting thereof, the Council may cause such building or dwelling to be pulled down and the debris thereof removed, and the cost of such pulling down and the removal may be recovered from the owner at the suit of the Council as a civil debt.
34. Any person violating any of the provisions of these regulations shall be guilty of an offence and shall be liable on summary conviction to a penalty not exceeding one hundred dollars or in default of payment of such penalty to imprisonment for a period not exceeding three months.
35. These regulations shall come into effect in the 2 day of June A. D, 2021, and may be cited as the Town of Mount Moriah (Building) Regulations.

  
Lisa Duffney-Hunt, Mayor