

Copy of  
Final

42

**TOWN OF STELLARTON  
BUILDING BY LAW**

**TITLE**

1. This bylaw shall be known and cited as the *Building Bylaw* of the Town of Stellarton.

**DEFINITIONS**

2. (1) In this bylaw

- (a) "Act" means the Building Code Act; RSNS 1989, c.46 as amended;
- (b) "Building Code" means the regulations made pursuant to Section 4 of the Act;
- (c) "Council" means the Council of the Town of Stellarton;
- (d) "Town" means the Town of Stellarton.

(2) Where applicable, all other words in this bylaw have the same meanings as in the Act and the regulations prescribed pursuant thereto.

**APPLICATIONS**

3. (1) Before a building permit, occupancy permit or demolition permit is issued, an applicant must complete the application form as set out in schedule "A" hereto annexed.

- (2) Every application for a permit shall:

- (a) identify and describe in detail the work and occupancy to be covered by the permit for which application is made;
- (b) describe the land on which the work is to be done by a description that will readily identify and locate the building lot and include where Nova Scotia property mapping exists the unique Parcel Identifier (PID) number or where this mapping does not exist the assessment account number;
- (c) include plans and specifications as required by Section 2.3 of the National Building Code;
- (d) state the valuation and square footage of the proposed work and be accompanied by the required fee;

- (e) state the names, addresses, and telephone numbers of the owner, architect, professional engineer, or other designer, constructor and any inspection or testing agency that has been engaged to monitor the work or part of the work;
- (f) describe any special building systems, materials and appliances;
- (g) such additional information as may be required by the authority having jurisdiction.

(3) when all information required pursuant to Section 3(2) has not been provided within six months after the application is filed, the application shall be deemed to have been abandoned.

(4) A permit is valid for one (1) year from the date of issue and may be renewed, unless pursuant to Section 9 of the Act, grounds for revocation exist.

(5) Any revision to the work authorized by a permit shall require an application for an amended permit

4. (1) A permit may be issued at the risk of the owner, with conditions to ensure compliance with the Building Code, to excavate or to construct a portion of a building before all the plans of the project have been submitted or accepted.

(2) The permit shall be clearly marked "At Owner's Risk"

(3) Should a permit be issued for a part of a building the holder of the permit may proceed, but without any assurance that the permit for the entire building will be granted.

(4) Any permit issued for part only of a building shall be clearly marked as for part only and shall also indicate that a permit for the entire building is not assured.

5. A permit for the whole project may be issued conditional upon the submission of additional information prior to commencing the work for which the information is pertinent, provided that the information is of such a nature that withholding the permit until the information was available would delay the work unreasonably.

6. The conditions referred to in Sections 4 and 5 of this bylaw shall be set out on the face of the permit.

### **BUILDING PERMITS**

7. (1) Unless otherwise provided for in this bylaw or the Building Code, a building permit is required if work regulated by the Building Code is to be done.

(2) A building permit shall be in the form set out in Schedule "B" hereto annexed.

(3) Before issuing a building permit, the authority having jurisdiction shall be satisfied that a development permit, if required, has been issued pursuant to the Land Use Bylaw of the Town.

(4) Pursuant to section 1.2.1.2.(2)(a) of the Building Code, a building permit is required for all accessory buildings.

(5) Pursuant to Section 1.2.1.2.(2)(b) of the Building Code, the Building Code applies but a building permit is not required for the following non-structural material alterations and material repairs with a monetary value of five thousand dollars or less,

(a) replacing of existing siding or installation of siding over an existing exterior finish,

(b) repairing or replacing an existing roofing surface,

(c) painting

(6) Pursuant to section 1.2.1.2.(1) of the Building Code, the Building Code does not apply to the following:

(a) sewerage, water, electrical, telephone, rail or similar systems located above, below or on an area which has been dedicated or deeded to public use;

(b) public utility towers and poles, television and radio or other communication aerials and towers, except for loads resulting from those located on or attached to buildings;

(c) flood control, dams for public water supply hydroelectric dams and their related structures (not excluding buildings);

(d) above ground or below ground bulk storage tanks not regulated under part 6 of the code, or free-standing signs;

(e) fences;

(f) retaining walls or exterior steps not attached to, and forming part of the buildings construction;

(g) modular homes and mobile homes built to *CAN / CSA-A277-90*, "Procedures for Certification of Factory Built homes", or CSA Z240 MH Series-92 Standard "mobile homes", except for the inspections required in Part 4 of this bylaw.

8. The authority having jurisdiction may withhold a building permit until satisfied that there is either a valid on-site sewage disposal system permit issued by the Provincial Department of the Environment for the construction of a

building requiring a new private sewage disposal system or that the proper approvals have been given by the Town's Public Works Department for the connection to the Town's services.

### **OCCUPANCY PERMIT**

9. (1) An occupancy permit is required:
- (a) to allow the initial occupancy of a building or part thereof;
  - (b) when the occupancy classification of a building or part thereof is changed;
  - (c) to allow partial demolition or alteration of a building
- (2) An occupancy permit shall be in the form set out in Schedule "C" hereto annexed.

### **DEMOLITION PERMIT**

10. (1) A demolition permit is required for the demolition or part thereof of any building or structure within the Town.
- (2) A demolition permit shall be in the form set out in Schedule "D" hereto annexed.
- (3) Before issuing a demolition permit, the authority having jurisdiction shall be satisfied that the building is not subject to the provisions of a bylaw passed pursuant to the Heritage Property Act of Nova Scotia.
- (4) A demolition permit shall clearly state that all construction debris shall be disposed of in accordance with all applicable provincial laws and regulations.

### **TEMPORARY BUILDING**

11. (1) A permit for a temporary building:
- (a) shall state the date after which the permit is no longer valid under the conditions specified at the time of the application,
  - (b) may be extended in writing by the authority having jurisdiction,
  - (c) shall be posted on the building,

**PERMIT FEES**

12. (1) Fees for Building Permits shall be as Follows:

\$25.00 plus \$0.10 (10 cents) per square foot for new construction plus additions excluding unfinished basements for residential buildings, community centers and churches.

\$25.00 plus \$0.14(14 cents) per square foot of new construction plus additions for commercial, industrial and other buildings not otherwise specified.

\$25.00 plus \$0.04 (4 cents) per square foot for the sheds, garages, barns and other accessory buildings

\$25.00 plus \$2.00 per \$1,000.00 of estimated value for repairs, alterations, and renovations to all existing buildings.

\$75.00 flat fee for location or relocation of an existing structure or mobile home.

\$50.00 flat fee for construction or location of swimming pools, including required fencing.

\$15.00 flat fee for the renewal of an approved permit

Occupancy Permits: NIL

Demolition Permits: \$25.00

(2) Once a permit issued the fee is non-refundable. If a permit has not been issued, a \$25.00 administration fee shall apply and the balance will be refunded.

**INSPECTIONS**

13. (1) The owner of a building being constructed under the scope of Part 9 of the Building Code shall notify the authority having jurisdiction 48 hours in advance to inspect for compliance with the code at the following stages of construction:

- (a)
  - (i) footings in place,
  - (ii) the site before commencing backfilling of the laterally supported foundation, before a superstructure is placed on the foundation;
  - (iii) the framing, roof and plumbing and mechanical;
  - (iv) insulation and vapour barrier before wall framing is covered;
  - (v) before occupancy.
  
- (b) for modular or mobile homes, conforming to either CAN/CSA-Z240 MH Series -92 Mobile Homes" or the CSA standard A277-M-1990 Procedures for Certification of Factory Built Houses",
  - (i) footings in place,
  - (ii) (a) in case of a mobile home, the site preparation, foundation installation and anchorage in accordance with CSA CAN3-Z240. 10.1-94 "Recommended Practice for Site Preparation, Foundation and Anchorage of Mobile Homes."
    - (b) in the case of a modular home, site preparation and foundation,
  - (iii) installation and anchorage,
  - (iv) before occupancy.

(2) The owner of a building being constructed outside the scope of Part 9 of the Building Code shall notify the authority having jurisdiction to inspect for compliance with the Building Code:

- (a) of the intent to undertake construction that will be inspected and will be reviewed as per the appropriate letter of undertaking required by Article 2.1.1.5., 2.1.1.6., or 2.1.1.7. of the Building Code.
- (b) of intent to cover construction that has been ordered to be inspected by the authority having jurisdiction before covering and,
- (c) at intervals deemed necessary by the authority having jurisdiction based on the complexity of the building,
- (d) when construction has been completed so that a final inspection can be made.

(3) The owner of any building being demolished shall notify the authority having jurisdiction at the following stages of demolition;

- (a) prior to demolition;
- (b) after demolition.

**APPOINTMENT OF BUILDING INSPECTOR**

14. Pursuant to Section 5 (3) of the Act, the duly authorized building inspectors, employed by the Pictou County District Planning Commission to provide building inspection services to member municipal units, are hereby appointed to be building inspectors for the Town of Stellarton, and shall be responsible for the administration and enforcement of this bylaw. Council may from time to time by resolution, establish policy guidelines, to aid the building inspectors in carrying out their responsibilities under this bylaw.

**GENERAL**

15. All other building bylaws heretofore passed by the Town of Stellarton are hereby repealed.

16. This bylaw shall have effect from and after the date it is filed in the office of the minister of Municipal Affairs pursuant to the Act and published in accordance with the provisions of the Towns Act.

This is to certify that the bylaw of which the forgoing is a true copy was duly passed at a duly called meeting of the Council of the Town of Stellarton duly held on the 8 day of June A.D., 1998

Given under the hand of the Town Clerk and under the corporate seal of the Town of Stellarton this 10 day of June 1998

  
Town Clerk  
Town of Stellarton

Filed in the office of the Minister of Municipal Affairs this  
day of ,A.D.,1998

Minister of Municipal Affairs

SCHEDULE A

APPLICATION FOR BUILDING AND/OR DEVELOPMENT PERMIT(S)

PLEASE NOTE THIS IS AN APPLICATION ONLY. WORK SHALL NOT COMMENCE UNTIL THE REQUIRED PERMIT(S) HAVE BEEN ISSUED.  
 APPLICANT IS REQUESTED TO FILL IN ALL THE SPACES WHICH APPLY. IMPROPERLY COMPLETED FORMS WILL BE RETURNED.

SUBMIT WITH REQUIRED FEE TO:



PICTOU COUNTY DISTRICT PLANNING COMMISSION

266 FOORD ST., P.O. BOX 2500, STELLARTON, NOVA SCOTIA B0K 1S0

Ph: 755-1390 Fax: 752-8960

APPLICATION NUMBER		ESTIMATED VALUE OF CONSTRUCTION		APPLICATION FEE		MUNICIPALITY OF		APPLICATION DATE		APPLICANT OR OWNER'S PHONE NO		
OWNER'S NAME				MAILING ADDRESS				CONTRACTOR'S PHONE NO.				
CONTRACTOR			ARCHITECT OR ENGINEER			PLUMBING CONTRACTOR						
APPLICATION FOR:	CHANGE OF USE	POOL	CONVENTIONAL BUILDING	PRE-MFGED BUILDING	MOBILE HOME	RELOCATION	ADDITION	RENOVATIONS & REPAIRS	SIGN	DEMOLITION	OTHER	GARAGE PRIV. <input type="checkbox"/> COMM. <input type="checkbox"/>
Type of Occupancy			SINGLE FAMILY	TWO FAMILY	MULTI-FAMILY	COMMERCIAL	INDUSTRIAL	INSTITUTIONAL	AGRICULTURAL	OTHER	DESCRIBE	
LOCATION OF PROPOSED DEVELOPMENT		NAME OF STREET OR HIGHWAY						lot no.		CORNER LOT YES <input type="checkbox"/> NO <input type="checkbox"/>		

**SITE PLAN DETAILS**

Central Services (Water & Sewer) YES <input type="checkbox"/> NO <input type="checkbox"/>	On-Site Services (Water & Septic) YES <input type="checkbox"/> NO <input type="checkbox"/>
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SITE PLAN ENCLOSED YES <input type="checkbox"/> NO <input type="checkbox"/>	DIMENSIONS OF LOT		FRONT	REAR	L. SIDE	R. SIDE
YARD CLEARANCE	FRONT	REAR	L. SIDE	R. SIDE		

**CONSTRUCTION DETAILS**

FOUNDATIONS	CONCRETE	CONC.BLOCK	WOOD	OTHER	THICKNESS					
JOISTS	FIRST FLOOR	SPACING	WIDTH	THICKNESS	SECOND FLOOR	SPACING	WIDTH	THICKNESS		
ROOFING	WOOD TRUSS	WOOD RAFTER	STEEL	BUILT-UP	OTHER					
WALL CONSTRUCTION	FIRST FLOOR	SPACING	WIDTH	THICKNESS	SECOND FLOOR	SPACING	WIDTH	THICKNESS		
EXTERIOR WALLS	BRICK	STONE	WOOD	STEEL	OTHER	ROOFING	ASPHALT	STEEL	BUILT-UP	OTHER
CHIMNEY CONSTRUCTION	BRICK WITH LINING	PATENT	NO. OF FLOORS	BASEMENT	1st FLOOR	2nd FLOOR	3rd FLOOR	4th FLOOR		
NO. OF ROOMS	LIVING	DINING	KITCHEN	BEDROOMS	FAMILY ROOM	RECREATION	BATHROOMS	BASEMENT	OTHER	
OTHER APARTMENTS IN BUILDING	YES <input type="checkbox"/> NO <input type="checkbox"/>									

IN THE SPACE BELOW INDICATE WHERE YOUR PROPOSED STRUCTURE WOULD BE IN RELATIONSHIP TO YOUR PROPERTY LINES. ALSO INDICATE THE DIMENSIONS OF YOUR PROPERTY AND BUILDING.

**SITE PLAN REAR**

LEFT
RIGHT

---

**FRONT PROPERTY LINE**  
PLEASE FILL IN APPLICABLE DIMENSIONS

HEREBY MAKE APPLICATION FOR BUILDING AND OR DEVELOPMENT PERMITS AS DESCRIBED HEREIN. I CERTIFY THAT I AM THE OWNER OR ACTING WITH THE OWNERS WRITTEN CONCENT.

SIGNATURE OF APPLICANT \_\_\_\_\_

CONTACT INFORMATION \_\_\_\_\_

**OFFICE USE ONLY**

DEPARTMENT	APPROVALS & DATE	DEPARTMENT	APPROVALS & DATE
DEVELOPMENT OFFICER		BUILDING INSPECTOR	
PID		ZONE	

IT SHOULD BE CLEARLY UNDERSTOOD BY THE APPLICANT THAT THIS DEVELOPMENT IS SUBJECT TO THE BYLAWS AND THE REGULATIONS OF THE TOWN FOR WHICH THIS APPLICATION IS MADE AND, ALSO, SUBJECT TO COMPLIANCE WITH THE STATUTORY REQUIREMENTS OF THE PROVINCE OF NOVA SCOTIA.

THE APPLICANT IS ALSO RESPONSIBLE TO SEARCH FOR ANY COVENANT THAT MAY APPLY TO THE PROPERTY THAT MAY FURTHER RESTRICT THE TYPE OF DEVELOPMENT.



# BUILDING PERMIT

PERMIT NO. \_\_\_\_\_ Date \_\_\_\_\_

THIS CERTIFIES THAT \_\_\_\_\_

has permission to \_\_\_\_\_

at \_\_\_\_\_

provided that the person accepting this permit shall in every respect conform to the terms of the application and to the provisions of the by-laws and ordinances relating to the construction of buildings etc. in the Town of: \_\_\_\_\_

Any violation of any of the terms of the above noted work shall be cause for immediate revocation of this permit.

This permit expires

on \_\_\_\_\_ 19 \_\_\_\_\_

Building Inspector

NOTE: THIS PERMIT MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES FOR THE ENTIRE PERIOD OF WORK ACTIVITY.

See reverse side for **MANDATORY INSPECTION SCHEDULE**



P.O. BOX 2500  
266 FOORD STREET  
STELLARTON  
NOVA SCOTIA  
BOK 1S0

**SCHEDULE B**

**INSPECTIONS**

**TOWNS OF NEW GLASGOW, PICTOU, TRENTON, WESTVILLE & STELLARTON**

The *authority* having jurisdiction shall be notified 48 hours prior to commencement of construction in the form of a verbal communication and given an opportunity to inspect at the following stages of construction:

- (a) footings in place,
- (b) the site before commencing backfilling of the laterally supported foundation, before a superstructure is placed on the foundation,
- (c) the framing, roof, and plumbing and mechanical,
- (d) insulation and vapour barrier before wall framing is covered,
- (e) before occupancy.

Pursuant to Section 5(3) of the Building Code Act, the duly authorized Building Inspectors, employed by the Pictou County District Planning Commission to provide building inspection services to member municipal units, are hereby appointed to be Building Inspectors for the Towns of New Glasgow, Pictou, Trenton, Westville and Stellarton and shall be responsible for the administration and enforcement of their Building By-laws, Swimming Pool By-law, and, where applicable, Residential Property Standards By-laws.

**Building Inspector**

**Telephone: 755-1390 (Office)**



**PICTOU  
COUNTY  
DISTRICT  
PLANNING  
COMMISSION**

P.O. BOX 2500  
STELLARTON  
NOVA SCOTIA  
B0K 1S0

SCHEDULE C

BUS: (902) 755-1390  
FAX: (902) 752-8960

**CERTIFICATE OF OCCUPANCY**

**THIS IS TO CERTIFY THAT:** \_\_\_\_\_

**LOCATED AT:** \_\_\_\_\_

**LOT NO.** \_\_\_\_\_ **Building Permit No.** \_\_\_\_\_ **Zone** \_\_\_\_\_

**Type of Occupancy** \_\_\_\_\_

**OWNER:** \_\_\_\_\_

**DESIGNER:** \_\_\_\_\_

**CONTRACTOR:** \_\_\_\_\_

**TOWN OF:** \_\_\_\_\_

**HAS BEEN INSPECTED AND THE OCCUPANCIES ARE HEREBY  
AUTHORIZED SUBJECT TO THE FOLLOWING CONDITIONS:**

\_\_\_\_\_  
**DATE ISSUED**

\_\_\_\_\_  
**MUNICIPAL BUILDING INSPECTOR**

# DEMOLITION PERMIT

PERMIT NO. \_\_\_\_\_ Date \_\_\_\_\_

THIS CERTIFIES THAT \_\_\_\_\_

has permission to \_\_\_\_\_

\_\_\_\_\_

at \_\_\_\_\_

provided that the person accepting this permit shall in every respect conform to the terms of the application and to the provisions of the by-laws and ordinances relating to the demolition of buildings etc. in the municipality of: \_\_\_\_\_

Any violation of any of the terms above noted shall work an immediate revocation of this permit.

This permit expires

on \_\_\_\_\_ 19 \_\_\_\_\_

Building Inspector

NOTE: THIS PERMIT MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES FOR THE ENTIRE PERIOD OF WORK ACTIVITY.



P.O. BOX 2500  
266 FOORD STREET  
STELLERTON  
NOVA SCOTIA  
B0K 1S0



**PICTOU  
COUNTY  
DISTRICT  
PLANNING  
COMMISSION**  
P.O. BOX 2500  
STELLARTON  
NOVA SCOTIA  
B0K 1S0

HO# 42

BUS: (902) 755-1390  
FAX: (902) 752-8960

March 4, 1998

Mr. Adrian Pearson  
Town Clerk and Treasurer  
P.O. Box 2200  
Stellarton, N.S.  
B0K-1S0

**RE: Town's Building By-Law - Draft**

Dear Sir:

Current building permit fees have been in place since 1988 and it is recommended that we increase our fees to help offset cost increases since that time.

Please find attached, current building permit fees for the municipality of Pictou, current building permit fees for P.C.D.P.C., and recommended building permit fees to replace those found in the current building by-law.

We would recommend that we do not charge for the following, cancellation of inspection visit or occupancy permit, as seen in the current building permit fees for the county of Pictou, and that a demolition permit fee be \$25.00 total.

For any further information, please contact the undersigned.

Sincerely

Michael S. MacKinnon  
Building Inspector

## Current Building Permit Fees

### Municipality Of The County Of Pictou

Administration fee:	\$25.00
Fee for cancellation of inspection visit	\$25.00
Building Permit Fee (new construction and additions to existing buildings)	\$0.10 per square foot excluding unfinished basements for residential buildings, community centres and churches;  \$0.14 per square foot, based on all useable floor area of the new construction, or addition of commercial, industrial and other buildings not otherwise specified;  \$0.04 per square foot for non-sheds, decks, shell barns and farm, forestry or fishing buildings not designated for human occupancy;
Building Permit Fee (repairs, renovations and alterations to existing buildings)	\$25.00 plus \$2.00 per \$1,000.00 of estimated value
Occupancy Permit	\$10.00
Demolition Permit	\$20.00
Location or relocation of existing structure or mobile home	\$75.00
Construction or location of swimming pool, including required fencing	\$50.00
Renewal of an approved permit	\$15.00

## FEE SCHEDULE

### Towns of Westville, Trenton, Stellarton, Pictou and New Glasgow

#### *FEEES FOR PERMITS SHALL BE AS FOLLOWS:*

- BUILDING PERMITS:**     \$5.00 plus \$0.06 (6 cents) per square foot excluding unfinished basements for residential buildings, community centres and churches; including any signs for above.
- \$5.00 plus \$0.10 (10 cents) per square foot for commercial and industrial buildings: including signs.
- \$5.00 plus \$0.02 (2 cents) per square foot for sheds, shell warehouses, garages, barns and other farm buildings. Pools.
- \$5.00 plus 0.01% of value for alterations and repairs plus additions. Pools and fences. (\$1.00 per thousand.)
- \$5.00 flat fee for construction items listed in Section 2.3 of Building Bylaw, namely accessory buildings, siding, roofing and non-structural repairs.
- \$5.00 flat fee for canopies.
- OCCUPANCY PERMITS:**     Nil
- DEMOLITION PERMITS:**     \$20.00

2.5.2 A demolition permit shall clearly state that all construction debris shall be disposed of at a Provincial approved landfill site.

2.6 A permit for a temporary building:

- (a) shall state the date after which the permit is no longer valid under the conditions specified at the time of the application.
- (b) may be extended in writing by the authority having jurisdiction,
- (c) shall be posted on the building.
- (d) shall be renewed every twelve months for a tent or an air supported structure.

2.6.1 (a) A permit may be issued at the risk of the owner, with conditions to ensure compliance with the Building Code, to excavate or to construct a portion of a building before all the plans of the project have been submitted or accepted.

(b) The permit shall be clearly marked "At Owner's Risk"

2.6.2 (a) Should a permit be issued for a part of a building, the holder of the permit may proceed, but without any assurance that the permit for the entire building will be granted.

(b) Any permit issued for part only of a building shall be clearly marked as for part only, and shall also indicate that a permit for the entire building is not assured.

2.6.3 (a) A permit for the whole project may be issued conditional upon the submission of additional information prior to commencing the work for which the information is pertinent, provided that the information is of such a nature that withholding the permit until the information was available would delay the work unreasonably.

(b) The condition shall be set out on the face of the permit.

### **PART 3 - PERMIT FEES**

3.1 Fees for permits shall be as follows:

Building Permits:	\$25.00 plus \$0.10 (10 cents) per square foot for new construction plus additions excluding unfinished basements for residential buildings, community centers and churches.
	\$25.00 plus \$0.14 (14 cents) per square foot of new construction plus additions for commercial, industrial and other buildings not otherwise specified.
	\$25.00 plus \$0.04 (4 cents) per square foot for sheds, garages, barns and other accessory buildings.
	\$25.00 plus \$2.00 per \$1,000.00 of estimated value for repairs, alterations, and renovations to all existing buildings.
	\$75.00 flat fee for location or relocation of an existing structure or mobile home.
	\$50.00 flat fee for construction or location of swimming pools, including required fencing.
	\$15.00 flat fee for the renewal of an approved permit



Occupancy permits:	Nil
Demolition Permits:	\$25.00

3.1.1 Once permit issued, fee is non-refundable. If the permit has not been issued, all but the \$25.00 administration fee is refundable.

#### **PART 4 - INSPECTIONS**

4.1 The owner of a building being constructed under the scope of part 9 of the code shall notify the authority having jurisdiction 48 hours in advance to inspect for compliance with the code at the following stages of construction:

- (a)
  - (i) footings in place,
  - (ii) the site before commencing backfilling of the laterally supported foundation, before a superstructure is placed on the foundation,
  - (iii) the framing, roof, and plumbing and mechanical,
  - (iv) insulation and vapour barrier before wall framing is covered,
  - (v) before occupancy.
- (b) for modular or mobile homes conforming to either CAN/CSA-Z240 MH Series-92 "Mobile Homes" or the CSA standard A277-M-1990 "Procedures for Certification of Factory Built Houses",
  - (i) footings in place,
  - (ii) (a) in case of a mobile home, the site preparation, foundation installation and anchorage in accordance with CSA CAN3-Z240.10.1-94 "Recommended Practice for Site Preparation, Foundation, and Anchorage of Mobile Homes"
  - (b) in the case of a Modular Home site preparation and foundation,
  - (iii) installation and anchorage,
  - (iv) before occupancy.
- (c) the owner of any building being demolished shall notify the Authority having Jurisdiction at the following stages of demolition:
  - (i) prior to demolition;
  - (ii) after demolition.

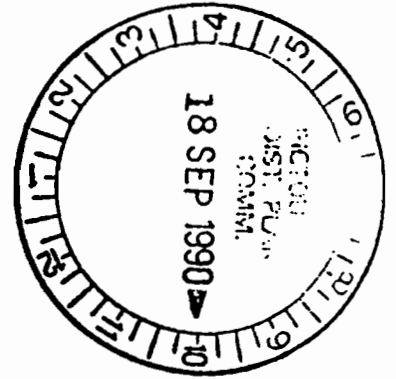
Office 752-5143  
Res. 752-4927

**JOHN B. BAKER, Q. C.**  
Barrister, Solicitor and Notary

*Bob Claridge 8042*  
*Legl. Janet Wilburt 424-5725*  
253 Foord Street  
P. O. Box 969  
Stellarton, Nova Scotia  
BOK 1S0

February 09th, 1989

Town Clerk  
Town of Stellarton,  
Foord Street,  
Stellarton, N.S.



Dear Adrian:

Re: Amendment to the Town of Stellarton Building By-Law

As requested I have prepared a Resolution incorporating the amendment approved and recommended by the Town Engineer and myself as well as a consultation of the Town Engineer with the Planning Commission.

If the resolution is passed, Seal and Certify two copies and forward to the Department of Municipal Affairs for filing.

*Municipal*  
~~Municipal~~ approval is not required or so I am led to believe.

A copy should also be sent to your building inspector as well as a copy retained for the Town office files.

Yours very truly,

*John B. Baker*  
John B. Baker, Q.C.,

JBB/Mml  
encls.

P.S. I am returning a copy of the original Town Building By-law to the Town Engineer, a copy of it should be made of it for your file and a copy for the building inspector as I do not believe they have one.

BE IT RESOLVED by the Council of the Town of Stellarton, that the following By-Law be and the same is hereby enacted as a By-Law of the Town of Stellarton when and if the same has been duly passed by the Council of the Town of Stellarton, signed by the Town Clerk and the Seal of the Town attached hereto and a copy filed with the Minister of Municipal Affairs.

By-Law in Respect to Building By-Law

The Stellarton Building By-Law is amended by adding thereto the following sections:

By adding the following to Section 2.2.1 (c)

1. In addition to the requirements of the National Building Code Subsection 2.3.3, site plans shall show; a profile of the storm and sanitary sewer service laterals drawn to a vertical scale in the ratio of vertical to horizontal of 1:10 detailing:
  - (a) the concrete foundation slab and walls;
  - (b) the existing street and curb;
  - (c) the sidewalk, if applicable;
  - (d) the main sanitary sewer;
  - (e) the main storm sewer, if applicable;
  - (f) the water main;
  - (g) the proposed driveway;
  - (h) distance of service lateral connection to the mains from the closest manhole on that main;
  - (i) key plan;
  - (j) provisions for notes, revisions, dates, scale and drawing title and
2. Existing ground levels of adjacent properties.

.../2

By adding to part three (3) Permit Fees:

- 3.2 Prior to commencement of construction a \$ 2,000.00 bond in the form of a certified cheque made out to the Town of Stellarton shall be filed with the Town Office, This bond is to protect the Town from unrepaired damage to Town property, This bond shall be returned in full upon occupancy of the building provided that all damage to Town property has been repaired.

By adding to part four (4) Inspections:

- 4.3 For Part 4 buildings the design professionals shall have prime responsibility for building code compliance, both at the design stage and during construction. The Building Inspector shall have a secondary responsibility limited to ensuring that the appropriate design professionals have accepted prime responsibility.

By adding the following miscellaneous sections:

- 4.4 The sanitary and storm sewer service laterals shall be laid with a minimum grade of 2% fall to the main sewers. The storm sewer shall commence no higher than the lowest point of the basement floor.
- 4.5 Driveways shall rise away from the street at a minimum grade of 2% for a distance of at least 4.2 metres from the curb line. Maximum grade for a driveway shall be 10%.
- 4.6 A property shall not be regraded in a manner that blocks or impedes any natural or constructed watercourse without first constructing an alternative drainage system. Prior to commencing work on an alternative drainage system plans must be submitted to the Town Engineer and his written approval obtained.

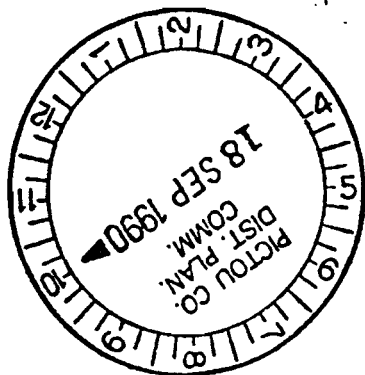
- 4.7 A property shall not be regraded so as to cause water to pond or build up on any adjacent property.
- 4.8 Within a period of one year from the date of occupying any new building the owner shall complete the landscaping of the lot to a standard which conforms with the surrounding properties so as not to deter from the quality of the area as whole.
- 4.9 A property owner wishing to have the driveway opening located at a different location to that which has been provided through the concrete curb shall be responsible for the cost of cutting out the new curb opening and repairing the existing curb opening to Town standards.

THIS IS TO CERTIFY that the resolution of which the foregoing is a true copy was duly passed at a duly called meeting of the Town Council of the Town of Stellarton, duly held on the 13th day of February A.D. 1989.

GIVEN under the hand of the Town Clerk and under the corporate seal of the said Town this 15 day of February A.D. 1989.

*[Handwritten Signature]*  
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TOWN CLERK



STELLARTON  
BUILDING BYLAW

BE IT RESOLVED by the Town Council of the Town of Stellarton that the following bylaw be enacted and that the clerk file a copy in the office of the Minister of Municipal Affairs pursuant to Section 7 of the Building Code Act, S.N.S. 1986, c.3.

PART 1 - DEFINITIONS

1. All words in this bylaw have the same meaning as in the Building Code Act and the regulations prescribed pursuant thereto.

PART 2 - PERMITS

- 2.1.1 A building permit shall be in the form set out in Schedule "A" hereto annexed.
- 2.1.2. An occupancy permit shall be in the form set out in Schedule "B" hereto annexed.
- 2.1.3. A demolition permit shall be in the form set out in Schedule "C" hereto annexed.
- 2.2 Before a Building permit, Occupancy permit or Demolition permit is issued, an applicant must complete an application form, which shall be appended in Schedule "D", hereto annexed.
  - 2.2.1 Every application for a permit shall:
    - (a) identify and describe in detail the work and occupancy to be covered by the permit for which application is made.
    - (b) describe the land on which the work is to be done by a description that will readily identify and locate the building lot,
    - (c) include plans and specifications as required by the Building Code and show the occupancy of all parts of the building.
    - (d) state the valuation and square footage of the proposed work and be accompanied by the required fee, and

- (e) state the names, addresses and telephone numbers of the owner, architect, engineer or other designer and constructor.
- 2.2.2 When an application for a permit has not been completed in conformance with the requirements of this bylaw within six months after it is filed, the application shall be deemed to have been abandoned.
- 2.2.3 A permit is valid for 1 year from the date of issue and is renewable.
- 2.2.4 Any revision to the work to be covered by a permit shall require an application for an amended permit.
- 2.3 Pursuant to Section 3.2 of the Provincial Building Code Regulations, building permits shall be obtained for renovations, additions, or new construction including:
- (a) all accessory buildings;
  - (b) installation of siding over an existing exterior finish;
  - (c) replacing an existing roofing surface; and
  - (d) interior and exterior non-structure repairs.
- 2.4 An occupancy permit may be issued, subject to compliance with provisions to safeguard persons in or about the premises, to allow the occupancy of a building or part thereof for the accepted use prior to commencement or completion of the construction or demolition work.
- 2.5 Before issuing a building permit, a complete application shall be filed with the authority having jurisdiction.
- 2.6.1 Before issuing a building permit, the authority having jurisdiction shall be satisfied that a development permit has been issued pursuant to the Land-Use Bylaw of the town of Stellarton.

- 2.6.2 Pursuant to Section 7.3 of the Provincial Building Code Regulations, an application for a building permit for the construction of a building requiring a new on-site sewage disposal system shall be accompanied by a copy of a valid on-site sewage disposal system permit issued by the Board of Health for the municipality, and the authority having jurisdiction may withhold a building permit until satisfied that there is a valid on-site sewage disposal system permit in force.
- 2.6.3 Before issuing a demolition permit, the authority having jurisdiction shall be satisfied that the building is not subject to the provisions of a bylaw passed pursuant to the Heritage Property Act.
- 2.6.4 A permit for a temporary building:
- (a) shall state the date after which the permit is no longer valid under the conditions specified at the time of the application,
  - (b) may be extended in writing,
  - (c) shall be posted on the building.
- 2.6.5
- (a) Should a permit be issued for a part of a building, the holder of the permit may proceed, but without any assurance that the permit for the entire building will be granted.
  - (b) Any permit issued for part only of a building shall be clearly marked as for part only, and shall also indicate that a permit for the entire building is not assured.
- 2.6.6
- (a) A permit may be issued at the risk of the owner, with conditions to ensure compliance with the Building Code, to excavate or to construct a portion of a building before all the plans of the project have been submitted or accepted.
  - (b) The permit shall be clearly marked "At Owner's Risk".
- 2.6.7
- (a) A permit for a whole project may be issued conditional upon the submission of additional information prior to commencing the work for which the information is



pertinent, provided that the information is of such a nature that withholding the permit until the information was available would delay the work unreasonably.

(b) The condition shall be set out on the face of the permit.

2.7.1 Notwithstanding Subsection 4.6, Arrangement of Drainage Piping, specifically sentences (1) - (5) of Article 4.6.4 of the Canadian Plumbing Code (1980), or any amendment thereto pursuant to Section 4(1)(a) of the Building Code Act, All new construction (or renovations involving the replacement of the plumbing system including the drainage piping) shall require the installation of "backwater valves". Such "backwater valves" (or gate valves, or one-way flow control valves) are intended to provide some measure of protection from backflow. Unless otherwise approved by the building inspector, a building permit shall not be issued unless the plans for construction include provisions for installation of "backwater valves" as part of the new or replacement plumbing system. Backwater valves shall only be required where a plumbing system is to be connected to the central sewage system.

✓  
Bob Windsor

### PART 3 - PERMITS FEES

3.1 Fees for permits shall be as follows:

Building Permits:	\$5.00 plus \$0.06 per square foot excluding unfinished basements for residential buildings, community centres and churches
	\$5.00 plus \$0.10 per square foot for commercial and industrial buildings
	\$5.00 plus \$0.02 per square foot for sheds, shell warehouses, garages, barns and other farm buildings
	\$5.00 plus 0.1% of value for alterations and repairs
	\$5.00 flat fee for construction items listed in Section 2.3 of this Bylaw, namely accessory buildings, siding, roofing and non-structural repairs.
Occupancy Permits:	NIL
Demolition Permits:	\$20.00

### PART 4 - INSPECTIONS

- 4.1 The authority having jurisdiction shall be notified 48 hours prior to commencement of construction in the form of a verbal communication and given an opportunity to inspect at the following stages of construction:
- (a) Prior to site excavation for all new construction
  - (b) the foundation before backfilling, and before a superstructure is placed on a foundation,
  - (c) the building framed and closed in.

- (d) the insulation complete, and plumbing and electrical roughed in before interior wall coverings are installed,
- (e) Upon completion and before occupancy.

4.2

Fursuant to Section 5(3) of the Building Code Act, the duly authorized Building Inspectors, employed by the Pictou County District Planning Commission to provide building inspection services to member municipal units, are hereby appointed to be Building Inspectors for the Town of Stellarton, and shall be responsible for the administration and enforcement of this Bylaw. The Town Council may from time to time, by resolution, establish policy guidelines to aid the Building Inspectors in carrying out their responsibilities under this Bylaw.

PART 5 - COMING INTO FORCE

5.1 This bylaw shall have effect from and after April 1, 1987.

THIS IS TO CERTIFY  
that the bylaw of  
which the foregoing is  
a true copy was duly  
passed at a duly  
called meeting of the  
Council of the Town of  
Stellarton, duly held  
on the 9<sup>th</sup> day of Nov.  
\_\_\_\_, A.D., 1987.

GIVEN under the hand  
of the Clerk and under  
the corporate seal of  
the Town of Stellarton  
this 31 day of March  
A.D., 1987.

  
Town Clerk

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