

**TOWN OF NEW GLASGOW
BYLAW NUMBER 18
BUILDING BY LAW**

TITLE

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

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 New Glasgow;
 - (d) "Town" means the Town of New Glasgow.
- (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 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 A permit for a temporary building:
- (a) shall state the 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 permits shall be as follows:

Building Permits:

\$5.00 plus \$0.06 (6 cents) per square foot excluding unfinished basements for residential buildings (including mobile homes), community centers and churches.

\$5.00 plus \$0.10 (10 cents) per square foot for commercial and industrial buildings.

\$5.00 plus \$0.02 (2 cents) per square foot for sheds, garages, barns and other accessory buildings, including pools.

\$5.00 plus 0.01% of value for alterations, and repairs plus additions (\$1.00 per thousand)

\$5.00 flat fee for items not listed above.

Occupancy Permits:

NIL

Demolition Permits:

\$20.00

(2) Once a permit issued the fee is non-refundable. If a permit has not been issued, a \$5.00 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,
- (ii) 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 New Glasgow, and shall

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-MFGD 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

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.

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"/>	
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			

SITE PLAN REAR

LEFT

RIGHT

CONSTRUCTION DETAILS

DIMENSIONS OF BUILDING		FRONT	SIDE	HEIGHT							
BUILDING PLANS SUBMITTED	YES <input type="checkbox"/> NO <input type="checkbox"/>	FOUNDATION WALLS		CONCRETE	CONC. BLOCK	WOOD	OTHER	THICKNESS			
FLOOR JOISTS SIZES	FIRST FLOOR	SPACING	WIDTH	THICKNESS	SECOND FLOOR	SPACING	WIDTH	THICKNESS			
ROOF CONST.	WOOD TRUSS	WOOD RAFTER	STEEL	BUILT-UP	OTHER						
WALL STUD 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"/>										

FRONT PROPERTY LINE
PLEASE FILL IN APPLICABLE DIMENSIONS

I 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

X

ADDITIONAL 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.

SCHEDULE B

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 2501
266 FOORD STREET
STELLARTON
NOVA SCOTIA
BOK 1S

SCHEDULE B

INSPECTIONS

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

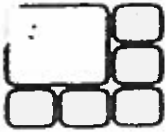
The *authority* having jurisdiction shall be notified 48 hours prior to commencement of construction in the form of a verbal communication and given an opportunity to inspect at the following stages of construction:

- (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

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

MICHAEL MACKINNON
MUNICIPAL BUILDING INSPECTOR

DEMOLITION PERMIT

PERMIT NO. _____ Date _____

THIS CERTIFIES THAT _____

has permission to _____

at _____

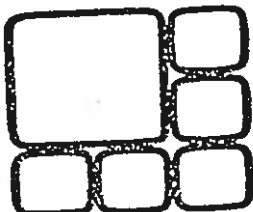
provided that the person accepting this permit shall in every respect conform to the terms of the application and to the provisions of the by-laws and ordinances relating to the demolition of buildings etc. in the municipality of: _____

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 CONSPICIOUS PLACE ON THE PREMISES FOR THE ENTIRE PERIOD OF WORK ACTIVITY.



**PICTOU
COUNTY
DISTRICT
PLANNING
COMMISSION**

P.O. BOX 25
266 FOORD STREET
STELLERTON
NOVA SCOTIA
B0K 1

**TOWN OF NEW GLASGOW
AMENDMENT TO BUILDING BYLAW**

The Building Bylaw of the Town of New Glasgow is hereby amended as follows:

Replace Section 12 with the following:

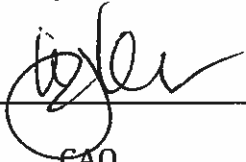
“In accordance with the Nova Scotia Building Code Act, the following payments of fees shall be required on applications for, and the issuance of permits of the following:

PERMIT	FEE	PARTICULARS
Administration Fee	\$25.00	
New Residential Construction	\$25.00	Plus \$0.14/sf/fl & \$0.08/sf (b)
Mobil Homes	\$75.00	
Swimming Pools	\$50.00	
Commercial, Institutional and Industrial construction	\$25.00	Plus \$0.18/sf
Agricultural Buildings	\$25.00	Plus \$0.08/sf
Building Renovations	\$25.00	Plus \$2.50/\$1,000 estimated value of construction
Building Additions, Residential	\$25.00	Plus \$0.14/sf
Building Renovations, Commercial, Institutional, Industrial	\$25.00	Plus \$0.18/sf
Accessory Buildings	\$50.00	
Demolition	\$25.00	
Permit Renewal fee	\$25.00	
Unavailability or Not prepared for Inspections	\$25.00	
All construction, repairs, alterations commenced without permit	Double to required permit fee	
Fee refund Provisions		If not issued, \$25.00 fee retained If permit issued, no refund

I, Lisa M. MacDonald, CAO of the Town of New Glasgow do hereby certify that the foregoing is a true copy of a bylaw amendment duly passed at a duly called meeting of the Town Council duly convened and held on the 19th day of October, 2009.

Given under the hand of the Town Clerk and under the seal of the said Town this

21st day of October, 2009.



CAO

1st Reading – September 14, 2009

Advertisement of Intent to Consider – September 21, 2009

2nd Reading - October 19, 2009

Date of Publication - October 24, 2009

TOWN OF NEW GLASGOW

AMENDMENT TO BUILDING BYLAW

The Building Bylaw of the Town of New Glasgow is hereby amended as follows:

4. Under the “DEFINITIONS” Section, make the following revisions:

- add “(b) “Approved Storm Drainage Plan” means a subdivision drainage and grading plan approved as part of the final plan of subdivision under the New Glasgow Subdivision By-law, which is approved by the Town and illustrates the drainage systems and patterns common to a subdivision of land that will result in the creation of four (4) or more lots. The Approved Subdivision Drainage and Grading Plan shall be retained by the Town, and may be amended from time to time to reflect revisions arising from lot and building construction.”
- change “(b) to “(c)”;
- change “(c)” to “(d)”;
- add “(e) “Grading” means the alteration of land levels, including the addition or removal of topsoil or other material of any kind.”;
- add “(f) “Site Grading Plan” means a plan of final grading of land for an individual lot or building site of land prepared in accordance with this by-law.”
- add “(g) “stormwater management plan” means a site design plan intended to manage 'stormwater' or a 'stormwater system' (as defined under the Municipal Government Act of Nova Scotia, Section 3), and is also known as a “storm drainage plan”;
- change “(d)” to “(h)”;

6. Under Section 3(2):

- replace the existing wording with, “Every application for a building permit shall require the following, to be submitted by the applicant at no cost to the Town:”

7. Further, under Section 3(2), remove sub-section (g) with the following:

(g) in the case of any new main buildings, or in the case of accessory buildings maintaining a gross floor area of 750 square feet or more, a site grading plan outlining how the land on which the work is to be done shall be graded must be submitted, and such *site* grading plan must indicate how surface and storm water flows shall be addressed so as to not adversely affect abutting and nearby properties, municipal streets and storm water systems, or other lands;

(h) where land requiring a site grading plan as outlined under sub-section (g) constitutes a lot or site previously approved under an Approved Subdivision Drainage and Grading

Plan as set out under the New Glasgow Subdivision By-law, the site grading plan must conform to the Approved Subdivision Drainage and Grading Plan;

(i) where land requiring a site grading plan as outlined under sub-section (g) is not a lot previously approved under an Approved Subdivision Drainage and Grading Plan as set out under the New Glasgow Subdivision By-law, said site grading plan shall be submitted for review by the Town Engineer;

(j) in the case of commercial, industrial, institutional, recreational or multi-unit residential (3 or more dwelling units) developments where new construction, excavation, the altering of land, or a connection to a municipal stormwater system is proposed, a stormwater management plan shall be submitted for review by the Town Engineer;”

(k) where a stormwater management plan is required under Section 3(2)(j), such plan shall outline the following:

(i) how stormwater will be directed or retained in all areas affected by any construction, excavation, altering of land, or connection to a municipal stormwater system, both on site and off site, and the manner in which it will be directed or retained;

(ii) that stormwater will be directed or retained in a manner resulting in 'zero net peak increase in runoff', both on site and off site;

(iii) that the stormwater management plan meets at least the minimum requirements set out in the Town of New Glasgow Standard Specifications.

(l) the Town Engineer may direct that a stormwater management plan be prepared by a professional engineer licensed to practice in Nova Scotia.

(m) site grading plans and/or stormwater management plans submitted under sub-sections (g) through (l) shall be reviewed by the Town Engineer, and no building permit shall be issued unless the Town Engineer approves said site grading plan and/or stormwater management plan. Where the Town Engineer determines that a submitted site grading plan is not adequate, or poses a potential to adversely affect abutting and nearby properties, municipal streets and storm water systems, or other lands, the Town Engineer may require the applicant to submit a revised site grading plan, and may require that such revised site grading plan be certified by a professional engineer, surveyor, or other similarly qualified professional licensed to practice in Nova Scotia. In the case of a stormwater management plan, the Town Engineer may require the applicant to submit a revised plan, and may direct that such plan be prepared by a professional engineer licensed to practice in Nova Scotia;

(n) such additional information as may be required by the authority having jurisdiction.

6. Under Section 9, OCCUPANCY PERMIT, add the following sub-section (3):

“(3) No occupancy permit shall be granted until the Town Engineer is satisfied that the provisions for site grading and/or stormwater management plan as outlined under Section 3(2)(g)-(n) have been met, and upon these provisions having been met, the Town Engineer shall provide written confirmation of such approval. Based on the

recommendation of the Town Engineer, a conditional occupancy permit may be issued with a requirement to complete any necessary works within twelve (12) months of the issuance of a conditional occupancy permit. Such a conditional occupancy shall require the owner to remit a security deposit in the amount of \$500 to the Town of New Glasgow. This deposit shall be refunded only upon successful completion of all required works outlined herein (the determination of which shall be made at the sole discretion of the Town Engineer) and such work must be completed within twelve (12) months of the issuance of such a conditional occupancy permit. Should the required works not be completed to the satisfaction of the Town Engineer, the Town may take any actions permitted under applicable legislation to complete the work in a satisfactory manner, and may apply any additional costs against the owner.”

I, Lisa M. MacDonald, CAO of the Town of New Glasgow do hereby certify that the foregoing is a true copy of an amendment to a bylaw duly passed at a duly called meeting of the Town Council duly convened and held on the 15th day of February, 2010.

Given under the hand of the CAO and under the seal of the said Town this 18th day of February, 2010.



Lisa MacDonald

1st Reading – January 18, 2010

Advertisement of Intent to Consider – January 25, 2010

2nd Reading – February 15, 2010

Date of Publication - February 24, 2010