

BYLAW NO 2056-24

BEING A BYLAW OF THE CITY OF WETASKIWIN, IN THE PROVINCE OF ALBERTA, TO REGULATE THE FORM AND CONTENT OF SAFETY CODES.

WHEREAS in accordance with Section 7(f) of the *Municipal Government Act*, RSA 2000, Chapter M-26, Council may pass a bylaw regarding services provided by or on behalf of the municipality; and

WHEREAS Council through Bylaw 1831-14 and amendments thereto, approved a Safety Codes Bylaw, regulating the form, content and costs of permits for the use, occupancy, relocation, construction or demolition of buildings, and any work due to an electrical, plumbing and drainage, or gas installation on required projects; and

WHEREAS Bylaw 1831-14 has had several administrative amendments to it since being approved by Council in 2014 and requires additional administrative amendments; and

WHEREAS Bylaw 2056-24 includes the required administrative amendments; and

WHEREAS Bylaw 2056-24 will replace bylaw 1831-14 and all amendments thereto; and

NOW THEREFORE under the authority of the *Municipal Government Act*, the Council of the City of Wetaskiwin, in the Province of Alberta, enacts as follows:

1. TITLE

- 1.1 This Bylaw may be cited as '*Bylaw 2056-24 To Regulate the Form and Content of Safety Codes*'.

2. DEFINITIONS

- 2.1 In this bylaw:

- a) '**Act**' means the *Safety Codes Act*, RSA, 2000, Chapter S-1, as amended from time to time and regulations made pursuant to that Act;
- b) '**Contracted Agency**' means an accredited agency, as defined in the Act, which is contracted by the City to enforce all or any portion of the Act.
- c) '**Safety Codes Officer**' means a person, designated pursuant to Section 31(1) of the *Safety Codes Act*, who is employed either by the City or an accredited agency, which is contracted by the City, to enforce all or any portion of the Act;

- 2.2 All definitions in the Safety Codes Act shall apply to this bylaw.

3. SCOPE

- 3.1 The provisions of this bylaw shall apply to the issuance of permits respecting the use, occupancy, relocation, construction or demolition of any building, electrical systems, plumbing or drainage systems and gas systems regulated by the Act within the City of Wetaskiwin.

4. POWERS AND DUTIES OF THE CONTRACTED AGENCY

- 4.1 The Contracted Agency is hereby authorized to enforce all provisions of this bylaw, the contract with the municipality and the appropriate Quality Management Plan.

- 4.2 The Contracted Agency shall keep an accurate account of all permits issued and inspections under this Bylaw, the contract with the Municipality, and the Quality Management Plan.

5. APPLICATION FOR PERMIT

- 5.1 Unless a permit has previously been obtained from the Contracted Agency, no person shall commence or cause the commencement of:

- a) the construction of any building;
- b) the demolition of any building;
- c) the relocation of any building;
- d) the alteration of any building;
- e) the repair of any building;
- f) the occupancy of any building;
- g) the excavation of any land for the purpose of erecting or relocating any building;
- h) the installation or use of any heating, ventilating or air conditioning equipment specifically governed by the Act;
- i) the installation, replacement, or repair of natural gas lines which serve a gas-fired appliance serving a building;
- j) the installation or replacement of a plumbing or drainage system, within a building; or
- k) the installation or replacement of an electrical system.

- 5.2 A permit is not required for:

- a) exterior painting;
- b) the resurfacing of any interior finishes;
- c) minor building repairs not exceeding \$1,000.00 in value where matters affecting health, safety or building longevity are not involved;
- d) the change in use of an existing building within the same building classification, as determined by the Alberta Building Code, providing no work was done that would otherwise require permits;
- e) minor repair of leaks in water lines within buildings;
- f) the replacement of plumbing fixtures within buildings; or
- g) the maintenance of electrical or gas systems as defined under the Act.

6. APPLICATION FORM

- 6.1 Applications for permits shall be made in the appropriate form as provided by the Contract Agency and will include all information required by the Quality Management Plan and any other Act or regulation.
- 6.2 The application form must be submitted with appropriate fee at the time of submission to be considered complete.

7. PLANS AND SPECIFICATIONS

- 7.1 With each application for a building permit, two sets of plans and specifications shall be submitted, except that when authorized by the Contracted Agency plans and specifications need not be submitted. Electronic versions of plans will be accepted in Adobe formats.
- 7.2 Plans may be requested by the Plumbing, Gas, or Electrical Safety Codes Officer for information purposes only in support of the permit application.
- 7.3 Plans and specifications shall be to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that it will conform to the provisions of the Act.
- 7.4 Each set of plans shall state the building address, the name and address of the owner of the building, the name and address of the person who prepared the plans, and, when an agent represents the owner, the name and address of the agent.
- 7.5 Each set of plans shall include a site plan showing the actual dimensions of the lot or property and the location of the proposed work in relation to the lot or property lines. This submission must conform with the City of Wetaskiwin Land Use Bylaw.
- 7.6 If requested by the Contracted Agency, the applicant shall submit computations, test results and all other evidence deemed necessary to show that the work will be in accordance with the Act.

8. ISSUANCE OF PERMIT

- 8.1 Plans and specifications may be submitted for examination to other Departments of the City of Wetaskiwin and the Province, to check for compliance with orders, regulations or bylaws under their jurisdiction which will then be provided to the Contract Agency.
- 8.2 If the Contracted Agency is satisfied that if the work described in an application for permit, and the plans filed therewith, is in accordance with the provisions of the Act and of this bylaw, and that the required fees have been paid, he shall issue a permit therefore to the applicant.
- 8.3 When the Contracted Agency issues the permit, they shall mark both sets of plans and specifications as examined.
- 8.4 The examined plans and specifications shall not be changed, modified or altered without authorization from the Safety Codes Officer and all work shall be done in accordance with the examined plans, and performed to meet the provisions of the Act.
- 8.5 The Safety Codes Officer may issue a permit for part of the work before the entire plans and specifications for the complete work have been submitted or examined if adequate information and detailed statements have been filed in accordance with the provisions of the Act and of this bylaw.
- 8.6 The holder of a permit for part of the work may proceed at his own risk without assurance that a permit for the remainder of the work will be granted.
- 8.7 One set of examined plans, specifications and computations shall be retained by the City and one set of examined plans and specifications shall be returned to the applicant and shall be

kept at the work site at all times during which the work authorized thereby is in progress, and shall be made available to the Contracted Agency.

- 8.8 Plans, submitted for checking or for which no permit is issued and on which no action is taken by the Contracted Agency for 90 days may be destroyed.
- 8.9 The issuance of a permit or examination of plans and specifications shall not be construed to be a permit for or an approval of a contravention of any provision of the Act.
- 8.10 No permit presuming to give authority to contravene the provisions of the Act shall be valid except in so far as the work or use that it authorizes is lawful.
- 8.11 The issue of a permit based on plans and specifications shall not prevent the Contracted Agency from thereafter requiring the correction of work being carried on thereunder when in contravention of any provision of the Act or of this bylaw.
- 8.12 Every permit issued by the Contracted Agency shall expire by limitation and become null and void if the work authorized by the permit is not commenced based on the timeframe for each discipline in the Quality Management Plan.
- 8.13 The Contracted Agency may by notice in writing, suspend or revoke a permit if the permit has been issued
- a) in error;
 - b) on the basis of incorrect information supplied; or
 - c) in contravention of any provision of the Act or of this bylaw.
- 8.14 Except as permitted in 8.16, no permit for the installation, repair or alteration of any electrical, heating, ventilating or air conditioning system, plumbing or drainage system, or any gas system shall be issued to a person other than a qualified contractor.
- 8.15 It shall be the responsibility of the contractor undertaking any work mentioned in 8.14 to engage only tradesmen who hold a certificate of proficiency in their respective trades or registered apprentices pursuant to the Tradesmen's Qualification Act.
- 8.16 Notwithstanding the requirements of 8.14, a person who personally undertakes the installation, repair or alteration of an electrical, heating, ventilating, or air conditioning system, plumbing or gas system regulated by the Act in or about a single family detached dwelling which is or will be owned and occupied by the person is not prohibited from applying for a permit.

9. BUILDING OCCUPANCY

- 9.1 No new building shall be used or occupied and no change in occupancy classification (as determined by the Contracted Agency), of an existing building shall be made until an Occupancy Permit/Damage and Grading deposit (OPDGD) certificate has been issued.

10. FEES

- 10.1 The fees for a permit application and associated service costs shall be charged in accordance with the Fees and Charges Bylaw of the City as revised from time to time.

- 10.2 If an undertaking is commenced prior to a permit being issued pursuant to this bylaw, the amount payable for the permit is twice the fee charged in accordance with the Fees and Charges Bylaw for the first occurrence on a property or by this business, property owner or contractor.
- 10.3 If an undertaking is commenced a second time prior to a permit being issued pursuant to this bylaw, the amount payable for the permit is ten (10) times the fee charged in accordance with the Fees and Charges bylaw on a property or by this business, property owner or contractor.
- 10.4 If an undertaking is commenced a third time prior to a permit being issued pursuant to this bylaw, the City of Wetaskiwin business license of the property owner, applicant and/or contractor will be revoked for a period of one year.
- 10.5 Remedies under this section do not preclude the Safety Codes Officer for using other enforcement methods as set out in legislation or regulations.

11. OFFENCE

- 11.1 Any person who contravenes this bylaw is guilty of an offence under Section 67 of the *Safety Codes Act* and subject to penalties under Section 68 of the *Safety Codes Act*.

12. TRANSITION

- 12.1 Bylaw No. 1831-14 and all amendments thereto are hereby repealed.
- 12.2 This bylaw shall come into full force and effect upon third and final reading.

READ a first time this 26th day of February, 2024

READ a second time this 26th day of February, 2024

READ a third and final time this 26th day of February, 2024

ORIGINAL SIGNED

Tyler Gandam, Mayor

ORIGINAL SIGNED

Sue Howard, City Manager