



REGIONAL MUNICIPALITY
OF **WOOD BUFFALO**

Consolidated Version
of
Safety Codes Permitting Bylaw

(being Bylaw No. 17/023 of the Regional Municipality of Wood Buffalo, as amended by Bylaw No. 19/023, consolidated and printed under the authority of the Chief Administrative Officer of the Regional Municipality of Wood Buffalo)

This is certified to be a true copy of consolidated Bylaw No. 17/023 of the Regional Municipality of Wood Buffalo.

Jade Brown
Chief Legislative Officer

The text shown in parentheses in various locations throughout this document identifies the corresponding amending bylaw which authorized the change. For example (BL 19/023) refers to Bylaw No. 19/023.

BYLAW NO. 17/023

WHEREAS Section 66 of the *Safety Codes Act*, R.S.A. 2000 (“the Act”), c. S-1 provides that an accredited municipality may pass bylaws respecting minimum maintenance standards for buildings and structures, fees for anything issued or any material or service provided pursuant to the *Safety Codes Act*, and respecting the carrying out of the powers and duties of an accredited municipality;

AND WHEREAS Section 7 of the *Municipal Government Act*, R.S.A. 2000, c. M-26 (“the MGA”) provides that a council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS Section 8 of the MGA, provides that a council may provide for a system of licenses, permits or approvals including prohibiting any development, activity, industry, business or thing until a license, permit, or approval has been granted;

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO ENACTS AS FOLLOWS:

SHORT TITLE

1. This Bylaw may be cited as the “Safety Codes Permitting Bylaw”.

DEFINITIONS

2. In this Bylaw, words and phrases which are specifically defined in the Act, and Regulations under the Act, shall bear the meaning expressed in the Act. Words and phrases which are not so defined shall have the meanings which are commonly assigned to them in the context in which they are used in this Bylaw; taking into account the specialized use of terms within the various trades and professions to which the terminology applies.
3. In this Bylaw:
 - (a) “Act” means the *Safety Codes Act* R.S.A. 2000 c.S-1, and any regulations passed pursuant to that Act;
 - (b) "Applicant" means the owner of a building or a property, or a representative who is authorized in writing by the owner, who applies for a building permit. An Applicant includes the Homeowner or a Contractor applying for other permit types;
 - (c) “Bylaw” means this Bylaw;
 - (d) "Code" includes all those Codes listed as Regulations pursuant to the Act;

- (e) “Gas Appliance Ventilation” means a system for the removal of flue gases to the outdoors by means of a chimney, vent connector, vent, or a natural or mechanical exhaust system;
- (f) “Homeowner” means a person who resides or who intends to reside in a single family residential dwelling;
- (g) “Homeowner Permit” means a permit that is obtained by a Homeowner regarding an Undertaking;
- (h) “Master Electrician” has the meaning prescribed in the *Permit Regulation*;
- (i) “Municipal Tag” means a document prepared by the Regional Municipality of Wood Buffalo alleging an offence issued pursuant to this bylaw;
- (j) “Municipality” means the Regional Municipality of Wood Buffalo or “RMWB”;
- (k) “Occupancy” has the meaning given to it in the Alberta Building Code AR 31/2015, as amended;
- (l) “Occupancy Permit” means an authorization, in writing, that all applicable Safety Codes Permits are in compliance with the Act and the occupancy of, or use of, any building or portion thereof may occur;
- (m) “Permit” means an authorization, by a Permit Issuer, to commence an undertaking for, but not limited to, the relocation, construction, installation, addition, renovation or demolition of a building, and the system within the building, as regulated by the Act;
- (n) “Permit Issuer” has the meaning prescribed in the *Permit Regulation*;
- (o) “Permit Regulation” means the *Permit Regulation AR 204/2007*, as amended;
- (p) “Permit Service Report” or PSR means a document that identifies that the Safety Codes Compliance Monitoring process has been completed in relation to the permitted work.
- (q) “Person” has the meaning given to it in the Act;
- (r) “Placard” means a site identifier, which includes the municipal address, that is issued with the building permit;
- (s) “Plumbing Equipment” means:
 - (i) any piping, equipment, appliance or device used or intended to be used in a plumbing system, and;
 - (ii) any other thing defined as plumbing equipment in the regulations or Code;
- (t) “Undertaking” has the meaning prescribed in the *Permit Regulation*, namely, the construction of a thing or the control or operation of a thing, process or activity to which the *Act* applies.
- (u) “Uniform Quality Management System” means one or more of the Quality Management Plans for the disciplines of Building, Electrical, Gas and

Plumbing, as approved by an Administrator, and as amended from time to time;

- (v) "Violation Ticket" has the meaning given to it in the *Provincial Offences Procedures Act*, RSA 2000, c. P34, as amended.
- (w) "Safety Codes Officer" means an individual designated as a safety codes officer under section 31 of the Act.
- (x) "Single family residential dwelling" has the meaning prescribed in the *Permit Regulation*.

PERMITS

4. Subject to *Section 3(2)* of the *Permitting Regulation*, every Applicant shall obtain all required permits or approvals prior to commencing the undertaking to which they relate.
5. A Permit Issuer may issue a permit to an Applicant who complies with the requirements of the Act, this Bylaw, the *Permit Regulation*, and the relevant Uniform Quality Management System.
6. A Permit Issuer may include terms and conditions in a permit.
7. Contractors must employ the certified journeyperson identified on the electrical, plumbing, gas appliance ventilation, gas or private sewage disposal permit application.
8. A Master Electrician may be excluded from Section 7 of this Bylaw provided that the Permit Issuer receives an authorization letter from the Master Electrician and that the Master Electrician is registered with the Administrator.
9. An Applicant shall not continue any Undertaking for which a Permit is required, unless a Permit has been issued.
10. In the event an Undertaking is covered or otherwise not visible to the Safety Codes Officer, the Safety Codes Officer may require the Undertaking to be exposed for inspection, at the Permit Holder's expense.

BUILDING PERMITS

11. Subject to the provisions of the Act and the *Permit Regulation*, no person shall construct, (including excavating for the purpose of constructing), tent, add to, alter, renovate, demolish, relocate, or change the occupancy of any Building until a Building Permit has been obtained.

ELECTRICAL PERMITS

12. No person shall install, alter, or make additions to an electrical system, until an Electrical Permit has been obtained.

GAS PERMITS

13. No person shall install, alter, make any addition or reconnect to any gas system or connect a gas appliance until a Gas Permit has been obtained.
14. Permits for new gas service installation can only be issued to a Contractor.

PLUMBING PERMITS

15. No person shall install, alter or make any addition to a plumbing system until a Plumbing Permit has been obtained.

GAS APPLIANCE VENTING PERMITS

16. No person shall install, alter, make any addition or reconnect to any gas appliance venting until a Gas Appliance Ventilation Permit has been obtained.

PRIVATE SEWAGE DISPOSAL SYSTEM PERMITS

17. No person shall install, alter or make any addition to a private sewage disposal system until a Private Sewage Disposal permit has been obtained.

OCCUPANCY PERMITS

18. No Permit Holder or Person shall occupy, or allow the occupancy of, or use of, any building or portion thereof until a final inspection has occurred in all applicable *Safety Code Act* disciplines, and the Safety Codes Officers have deemed the building, or portion thereof, ready to use or occupy and the Permit Issuer has issued an Occupancy Permit.
19. No Permit Holder shall allow a change in the major occupancy classification, as identified in the Alberta Building Code, of an existing Building, as determined by the Safety Codes Officer, until an Occupancy Permit has been issued.
20. The issuance of an Occupancy Permit shall not be construed to be permission for, or an approval of, a contravention of any provision of any other act, regulation or bylaw.

21. The fee payable in accordance with the *Fees, Rates and Charges Bylaw* for issuance of an Occupancy Permit shall be tendered at the time of application. **(BL 19/023)**

COMMENCEMENT OR CONTINUATION OF WORK WITHOUT A PERMIT

22. When a Safety Codes Officer encounters an Undertaking which has commenced, or is being continued, without the required permits or approval from the Permit Issuer, the Safety Codes Officer may take the following actions:
 - (a) Immediately stop the Undertaking until all required permits are obtained;
 - (b) Conduct an inspection of the work completed, and document all observed deficiencies, unsafe conditions and situations of imminent, serious danger;
 - (c) Document the actions to eliminate or mitigate imminent, serious danger and unsafe conditions.
23. Where an Undertaking has commenced without the necessary Permit or approval, the Municipality may double the fees specified in the *Fees, Rates and Charges Bylaw*. **(BL 19/023)**

CONTRACTORS

24. Contractors shall have a valid municipal business license prior to obtaining permits and commencing work.
25. Contractors are not permitted to work under any Homeowner Permit.
26. All permits will be cancelled if a contractor is found working under a Home Owner Permit.

INSPECTION MANDATE

27. Safety Codes Officers may perform any inspections authorized under the Act including, but not limited to, those inspections referred to in the Uniform Quality Management Plan.
28. Subject to the scope of the Undertaking and the Safety Codes Officer's discretion, additional inspections over and above the Uniform Quality Management Plan may be required. Additional fees will be payable in accordance with the *Fees, Rates and Charges Bylaw*. **(BL 19/023)**

RESPONSIBILITIES AND OBLIGATIONS

29. Failure to comply with the responsibilities and obligations under the Act and this Bylaw will be subject to a fee in accordance with the *Fees, Rates and Charges Bylaw* or a fine as set forth in Schedule “B” of this Bylaw. **(BL 19/023)**

AUTHORITY OF THE MUNICIPALITY

30. The Permit Holder shall ensure that all approved plans and specifications are available at the construction site, at all reasonable times, for inspection by a Safety Codes Officer.
31. The Permit Holder shall ensure that the Permit Placard is posted at all times, at a conspicuous place at the Undertaking.
32. A Safety Codes Officer may issue permission to proceed at the risk of the Applicant, with conditions, to ensure compliance with this Bylaw and any other applicable legislation, to excavate or to construct a portion of an Undertaking before all the documentation of the project has been submitted or accepted by a Safety Codes Officer.
33. At the discretion of the Safety Codes Officer, a conditional occupancy may be granted, in writing, prior to the issuance of the Occupancy Permit.
34. A Safety Codes Officer, in their absolute discretion, may issue a Permit for the whole project, prior to work commencing, conditional upon the submission of additional information not available at the time of permit application.

REFUSAL OF PERMIT

35. A Permit Issuer may refuse to issue any permit in accordance with the *Permit Regulation*.

PERMIT SUSPENSION OR CANCELLATION

36. A Permit Issuer may suspend or cancel a permit in accordance with the *Permit Regulation*.

PERMIT EXTENSIONS AND RENEWALS

37. A Permit is valid for one year from the date of its issue.

38. A Permit issued under this bylaw, other than a permit for the occupancy or use of a building, shall expire when:
 - (a) The Undertaking authorized by the Permit has not commenced within 90 days of the date of issue of the Permit; or
 - (b) The Undertaking authorized by the Permit is commenced but is later suspended or abandoned for a continuous period of more than 120 days.
39. Permits maybe extended for an additional 90 day period upon submission and receipt of a written application specifying a completion date.
40. A Permit can be renewed if:
 - (a) the permit meets the criteria, and;
 - (b) a written request is submitted, when completion of a project is projected to take more than 1 year, and;
 - (c) A permit fee for the renewal, as set out in the *Fees, Rates and Charges Bylaw*, is paid. **(BL 19/023)**
41. Despite Section 37, Permits must not exceed 2 years, except for exempt projects, as determined by a Safety Codes Officer, as a result of the size, scope or complexity of the permitted work.
42. In the event a Permit Service Report indicates the undertaking is non-compliant, a new permit will be required to bring the undertaking into compliance.

STOP WORK NOTICE

43. A notice to stop work maybe issued to an Owner or Permit Holder, as a result of non-compliance with the *Act*, at which time the Undertaking must cease and Permits must be obtained in accordance with the Act.
44. Failure to comply with a notice to stop work issued under Section 43, will result in a fine payable in accordance with Schedule “B” of this Bylaw.

FEES

45. Fees and charges payable under this Bylaw shall be as prescribed for Safety Codes Permitting in the *Fees, Rates and Charges Bylaw*. **(BL 19/023)**

RE-INSPECTION FEES

46. Unless otherwise specified, the fees payable in the *Fees, Rates and Charges Bylaw* include all mandatory inspections. **(BL 19/023)**
47. The additional inspection fees set out in the *Fees, Rates and Charges Bylaw* are payable for every inspection where: **(BL 19/023)**
- (a) the municipal address of the property, for which the permit was issued, is not displayed;
 - (b) the Safety Codes Officer is unable to access the building;
 - (c) the Safety Codes Officer is unable to safely access the property;
 - (d) the Undertaking is not ready for an inspection;
 - (e) a previously identified deficiency has not been corrected.

OFFENCES AND PENALTIES

Offence

48. Any person who contravenes this bylaw is guilty of an offence and is liable, on summary conviction, to the specified penalty as set out in Schedule “B” and in default of payment of the specified penalty.

Continuing Offence

49. In the case of a contravention that is of a continuing nature, each day or part of a day will constitute an offence. A person guilty of such an offence is liable to a fine in accordance with Schedule “B”. Further Municipal Tags or Violation Tickets may be issued at the discretion of the Safety Codes Officer or Peace Officer.

Vicarious Liability

50. For the purposes of this bylaw, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person if the act or omission occurred in the course of the employee’s employment with the person, or in the course of the agent’s exercising the powers or performing the duties on behalf of the person under their agency relationship.

Corporations and Partnerships

51. When a corporation commits an offence under this bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence, or assented to or acquiesced or participated in the act or omission that constitutes the offence, is guilty of the offence whether or not the corporation has been prosecuted for the offence.

52. If a partner in a partnership is guilty of an offence under this bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence, or assented to or acquiesced or participated in the act or omission that constitutes the offence, is guilty of the offence.

Municipal Tag

53. A Municipal Tag may be issued to any person where a Safety Codes Officer believes the person has contravened any provision of this bylaw.
54. If a Municipal Tag is issued in respect of an offence, the Municipal Tag must specify:
- (a) The name of the person;
 - (b) The offence;
 - (c) The fine amount as established by this bylaw;
 - (d) That the fine amount shall be paid within 14 days from the issuance of the Municipal Tag, and;
 - (e) Any other information as may be required.

Violation Ticket

55. If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, a Violation Ticket may be issued pursuant to the *Provincial Offences Procedure Act* as amended.
56. Despite section 53, a Violation Ticket may be issued to any person where the peace officer believes that person has contravened any provision of this bylaw.
57. A Violation Ticket may be issued to such person:
- (a) personally;
 - (b) by mailing a copy to such person at this last known post office address, or;
 - (c) by leaving it for the person at this residence with a person on the premises who appears to be at least 18 years of age.

Payment in Lieu of Prosecution

58. If a Municipal Tag is issued in respect of non-compliance, and if the Municipal Tag specifies the fine amount established by this bylaw for the non-compliance, the person to whom the Municipal Tag is issued may make a voluntary payment equal to the specified fine, in lieu of prosecution.

59. Where the voluntary payment referred to in Section 55 is received within 7 days of the date of issuance of the Municipal Tag, the prescribed penalty shall be reduced by 25% and such reduced payment shall be accepted in lieu of prosecution.

Violation Ticket

60. Where a Municipal Tag has been issued, and if the penalty specified on the Municipal Tag has not been paid within the prescribed time, then a peace officer is hereby authorised to issue a Violation Ticket to who the peace officer has reasonable grounds to believe has contravened any provision of this bylaw.
61. Despite any provisions in this bylaw, a peace officer may issue a Violation Ticket to any person who the peace officer has reasonable grounds to believe has contravened any provision of this bylaw.
62. Any person to whom a Violation Ticket has been issued may make a voluntary payment in respect to the Violation Ticket by delivering the Violation Ticket, along with an amount equal to that specified for the offence as set out in this Bylaw, to the Provincial Court office specified on the Violation Ticket.

OBSTRUCTION

63. A person shall not obstruct or hinder any person in the exercise or performance of the person's powers under this bylaw.

REFUNDS AND CANCELLATIONS

64. If no inspections have been conducted by a Safety Codes Officer, then the Permit fee may be eligible for a refund in accordance with the *Fees, Rates and Charges Bylaw*. **(BL 19/023)**
65. The Permit Issuer may authorize a refund of a permit fee, less administrative charges, as set out in the *Fees, Rates and Charges Bylaw*. **(BL 19/023)**
66. No refund shall be made if:
- (a) the permit has expired or has been cancelled;
 - (b) use, occupancy, relocation, construction or demolition of the building or the installation of the electrical, plumbing and gas systems has commenced;
 - (c) an extension of the permit has been granted.
67. A Permit may be cancelled in accordance with the *Permit Regulation*.

SEVERABILITY

68. Should any section, subsection, clause or provision of this Bylaw be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this bylaw as a whole, or any part thereof, other than the part so declared to be invalid.

REPEALS

69. Bylaw No. 96/016 and all subsequent amendments are hereby repealed.
70. Any permit issued prior to the time this Bylaw came into force shall continue in force subject to the terms and conditions under which such permit was issued.
71. This Bylaw shall become effective when it is passed.

READ a first time this 28th day of November, 2017.
READ a second time this 9th day of January, 2018.
READ a third time this 9th day of January, 2018.
SIGNED and PASSED this 9th day of January, 2018.

Amendment:
19/023

SCHEDULE "A" DELETED (BL 19/012; 19/023)

SCHEDULE "B"**SPECIFIED PENALTIES**

Failing to obtain an occupancy permit for the use or occupancy of a building	Fine
First Offence	\$500.00
Second Offence	\$750.00
Third Offence and successive Offences	\$1,000.00

Failing to obtain an occupancy permit for a change in occupancy classification	Fine
First Offence	\$500.00
Second Offence	\$750.00
Third Offence and successive Offences	\$1,000.00

Failing to comply with the Stop Work Notice	Fine
First Offence	\$500.00
Second Offence	\$750.00
Third Offence and successive Offences	\$1,000.00

Failing to comply with other provisions in the Bylaw	Fine
First Offence	\$500.00
Second Offence	\$750.00
Third Offence and successive Offences	\$1,000.00

Continuing Bylaw Offences	Fine
Per Day	\$100.00

Failing to display the civic address, building permit and or site identification Placard	Fine
First Occurrence	\$175.00
Each After	\$250.00

Failing to display the civic address, building permit and or site identification Placard	Fine
First Occurrence	\$175.00
Each After	\$250.00

Failure to provided supplementary permitting information when requested	Fine
First Occurrence	\$75.00
Each After	\$150.00