

THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER

BY-LAW NUMBER 2015-033

A By-law to amend By-Law 2008-046 for the administration and enforcement of the Building Code Act, 1992 within the Township of Springwater

WHEREAS Subsection 3(1) of the Building Code Act, 1992 provides that the Council of the Corporation of the Township of Springwater is responsible for the enforcement of the Building Code Act within the Township of Springwater; and

WHEREAS Section 7 of the Building Code Act, 1992, as amended, and the regulation thereunder, provides that the Council of each municipality may pass by-laws and establish fees and regulations respecting building services and permits; and

WHEREAS Section 391 of the Municipal Act 2001, S.O. 2001, c.25, as amended, authorizes a municipality to impose fees or charges on persons for services or activities provided or done by or on behalf of it, and for costs payable by it for services or activities provided; and that the costs included in a fee or charge may include costs incurred by the municipality or local board related to administration, enforcement and the establishment, acquisition and replacement of capital assets; and

WHEREAS the Council deem it necessary to amend By-law 2008-046 and updated fees reflecting the cost of providing these services;

NOW THEREFORE the Council of the Corporation of the Township of Springwater enacts as follows;

1. THAT Notice of this fee schedule was advertised, and a Public Meeting was held on April 20, 2015 in the Council Chambers of the Township of Springwater, in accordance with the Building Code Act, 1992, as amended and regulations made thereunder, provided an opportunity for public comment.
2. THAT in By-law 2008-046 – Schedule “A” section 2.11.1 (Conditions for Residential Occupancy) is hereby repealed and replaced with:
2.11.1 “as prescribed in the applicable Building Code as amended”
3. THAT in By-law 2008-046 –Schedule “A” section 2.12.1 (Occupancy of Unfinished Buildings) is hereby repealed and replaced with:
2.12.1 “as prescribed in the applicable Building Code as amended”
4. THAT in By-Law 2008-046 – Schedule “A”, Section 10 be added:

“SECTION 10 CONFLICTING LEGISLATION;

10.1. *If there is a conflict between a provision in the Building Code Act and a provision of any other Act, the section that is more restrictive prevail.*

10.2. *Whenever any reference is made in this By-Law to a statute of the Legislature of the Province of Ontario, such reference shall be deemed to include all subsequent amendments to such statute and all subsequent amendments to such statute and all successor legislative to such statute.”*

5. THAT in By-Law 2008-046 – Schedule “A”, Section 11 be added:

“SECTION 11 COST RECOVERY;

11.1.1 *Where a building investigation results in the issuance of an Order under the Act, the property owner or any other person responsible for the action, shall pay fees in accordance with the most recent fee schedule. Where an Order is issued under the Act and where the named achieved eventual compliance with the Order, the Town may choose not to prosecute the named, if a satisfactory settlement is reached.”*

11.1.2 *Where a request for information is provide, any fees associated with the research or providing such copies, shall be based on the most recent fee schedule.*

6. THAT in Schedule B attached hereto shall be adjusted without amendment to this By-law annually on January 1st in each year, commencing January 1, 2016, in accordance with the most recent twelve month charge in Statistics Canada Quarterly, Construction Price Statistics when such statistic represents an increase. Fees shall be rounded to closest cent.

7. THAT in By-law 2008-046- Schedule B is hereby repealed immediately after this By-law is in force and replaced with revised Schedule B as attached

8. THAT this By-law shall take force and effect on August 4, 2015.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 20TH DAY OF JULY, 2015.

Bill French, Mayor

John Daly, Clerk

Part B: Miscellaneous

CLASS OF PERMIT	FEE RATES for 2015
Administration rate (for reports, routine disclosures)	\$ 45.00 per hour
Building Permit Maintenance Fee	\$ 50.00 annually for open permits
Change of Building Use (to review applicability of Section 10 of the Act)	Per hour – minimum 1.5 hours (see “Review rate”)
Change of Septic Use (to review potential reduction in performance level)	Per hour – minimum 1.5 hours (See “Review Rate”)
Compliance Letters - General Mailed reply within 15 business days <ul style="list-style-type: none"> • Building Search or • Septic Search 	\$ Fees in line with rates for Zoning Compliance
Compliance Letters – Rush: Faxed reply within three business days <ul style="list-style-type: none"> • Building Search • Septic Search 	\$ Fees in line with rates for Zoning Compliance Rush fee
Construction commenced prior to Permit Issuance	Fees shall be doubled if construction has commenced prior to the issuance of a permit
Demolition <ul style="list-style-type: none"> • where Division C – 1.2.2.3 <u>is</u> applicable • where Division C – 1.2.2.3 <u>is not</u> applicable 	See: Part A: Fee Based on Construction Value \$ 148.00

CLASS OF PERMIT	FEE RATES for 2015
Deposits <ul style="list-style-type: none"> • Lot Grading (for new Single Dwelling Units): • Re-inspections Deposit 	<ul style="list-style-type: none"> • \$ 2,000.00 per lot or as otherwise stated in executed subdivision agreement • Based on four "Site Inspections" for deposit (see Note 1)
Minimum fee (unless otherwise determined by this by-law)	\$ 115.00
Miscellaneous small <u>residential</u> projects Includes: carport, deck, finished basement, attached or detached garage, gazebo, lean-to porch, shed etc.	\$ 0.38 per square foot
Park Model Trailers (within licensed campgrounds)	\$ 294.00 each
Permit Renewal	\$ 294.00 per permit
Plumbing Fee	\$ 20.00 per fixture
Pool – Public Only	Fee Based on Construction Value
Pool Enclosure (Non-Public): <ul style="list-style-type: none"> • for hot tubs, above-ground, and temporary pools • for all other residential pools 	<ul style="list-style-type: none"> \$ 87.00 each \$ 231.00 each
Portable Classrooms (for School Boards only)	\$ 220.00 each
Review for Residential Certified Model	\$ 200.00 for each model to be Certified
Review rate (Building Official)- included review of revisions to plans	\$ 104.00 per hour
Sewage System: <ul style="list-style-type: none"> • Repair (See Note 2) • Class 2 or 3 system – • Class 4 or 5 system – NEW 	<ul style="list-style-type: none"> \$ 148.00 each \$ 148.00 each \$ 589.00 each

CLASS OF PERMIT	FEE RATES for 2015
<ul style="list-style-type: none"> • Class 4 or 5 system – REPLACEMENT 	\$ 442.00 each
Septic Use Permit (copy of)	\$ 25.00 each
Site Inspection	\$ 74.00 per inspection
Solid Fuel Burning Device (eg. masonry stove, outdoor furnace, including chimneys and appliances)	Hourly rate based on 1.5 hrs minimum (See “Review Rate”)
Temporary Tents	\$ 0.17 per square foot

NOTES:

1. Re-inspection Deposit may be refunded when a building permit is deemed to be complete ***including*** a successful Final Inspection. Refund must be applied for within one year of Permit Issuance date and any re-inspections will be deducted from the deposit amount.
2. Sewage System “Repair” means minor replacement of distribution stone or pipe or the replacement of a septic tank, but not holding tank.
3. “Review rates” shall apply to “Lot Grading review” as applicable, based on time spent on reviews.

FEE INDEXING:

Fees in Schedule B shall be adjusted annually on January 1st of each year. This shall be done in accordance with the most recent twelve month change in the Statistics Canada Quarterly Construction Price Statistics when such statistic represents an increase. Fees shall be rounded to the closest cent.