

THE CORPORATION OF THE TOWN OF HAWKESBURY

BY-LAW NO. 18-2008

BEING a By-Law respecting Construction, Demolition, Change of Use Permits and Inspections.

WHEREAS Section 7 of The Building Code Act 1992, S.O. 1992, Chapter 23, as amended, empowers Council to enact certain by-laws respecting construction, demolition and change of use permits and inspections and the setting and refunding of fees;

THEREFORE the Corporation of The Town Hawkesbury enacts as follows:

1.0 SHORT TITLE:

1.1 This by-law may be cited as the "Building By-law".

2.0 DEFINITIONS:

In this by-law,

- 2.1 **"Act"** means the Building Code Act, 1992, S.O. 1992, Chapter 23 as amended;
- 2.2 **"applicant"** means the owner of a building or property who applies for a permit or any person authorized in writing by the owner to apply for a permit on the owner's behalf, or any person or corporation empowered by statute to cause the demolition of a building or buildings and anyone acting under the written authority of such person or corporation;
- 2.3 **"architect"** means a holder of a license, a certificate of practice or a temporary license under the Architect's Act as defined in the Building Code;
- 2.4 **"as constructed plans"** means as constructed plans as defined in the Building Code;
- 2.5 **"building"** means a building as defined in section 1(1) of the Act;
- 2.6 **"Building Code"** means the regulations made under Section 34 of the Act;
- 2.7 **"construct"** means to construct as defined in section 1(1) of the Act;
- 2.8 **"Chief Building Official"** means the Chief Building Official appointed by the by-law of the Corporation of The Town of Hawkesbury for the purposes of enforcement of the Act;
- 2.9 **"conditional permit"** means a permit as prescribed in subsection 8(3) of the Act;
- 2.10 **"Corporation"** means The Corporation of The Town of Hawkesbury;
- 2.11 **"demolish"** means to demolish as defined in subsection 1(1) of the Act;
- 2.12 **"owner"** means the registered owner of the land and includes a lessee, mortgagee in possession, and the person in charge of the property;
- 2.13 **"permit"** means permission or authorization given in writing by the Chief Building Official to perform specific work regulated by this by-law, the Act, and the Building Code, or to occupy a building or part thereof, or to change

the use of a building or part of a building or parts thereof as regulated by the Act;

- 2.14 **“permit holder”** means the person to whom the permit has been issued who assumes the primary responsibility for compliance with the Act and the Building Code;
- 2.15 **“plumbing”** means plumbing as defined in section 1(1) of the Act;
- 2.16 **“professional engineer”** means a person who holds a license or a temporary license under the Ontario Professional Engineer’s Act, as defined in the Building Code;

Terms not defined in this By-law shall have the meaning ascribed to them in the Act or the Building Code.

3.0 CLASSES OF PERMITS:

- 3.1 Classes of permits with respect to the construction, demolition or change of buildings and permit fees shall be as set forth in Schedule “A” appended to and forming part of this By-law.
- 3.2 Permits for work other than that referred to in this By-law shall be obtained from the appropriate authority having jurisdiction in accordance with the by-laws of the Corporation and includes the following which are provided for illustration only and do not limit the generality of the foregoing: encroachments, culverts, water and sewer services, street cuts and electricity.

4.0 PERMITS:

- 4.1 To obtain a permit, the owner or an agent authorized in writing by the owner, shall file an application in writing by completing a prescribed form available from the office the Chief Building Official or from the Building Code website www.obc.mah.gov.on.ca, or from the Corporation website www.hawkesbury.ca and shall supply any other information relating to the application as required by the Chief Building Official.

Every application for a permit shall be submitted to the Chief Building Official, and contain the following information:

- 4.2 Where application is made for a construction permit under subsection 8(1) of the Act, the application shall:
 - (a) include the completed prescribed provincial application form, “Application for a Permit to Construction or Demolish”;
 - (b) include complete plans and specifications, documents and other information as required by the Act, the Building Code or this By-Law for the work to be covered by the permit;
 - (c) when section 2.3 of the Building Code applies to the construction, be accompanied by a signed acknowledgement of the owner on a form prescribed by the Chief Building Official that an architect or professional engineer, or both, have been retained to carry out the general review of the construction or demolition of the building; and
 - (d) where work includes plumbing, the application shall also in the opinion of the Chief Building Official:

- (i) identify and describe in detail the plumbing work to be covered by the permit for which the application is made; and
- (ii) include plans that show the location and size of every building drain and every trap or inspection piece that is on the building drain and a sectional drawing that shows the size and location of every soil or waste pipe, trap and vent pipe where the installation contains twelve (12) fixtures or more.

4.3 Where application is made for a demolition permit under subsection 8(1) of the Act, the application shall:

- (a) include the completed prescribed provincial application form, "Application for a Permit to Construction or Demolish";
- (b) include complete plans and specifications, documents and other information as required by the Act, the Building Code or this By-Law for the work to be covered by the permit;
- (c) when section 2.3 of the Building Code applies to the construction, be accompanied by a signed statement of the architect or professional engineer, or both, indicating that they have been retained to provide general review of the construction or demolition of the building; and
- (d) be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the cutting off and capping of all water, sewer, gas, electric, telephone or other utilities and services.
- (e) be accompanied with waste site location where the debris will be disposed.

4.4 Where application is made for a conditional permit under subsection 8(3) of the Act, the application shall:

- (a) include the completed prescribed provincial application form, "Application for a Permit to Construction or Demolish";
- (b) include complete plans and specifications, documents and other information as required by the Act, the Building Code or this By-Law for the work to be covered by the permit;
- (c) state the reasons why the applicant believes that unreasonable delays in the construction would occur if a conditional permit is not granted;
- (d) state the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained;
- (e) state the time in which plans and specifications of the complete building will be filed with the Chief Building Official;
- (f) be accompanied by a written agreement between the owner and the Corporation as provided for in Article 8(3)(c) of the Act;
- (g) a Letter of Credit from a Canadian chartered bank or a bonding agreement issued by an insurance company will be acceptable as a guarantee; and
- (g) be accompanied by a deposit required to guarantee reinstatement.

- 4.5 In addition to the requirements of subsection 4.4 of this By-law, every permit application for part of a building shall:
- (a) include an application and paid fees for the entire project;
 - (b) include plans and specifications covering the part of the work for which more expeditious approval is desired, together with such information pertaining to the remainder of the work as may be required by the Chief Building Official; and
 - (c) where a permit is issued for part of a building or project, the holder of such permit may proceed, but the issuance shall not be construed to authorize construction beyond the plans for which the approval was given or as a guarantee that approval will necessarily be granted for the entire building or project.
- 4.6 Every application for a change of use permit issued under subsection 10(1) of the Act shall be submitted to the Chief Building Official, and shall:
- (a) include the prescribed information as required by the Chief Building Official and describe the building or part thereof in which the occupancy is to be changed;
 - (b) identify and describe in detail the current and proposed occupancies of the building or part of a building for which the application is made;
 - (c) include plans and specifications which show the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the Building Code, including: floor plans, details of wall, ceiling and roof assemblies identifying required fire resistance ratings and load bearing capacities, details of existing sewage system, if any,
 - (d) be accompanied by the required fees;
 - (e) state the name, address and telephone number of the owner; and
 - (f) be signed by the owner or their agent who shall certify the truth of the contents of the application.
- 4.7 Where an application for a permit or for authorization to make a material change to a plan, specification, document or other information on the basis of which a permit was issued, contains an equivalent material, system or building design for which authorization under section 9 of the Act is requested, the following information shall be provided:
- (a) description of the proposed material, system or building design for which authorization under section 9 of the Act is requested;
 - (b) any applicable provisions of the Building Code; and
 - (c) evidence that the proposed material, system or building design will provide the level of performance required by the Building Code.

5.0 PLANS AND SPECIFICATIONS:

- 5.1 Every applicant shall furnish,
- (a) sufficient plans, specifications, documents and other information to enable the Chief Building Official to determine whether the proposed

construction, demolition, or change of use conforms to the Act, the Building Code, and any other applicable law and whether or not it may affect adjacent property; and

- (b) each application shall be accompanied by two (2) complete sets of building plans including site plans and specifications unless otherwise specified by the Chief Building Official.

5.2 Plans shall:

- (a) include such working drawings as set out in Schedule "C" to this By-law unless otherwise specified by the Chief Building Official;
- (b) be drawn to scale upon paper or other substantial material;
- (c) be legible and durable;
- (d) indicate the nature and extent of work or proposed occupancy in sufficient detail to establish that the completed work will conform to the Act, the Building Code, and any other applicable law.

5.3 The Chief Building Official shall determine the number of plans, specifications, documents and other information required to be furnished with an application for permit having regard for the requirements of any Act, regulation or by-law respecting the examination or circulation of the application.

5.4 The Chief Building Official may require that a set of plans of a building or any class of buildings as constructed under Section 2.3 be filed with the Chief Building Official on completion of construction under such conditions as may be prescribed in the Building Code.

5.5 Plans and specifications furnished according to the By-law or otherwise required by the Act become the property of the Corporation and will be disposed of or retained in accordance with relevant legislation.

5.6 In lieu of separate specifications, the Chief Building Official may allow the essential information to be shown on the plans, but in no case shall such terms as "in accordance with the Act", "legal", or similar terms be used as substitutes for specific information.

5.7 A site plan referenced to a current plan of survey certified by a Registered Ontario Land Surveyor and a copy of such a survey shall be filed with the Corporation unless this requirement is waived because the Chief Building Official is able, without having a current plan of survey, to determine whether the proposed work conforms to the Act, the Building Code and any other applicable law. The site plan will include:

- (a) lot size and dimensions of property;
- (b) setbacks from existing and proposed buildings to property boundaries and to each other;
- (c) existing and finished ground levels, grades, elevations of bottom or underside of footing and top of foundation, drainage flows and directions, drainage outlet;
- (d) existing right-of-way, easements and municipal services;
- (e) the location, size and capacity of all municipal services where such services are affected by the proposed construction and the size and

location of all connections of services to the building or buildings and the invert level of the building or sewer drain. "Services" shall be deemed to include sanitary sewers, storm sewers, municipal drains, watermains and electrical power lines.

- (f) the existence of any soil condition which may, in any manner, affect the use or safety of the proposed building or facility.

5.8 Where required by the Chief Building Official, the applicant shall submit a lot grading plan which shall identify the drainage courses and which grades of adjacent land and grades of centre line of the road at each extremity of the said lot for review and approval.

6.0 FEES:

- (a) The Chief Building Official shall determine the required permit fees calculated in accordance with Schedule "A" of this By-law and the required administration performance deposit calculated in accordance with Schedule "B" of this By-law. No permit shall be issued until all the fees therefore have been paid in full.
- (b) Where the fees are based on the cost or valuation of the proposed work, such cost or valuation shall mean the total cost of all work regulated by the permit including the cost of all material, labor, equipment, overhead and professional and related services.

6.1 Work without permit

Any person or contractor who commences construction, demolition or changes the use of a building before a permit is issued by the municipality shall in addition to any other penalty under the Act, Building Code, or this by-law pay an additional fee equal to 100% of the amount calculated as the regular permit fee but in no case shall the additional fee exceed \$5,000.00, in order to compensate the Corporation for the additional work incurred by such early start of work.

7.0 ADMINISTRATIVE FEES:

7.1 Upon submission of the completed application, an administrative fee of \$100.00 shall be submitted with the application.

7.2 The administrative fees are non-refundable by the municipality.

8.0 REVISION TO PERMIT:

8.1 After the issuance of a permit under the Act, notice of any material change to a plan, specification, document or other information on the basis of which the permit was issued, must be given in writing, to the Chief Building Official together with the details of such change, which is not to be made without his or her written authorization.

9.0 RESTRICTED PERMIT FOR A TEMPORARY BUILDING:

9.1 A restricted permit for a temporary building may be issued by:

- (a) the Chief Building Official authorizing, for a limited time only, the erection and existence of a building or part thereof and,
- (b) a permit for a temporary building may be extended provided permission in writing is granted by the Chief Building Official.

10.0 RENEWAL OF PERMIT:

10.1 The Chief Building Official may issue a renewal of permit, or of a revoked permit, provided the required fee is paid for such renewal and the plans and specifications are made to comply with all the requirements of the Act, the Building Code and any other applicable law in effect at the time the application for a renewal of permit is made.

11.0 PERMIT REVOCATION, DEFERRAL OR REVOCATION AND TRANSFER:

11.1 Revocation of Permit

- (a) Prior to revoking a permit under clauses 8(10)(b) and (c) of the Act, the Chief Building Official shall provide written notice of intention to revoke to the permit holder at his last known address and, if on the expiration of thirty (30) days from the date of such notice, the grounds for revocation continue to exist, the permit may be revoked without further notice and all submitted plans and other information may be disposed of.
- (b) There shall be no refund of permit fees where a permit has been revoked.

11.2 Deferral of Revocation

- (a) On receipt of notice of intention to revoke a permit, a permit holder may request in writing within thirty (30) days from the date thereof that the Chief Building Official defer the revocation of such permit.
- (b) A request for deferral shall set out the reasons why the permit should not be revoked and the date by which the work will be commenced or resumed.
- (c) Having considered the circumstances of the request and having determined that there have been no changes to the Act and the Building Code and any other applicable law which would have prevented the issuance of the original permit, the Chief Building Official may allow a deferral to a prescribed date and shall notify the permit holder.

11.3 Transfer of Permit

- (a) Permits are transferable only upon the new owner completing a permit application in accordance with the requirements of section 4 of this By-law.
- (b) A fee, as prescribed in Schedule "A", shall be payable on a transfer of permit by the new owner who shall thenceforth be the permit holder for the purposes of the Act and the Building Code.
- (c) Any fees or monies being held such as, but not limited to, the administration performance deposit, will be deemed to be transferable to the new permit holder, without any further notice upon issuing the new permit.
- (d) The fee for the transfer of a permit is non-refundable.

12.0 NOTIFICATIONS:

- 12.1 With respect to prescribed notices under article 2.4.5.1 of the Building Code, the permit holder or their authorized agent shall notify the Chief Building Official or their designate that the construction is ready for inspection.
- 12.2 With respect to notices given as per section 12.1 of this By-law, an inspector shall undertake a site inspection of the building to which notice relates within the timeframe stipulated within article 2.4.5.3 of the Building Code.
- 12.3 With respect to “additional notices” under article 2.4.5.2 of the Building Code, the permit holder or authorized agent shall notify the Chief Building Official or their designate with the same notice as per article 2.4.5.3. of the Building Code prior to each stage of construction for which notice in advance is required under the Building Code.
- 12.4 A notice pursuant to this section is not effective until written or oral notice is received by the Chief Building Official or their designate.

13.0 DOCUMENTS ON SITE:

- 13.1 During the construction, the permit holder shall keep:
 - (a) posted in a conspicuous place on the property in respect of which the permit was issued, a copy of the permit or a poster, or placard in lieu thereof and,
 - (b) a copy of the approved drawings and specifications referred to in the application for permit, on the property in respect to which the permit was issued.

14.0 CONSTRUCTION FENCES:

- 14.1 A person issued a construction or demolition permit under the Building Code Act, 1992, for any work in the Town of Hawkesbury shall erect and maintain a fence to enclosed the construction or demolition site, including any areas where equipment is operated or equipment or material is stored.
- 14.2 The Chief Building Official is authorized to grant an exemption from the requirement in this subsection to erect a fence if the Chief Building Official is satisfied that conditions at a site would not present a particular hazard to the public after having regard for:
 - (a) The proximity of the site to occupied dwellings;
 - (b) The proximity of the site to places frequented by the public, including streets, parks, businesses and workplaces;
 - (c) The effectiveness of any existing fencing adjacent to the site;
 - (d) The feasibility and effectiveness of fencing the site;
 - (e) Any proposed security measures to deter entry to the site;
 - (f) The hazard presented by the activity occurring and materials used on the site;
 - (g) The expected duration of the hazard; and
 - (h) Any other safety considerations.

14.3 Where work on a construction or demolition site is substantially suspended or abandoned, the Chief Building Official may revoke an exemption granted under this subsection by serving written notice of the revocation on the permit holder.

14.4 Every fence required by this article shall:

- (a) Be erected at the perimeter of the site to fully enclose the site;
- (b) Be built to deter entry by unauthorized persons or vehicles;
- (c) Have no rails, other horizontal or diagonal bracing, attachments or pattern of openings on the outside that would facilitate climbing;
- (d) Contain no opening more than 150 millimeters (6 inches) wide or less than 900 millimeters (35.5 inches) above the bottom of the fence except where required for access to and from the site;
- (e) At any access opening, be equipped with gates that shall:
 - i) Contain wire mesh or similar material sufficient to provide visibility for traffic entering or exiting the site;
 - ii) Be built to specifications that provide performance and safety at least equivalent to the fence; and
 - iii) Deter entry by unauthorized persons;
- (f) Be maintained:
 - i) In good repair with no gaps larger than 100 millimeters (4 inches) below the fencing and be free of graffiti and posters;
 - ii) Free from health, fire and accident hazards, and
 - iii) So that any access opening is closed and locked or securely reinstalled when the site is unattended; and
- (g) Be removed not later than 30 days after completion of the construction or demolition work“

14.5 A fence required by this subsection shall:

- (a) If erected on a residential site between an excavation on the site and a public sidewalk or lane that is within 3.0 meters (10 feet) of the excavation, have a height not less than 1.8 meters (6 feet) along the grade outside the enclosed area.
- (b) If erected on any other residential site, have a height not less than 1.2 meters (4 feet) above the grade outside the enclosed area.
- (c) If erected on any other construction or demolition site, have a height not less than 1.8 meters (6feet) above the grade outside the enclosed area.

14.6 A fence required by this subsection shall be built to the following minimum standards:

- (a) If erected between an excavation and a public sidewalk or lane that is within 3.0 meters (10 feet) of the excavation, the fence shall be built of wood.
- (b) If built of wood, the outside face shall be smooth exterior grade plywood or wafer board 12.5 millimeters (1/2 inch) thick that is close-boarded, securely nailed or screwed to 89 millimeter by 89 millimeter

(4X4) vertical posts spaced at 2.4 meter (8 feet) centers and embedded sufficiently deep into the ground to provide a rigid support, and securely nailed or screwed to 39 millimeter by 89 millimeter (2X4) horizontal rails secured to the vertical posts at the top, bottom and intermediate locations at 600 millimeter (24 inches) centers.

- (c) If build with plastic mesh, the fencing shall be fastened securely at 200 millimeter (8 inches) centers to steel T or 50 millimeter (2 inches) wide U posts, spaced at not more than 1.2 meter (4 feet) centers and embedded at least 600 millimeters (24 inches) into the ground, with the top and bottom of the plastic mesh secured horizontally by an 11-gauge lacing cable threaded through the mesh and looped and fastened to each post.
- (d) If build with chain link, the mesh shall have openings no larger than 50 millimeters (2 inches) and shall be fastened securely both to vertical steel posts, spaced at not more than 2.4 meter (8 feet) centers and embedded at least 600 millimeters (24 inches) into the ground, and to top and bottom horizontal steel rails or 9-gauge steel wire.
- (e) Any hoarding, canopy or similar protective barrier required under provincial law may form part of the fence.
- (f) The fence may be a combination of the fence types specified in this article or may be built of other materials if the fence can be shown to provide performance and safety equivalent to fence types specified and the chief building official authorizes its use“.

14.7 “Where this article conflicts with any legislation, Regulation or other by-law, the more restrictive applies. “

15.0 ADMINISTRATION AND ENFORCEMENT:

15.1 The provisions of this By-Law shall be administered and enforced by the Chief Building Official, or his/her subordinate only insofar as permitted under the Act.

16.0 PENALTY:

16.1 Any person who contravenes any provisions of this By-law is guilty of an offence and upon conviction shall forfeit and pay a penalty as provided for in the Ontario Building Code Act 1992, S.O. 1992, Chap. 23 and amendments thereto.

17.0 SCHEDULES TO BY-LAW:

17.1 The schedules attached to this By-law are deemed to form part of this By-law.

18.0 SEVERABILITY:

18.1 It is declared that if any section or subsection or part or parts thereof be declared by any competent Court of Law to be illegal, it shall be deemed to be severable and all parts hereof are declared to be separate and independent and enacted as such.

19.0 REPEAL OF PREVIOUS BY-LAWS:

19.1 By-Law no. 13-2006 is hereby repealed.

20.0 DATE AND EFFECT

20.1 This By-law shall take full effect on the date of its passing.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 10th DAY OF MARCH, 2008.

Mayor

Clerk

THE CORPORATION OF THE TOWN OF HAWKESBURY

SCHEDULE "A" TO BUILDING BY-LAW NO. 18-2008

CLASSES OF PERMITS AND FEES

BUILDING PERMITS

The basic permit fee for new construction, addition, alteration, repair or demolition shall be as follows:

- 1) The fee shall be \$10.00 per \$1,000.00 of construction value and the administration fee shall be \$100.00 for the year 2008.
- 2) The fee shall be \$11.00 per \$1,000.00 of construction value and the administration fee shall be \$100.00 for the year 2009.
- 3) The fee shall be \$12.00 per \$1,000.00 of construction value and the administration fee shall be \$100.00 for the year 2010.

VALUE OF NEW CONSTRUCTION AND (OR) RENOVATIONS

The value of new construction and (or) renovations shall be based on the greater of the square footage as noted in this subsection or the given value by the applicant.

Assembly (Group A) Value Calculations: (including portable classrooms, schools, etc)

All Assembly Occupancies \$100.00/ft²

Institutional (Group B) Value Calculations:

Ground Floor \$122.80/ft²
All Other Floors..... \$ 76.00/ft²
Hospital..... \$195.00/ft²

Residential (Group C) Value Calculations:

Ground Floor \$ 95.00/ft²
Foundation..... \$ 30.00/ft²
Floors above Ground Floor..... \$ 60.00/ft²
Finished Basement \$ 30.00/ft²
Apartment Buildings (3 or more)..... \$ 80.00/ft²
Garage (attached)..... \$ 35.00/ft²
Accessory Buildings (detached garage/sheds)..... \$ 20.00/ft²
Carports..... \$ 30.00/ft²
Decks..... \$ 12.00/ft²
Porches..... \$ 30.00/ft²
Above Ground Pools..... \$ 75.00 Flat Rate
In ground Pools..... \$ 20.00/ft²

Office and Personal Services (Group D) Value Calculations:

Unfinished Area (Shell only) \$80.00/ft²
Finished Area (ie: Tenant Fit up) \$12.00/ft²
Total \$92.00/ft²

Mercantile (Group E) Value Calculations:

Unfinished Area (Shell only)	\$59.00/ft ²
Finished Area (ie: Tenant Fit Up)	\$23.00/ft ²
Total	\$82.00/ft ²

Industrial (Group F) Value Calculations

Unfinished Area (Shell Only)	\$46.00/ft ²
Finished Area (ie: Tenant Fit Up)	\$23.00/ft ²
Total	\$69.00/ft ²

DEMOLITION PERMITS:

The permit fee for demolishing a Residential building or portion of a building shall be **\$100.00**.

- 1) The permit fee for demolishing a Commercial/Industrial building or portion of a building shall be **\$100.00 + \$10.00** for every **\$1,000.00** of value for the year 2008.
- 2) The permit fee for demolishing a Commercial/Industrial building or portion of a building shall be **\$100.00 + \$11.00** for every **\$1,000.00** of value for the year 2009.
- 3) The permit fee for demolishing a Commercial/Industrial building or portion of a building shall be **\$100.00 + \$12.00** for every **\$1,000.00** of value for the year 2010.

PLUMBING PERMITS

1) RESIDENTIAL – NEW PLUMBING

Single family residence	\$100.00 + \$10.00 for each additional washroom
Semi-detached building	\$160.00 + \$10.00 for each additional washroom
Duplex building	\$140.00 + \$10.00 for each additional washroom
Multiple family (Apartments)	\$80.00/unit + \$10.00 for each additional washroom
Multiple family (Row-housing)	\$90.00/unit + \$10.00 for each additional washroom
Condominiums	\$90.00/unit + \$10.00 for each additional washroom

Common areas in condominium, multiple family, etc. shall be treated additionally as other buildings in (2).

2) OTHER BUILDINGS

Initial Fee	\$25.00
Building drains	\$20.00
Stacks	\$15.00
Fixtures	\$ 8.00

Sanitary Sewer laterals \$50.00/30 meters or fraction thereof

Storm sewer laterals \$50.00/30 meter or fraction thereof.

ADDITIONAL FEES AND SURCHARGES

1) PARTIAL OR CONDITIONAL PERMITS

The permit fee for a partial or conditional permit shall be subject to an administrative surcharge of 10% of the full permit fee but in no case shall the surcharge be less than \$300.00 and shall not exceed \$1,000.00

2) REVOCATION DEFERRALS

The fee to apply for a deferral of a revocation of a permit shall be \$100.00.

3) PERMIT TRANSFERS

The fee for transferring a processed permit to another lot or to another owner shall be \$200.00.

4) CHANGE TO PLANS, SPECIFICATIONS OR OTHER DOCUMENTS

When material changes are made to plans, specifications or other documents after the original plan review has been completed, the fee to review the amended plans, specifications, or other documents shall be 25% of the original full permit fee but in no case shall the surcharge be less than \$100.00

5) TEMPORARY BUILDINGS

The permit fee for temporary buildings, trailers or buildings on construction sites for office or sales purposes and other permitted temporary buildings for duration of not more than nine months shall be \$100.00.

6) TO CHANGE LOCATION

The permit fee for changing the location of a building shall be \$100.00.

7) TO CHANGE A USE

Where a permit is required under the Ontario Building Code Act or Regulations to change the use of a building and no construction occurs, the fee for such a permit shall be \$200.00.

8) RENEWALS

The permit fee of fees shall be payable prior to and as a condition of a renewal of a building permit and shall be calculated a 25% of the original permit fee but no less than \$50.00.

9) PRELIMINARY INSPECTIONS AND/OR INVESTIGATIONS

Where a person requests a preliminary inspection or investigation for the purpose of obtaining information related to a construction, change of use or renovation proposal and where it is deemed appropriate by the Chief Building Official to provide this service, the fee shall be \$75.00 for a written report.

MISCELLANEOUS CHARGES

For classes of permits not described or included in this schedule, a reasonable permit fee bases on the proposed value of works, shall be determined by the Chief Building Official at the following rate:

- 1) **minimum fee of \$10.00 per thousand of the estimated valuation of works for 2008.**
- 2) **minimum fee of \$11.00 per thousand of the estimated valuation of works for 2009.**
- 3) **minimum fee of \$12.00 per thousand of the estimated valuation of works for 2010.**

INTERPRETATION

The following explanatory notes are to be observed in the calculation of permit fees:

- Floor area of the proposed work is to be measured to the outer face of exterior walls and to the

- centre line of party walls or demising walls (excluding residential garages).
- In the case of interior alterations or renovations, area of proposed work is the actual space receiving the work e.g. tenants space.
 - Except for interconnected floor spaces, no deductions are made for openings within the floor area (e.g. stairs, elevators, escalators, shafts, ducts, etc...).
 - Unfinished basements for single detached dwellings (including semis, duplexes, and townhouses, etc...) are included in the floor area.
 - Corridors, lobbies, washrooms, lounges, etc... are to be included and classified according to the major classification for the floor area on which they are located.
 - The occupancy categories in the Schedule correspond with the major occupancy classifications in the Ontario Building Code.

THE CORPORATION OF THE TOWN OF HAWKESBURY

Schedule "B" to Building By-Law no. 18-2008

Administration Performance Deposit

Value of Construction	Administration Performance Deposit
Value less than \$ 25,000.00	\$ 100.00
Value between \$ 25,000.00 and \$99,999.99	\$ 500.00
Value between \$ 100,000.00 and \$ 499,999.99	\$ 1,000.00
Value equal to or over \$ 500,000.00	\$ 5,000.00

Notes to Schedule "B"

Note 1 The value of construction is calculated as per Schedule "A" of Building By-law no. 18-2008.

For single dwelling units and semi-detached dwelling units, the performance deposit shall be \$1,000.00. For all other construction, the above table applies.

Note 2 Once a permit has been issued by the Chief Building Official, the administration performance deposit will be refunded in whole or in part to the permit holder in accordance with the following provisions:

One hundred per cent (100%) of the administration performance deposit is to be refunded if construction is fully completed within one (1) year of the date of the issuance of the permit,

Seventy five percent (75%) of the administration performance deposit is to be refunded if construction is fully completed within two (2) years of the date of the issuance of the permit,

Fifty percent (50%) of the administration performance deposit is to be refunded if construction is fully completed within three (3) years of the date of the issuance of the permit,

Twenty five percent (25%) of the administration performance deposit is to be refunded if construction is fully completed within four (4) years of the date of the issuance of the permit,

No refund of the administration performance deposit will be awarded if construction is not fully completed within four (4) years of the date of the issuance of the permit. This will not relieve the permit holder of obligations under any regulations of any By-Law, the Building Code Act or regulations made thereunder.

For multi-residential, commercial, institutional and industrial, the owner or the applicant shall provide a schedule of work to be approved by the Chief Building Official and the refund will be established based on the proposed schedule.

Note 3 The refund of the whole or in part of the administration performance deposit shall not be deemed a waiver of any provisions of any By-Law or requirements of the Building Code Act or regulations made thereunder. Also the refund should not be construed as a certification or guarantee that the building for which a permit was issued meets all the requirements of the Building Code Act or regulations made thereunder.

THE CORPORATION OF THE TOWN OF HAWKESBURY

Schedule “C” to Building By-Law No. 18-2008

List of Plans and Working Drawings, as defined in Building Code, required to accompany the application

Site Plan
Lot Grading Plan
Foundation Plans
Floor Plans
Framing Plans
Roof Plans
Sections and Details
Elevation Plans
Electrical Drawings
Heating and Ventilation Drawings
Plumbing Drawings
Fire Alarm, Sprinkler and Standpipe Drawings

Note: The Chief Building Official may specify that not all the above-mentioned plans are required to accompany an application for a permit.

THE CORPORATION OF THE TOWN OF HAWKESBURY

Schedule "D" to Building By-Law No. 18-2008

AGREEMENT RE USE OF ADMINISTRATION PERFORMANCE DEPOSIT

I, _____, the applicant for a building permit to
_____ on Lot _____
Plan _____, hereby agree that as a condition precedent to the validity of any permit issued to me by the Corporation of the Town of Hawkesbury for the said work, and in consideration of the issuance of a Permit to me, hereby deposit with the Corporation of the Town of Hawkesbury the sum of \$ _____ as a Administration Performance Deposit for the completion of all work as authorized and/or required by the said permit and the repair of any damages to municipal property and payment for cleaning of municipal street as provided in the By-laws of the Corporation of the Town of Hawkesbury or otherwise, within such time limit as is provided in this and other said By-Laws or, if not specifically provided in the By-Laws, within such time as the Chief Building Official may, in his discretion consider adequate (to which exercise of discretion I hereby irrevocable submit) and in the event of my failure to so perform,

I hereby consent to the adoption of such procedures as may be necessary by the Corporation Chief Building Official or by any person appointed by him and /or them for such purpose, including unrestricted entry upon my property, to complete the said work and/or repair any damage and/or repay the Corporation for cleaning of municipal streets all as et out in the said By-Laws, with payment for such procedures to be deducted from the said performance deposit and the balance, if any, to be refunded to me and for so doing this shall irrevocably constitute his food and sufficient authority.

I further understand and agree that, if my final inspection has not been carried out and approved, within the specifications of Schedule "B" – note 2, from the date of my issuance of my building permit that I will forfeit my performance deposit of \$ _____ and that the amount would become part of the general revenues of the Corporation of the Town of Hawkesbury, for their own use absolutely.

I HEREBY completely release the Corporation and its agents, employees and workmen from any and all claims for damages or otherwise which may arise as a result of the procedures herein authorized and taken by them, except for such claims as may arise as a result of negligence on the part of such agents, employees, or workmen.

DATED at the Corporation of the Town of Hawkesbury this _____
day of _____, 20_____.

Witness

Applicant

THE CORPORATION OF THE TOWN OF HAWKESBURY

Schedule "E" to Building By-law No. 18-2008

GENERAL REVIEW FORM

COMMITMENT TO GENERAL REVIEWS BY ARCHITECT AND ENGINEERS
(EABO Standard Form Endorsed by OAA, PEO and Ontario Building Officials Association)

THE CORPORATION OF THE TOWN OF HAWKESBURY

Schedule "F" to Building By-law No. 18-2008

**CODE OF CONDUCT
FOR THE CHIEF BUILDING OFFICIAL/INSPECTORS**

PURPOSE

1. LEGISLATIVE AUTHORITY:

- 1.1 **The Building Code Act**, 1992, S.O. 1992, c.23, as amended states that a principal authority shall establish and enforce a code of conduct for the chief building official and inspectors.

2. PURPOSE OF THE CODE OF CONDUCT

2.1 The purposes of this code of conduct are:

- a) To promote appropriate standards of behavior and enforcement actions by the chief building official in the exercise of a power or the performance of a duty under this Act or the building code;
- b) To prevent practices which may constitute an abuse of power, including unethical or illegal practices, and
- c) To promote appropriate standards of honesty and integrity.

IMPLEMENTATION PROCEDURES

3. STANDARDS OF CONDUCT:

The Chief Building Official and inspectors undertake **at all time** to:

- a) Act in the public interest, particularly with regard to the safety of building works and structures;
- b) Maintain his knowledge and understanding of the best current building practices. The building laws and regulations relevant to his building certifying functions;
- c) Comply with the provisions of the Building Code Act, the Building Code and any other Act or Law that regulates or governs Building Officials or their functions;
- d) Avoid situations where there may be, or where there may reasonably appear to be, a conflict between his duties to his clients, his profession, his peers and the public at large and his personal interests;
- e) Not act beyond his level of competence or outside his area of expertise;
- f) Apply all relevant building laws, regulations and standards strictly and without favor and independent of the influence of interested parties;
- g) Perform his inspections and certifying duties impartially and in accordance with the highest professional standards, without any influence from anyone, in a fair and consistent manner and efficiently and in a timely manner.
- h) Not divulge any confidential or sensitive information or material, that he became privy to in the performance of his duties, except in accordance with laws governing freedom of information and protection of privacy;

- i) Abide by the highest moral and ethical standards and avoiding any conduct, which could bring or tend to bring the Building Official or the Town of Hawkesbury into disrepute;
- j) Extend professional courtesy to all and
- k) Maintain current accreditation to act as an Ontario Building Official.

4. BREACHES OF THE CODE OF CONDUCT

The Ontario Building Code Act provides that the performance of Building Officials and Inspectors will be measured against this Code of Conduct. The Chief Administrative Officer will review any allegations brought forward that the Code of Conduct has been breached and will report to Council. Disciplinary action arising from violations of this Code of Conduct is the responsibility of the Chief Administrative Officer who will have regard to the relevance of the conduct to the official's power and responsibilities as well as the severity and frequency of any misconduct.

5. PUBLIC NOTICE

This Code of Conduct will be published on the municipal website: www.hawkesbury.ca.

THE CORPORATION OF THE TOWN OF HAWKESBURY

Schedule "G" to Building By-law No. 18-2008

APPLICATION FOR A PERMIT TO CONSTRUCT OR DEMOLISH