

CONSOLIDATION OF A BYLAW OF THE CITY OF LETHBRIDGE PASSED PURSUANT TO THE
PROVISIONS OF THE SAFETY CODES ACT OF ALBERTA

WHEREAS the Legislature of the Province of Alberta has passed the *Safety Codes Act*, R.S.A. 2000, Chapter S-1, as amended;

AND WHEREAS the City of Lethbridge is an accredited municipality by the Minister of Municipal Affairs;

AND WHEREAS pursuant to Section 66 of the *Safety Codes Act* an accredited municipality may make bylaws respecting

- (a) fees for anything issued or any material or service provided pursuant to the Safety Codes Act, and
- (b) the carrying out of its powers and duties as an accredited municipality.

AND WHEREAS the purpose of this Bylaw is to stipulate the conditions and requirements for application and issuance of permits in the following disciplines:

- Building
- Electrical
- Plumbing
- Gas

THE COUNCIL OF THE CITY OF LETHBRIDGE ENACTS AS FOLLOWS:

PART 1

TITLE

1. This Bylaw may be cited as “The City of Lethbridge Safety Codes Permit Bylaw”.

DEFINITIONS

2. In this Bylaw:
 - (a) “Act” means the *Safety Codes Act*, R.S.A. 2000, c. S-1, as amended or replaced from time to time and regulations made pursuant to the Act.
 - (b) “Accredited Municipality” means an accredited municipality pursuant to the Act.
 - (c) “City” means the City of Lethbridge.
 - (d) “Permit Issuer” means a permit issuer pursuant to the Permit Regulation.
 - (e) “Permit Regulation” means the Permit Regulation, 204/2007, as amended or replaced from time to time.

- (f) "Province" means the Province of Alberta.
 - (g) "Safety Codes Officer" means a safety codes officer pursuant to the Act.
3. Any term used in this Bylaw which is defined in the Act or the Permit Regulation has the meaning in the Act or the Permit Regulation.

SCOPE

4. This Bylaw applies to the administration and enforcement of the Act and the Permit Regulation within the City for the disciplines of Building, Electrical, Gas and Plumbing.

POWERS AND DUTIES

5. (1) A Safety Codes Officer is authorized to enforce all provisions of this Bylaw, the Act and the Permit Regulation in accordance with a Safety Codes Officer's specific designation of powers.
- (2) The Manager of Building Inspection Services shall keep an accurate account of all permits issued and all fees collected and received under this Bylaw.

PERMIT REQUIRED

6. (1) Subject to article 6 (2), a person shall not commence any undertaking for which a permit is required under the Permit Regulation, the Act or this Bylaw unless a permit has been issued by a Permit Issuer.
- (2) If a Permit Issuer is not readily available and there is imminent serious danger to persons or property because of any thing, process or activity to which the Act applies or because of a fire hazard or risk of an explosion, a person may, without a permit, start an undertaking for which a permit may be required under this Bylaw but that person must apply for a permit as soon as a Permit Issuer is available.
7. A permit is not required for the disciplines of Building, Electrical, Gas and Plumbing, as set out in the Permit Regulation.

APPLICATION FOR PERMIT

8. To obtain a permit, an applicant shall complete an application in writing on the form approved by the City and file the complete application with the City.
9. In addition to any other requirements set out in the Act, the Permit Regulation and this Bylaw, when applying for a permit, an applicant shall provide to the City
- (a) a legal description of where the undertaking will take place,
 - (b) a street address, when available, identifying the proposed location of the undertaking,
 - (c) the name, mailing address and telephone number of the applicant's agent, if the applicant is represented by an agent,

- (d) the estimated value of the undertaking and complete documentation, satisfactory to a Safety Codes Officer, to accurately establish the value of the undertaking,
- (e) copies, as requested by a Safety Codes Officer, of the plans, specifications and scale drawings showing the undertaking,
- (f) if applicable, a site plan showing the actual dimensions of the parcel of land and the location of the proposed undertaking in relation to the boundaries of the parcel of land and other buildings on the same parcel of land and dimensioned setbacks from all streets,
- (g) such additional information as may be required by a Safety Codes Officer.

PLANS AND SPECIFICATIONS

10. In addition to any other requirements set out in the Act and the Permit Regulation, an applicant shall, when requested by a Permit Issuer
 - (a) provide plans and specifications drawn to scale in an acceptable digital format to a Safety Codes Officer. The plans and specifications shall be of sufficient clarity to indicate the nature and extent of the undertaking and show that the undertaking conforms to the Act and Permit Regulations,
 - (b) provide plans that state the name, mailing address and telephone number of the person who prepared the plans, and
 - (c) submit test results as directed by a Safety Codes Officer, including site conditions or product testing.
11. No person shall without prior written consent of a Safety Codes Officer alter, erase or modify any plans or specifications provided with an application for a permit.
12. A Safety Codes Officer may circulate an applicant's plans and specifications to other departments of the City and the Province to be examined for compliance.
13. A Safety Codes Officer may destroy plans which have been submitted by the applicant where no permit has been issued and where no action has been taken by the applicant for 90 days from the date the application is received by the City, and the City shall not refund any fees paid by an applicant.

PERMIT ISSUANCE

14. A Permit Issuer shall issue a permit pursuant to the Act, the Permit Regulation and this Bylaw only when:
 - (a) the undertaking described in the application for permit meets the requirements of the Act, the Permit Regulation and this Bylaw,
 - (b) the plans and specifications provided by the applicant meet the requirements of the Act, the Permit Regulation and this Bylaw, and
 - (c) the fees pursuant to the Act and Schedule A have been paid in full.

15. (1) After a permit is issued, a Safety Codes Officer may require that any errors in plans and specifications provided by the applicant be corrected within a timeframe determined by the Safety Codes Officer.
 - (2) In the event the error or errors set out in article 15(1) are not corrected by the applicant within the timeframe determined, a Safety Codes Officer may suspend the permit.
 - (3) If a permit is suspended by a Safety Codes Officer under article 15(2) and the applicant has not commenced the undertaking for which the permit is issued, the applicant cannot commence the undertaking.
 - (4) If a permit is suspended by a Safety Codes Officer under article 15(2) and the applicant has commenced the undertaking for which the permit is issued, the applicant must stop any further work on the undertaking.
16. (1) A permit shall expire for the reasons set out in the Permit Regulation.

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- (2) If a permit expires under the Permit Regulation or this Bylaw, the City shall not refund any fees paid by the applicant.

FEES

17. The fee for a permit shall be submitted by the applicant at the time the application is filed with the City.
18. The fees to be charged by the City under this Bylaw shall be as set out in Schedule A, attached to and forming part of this bylaw.
19. (1) A Safety Codes Officer may place a value on the cost of the undertaking for the purpose of determining the permit fee through the use of current construction methods or techniques, which may include construction value estimation software.
- (2) In determining the fee set out in article 19(1), a Safety Codes Officer may require an applicant to submit an executed contract or bona fide estimate of the cost of the undertaking when submitting the application. The value must include all labor and materials and all lighting, heating, ventilation, water supply, plumbing, electrical, fire sprinklers, and elevator equipment.
20. If, in the opinion of a Safety Codes Officer, an application or the documents provided with the application for a permit contain substantial errors or omissions and a Safety Codes Officer requests that the applicant provide revised documents for re-examination, a fee shall be charged as set out in Schedule A.
21. If any undertaking has been commenced by an applicant, owner or agent before a permit has been issued by a Safety Codes Officer, the applicant may be required by a Safety Codes Officer to pay a penalty equivalent to the amount of the applicable permit fee as set out in Schedule A.

22. (1) Despite article 16(2), any person who pays a permit fee under this Bylaw and is subsequently unable to do the undertaking authorized by the permit and who has not started the undertaking may, for a period of 90 days from the date the permit is issued, request in writing, that the permit be cancelled.
- (2) If the application is cancelled prior to review commencing, the City shall retain a portion of the fees as set out in Schedule A.
- (3) If the application is cancelled after a review has commenced or completed, the City shall retain a portion of the fees as set out in Schedule A.
- (4) A person shall not be entitled to a refund of any safety codes levies paid.

PART 2

In addition to Part 1, the following applies to the specific disciplines.

ELECTRICAL DISCIPLINE

23. Before issuing a permit in the electrical discipline, the Permit Issuer may require an owner who resides or intends to reside in a single family residential dwelling where the electrical system serves that dwelling or an owner of a farm building served by a single phase electrical system to demonstrate that the owner has the skills or competence or both to complete the undertaking for which the permit will be issued.
24. If, in the opinion of a Safety Codes Officer, the work of installing, repairing or altering any electrical machine, apparatus, equipment or appliance, requires the services of a specially qualified workman supplied by a manufacturer, dealer or distributor, of a machine, apparatus, equipment or appliance, then and, in such case, a Permit Issuer may issue a permit for such undertaking to be done by, or under, the supervision, direction and control of a specially qualified workman.
25. Only a licensed electrical contractor shall install solar photovoltaic systems.
26. At the discretion of a Safety Codes Officer, a separate permit may be required for each class of undertaking and installations supplied by different service wires or different main entrance switches.
27. The Electrical Safety Codes Officer reserves the right to request disconnection of the supply of electrical energy for non-compliance with any of the provisions of this Bylaw, in particular improper or defective wiring conditions.

GAS DISCIPLINE

28. Before issuing a permit in the gas discipline, the Permit Issuer may require an owner who resides or intends to reside in a single family residential dwelling if the gas system serves the dwelling or an owner of a farm building if the gas system serves the farm building to demonstrate that the owner has the skills or competence or both to complete the undertaking for which the permit will be issued.

29. When replacing an existing heating appliance (furnace), a licensed gasfitter shall be granted permission to replace only the heating unit and plenum adaptor and gas connection.
30. A licensed gasfitter shall not be permitted to replace a supply or return ductwork.

PLUMBING DISCIPLINE

31. Before issuing a permit in the plumbing discipline, the Permit Issuer may require an owner who resides or intends to reside in a single family residential dwelling if the plumbing system serves the dwelling or an owner of a farm building if the plumbing system serves the farm building to demonstrate that the owner has the skills or competence or both to complete the undertaking for which the permit will be issued.
32. A licensed plumbing contractor may apply for a permit to install solar heating that includes plumbing components.

OFFENCE

33. A person who contravenes this Bylaw, the Permit Regulation or the Act is guilty of an offence under the Act and subject to the penalties set out in the Act.
34. Any person who contravenes this Bylaw may be issued an Order by a designated officer to remedy the contravention in any manner deemed necessary in the circumstances under section 545 of the *Municipal Government Act*, RSA 2000, c. M-26, or section 546 of the *Municipal Government Act*, in the case of a danger to public safety or unsightly condition.

SEVERABILITY

35. If any portion of this Bylaw is declared invalid, then the invalid portion shall be severed and the remainder of the Bylaw deemed valid and enforceable.

REPEAL

36. Bylaw Numbers 5624, 5675, 5725 and 5777 are hereby repealed.

EFFECTIVE DATE

37. This Bylaw shall come into force and effect on the final date of passing.

SIGNED A FIRST TIME THIS 18TH DAY OF MAY, 2021.

SIGNED A SECOND TIME THIS 1ST DAY OF JUNE, 2021.

SIGNED A THIRD TIME THIS 1ST DAY OF JUNE, 2021.

C.A. SPEARMAN
MAYOR

D. SANSFIELD
A/CITY CLERK

SCHEDULE "A" TO BYLAW 6110

SCHEDULE "A"

BUILDING INSPECTIONS FEES

A Residential Permit Fees

- (1) For the purpose of this Bylaw, "residential permits" includes any permit for work performed on a single detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, fourplex dwelling, or work whose scope is limited to an individual unit within a multi-family residence.
- (2) Fees for any residential permit - excluding the Lot Grading Permit, Footing & Foundation Permit, and Demolition Permit, shall be based on the estimated market value and calculated as: \$3.25 per \$1000 market value or part thereof
 - Minimum Permit Fee.....\$100.00
- (3) Lot Grading Permit.....\$125.00
- (4) Footing & Foundation Permit.....\$250.00
- (5) Demolition Permit..... \$100.00 flat fee, plus \$0.50/m² building area
- (6) Fees Retained – As set out in Section 22 of this bylaw, the City may retain permit fees as follows:
 - (a) Prior to Review Commencing\$100.00
 - (b) Review Commenced or completed the greater of ½ Permit Fees or \$100.00, at the discretion of the Safety Codes Officer

B Commercial Permit Fees

- (1) For the purpose of this Bylaw, "commercial permit" includes any permit for work performed on a multi-family structure of five (5) or more units, commercial structures, industrial structures, and institutional structures.
- (2) Fees for any commercial permit - excluding the Change of Use Permit, Change in Building Occupancy Classification Permit, Electrical Annual Maintenance Permit, or Demolition Permit, shall be based on the market value and calculated as:
 -\$8.00 per \$1000 market value or part thereof,
 - less any Application Fees paid
 - (a) Application Fee (Non Refundable)..... \$250.00
 - (b) Minimum Permit Fee\$250.00
- (3) Change of Use, or Change in Building Occupancy Classification Permit.....\$125.00
- (4) Electrical Annual Maintenance Permit\$300.00
- (5) Demolition Permit 100.00 flat fee, plus \$0.50/m² building area
- (6) Fees Retained: as set out in Section 22 of this bylaw, the City may retain permit fees as follows:
 - (a) Prior to Review Commencing\$100.00
 - (b) Review Commenced or completed the greater of ½ Permit Fees or \$100.00, at the discretion of the Safety Codes Officer

C Other Fees and Charges

- (1) Additional Inspections, or re-inspections due to failed or incomplete work (All Disciplines)
 - (a) 1st Inspection\$200.00
 - (b) 2nd inspection\$400.00
 - (c) 3rd Inspection\$600.00
 - (d) Subsequent inspections\$1000.00
 - (e) Occupancy of a building without permission\$500.00
- (2) Electrical Inspection Amusement ride / concession\$150.00/hour
- (3) Electrical Sign Permit (connection only)\$110.00
- (4) Permit Transfer Fee\$250.00
- (5) Revised drawings / Re-stamp Fee..... Minimum \$100.00 up to 10% of permit value,
.....at the discretion of the Safety Codes Officer
- (6) Permit Extension Fee.....\$500.00

D Permit Information Requests

- (1) Building Inspections File Search \$125
- (2) Custom data queries, reports, analytics \$125
- (3) Digital copies of drawings or archives \$150