

BY-LAW NUMBER 4-22

- of -

THE CORPORATION OF THE COUNTY OF BRANT

A By-law under the *Building Code Act, 1992*, S.O. 1992, c. 23 respecting permits and related matters

WHEREAS Council of the Corporation of the County of Brant desires to provide for the issuance of permits and related matters under the *Building Code Act, 1992*, S. O . 1992, c. 23 (hereinafter the "Act") for the purpose of providing for the health and safety of the public at large, through compliant construction, demolition, and other matters under the Act;

AND WHEREAS section 7 of the Act authorizes the Council of The Corporation of the County of Brant to pass By-laws concerning the issuance of permits and related matters,

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE COUNTY OF BRANT HEREBY ENACTS as follows:

1. SHORT TITLE

This By-law may be cited as the "Building By-law"

2. DEFINITIONS

2.1 In this By-law:

"Act" means the *Building Code Act, 1992*, S.O. 1992, c.23. as amended.

"Applicable Law" means applicable law as defined by the Building Code, 0. Reg. 332/12.

"Applicant" means the owner of a building or property who applies for a permit, or any person authorized by the owner to apply for a permit on the owner's behalf, or any person or Corporation empowered by statute to cause the construction or demolition of a building or buildings and anyone acting under the authority of such person or Corporation.

"As Constructed Plans" means as constructed plans as defined by the Building Code.

"Building" means,

- (i) a structure occupying an area greater than ten square metres consisting of a wall, roof, and floor or any of them or a structure system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto,
- (ii) a structure occupying an area of ten square metres or less that contains plumbing, including the plumbing appurtenant thereto,
- (iii) plumbing not located in a structure, or
- (iv) structures designated in the Building Code

"Building Code" means the regulations made under section 34 of the Act.

"Business Day" means any day other than a holiday as defined in the Interpretation Act, Saturday, Boxing Day, or day proclaimed by the head of Council to be a civic holiday.

"Chief Building Official" means a Chief Building Official appointed by by-law by the County for the purposes of enforcement of the Act.

"**Complete permit application**" means an application satisfying the requirements of sentence 1.3.1.3(5) of Division C of the Building Code and the requirements of this By-law .

"**Construct**" means construct as defined in subsection 1(1) of the Act.

"**County**" means the Corporation of the County of Brant

"**Demolish**" means demolish as defined in subsection 1(1) of the Act.

"**Designated Structure**" means a designated structure as described in the Ontario ~~building~~ Building Code - Division A ~~1.3.1.4~~ 1.3.3.5

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"**Inspector**" means an inspector appointed by by-law by the County for the purposes of enforcement of the Act.

"**Owner**" means the registered owner of property and includes a lessee, mortgagee in possession, and the authorized agent in lawful control of the property.

"**Permit**" means permission or authorization given in writing from the Chief Building Official to perform work, to change the use of a building or part thereof, or to occupy a building or part thereof, as regulated by the Act and Building Code.

"**Permit holder**" means a person to whom a permit has been issued or where a permit has been transferred, the new owner to whom the permit has been transferred.

"**Prescribed value**" means the value established by the Chief Building Official for the work for which a permit is applied for.

"**Sewage system**" means a sewage system as defined in Section 1(1) of the Act.

"**Work**" means construction or demolition, each as defined under the Act, of a building or part thereof, as the case may be.

2.2 Terms not defined in this By-law shall have the meaning ~~ascribed as described~~ to them in the Act, excepting sections 15.1 through 15.8, or the meaning ~~ascribed as described~~ to them in the Building Code.

2.3 For the purposes of interpretation of this By-law and subject to the Act and the Building Code;

- (a) the requirements herein are in addition to the requirements of the Act and the Building Code; and
- (b) classes of permits with respect to the construction, demolition and change of use of buildings shall be as set out in Schedule "A" to this By-law.

3. LIST OF SCHEDULES

3.1 The following schedules are attached to and form part of this By-law:

- (a) Schedule "A" being the classes of permits required for construction, demolition or change of use;
- (b) Schedule "B" being for the calculation of refunds of permit fees and the deductions from fees based upon work performed under the permit;

- (c) Schedule "C" being the list of plans and documents required to be submitted with permit applications;
- (d) Schedule "D" being the Code of Conduct for building officials.

4. PERMITS

4.1 To obtain any permit, a person entitled to make application under the Act and the Building Code shall file a complete permit application, as determined at the discretion of the Chief Building Official, with the Chief Building Official in writing or electronically and on the prescribed form available at the offices of the Chief Building Official, the County of Brant's website, or from the Ministry of Municipal Affairs and Housing's Ontario Building Code website and shall supply any other information or forms relating to the application as required by the Act, the Building Code, the Chief Building Official or this By-law.

Building Permits

4.2 The application for a building permit shall be accompanied by the required fees as calculated in accordance with the County of Brant Fees and Charges By-law and shall provide sufficient information with the application to determine compliance with the Act, the Building Code, applicable law, and this By-law, including but not limited to:

- (a) identification and description in detail of the work, uses and occupancy to be covered by the permit for which the application is made;
- (b) a description of the land on which the work is to be done, that will readily identify and locate the site on which the construction or demolition is to occur;
- (c) plans and specifications as described in this By-law or as may be additionally necessary, as determined by the Chief Building Official, to govern the nature or extent of the construction, demolition or change proposed under the permit and compliance with the Act, the Building Code, applicable law, and this By-law;
- (d) when subsection 1.2.2 of Division C of the Building Code applies, a signed acknowledgement of the owner on a form prescribed by the Chief Building Official that a duly qualified architect or professional engineer in good standing with his/her respective governing bodies, or both, have been retained and are engaged to oversee and carry out the general review of the construction or demolition of the building to ensure compliance with the Act, the Building Code, or any other applicable legislation or policy;
- (e) when subsection 1.2.2 of Division C of the Building Code applies, a signed statement of the duly qualified architect or professional engineer in good standing with his/her respective governing bodies, or both, on a form prescribed by the Chief Building Official, undertaking to provide general review of the construction or demolition of the building;

Demolition Permits

4.3 In addition to the requirements of subsections 4.1 and 4.2 above, every demolition permit application shall include all of the following:

- (a) when subsection 1.2.2 of Division C of the Building Code applies, details of the structural design characteristics of the building and the method and proposed time schedule of the demolition;

- (b) written confirmation from the relevant authorities that arrangements have been made with the authorities for the termination and capping of all the water, sewer, gas, electric, telephone or other utilities and services connected to the property; and
- (c) a completed Demolition Application Checklist available through the Building Division.

Conditional Permits

- 4.4(1)** In addition to the requirements of subsections 4.1 and 4.2 above, every conditional permit application made under subsection 8(3) of the Act, shall require the applicant and such other person as the Chief Building Official determines, to enter into an agreement with the County which agreement sets out the obligations and requirements of a conditional building permit.
- 4.4(2)** The Chief Building Official may, where conditions and requirements imposed under subsections 8(3) to 8(5) of the Act and this subsection have been fulfilled, issue a conditional permit for a building subject to compliance with the Act, the Building Code and any applicable law, the payment of the fees, and the provision of security and agreements.
- 4.4(3)** A permit holder in respect of an issued conditional permit does not have permission to proceed to construct or demolish or cause or permit construction or demolition to proceed beyond the point authorized by the permit without obtaining a further permit therefore, and the Chief Building Official by reason of the issuance of a conditional permit or permits for a part or parts of the building shall not be under any obligation to grant any further permit or permits.
- 4.4(4)** The Chief Building Official is authorized to enter into conditional permit agreements and to execute such agreements on behalf of the County.

Change of Use Permit

- 4.5** In addition to the applicable requirements of subsections 4.1 and 4.2 above, every change of use permit application shall:
 - (a) describe the building and the parts thereof in which the occupancy is to be changed; and
 - (b) include plans and specifications which show the current and proposed occupancy and use of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the Act and the Building Code including floor plans, details of wall, floor and roof assemblies identifying required fire resistance rating and load bearing capacities, and details of the existing sewage system if any.

Additional Information

- 4.6(1)** The acceptance or processing of an application under this By-law by the Chief Building Official or the County of Brant, shall not be deemed to prohibit the Chief Building Official from requiring the applicant to supply further or better information, plans and specifications or details, as may be necessary to:
 - (a) determine compliance with the Act, the Building Code, this By-law, applicable law, any other County By-laws, or
 - (b) as may be needed to determine the fees under this By-law.

- 4.6(2) Failing the applicant supplying such further information requested, the application may be found incomplete or denied.

Change to Information Supplied in Application

- 4.7(1) An applicant or permit holder shall give the Chief Building Official written notice of any material change intended to be made to any plan, specification, document, or other information on which the application was made, and permit issued, and the applicant or permit holder shall supply the Chief Building Official with details of such changes, and no construction shall be carried out in respect of the change until written authorization is obtained from the Chief Building Official.
- 4.7(2) Notwithstanding paragraph 4.7(1) and the fact that construction or change has been made without authorization, the applicant or permit holder shall supply written notice to the Chief Building Official of any material change to any plan, specification, document, or other information on which the application was made, and permit issued, with details of all changes.
- 4.7(3) In respect of a material change and notice given under paragraphs 4.7(1) and 4.7(2), the Chief Building Official pursuant to this By-law, the Act, and the Building Code, determine whether a further application or other document must be filed, and timelines extended to review, consider, or approve the change, and the applicable fees under this By-law arising from the change.

Incomplete Permit Applications

- 4.8(1) Every application is deemed to be incomplete if it does not contain the prescribed information or is not accompanied by the plans, specifications and documents specified in this by-law and shall not be accepted. The applicant shall be notified in writing of the outstanding items required.
- 4.8(2) Where an application is deemed incomplete, all submitted plans, specifications and documents shall be disposed of in accordance with County of Brant Records Retention By-law or upon written request from the applicant, returned to the applicant.
- 4.8(3) If an ~~application~~ application is deemed incomplete a new application must be submitted as set out in Section 4 of this By-law.

Permit Applications Under Review

- 4.9(1) An application for a permit shall be deemed to be on-hold where,
- (a) The applicant was notified that the proposed building construction, demolition or change of use will not comply with the Act or the building code or will contravene any other applicable law.
- 4.9(2) Where an application is deemed to be on-hold, the file will be removed from the building review queue and retained until either;
- (a) 180 days have elapsed after the applicant was notified or;
 - (b) the file has been abandoned.

Abandoned/Cancelled Permit Applications

- 4.10(1)** An application for a permit shall be deemed to have been abandoned by the applicant where,
- (a) the application is incomplete according to Section 4.8 in this by-law and remains incomplete 30 business days after it was submitted.
 - (b) Where a complete permit application has been administered for payment, and after ~~written~~ initial written notice remains unpaid for 30 business days, it will be deemed abandoned due to nonpayment.
 - (c) 180 days have elapsed after the applicant was initially notified that the proposed building, construction, demolition or change of use will not comply with the Act or the building code or will contravene any other applicable law. If a refund is applicable, it is subject to Section 6.6 of this by-law.
 - (d) Where an applicant wishes to cancel a Permit Application, said request shall be made in writing, by the applicant, to the attention of the Chief Building Official, and acknowledgment of request to cancel shall be provided to the applicant. Notwithstanding the above, nothing in this section shall prevent the Chief Building Official from issuing or enforcing any orders in accordance with the Building Code Act. If a refund is applicable, it is subject to Section 6.6 of this by-law.
 - (e) If a permit is abandoned or cancelled all documents submitted as part of the application for the permit, including but not limited to plans and specifications, shall be destroyed in accordance with the County of Brant Records Retention By-law or upon written request from the applicant, returned to the applicant.

Approved Drainage and Grading Plans

- 4.11** Where drainage and grading plans are required with a building permit application, the applicant/owner shall obtain approval from the Development Engineering Review Division for such drainage and grading plans and submit this approval as part of the building permit application.

Approved Public Works Permit

- 4.12** Where a public works permit is required with a building permit application, the applicant/owner shall obtain approval from the Operations Department and submit this approval as part of the building permit application.

5. PLANS AND SPECIFICATIONS

- 5.1(1)** Every complete permit application shall, unless otherwise specified by the Chief Building Official, be accompanied by the plans and documents listed on Schedule "C" and in accordance with the requirements of this section.

5.1(2) Every applicant shall provide as part of the application :

- (a) sufficient plans, specifications, documents, and other information, including design calculations, 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
- (b) site plans when required, to demonstrate compliance with the Act, the Building Code or other applicable law, shall include a copy of the survey submitted to the Chief Building Official.

5.1(3) Plans submitted shall be legible and be drawn to scale upon paper or such other suitable and durable material or in electronic format as the Chief Building Official may require. Plan size upon paper shall not exceed ISO 216 paper size A1 or 24-inch x 36 inch unless otherwise permitted by the Chief Building Official.

5.1(4) The Chief Building Official shall determine and specify the number of plans , specifications , documents, and other information required to be provided with an application for permit having regard to the requirements of any Act, regulation or by-law respecting the examination or circulation of the application beyond the numbers specified in this By-law, which the applicant shall supply to complete the application .

Plans of Survey

5.2 The Chief Building Official may require from the persons responsible for construction, a certified plan of survey showing the location of the whole of, or any part of, any building and shall be filed with the Chief Building Official prior to approval of occupancy.

Alternative Solutions

5.3 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 alternative solution for which approval in accordance with Section 2.1 of Division C of the Building Code is required, the owner shall file the following information to the Chief Building Official:

- (a) An application on a form provided by the Chief Building Official;
- (b) A description of the proposed material, system or building design for which authorization under Division C, Section 2.1. is requested;
- (c) Supporting documentation demonstrating that the proposed material, system or building design will provide the level of performance required by the Building Code; and
- (d) Payment of the required fee in accordance with the County of Brant Fees and Charges By-law;
- (e) Evaluation of proposed alternative solution will be reviewed by the Chief Building Official in accordance with the building code and act requirements. Plans Become Property of Municipality.

5.4 Plans and specifications furnished according to this By-law or otherwise required by the Act, or the Building Code become the property of the municipality and will be disposed of or retained in accordance with Records Retention By-law.

6. FEES

6.1(1) The Chief Building Official shall determine the required fees for the application, calculated in accordance with the County of Brant Fees and Charges By-law for the work proposed .

6.1(2) Where the fees payable are based on the prescribed value of the proposed work in respect of an application, the prescribed value of the proposed work shall mean the total cost of all material, labour, equipment, overhead and professional and related services but does not include the cost of the land.

Fees Payable Upon Application

6.2(1) The applicant shall pay the required fees upon complete application ~~submissions~~submission, and no permit shall be issued until the fees, therefore, have been paid in full.

6.2(2) Where the Chief Building Official has determined that the prescribed value to construct a building has been underestimated, the Chief Building Official may recalculate the permit fee to the revised prescribed value and the adjustment to the permit fee will be collected when the building permit is issued.

Fees for Conditional Permits

6.3 The conditional permit fee in accordance with the County of Brant Fees and Charges By-law shall be in addition to other applicable permit fees under this By-law and shall not be used as a credit towards any other permit fees.

Work Commenced Prior to Permit Issuance

6.4 Every person applying for a permit, when construction, demolition, or a change in the use of the building has commenced prior to the issuance of the required permit, shall pay any additional fees as well as the permit fee set out in accordance with the County of Brant Fees and Charges By-law.

Fees for Additional Inspections

6.5(1) Additional re-inspection fees may be imposed by the County in accordance with the County of Brant Fees and Charges By-law, where:

- (a) The permit holder has provided notice of an inspection, but the construction was not ready for inspection or was not substantially complete when the inspector attended the site, as determined by the inspector
- (b) The permit holder fails or neglects to cancel a scheduled inspection at least one business day in advance of the scheduled inspection, which cancellation is received by the County's Building Division during its regular business hours.
- (c) Where a scheduled inspection is identified as not ready because the inspector attended the site and determined that the approved plans were not available onsite as required by the Building Code.

6.5(2) Additional plan review fees may be imposed by the County in accordance with the County of Brant Fees and Charges By-law, where:

- (a) an applicant for a permit makes a material change to a plan, specification, document, or other information that will require an additional plan review;
- (b) following application for a permit or
- (c) following the issuance of a permit.

Refunds

6.6(1) Subject to paragraph 6.6(2), upon written request by the permit holder or permit applicant or discretion of the CBO., the Chief Building Official shall determine the amount of fees, if any, that may be refunded in accordance with Schedule "B" in the case of:

- (a) withdrawal of a permit application by the permit holder or permit applicant upon written request;
- (b) abandonment of the permit application;

(c) refusal to issue a permit in accordance with section 8(2.2) of the Act;

(e)(d) revocation of a permit pursuant to paragraph 8(10)(b) & (c) of the Act

(d)(e) permit issued in error; or

(e)(f) request for revocation of a permit pursuant to paragraph 8(10)(e) of the Act.

6.6(2) There shall be no refund of permit fees where a permit has been revoked under paragraphs 8(10)(a) or (f) of the Act.

7. PERMIT REVOCATION, DEFERRAL OF REVOCATION AND TRANSFER

Revocation of Permit

7.1 Where the Chief Building Official considers revoking a permit under subsection 8(10)(b) or (c) of the Act, the Chief Building Official shall give written notice by regular mail or email of the intention to revoke to the permit holder at their last known address or email address and, if on the expiration of 10 business 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 in accordance with the County of Brant Records Retention By-law.

Deferral of Revocation

7.2(1) With 10 business days of receipt a notice of intention to revoke a permit, a permit holder may request of the Chief Building Official in writing, that the Chief Building Official defer the revocation of such permit, subject to the following conditions and processes in paragraphs 7.2(2) and 7.2(3).

7.2(2) A request for deferral shall set out the reasons why the permit should not be revoked, the date by which the work will commence, resumed, or completed, and include the required building permit renewal fee in accordance with the County of Brant Fees and Charges By-law.

7.2(3) 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 in the same manner above.

Transfer of Permit

- 7.3(1)** Every person who acquires land for which an active building permit has been issued under this By-law shall apply to transfer the permit unless the building permit is to be revoked.
- 7.3(2)** Every application for a transfer of permit shall be submitted to the Chief Building Official and shall:
- (a) use the applicable permit application form;
 - (b) include such information as may be determined by the Chief Building Official to determine the transfer of ownership of land; and
 - (c) be accompanied by the required fee as set out in County of Brant Fees and Charges By-law.
- ~~(e)~~ Section 6.6.1 does not apply to a transferred permit.

8. NOTICES

Requirements for Inspections

- 8.1(1)** Notices for inspections requesting stages of construction as required by the Building Code shall be given by the permit holder to the Chief Building Official in advance of each stage of construction specified in the Building Code.
- 8.1(2)** A notice pursuant to this section is not effective until written or oral notice is confirmed to be received by the Chief Building Official.
- 8.2** Where an inspection request is premature and the inspector must re-attend the site to complete the necessary inspection, or an additional inspection is requested or required, additional fees may be applicable in accordance with Section 6.5 of this by-law.

9. FENCING

- 9.1(1)** In addition to the requirements pertaining to Public Way Protection as set out in the Occupational Health and Safety Act, the permit holder shall comply and shall not cause or permit any builder or constructor under the permit to fail to comply with the provisions of this section. The County of Brant's Fence By-Law does not apply to the CBO's requirement for fencing under this section.
- 9.1(2)** Where, in the opinion of the Chief Building Official, a construction or demolition site presents a particular hazard to the public, the Chief Building Official may require the erection of fencing around the construction or demolition site as set out in this section.
- 9.1(3)** In considering the hazard presented by a construction or demolition site and the necessity for fencing the Chief Building Official shall have regard for:
- (a) the proximity of the construction or demolition site to occupied dwellings;
 - (b) the proximity of the construction or demolition site to lands accessible to the public, including but not limited to streets, parks, and commercial and institutional activities;
 - (c) the hazards presented by the construction or demolition activities and materials;
 - (d) the feasibility and effectiveness of site fencing; and
 - (e) the duration of the hazard.

9.1(4) Every fence required under this section shall be a minimum of 1.2 metres and a maximum of 1.8 metres in height, as measured from the highest adjacent grade.

9.1(5) (a) Every fence required under this section shall be located on the perimeter of the construction site as determined by the Chief Building Official and constructed as follows:

- (i) if of chain link construction, the chain link shall be securely fastened to at least 38mm diameter metal tube or pipe or the same thickness T-bar posts. Such metal posts shall not be more than 3.04m on centre and embedded into the ground, providing a secure and rigid support;
- (ii) if of wood construction, the exterior face shall be at least 12.7mm thick exterior grade plywood, particle board or equivalent material constructed so as not to provide footholds for climbing. The fencing shall be supported by at least 38mm wide by 89mm thick posts spaced at not greater than 2.43m on centre and embedded into the ground, providing a secure and rigid support;
- (iii) if the fence is of the snow fence or plastic mesh type, the fencing shall be securely fastened to T-bar posts at not greater than 2.43m on centre and embedded into the ground, providing a secure and rigid support and that a 38mm x 89mm top rail be secured to the post and fencing secured to 38mm x 89mm rail.
- (iv) Other materials or methods may be substituted provided that there is an equivalent barrier between properties and an equivalent degree of safety and support provided.
- (v) The use of barbed wire and razor wire are prohibited.

9.1(6) The fence may be provided with openings sufficient to accommodate equivalent construction vehicles, machines and any other equipment providing services to the construction site provided that these openings are closed off in such a manner that the site is not accessible by members of the public, when no construction is being carried out on site including daily shutdowns.

10. CODE OF CONDUCT

10.1 The Chief Building Official and inspectors shall be governed by the Code of Conduct set out in Schedule "D", with respect to exercising powers and performing duties under the Act.

11. SEVERABILITY

11.1 Should a court of competent jurisdiction declare a part or whole of any provision of this By-law to be invalid or of no force and effect, the provision or part is deemed severable from this By-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under law.

12. REPEAL

12.1 County of Brant By-laws No.140-05 and No.166-18 are repealed .

12.2 All applications made and permits issued under By-law No.140-05 and No.166-18 shall be deemed to be applications made and permits issued under this By-law and all rules, requirements and regulations of this By-law shall apply, with all necessary modifications.


13. EFFECTIVE DATE

13.1 This By-law comes into force on the day it is passed.

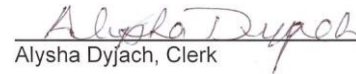
READ a first and second time, this 25th day of January 2022.

READ a third time and finally passed in Council, this 25th day of January 2022.

THE CORPORATION OF THE COUNTY OF BRANT



David Bailey, Mayor



Alysha Dyjach, Clerk

SCHEDULE "A"
 BY-LAW NUMBER 4-22
 CLASSES OF PERMITS

Group A (Assembly Occupancies)
All Recreation Facilities, Elementary Schools, Daycare Facilities, Libraries, Places of Worship, Restaurants (greater than 30 seats), Theatres, Arenas, Gymnasiums, Indoor Pools, Secondary Schools, Portable Classrooms <u>Classrooms</u> , and all other Group A Buildings as defined in the Ontario Building Code
Group B (Care or Detention Occupancies)
Institutional, Hospitals, Medical Care Facilities, Nursing Homes, and other Group B Buildings as defined in the Ontario Building Code
Group C (Residential Occupancies)
Single Family Dwelling, Semi-Detached, Duplex, Triplex, Row House, Townhouse, Apartment Buildings, Hotels, Motels, Residential Detached Accessory Buildings (garages, carports, sheds, and any other accessory structures to a residential use), Residential Attached Accessory Buildings (deck, balcony, open porch, exterior stair, ramp, open carport, and any other accessory structures to a residential use), any renovations/additions to a residential use and all other Group C Buildings as defined in the Ontario Building Code
Group D (Business and Personal Services)
Offices (new, addition, renovations) and all other Group D Buildings as defined in the Ontario Building Code
Group E (Mercantile)
Retail (new, addition, renovations), Restaurants (less than 30 seats) and all other Group E Buildings as defined in the Ontario Building Code
Group F (Industrial)
Industrial (new, addition, renovations), Parking Garages, Repair Garage, Service Station, Storage Facilities, Warehouses, and all other Group F Buildings as defined in the Ontario Building Code
Designated Structures
Communication Tower, Crane Runway, Retaining Wall, Silos, Exterior Storage Tanks, Outdoor Public Spa, Outdoor Public Swimming Pool, and all other Designated Structures as defined in the Ontario Building Code
Fire Protection Systems (stand-alone)
Electromagnetic Locks/Electric Strikes, Fire Alarm System, Emergency Lighting/Exit Signs, Sprinkler System, Standpipe System
Mechanical Systems (stand-alone)
Commercial Cooking Exhaust System
Demolition (complete or partial building)
All Classes of Buildings
Plumbing (stand-alone)
Plumbing only all buildings
Renewable (Green) Energy Systems
Solar Panel(s), and Wind Turbine

Sewage Systems
New System/Full Replacement, System Repair/Alteration, Tank Repair or Replacement
Signs
Attached to a Building or Freestanding
Other Classifications (not previously listed)
Farm Buildings Greenhouses Tents Demountable Stages and Support Structures New or replacement municipal water and/or municipal sanitary sewer service

SCHEDULE "B"
BY-LAW NUMBER 4-22

REFUND OF PERMIT FEES

1. The permit fees that may be refunded in the opinion of the Chief Building Official under Section 6 of this By-law are to be a percentage of the permit fees payable under this By-law subject to Section 2 of this schedule as follows:

Work Performed	Refund
(a) Administrative functions only have been performed	80% <u>90%</u>
(b) Administrative and zoning functions only have been performed	70% <u>80%</u>
(c) Administrative, zoning and plan examination functions have only been performed	45% <u>65%</u>
(d) The permit has been issued <u>issued</u> , and no field inspections have been performed subsequent to the permit issuance	35% <u>50%</u>
(e) The permit has been issued <u>issued</u> , and field inspections have been performed subsequent to the permit issuance	35% <u>50%</u> reduced by 5% for each field inspection performed

2. In all refund cases, the maximum amount to be retained and not refunded is up to \$5,000.00 per permit.

- 2.3. Notwithstanding Section 1 above, no refund is to be made of an amount less than the minimum permit fee set out in the Fees and Charges By-law

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SCHEDULE "C"
BY-LAW NUMBER 4-22

SCHEDULE OF DRAWINGS, SPECIFICATIONS AND DOCUMENTS REQUIRED FOR CONSTRUCTION ,
DEMOLITION AND CHANGE OF USE PERMITS

1. Each application shall, unless otherwise specified by the Chief Building Official, be accompanied by a complete set of plans and specifications as indicated below:
 - a) Demolition (Full or Partial)
 - i) Site Plan
 - ii) Photographs of all building elevations
 - b) On-site Sewage System (New/Full Replacement)
 - i) Site Evaluation Report prepared by a competent person including soil permeability and soil conditions, including the potential for flooding (refer to section 2.6 for complete content of report).
 - ii) Site plan and/or grading/drainage plan(s),
 - iii) Cross Section drawings
 - c) On-site Sewage System (Repair or Alteration/Tile Bed Replacement)
 - i) Site Evaluation Report prepared by a competent person including soil permeability and soil conditions, including the potential for flooding (refer to section 2.6 for completed content of report) .
 - d) Residential Deck or Porch Permit
 - i) Site plan
 - ii) Grading plan prepared by a Professional Engineer, if applicable
 - iii) Floor plan, foundation and framing plan, helical pile layout if applicable,
 - iv) Elevation(s) Section or detail of guard
 - v) Section or detail of guard
 - vi) Connection details
 - vii) Engineered product specification and layouts if applicable
 - e) Residential Accessory Buildings
 - i) Site plan
 - ii) Grading plan prepared by a Professional Engineer, if applicable
 - iii) Foundation plan/ Engineered. Floor slab
 - iv) Floor plan
 - v) Truss layout, if applicable
 - vi) Building elevation(s)
 - vii) Building cross section (minimum 1)
 - viii) Engineered product specifications and layouts if applicable
 - f) Residential Addition or Renovation Permit
 - i) Site plan
 - ii) Grading plan prepared by a Professional Engineer, if applicable
 - iii) Foundation plan
 - iv) Floor plan (one per floor and including structural framing details, window and door locations and sizes, all dimensions, room names and indicate any new plumbing fixtures)
 - v) Floor and roof framing plans (include engineered floor and roof truss drawings)
 - vi) Building elevation(s)
 - vii) Building section (minimum 1)

- viii) Letter of verification from heating designer of the capacity of the existing heating system if applicable
 - ix) Heat loss/gain calculations, mechanical design summary if a new system is to be installed or existing system is being replaced
 - x) Private sewage system evaluation, if applicable.
- g) New Residential House, Semi-Detached, Townhouse**
- i) Approved site development plan and agreement if applicable
 - ii) Site plan
 - iii) Grading plan prepared by a Professional Engineer, Certified Engineering Technologist (CET) or Ontario Land Surveyor (OLS), as applicable
 - iv) Foundation plan
 - v) Floor plan (one per floor and including structural framing details, window(s) and door(s) location(s) and size(s), all dimensions, room names and indicate any new plumbing fixtures)
 - vi) Floor and roof framing plans (include Engineered floor and roof truss drawings)
 - vii) Building elevations (4)
 - viii) Building section (minimum 1)
 - ix) Details of construction of masonry fireplaces, if applicable
 - x) Heat loss/gain calculations
 - xi) Mechanical design summary and ventilation form
 - xii) Copy of property deed, if applicable.
- h) New Multi Residential Building**
- i) Approved site development plan and agreement if applicable
 - ii) Geotechnical investigation report, including verification of potable water supply, if applicable
 - iii) Site plan
 - iv) Grading and site servicing plan(s) prepared by a Professional Engineer Certified, Engineering Technologist (CET) or Ontario Land Surveyor (OLS), if applicable
 - v) Verification of on-site water supply for firefighting if applicable
 - vi) Architectural drawings
 - vii) Structural drawings
 - viii) Mechanical drawings
 - ix) Electrical drawings
 - x) Sprinkler, standpipe, fire safety drawings, if applicable .
- i) New Non-Residential Building or Addition (Part 3 or 9 Building)**
- i) Approved site development plan and agreement, if applicable
 - ii) Geotechnical investigation report, including verification of potable water supply, if applicable
 - iii) Site plan
 - iv) Grading and site servicing plan(s) prepared by a Professional Engineer, Certified Engineering Technologist (CET) or Ontario land surveyor (OLS), if applicable
 - v) Verification of onsite water supply for firefighting
 - vi) Architectural drawings
 - vii) Structural drawings
 - viii) Mechanical drawings
 - ix) Electrical drawings
 - x) Sprinkler, standpipe, fire safety drawing(s), if applicable

- j) Non-Residential Alteration/Renovation (Part 3 or 9 Building)**
 - i) Site plan
 - ii) Architectural drawings
 - iii) Structural drawings
 - iv) Mechanical drawings
 - v) Electrical drawings
 - vi) Evaluation of existing private septic system, if applicable.
 - k) Designated Structures**
The following plans prepared and stamped by Professional Engineer
 - i) Site plan
 - ii) Grading and site servicing plan(s) prepared by a Professional Engineer, Certified Engineering Technologist (CET) or Ontario land surveyor (OLS) if applicable
 - iii) Architectural drawings
 - iv) Structural drawings
 - l) Farm Building**
 - i) Site plan
 - ii) Grading and site servicing plan(s) prepared by a Professional Engineer Certified Engineering Technologist (CET) or Ontario land surveyor (OLS) if applicable
 - iii) Architectural drawings
 - iv) Structural drawings
 - v) Mechanical drawings, if applicable
 - vi) Electrical drawings if applicable
 - vii) Minimum Distance Separation calculation, if applicable.
 - viii) Nutrient Management Strategy, if applicable
- 2.** The following information shall be shown on plans or working drawings that accompany application for permits
- 2.1** The Site Plan shall show:
- i) Survey property boundaries and dimensions, all building lines, bearings of meters and bounds and compass orientation (legal description);
 - ii) The location, use, height, and dimensions of any existing and proposed buildings, including front, side, and rear yard dimensions and relationships to adjoining property lines and buildings, and the proposed lot coverage;
 - iii) Existing and finished ground levels or grades, and first floor elevations referenced to an established datum at or adjacent to the site in respect of which an application is made;
 - iv) Existing right-of-way, easements, and municipal services; and
 - v) All existing and proposed parking layouts, fire access route, retaining walls, swimming pools, accessory buildings, septic systems, wells and any other such physical additions to the site
 - vi) Any overhead powerlines.
- 2.2** The Grading Plan and Site Services Plan(s) shall show:
- i) The property lines, building location, sidewalks, driveways, curb cuts, swales, all utility services, and new/existing service connections;
 - ii) Pre and post spot elevations for this project and adjacent properties, slopes of driveways, sidewalks and swales, direction of drainage flow;
 - iii) Location of storm water catchment area, catch basins, below grade and above grade utilities and connections into services at property lines;
 - iv) Location of existing and proposed fire hydrants or on-site supply of water for firefighting;
 - v) In rural area, identify flood areas, wells, open water, and wetlands; and

- vi) The plan must be stamped and signed by an Ontario Land Surveyor, Landscape Architect, or a Professional Engineer.

2.3 The Architectural Drawings shall show:

- i) OBC Matrix, foundation, and grade details;
- ii) Each floor plan with exact dimensions of the layout of all proposed areas and identify each with room names;
- iii) All wall thicknesses and type of construction, window and door openings and schedules, elevator, sections and details of all walls, stairs and exits, fire walls, fire separations, shaft and duct openings and other related pertinent information;
- iv) Building elevations, cross sections and wall sections showing all floor-to-floor heights, materials, and thickness etc.; and
- v) Specifications, if applicable.

2.4 The Structural Drawings shall show:

- i) All foundation, floor, roof, and wall structural elements including sizes, shapes and proper location and all dead and live design loads and conditions of loading;
- ii) All reinforced concrete work indicating thickness and strength of concrete, size spacing minimum cover and type of reinforcing steel;
- iii) All lintels, column and beam locations and their size and snow drift loading; and
- iv) Where applicable de-watering report and shoring or pile driving.

2.5 The Mechanical and Electrical Drawings shall show:

- i) Mechanical drawings are to show the plumbing, heating, ventilation, and air conditioning including legends and schedules for compliance with the Ontario Building Code. For Part 9 buildings, if the room allows this information can be shown on the same plan as the architectural ;
- ii) Electrical drawings are to show lighting, emergency lighting, exit signs, fire alarm systems and their legends and schedules for compliance with the Ontario Building Code. For Part 9 buildings, if room allows this information can be shown on the same plan as the architectural; and
- iii) Sprinkler and standpipe drawings are to include floor plans and riser diagrams to locate the entire system including connections, sprinkler heads.

SCHEDULE "D"
BY-LAW NUMBER 4-44

CODE OF CONDUCT

Introduction

This Code of Conduct applies to the Chief Building Official, and inspectors appointed by the County of Brant under the Building Code Act, 1992 in the exercise of power or the performance of a duty under the Building Code Act, 1992 or the Building Code. The purposes of this Code of Conduct are to promote appropriate standards of behaviour and enforcement actions by the Chief Building Official and inspectors, to prevent practices, which may constitute an abuse of power, including unethical or illegal practices, and to promote appropriate standards of honesty and integrity in the exercise of a power of the performance of a duty under the Building Code Act, 1992 or the Building Code by the Chief Building Official and inspectors.

Standard of Conduct

In addition to any existing Code of Conduct Policy which the County of Brant already has in place for its municipal employees, the Chief Building Official and inspectors of the County of Brant undertake to:

- (1) Act in the public interest, particularly with regard to the safety of buildings and structures.
- (2) Conduct themselves with a high degree of personal integrity and ethics, and in particular they should not place themselves, or permit themselves to be placed, in a position which would constitute, or on an objective basis, give a reasonable apprehension, of a conflict of interest or breach of trust.
- (3) Exercise powers in accordance with the provisions of the Building Code Act, 1992, the Building Code and other applicable law that governs the authorization, construction, occupancy and safety of buildings and designated structures.
- (4) Apply all relevant building laws, regulations, and standards in a consistent and fair manner, independent of any influence by interested parties.
- (5) Act honestly, reasonably, and professionally in the discharge of their duties.
- (6) Not divulge any confidential or sensitive information or material that they become privy to in the performance of their duties, except in accordance with laws governing freedom of information and protection of privacy.

Breaches of the Code of Conduct

Compliance with this Code of Conduct shall constitute a condition of employment as a Chief Building Official or inspector for the County of Brant appointed under the Building Code Act, 1992. Any appointed Chief Building Official or inspector who fails to act in accordance with the provisions of this Code of Conduct may be subject to disciplinary action appropriate to the seriousness of the breach. All allegations concerning a breach of this Code of Conduct shall be made in writing.

Any person who has reason to believe that this Code of Conduct has been breached may bring the matter to the attention of the Chief Building Official. Where the allegation concerns the actions of the Chief Building Official, the matter may be brought to the attention of the General Manager of Development Services to whom the Chief Building Official reports.

Disciplinary actions arising from violations of this Code of Conduct are the responsibility of the County of Brant as the employer and will be based on the severity and frequency of the violation in accordance with relevant employment or collective agreements, employment standards and privacy requirements.