

RURAL MUNICIPALITY OF LUMSDEN NO. 189

BYLAW NO. 2025-03

A BYLAW RESPECTING BUILDINGS

The Council of the RM of Lumsden No. 189 in the Province of Saskatchewan enacts as follows:

SHORT TITLE

- 1 (1) This bylaw may be cited as the Building Bylaw.

PURPOSE OF THE BUILDING BYLAW

- 2 (1) The purpose of this building bylaw is to provide for the administration and enforcement of the Act, the regulations, *The National Building Code of Canada*, *The National Energy Code of Canada for Buildings*, ministerial interpretations and Saskatchewan Construction Standards Appeal Board orders and building official orders within the municipality.

INTERPRETATION/LEGISLATION

- 3 (1) Notwithstanding the definitions prescribed in this section for the purpose of administration and enforcement of this building bylaw, definitions contained in *The Construction Codes Act*, *The Building Code Regulations* and *The Energy Code Regulations* shall apply in this bylaw.
- (2) “**Act**” means *The Construction Codes Act*.
- (3) “**building official**” means a person who holds a building official licence.
- (4) “**competent person**” means a person who is recognized by the Municipality as having:
(a) a degree, certificate or professional designation; or
(b) the knowledge, experience and training;
necessary to design or review the design of a proposed work.
- (5) “**certificate of occupancy**” means a written document issued by the Municipality giving the owner of the building permission to occupy the building for its intended use.
- (6) “**farm building**” means, subject to the regulations, a building that:
(a) does not contain a residential occupancy;
(b) is located on land used for an agricultural operation as defined in *The Agricultural Operations Act*; and
(c) is used for the following purposes:
(i) the housing of livestock;
(ii) the production, storage or processing of primary agricultural and horticultural crops or feeds;
(iii) the housing and storage or maintenance of equipment or machinery associated with an agricultural operation;
(iv) any other prescribed purpose.
- (7) “**Municipality**” means the Rural Municipality of Lumsden No. 189.
- (8) “**NBC**” means the edition and provisions of *The National Building Code of Canada*, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and the regulations.
- (9) “**NECB**” means the edition and provisions of *The National Energy Code of Canada for Buildings*, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and *The Energy Code Regulations*.
- (10) “**owner**” means:
(a) any person who has any right, title, estate or interest in land, improvements or premises other than that of a mere occupant, tenant or mortgagee.
(b) any person, firm, or corporation that controls the property under consideration; or



- (c) if the building is owned separately from the land on which the building is located, the owner of the building.
- (11) **“owner’s representative”** means any person, corporation, employee or contractor who has the authority to act on behalf of the owner.
- (12) **“permit”** means written authorization issued by the Municipality or its Building Official in the form of a building permit.
- (13) **“permit fees”** means:
 - (a) fees for the issuance of a permit in accordance with Schedule A;
 - (b) SAMA fee, if applicable; and
 - (c) any applicable taxes.
- (14) **“plan review”** means the examination of building drawings and related documents by a building official to ascertain whether those drawings and documents meet the requirement of the Act and the regulations.
- (15) **“regulations”** means *The Building Code Regulations* and *The Energy Code Regulations*.
- (16) **“SAMA fee”** means a fee charged to the Municipality by the Saskatchewan Assessment Management Agency (SAMA) with respect to the work.
- (17) **“service provider”** means the company providing services by appointed building officials to the Municipality.
- (18) **“standards of construction”** in this building bylaw means the Act, the regulations, The National Building Code of Canada, The National Energy Code of Canada for Buildings, ministerial interpretations pursuant to section 8 of the Act and Saskatchewan Construction Standards Appeal Board orders and orders of building officials within the Municipality and any related bylaws adopted by the Municipality.
- (19) **“value of construction”** means the total costs to the owner for the building construction in its completed form and includes the cost of all building work, materials of construction, building systems, labour and overhead, and profit of the contractors and subcontractors.
- (20) **“work”** means any design, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, change of use, occupancy or change of occupancy, or reconstruction of a building.

SCOPE OF THE BYLAW

- 4 (1) This building bylaw applies to all work undertaken or to be undertaken within the geographical jurisdiction of the Municipality.
- (2) The provisions of this building bylaw apply to buildings greater than 10 m² (107.6 ft²) in building area except as otherwise exempted by the Act or the regulations.
- (3) One (1) accessory building per site with a building area equal to or smaller than 10m² (107.6 ft²) may be exempt from this bylaw.
- (4) Notwithstanding, 4(3), a building equal to, or smaller than 10 m² (107.6 ft²) is exempt from this building bylaw provided it does not have sleeping accommodations, has two or more storeys, or otherwise may create a hazard.
- (5) This bylaw applies to retaining walls attached to a structure or free standing greater than 600 mm (2 ft) in differential grade height on lands not used for agricultural purposes.
- (6) Decks under 600 mm (2 ft) in differential grade height on lands for residential use are deemed as patios and exempt from this building bylaw.
- (7) Farm buildings are exempt from this bylaw provided the Municipality has received a completed farm building exemption request form from the applicant, and the Municipality has issued a certificate acknowledging the farm building is exempt.

GENERAL DUTIES OF THE OWNER

- 5 (1) The duties of the Owner or the Owner's Representative as applicable includes but is not limited to:
- (a) not commencing work without first having obtained a valid permit from the Municipality.
 - (b) ensuring that the building and work is in accordance with the construction standards.
 - (c) complying with all terms and conditions of the permit and plan review.
 - (d) ensuring all notifications required by this bylaw or permit are given to the Municipality.
 - (e) obtaining prior approval from the Municipality before closing or blocking any road, street, lane, or sidewalk.
 - (f) supplying and maintaining, at their own expense, all warning signs, barricades, fences or other services that may be required to warn and protect the public from the work.
 - (g) ensuring all required inspections are scheduled and completed by the Building Official.
 - (h) not enclosing, prior to inspection, any work that requires inspection by a Building Official.
 - (i) allowing the Building Official to destroy or remove portions of work requiring inspection.
 - (j) paying for all costs associated with destroying or removing portions of work as required by the Building Official.
 - (k) paying all costs required to show compliance with the Act and regulations.
 - (l) ensure that the building is not occupied before the issuance of a certificate of occupancy by the Municipality or Building Official pursuant to clause 16(11)(h) of the Act.
 - (m) fill and level any excavation on the property with clean non-expansive fill, to an elevation compatible with abutting properties and to the satisfaction of the Municipality.
 - (n) ensuring the property is in a safe and clean condition after the work is complete, including the removal and disposal of all building materials and debris to an approved waste disposal location.
 - (o) not burying any waste material on the site, including concrete from the demolition of a basement or foundation, or below ground level substructures or frameworks; and
 - (p) obtaining a valid sewage permit from the Saskatchewan Health Authority where a new septic system is to be installed, or an existing system is to be altered and ensuring the system is designed for the expected daily sewage volumes for the building.
 - (q) arranging for all other permits, inspections and certifications required by any other applicable bylaws, Acts and the regulations, and ensuring all copies of any inspection or review reports conducted by others are made available to the Building Official or Municipality.
- (2) As required by subsection 4(7), the owner shall submit a Farm Building Exemption Request Form to the Municipality. The Municipality shall issue a farm building acknowledgement certificate upon satisfaction that the farm building complies with the requirements of the building bylaw. For greater clarity, any building with a residential occupancy cannot be exempt.

BUILDING DESIGN REQUIREMENTS

- 6 (1) The Owner or Owner's Representative that undertakes to or has constructed a building that is within the scope of Parts 3, 5, 6 and 7 of the NBC shall have an architect or engineer:
- (a) complete the design or design review and inspection of the building and all buildings systems;
 - (b) provide a Commitment of Field Review letter as part of the permit application for work; and
 - (c) Provide an Assurance of Field Review and Compliance Letter, on completion of the work, providing assurance that the work conforms to the engineer's or architect's design.
- (2) The Owner or Owner's Representative that undertakes to or has constructed a building with a structure that is within the scope of Part 4 of the NBC shall have an architect or engineer:
- (a) complete the design or design review of the structure,
 - (b) complete an inspection of construction of the structure to ensure compliance with the design,
 - (c) complete the reviews required by the NBC,
 - (d) provide a Commitment of Field Review letter as part of the permit application for work,
 - (e) Provide an Assurance of Field Review and Compliance Letter, on completion of the work, providing assurance that the work conforms to the engineer's or architect's design.
- (3) Foundations for residential occupancies including modular homes with A277 certification shall be designed pursuant to subsection (2).
- (4) The Owner or Owner's Representative that undertakes to or has constructed a building that is within the scope of Part 9 of the NBC shall have a competent person:
- (a) complete the design or review of the design of the building.
- (5) The Owner or Owner's Representative that undertakes to or has constructed a building with a structure that is within the scope of the NECB shall have an architect or engineer:

- (a) complete the design or design review of the structure;
 - (b) complete an inspection of construction of the structure to ensure compliance with the design;
 - (c) complete the reviews required by the NECB;
 - (d) provide a Commitment of Field Review letter as part of the permit application for work; and
 - (e) Provide an Assurance of Field Review and Compliance Letter, on completion of the work, providing assurance that the work conforms to the architect's or engineer's design.
- (6) On the request of the Municipality or Building Official, the Owner or Owner's Representative shall ensure copies of any inspections or review reports made pursuant to this section are made available to the Municipality or Building Official.
- (7) No Owner or Owner's Representative shall cause or allow the ground elevations of a building to be changed so as to place in contravention of the NBC. This includes the building or part of the building, or an adjacent building.
- (8) If the property boundaries of a building lot are changed so as to place a building or part of a building in contravention of the NBC, the regulations or bylaws, the Owner or Owner's Representative shall immediately alter the building or part of the building to bring it into compliance with the NBC.

PERMITS - APPLICATION AND ISSUANCE

- 7 (1) Every application for a building permit shall be in a form as required by the Municipality or its Building Official and shall be accompanied by a minimum of one (1) set of plans and specifications in portable document format (PDF) of the proposed building and scope of work.
- (2) By applying for a permit, the Owner or Owner's Representative consents to the use of email as the primary method of communication.
- (3) Permits shall be subject to any geotechnical requirements outlined by the Municipality.
- (4) Permits will be required for retaining walls attached to a structure or free standing that is greater than 600 mm (2 ft) in differential grade height on lands not used for agricultural purposes. An architect or engineer will be required to design such structures within the scope of Part 4 of the NBC.
- (5) Where a building is proposed to be moved into or through the Municipality, the Owner or Owner's representative shall include the planned route in their permit application and obtain all required overweight permits.
- (6) Where a building is to be demolished or removed, the Municipality shall not issue a permit until the Municipality is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated and any applicable deposit has been paid.
- (7) Every permit application shall be reviewed and approved by the building official including plan review and approval.
- (8) The Municipality shall issue a permit if:
- (a) All permit fees, deposits and any applicable taxes have been paid; and
 - (b) If the work described in the application for a permit, to the best of the knowledge of the Municipality or Building Official, complies with the requirements of the Act and regulations.
- (9) The granting of any permit by this building bylaw shall not:
- (a) entitle the grantee, their successor or assigns, or anyone on their behalf to erect any building that fails to comply with the requirements of any Act, the regulations or bylaw affecting the site described in the permit; and
 - (b) make either the Municipality or the Building Official liable for damages or losses in the event that a building does not comply with the requirements of any Act, the regulations or bylaw regardless of whether or not occupancy has been authorized.
- (10) Once the permit is issued, approval in writing from the Municipality and Building Official is required for any deviation, omission or revision to the work.

PERMIT FEES, DEPOSITS AND PAYMENT

- 8 (1) The total permit fee shall be determined by the Municipality, and may include the following:
- (a) a twenty percent (20%) municipal administration for the processing, handling and issuance of a permit.
 - (b) any deposits required by this bylaw
 - (c) the service fee charged to the Municipality by a Building Official engaged to review, inspect and enforce the Act and regulations as per the agreement between the Municipality and Building Official and as described in the service provider agreement.
 - (d) building performance deposits.
 - (e) demolition or moving deposits.
 - (f) the SAMA fee; and
 - (g) all applicable taxes.
- (2) The Owner or the Owner's Representative may be invoiced by the Municipality for additional fees as described in the service provider agreement as determined by the Municipality or Building Official. The additional fees may include charges for:
- (a) work that does not proceed in a timely manner or in compliance with the Act and regulations.
 - (b) varying conditions or scope of a permit.
 - (c) occupancy without prior written approval from the Municipality or Building Official.
 - (d) failure of the owner or owner's agent to ensure that all inspections are scheduled and completed by the Building Official.
 - (e) issuance of building official's orders.
 - (f) additional service fees required to review, inspect and enforce the Act and regulations.
 - (g) renewing, revoking, extending, varying the conditions of, cancelling or reinstating a permit.
 - (h) costs incurred by the Municipality to remedy the building into a safe condition or demolish the building or bring the building into compliance with the Act and regulations.
 - (i) the cost to register an interest in the lands through Land Titles Registry; and
 - (j) other fees as determined by the Municipality to be reasonable for administering and enforcing the Act and regulations.
- (3) Deposits in the amount specified in Schedule A shall be required for all permits.
- (4) Where deposits are required, the Owner or the Owner's Representative shall sign a Building Deposit Agreement to ensure compliance with the Act and regulations.
- (5) The Municipality shall refund the deposit in whole, or in part, when it is satisfied that the Owner or the Owner's Representative has received a Completed Final Inspection Report from the Building Official and all other documents specified in the Building Deposit Agreement.
- (6) The deposit may be refunded, on request by the Owner or the Owner's Representative, if the Municipality or Building Official deems the work satisfactorily complete.
- (7) If the permit has expired and the municipality has not approved a permit extension or renewal and the Owner or the Owner's Representative has not scheduled the final inspection within two (2) years of permit issuance, the building shall be deemed incomplete, and the full deposit shall be forfeited. A new permit application to complete the work to make the building safe shall be required.
- (8) The Municipality may, at its discretion, rebate a portion of a permit fee or additional fees where work is reduced in scope or discontinued, or where other exceptional circumstances occur.
- (9) When a permit is required for work, where work has commenced prior to the issuance of the permit for the work, an additional fee shall be invoiced to the permit applicant in the amount equal to 100% of the permit fee, or \$10,000, whichever is less.
- (10) For a demolition or removal permit, the applicant shall provide a refundable deposit to the Municipality to cover the cost of restoring the site after the building, as described in the Schedules. The Municipality shall hold the refundable deposit until, in the opinion of the Municipality or the Building Official, the site is clean and safe.
- (11) The Building Official may establish the value of construction for the work described in the application for a permit, for the purpose of determining the permit fee or additional fees, based on established current construction costs, the Owner's or the Owner's Representative statement of costs or constructor's contract values, or similar methods selected by the Building Official.



- (12) The permit fee and additional fees are the amounts due and are a debt due to the Municipality and may be recovered from the owner of the land or premises in or on which the work or service was carried out.
- (13) If amounts due are not paid within thirty (30) days of the date the Municipality will notify the Owner and the Owner's representative of the amount due, the Municipality may add the amount to the owner's property taxes, as per the Act.
- (14) Where the Municipality refuses to issue or revokes a permit, the Municipality shall refund any fee or deposits paid as part of the application for the permit, less administration and service fees and any building official inspections completed.

DEMOLITION AND MOVING PERMITS

- 9 (1) A permit is required whenever work is to be undertaken to move, place or demolish a building.
- (2) The Owner, or the Owner's Representative shall apply for a permit using the prescribed form. Upon receiving the application, the Municipality may review, approve, reject or deny the application.
- (3) Deposits may be required when applying for a demolition or moving permit. The permit shall stipulate the conditions that need to be met for a full refund of the deposit.
- (4) The Municipality may issue a permit if:
 - (a) the Owner or Owner's Representative has paid all required costs and applicable taxes; and
 - (b) to the best knowledge of the Municipality, the work described in the permit application complies with all requirements of the Act and regulations.
- (5) The Municipality shall refund the deposit when the Owner or Owner's Representative has demolished or moved the building, and the Municipality is satisfied that the property is clean and safe. This shall involve remediation of the site to its pre-work condition, to the satisfaction of the Municipality.
- (6) Where the Owner or Owner's Representative has not left the site clean and safe or has failed to restore the site to a condition where it is not a hazard to public safety within one year of permit issuance, the Municipality may undertake any required work and deduct all costs from the demolition deposit.
- (7) Where a building is to be removed from the municipality or removed from its site and placed upon another site in the municipality, a move permit shall not be issued until the Municipality is satisfied there are no debts, outstanding taxes or taxes in arrears with respect the building or land on which the building is situated.
- (8) Where an Owner or Owner's Representative intends to move a building, they shall include the planned route through the Municipality in their permit application and obtain all necessary overweight permits. Copies of permits may be required by the Municipality as a condition of permit.

PERMITS - REFUSAL TO ISSUE AND REVOCATION

- 10 (1) The Municipality may refuse to issue a permit if:
 - (a) the proposed work described in the application would contravene:
 - i) the Act,
 - ii) the regulations,
 - iii) an order of the appeal board,
 - iv) a written interpretation of the minister pursuant to section 8 of the Act, or
 - v) the municipality's building bylaw.
 - (b) the person who designed or reviewed the design of the proposed works that is within the scope of Part 9 of the NBC is not a competent person;
 - (c) the person who designed or completed a design review of a proposed building that is within the scope of Part 3, 4, 5, 6 or 7 of the NBC is not an architect or engineer;
 - (d) the person who designed or completed a design review of the proposed works that is within the scope of the NECB is not an architect or engineer;
 - (e) the application for a permit is incomplete;
 - (f) any fees, or deposits required by the Municipality are not paid; or



- (g) the proposed work would contravene any other Act, the regulations or bylaws that applies to the proposed work.
- (2) The Municipality may revoke a permit if:
- (a) the holder of the permit requests in writing that it be revoked and the work has not commenced;
 - (b) there is contravention of any condition under which the permit was issued;
 - (c) the permit was issued on mistaken, false or incorrect information; or
 - (d) the permit was issued in error.
- (3) Where the Municipality refuses to issue or revokes a permit, the Municipality shall provide written notice to the applicant or permit holder as to the reasons for the refusal or revocation.

PERMITS – EXPIRY AND EXTENSION

- 11 (1) All permits shall expire on the date stated in the permit, or if no date is stated, the earliest of the following:
- (a) Twenty-four (24) months from the date of issue;
 - (b) Six (6) months from date of issue if work has not commenced within that period;
 - (c) Six (6) months from date of last inspection by a Building Official where work is in the opinion of the Building Official substantially suspended or discontinued and no prior authorization for the delay has been issued by the Municipality;
 - (d) Six (6) Months from the date of issue for permits issued for demolition or moving.
- (2) The expiration of a permit does not relieve the Owner or Owner’s Representative from the obligation to complete the work approved by the permit, to put the building or work in a safe condition, or to demolish or move the building.
- (3) If the Owner wishes to terminate or vary the conditions of the permit, the Owner or the Owner’s Representative must first receive written approval from the Municipality to terminate or vary the permit.
- (4) The Municipality may consult with the Building Official to determine the terms and conditions of the modified permit.
- (5) If the permit expires, but not all the work is complete, the Owner or the Owner’s Representative shall apply to the Municipality in writing requesting:
- (a) to extend the term of the permit. The Municipality may extend the permit to a maximum of Twenty-four (24) months; or
 - (b) vary the conditions of the permit.
 - (c) place the building in a safe condition acceptable to the Building Official and Municipality.
- (6) The Municipality may revoke, extend or vary the conditions of a permit on written application of the permit holder and subject to any conditions or fees listed in the bylaw.

NOTIFICATION

- 12 (1) Before commencing work, the Owner or Owner’s Representative shall give notice to the Municipality, in writing, of:
- (a) the contractor or other person in charge of the work,
 - (b) the designer of the work,
 - (c) the person or firm reviewing the work to determine whether or not the work conforms to the design,
 - (d) any inspection or testing agency that is engaged to monitor the work,
 - (e) the date the work is intended to commence; and
 - (f) when the excavation is to commence.
- (2) The Owner or Owner’s Representative must call for all inspections set out by the Building Official in the plan review.
- (3) Failure to provide notice and ensure that all inspections are scheduled and completed by the Building Official could result in destructive testing efforts requested by the Building Official at the cost of the Owner or the Owner’s Representative.

- (4) During the course of the work, the Owner or Owner's Representative shall give notice to the Municipality in writing of any:
 - (a) change in, or termination of, the employment of a person or firm listed in subsection (1),
 - (b) intent to do any work requiring inspections by the Building Official,
 - (c) intent to enclose any work requiring inspection by a Building Official,
 - (d) proposed or undertaken deviations from the plans approved and permitted by the Municipality
 - (e) the completion of the work,
 - (f) change in ownership, or change in address of the Owner or the Owner's Representative that occurs before the completion as soon as the change occurs; and
 - (g) intention to occupy the building or portions of the building prior to the issuance of the certificate of occupancy.
- (5) A real property report of the site prepared by a registered land surveyor shall be submitted by the Owner or Owner's Representative for principal buildings and dwellings once the foundation has been completed as required by the Municipality. Failure to do so may result in the issuance of a stop work order with additional fees.
- (6) The owner of a building to be constructed shall ensure that the Municipality notified of:
 - (a) when the foundation is to be placed;
 - (b) when a superstructure is to be placed on the foundation;
 - (c) any other event at the time required by the permit under which work has been undertaken; and
 - (d) any other prescribed event at the prescribed time.

NOTICE OF A FAILURE

- 13 (1) The Owner or Owner's Representative or owner's agents, contractors, employees or successors shall submit a written report to the Municipality of the occurrence of the following that causes or has the potential to cause serious injury or loss of life:
 - (a) structural failure of the building or part of the building; and
 - (b) failure of any equipment, device or appliance that is regulated by the Act or the regulations.
- (2) The report must be submitted to the Municipality within fifteen (15) days after the occurrence of the failure. The report must contain:
 - (a) the name and address of the owner,
 - (b) the address or location of the building involved in the failure,
 - (c) the name and address of the constructor of the building; and
 - (d) the nature of the failure.
- (3) On receipt of the report, the Municipality may require an Owner or Owner's Representative to:
 - (a) provide other information that the Building Official or Municipality may consider necessary,
 - (b) complete any additional work that is necessary to ensure immediate compliance.

ENFORCEMENT

- 14 (1) The Municipality or the Building Official may take any measures as permitted by section 24, 25 or 26 of the Act and sections 13 and 14 of the regulations for the purpose of ensuring compliance with this building bylaw.
- (2) Notwithstanding any other Act, for the purpose of ensuring compliance with the provisions of the Act, or the regulations, or the conditions of permit, a building official may:
 - (a) at any reasonable hour, enter land or a building;
 - (b) be accompanied into a building by a person having special or expert knowledge on any matter to which this Act or the regulations relate;
 - (c) order the production of a register, certificate, plan or other document relating in any manner to the design, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building and may examine and make copies of the document;
 - (d) inspect and take samples of any material, equipment or appliance being used in the design construction, addition, erections, placement, alteration, repair, renovation, demolition, relocation, removal, used, occupancy or change of occupancy of a building;
 - (e) issue an order pursuant to the Act;
 - (f) direct the Municipality to register an interest on title pursuant to section 20 of the Act; and
 - (g) exercise any other power or undertake any action as prescribed.

- (3) If any building whether commenced or completed is in a condition that constitutes an unsafe condition, the building official may order the owner to take any steps set out in the order to eliminate the unsafe condition or if the condition constitutes an imminent risk or danger, the building official or person appointed by the Municipality may enter the land or the building and do, or cause to be done any acts necessary to eliminate the imminent risk or danger, and subsection 26(3) and (4) of the Act apply, with any necessary modification, to the expenses incurred in eliminating the risk or danger.

SEVERABILITY

- 15 (1) This bylaw shall not be construed to hold the Municipality or its agents responsible or liable for any damage to persons or property caused through the administration of this bylaw.
- (2) If a court of competent jurisdiction should declare any part, section, sentence, clause, phrase or other portion of this bylaw to be invalid, that portion shall not be construed as having persuaded or influenced Council to pass the remainder of this bylaw. The part, section, sentence, clause, phrase or other portion of this bylaw is to be deemed separate, distinct and independent provision, and the holding of the Court shall not affect the validity of the remaining portions of this bylaw.

PENALTY

- 16 (1) Any person who contravenes any of the provisions of this building bylaw may be subject to the penalties provided in Part 8 of the Act.
- (2) Conviction of a person or corporation for breach of any provision of this building bylaw shall not relieve the person or corporation from compliance with the Act and regulations.

REPEAL OF PREVIOUS BUILDING BYLAW

- 17 (1) On enactment of this bylaw, Bylaw No. 2024-07 being a Bylaw Respecting Buildings adopted by Council on January 2, 2025, and receiving conditional approval from the Ministry of Government Relations on January 30, 2025, is hereby repealed.

TRANSITIONAL

- 18 (1) Every order, permit, license, contract, agreement or other document issued or entered pursuant to Bylaw No. 2024-07 that is valid on the day before the coming into force of this bylaw continues in force until its expiry date, if any, and may be dealt with pursuant to this bylaw as if it were issued pursuant to this bylaw.

COMING INTO FORCE

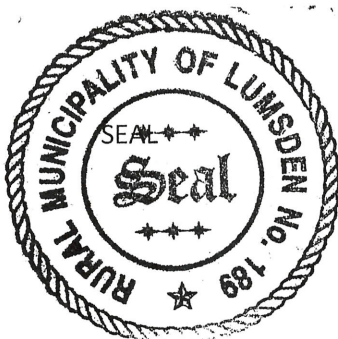
- 19 (1) This bylaw shall come into force in accordance with subsection 17(6) of the Act.

READINGS

Read a first time this	3rd day of April, 2025
Read a second time this	17 th day of April, 2025
Read a third time this	17 th day of April, 2025

APPROVED
 In accordance with Clause 17(6)(A) of
The Construction Codes Act


 Building and Technical Standards
 Ministry of Government Relations
 May 22, 2025
 Date




 REEVE


 CHIEF ADMINISTRATIVE OFFICER

Certified to be a true copy of Bylaw No. 2025.03
 adopted by the Council of the R.M. of Lumsden
 on the 17th day of April, 2025 ⁹


 Chief Administrative Officer

SCHEDULE A

Permit Fees and Deposits

1. One- and Two-Unit Residential Dwellings (Class 1):

- a) Service fees charged to the Municipality by the Service Provider engaged in reviewing, inspecting and enforcing the Act and regulations; and
- b) Administrative fees paid to the Municipality for the processing, handling and issuance of a permit calculated as twenty percent (20%) of the service fees charged by the Service Provider; and
- c) The SAMA fee.

2. All other projects not including One- and Two-Unit Residential Dwellings (Class 2 & 3):

- a) The greater of:
 - i) the value of construction x \$4.50 / \$1,000.00; or
 - ii) service fees charged to the Municipality by the Service Provider engaged in reviewing, inspecting and enforcing the Act and regulations; and
- b) Administrative fees paid to the Municipality for the processing, handling and issuance of a permit calculated as twenty percent (20%) of the service fees charged by the Service Provider.
- c) The SAMA fee.

3. Demolition and Moving Permits:

Permit Type	Permit Fee
Building Move Permit	\$50.00
Building Demolition Permit	\$50.00

4. Building Deposits:

Permit Type	Deposit Required
Residential Dwelling, or addition	\$1,500.00
Detached Accessory Building	\$1,500.00
Commercial/Industrial Building	\$2,000.00
Building Demolition	\$2,500.00

SCHEDULE B



FARM BUILDING EXEMPTION REQUEST FORM

Lumsden Municipal Office
PO Box 160
300 James St N
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Property Owner(s)

Legal Land Location

Phone Number

Mailing Address

City

Province

Postal Code

Description of Project

The following items must be submitted with this form for consideration for an exemption:

- Site Plan
- Floor Plans
- Documentation confirming there is an existing farm operation

I/We request an exemption from *The Construction Codes Act* (CCA) for the construction of a farm building. As per the definition of a farm building in the CCA, Chapter 9, Part 1, Section 2, I/We hereby affirm that the building:

- a) Does not contain a residential occupancy;
- b) Is located on land used for an agricultural operation as defined in *The Agricultural Operations Act* (see definition)
- c) Will not be used for any type of commercial use; and
- d) Is used for:
 - (i) The housing of livestock;
 - (ii) The production, storage or processing of primary agricultural and horticultural crops or feeds;
 - (iii) The housing, storage or maintenance of equipment or machinery associated with an agricultural operation;
 - (iv) Other prescribed purpose.

As per Part 1 Section 2(2) of *The Building Code Regulations* a building is not a farm building if:

- a) The building is used in the production, process, wholesaling or distribution of cannabis as defined in the *Cannabis Act* (Canada) or *The Cannabis Control (Saskatchewan) Act*.
- b) The building is used for the manufacture, sale, storage, wholesale or delivery of beverage alcohol as authorized by *The Alcohol and Gaming Regulation Act, 1997*; or
- c) The building is classified for assessment purposes in one of the following classes:
 - (i) Commercial and industrial;
 - (ii) Elevators;
 - (iii) Railway rights of way and pipeline.

If the building is to be used for another use or assessed as another use by the municipality, I/We agree to obtain a building permit for the change of use/occupancy and make all required changes to the building at our cost. I/We agree this may include removing materials to ensure compliance, providing engineered designs upon request, complying with orders, ensuring all required inspections are scheduled and completed, or removing the building.

Property Owner(s) Signature

Date

Definition:

As per *The Agricultural Operations Act*, CHAPTER A-12.1, Section 2(a)

“agricultural operation” means an agricultural operation:

- i. that is carried out on a farm, in the expectation of gain or reward, including:
 - A. cultivating land;
 - B. producing agricultural crops, including hay and forage;
 - C. producing horticultural crops, including vegetables, fruit, mushrooms, sod, trees, shrubs, flowers, green house crops, and specialty crops;
 - D. raising all classes of livestock, horses, poultry, fur-bearing animals, game birds and game animals, bees and fish;
 - E. carrying on intensive livestock operations;
 - F. producing eggs, milk, honey, and other animal products
 - G. operating agricultural machinery and equipment, including irrigation pumps and noise-scare devices;
 - H. conducting any process necessary to prepare a farm product for distribution from the farm gate;
 - I. storing, handling and applying fertilizer, manure, organic wastes, soil amendments and pesticides, including both ground and aerial application;
 - J. any other prescribed agricultural activity or process; or
 - ii. that is prescribed as an agricultural operation for the purpose of the Agricultural Operations Act;
-

OFFICE USE ONLY

Approved

Denied

Explanation (if applicable)

Development Officer

Date

