

CITY OF GRANDE PRAIRIE

OFFICE CONSOLIDATION

BYLAW C-1328

**Being a Bylaw of the City of Grande Prairie, in the Province of Alberta,
to Provide for the Regulation and Control of the Form, Content and Cost
of Permits for the Use, Occupancy, Construction, Demolition,
Installation, Alteration, Repair, Removal or Change in Occupancy
of Buildings, Electrical, Plumbing, Gas Equipment and Systems**

(As Amended by Bylaw C-1328A)

WHEREAS the *Safety Codes Act* RSA 2000, Chapter S-1, provides that a municipality with any power and duties relating to matters under the *Safety Codes Act* is deemed to be an accredited municipality with those powers and duties;

AND WHEREAS the *Safety Codes Act* provides that the Minister may by Order designate any local authority as an accredited municipality authorized to administer all or part of the *Safety Codes Act* within its respective municipality;

AND WHEREAS the Minister delegated authority to the Safety Codes Council to designate any local authority as an accredited municipality pursuant to Section 26(1) of the *Safety Codes Act*;

AND WHEREAS the Safety Codes Council, by Order dated December 13, 1995, designated the City of Grande Prairie as an accredited municipality in the building and plumbing disciplines;

AND WHEREAS the Safety Codes Council, by Order dated June 16, 1997, designated the City of Grande Prairie as an accredited municipality in the gas and electrical disciplines; and,

AND WHEREAS if a local authority is so accredited, it is authorized pursuant to Section 66 of the *Safety Codes Act* to make bylaws respecting fees for anything issued or any material or service provided pursuant to the *Act*, and respecting the carrying out of its powers and duties as an accredited municipality including:

- (a) Providing for the issuance of permits;
- (b) Prescribing the fee, in accordance with [Bylaw C-1395, Schedule "A"](#) to be charged for the issuance of permits;
(Bylaw C-1328A - July 1, 2019)
- (c) Providing for the form and content of permits for the use, occupancy, relocation, construction, demolition, installation, alteration, repair, removal or change of occupancy of a building, electrical, plumbing and gas equipment and systems; and,
- (d) Prohibiting the commencement by any person of the use, occupancy, relocation, construction, demolition, installation, alteration, repair, removal or change of occupancy of a building, electrical, plumbing and gas equipment and systems, unless that person is authorized by a permit to do so.

NOW THEREFORE, THE COUNCIL OF THE CITY OF GRANDE PRAIRIE, IN THE PROVINCE OF ALBERTA, ENACTS AS FOLLOWS:

1. **TITLE**

This Bylaw shall be known as the “Building Bylaw.”

2. **DEFINITIONS**

In this Bylaw:

- 2.1 “**ACT**” means the *Safety Codes Act*, as amended from time to time and Regulations made under the *Safety Codes Act* as amended from time to time.
- 2.2 “**ADDITION**” means a series of planned changes and updates made to increase an existing building or structure.
- 2.3 “**ALTERATION**” means a series of planned changes and updates made to an existing building or structure that maintains the size of the existing building or structure and includes but is not limited to:
- (a) construction of, cutting into, or removal of a wall, partition, column, beam, joist or floor within the existing building or structure;
 - (b) a change to, or closing of, any means of access (windows and doors); and
 - (c) a change to the cladding, trim or roof.
- 2.4 “**APPLICANT**” means the owner of a building or property or representative/agent authorized in writing by the owner who applies for a permit.
- 2.5 “**AUTHORITY HAVING JURISDICTION**” (AHJ) means an Officer in the applicable discipline exercising authority pursuant to designation of powers and terms of employment as defined in the *Act*.
- 2.6 “**BASEMENT**” means any storey or stories of a building located below the first storey.
- 2.7 “**BARRIER-FREE DESIGN**” means the absence of obstacles in an environment, therefore allowing persons with physical mental or sensory disabilities safer and easier access into buildings and then use of those buildings and related facilities and services.
- 2.8 “**BUILDING**” means any structure used or intended for supporting or sheltering any use or occupancy.
- 2.9 “**CITY**” means the municipal corporation of the City of Grande Prairie, or the area contained within the boundary thereof, according to the context in which the word is used.
- 2.10 “**CODES**” means collectively to those codes declared in force by the Regulations passed pursuant to the *Act* in respect of buildings, electrical systems, plumbing systems and gas systems.

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- 2.11 **“COMMERCIAL”** means a building or structure used for or intended to be used for, in whole or in part, commercial, industrial or institutional purpose, or a multi-family residential building containing five (5) or more dwelling units.
- 2.12 **“CONTRACTOR”** means a person who contracts with an owner to undertake a project, and includes an owner who contracts with more than one (1) person for the work on a project or undertakes the work on a project or any part thereof.
- 2.13 **“COST OF CONSTRUCTION” (C.C.)** means expense incurred by a contractor for labour, material, equipment, services, utilities, etc.
- 2.14 **“CONSTRUCTION WAIVER”** means a document produced by the City and signed by the Building Contractor to accept all liability in the event of a fire in a subdivision where there hasn't been a successful hydrant flow test.
- 2.15 **“DECK”** means a structure, which is constructed with a floor on posts and beams above grade.
- 2.16 **“DEMOLITION”** means a permit authorizing the demolition, or partial demolition, of a building structure.
- 2.17 **“DO NOT OCCUPY NOTICE”** means a directive by an Officer to the Owner to prohibit the occupancy of a building.
- 2.18 **“DUPLEX”** means a building that is divided horizontally into two (2) separate dwelling units, each of which has independent utilities, independent entrance either leading directly to the outside or through a common vestibule.
- 2.19 **“DWELLING UNIT”** and **“DWELLING”** means one (1) or more habitable rooms when such room or rooms together contain only one (1) set of cooking facilities, to be used for living and sleeping purposes for one (1) household as functioning set of living quarters, and which has a private entrance either from the outside or through a common vestibule.
- 2.20 **“FLOOR AREA”** means the area (interior wall to interior wall) of the upper most storey having its floor level at or above grade and any storey above.
- 2.21 **“GARAGE”** means a building which is designed or used for the sheltering of motor vehicles and the storage of household goods incidental to the residential use of the dwelling.
- 2.22 **“GARAGE SUITE”** means a dwelling unit contained within a detached garage.
- 2.23 **“GREEN BUILT INCENTIVES”** means an incentive program set up to waive permit fees, in accordance with [Bylaw C-1395, Schedule “A”](#) for the installation of one (1) of the methods outlined.

(Bylaw C-1328A - July 1, 2019)

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- 2.24 “**HYDRONIC SYSTEM**” means a heating or cooling system that transfers heat by circulating a fluid (usually water or glycol mix) through a closed system of pipes.
- 2.25 “**MANUFACTURED/MODULAR HOME**” means a factory-constructed, detached dwelling unit readily relocatable as a single unit or in modules.
- 2.26 “**MASTER ELECTRICIAN**” means a person who is the holder of a Master Electrician Certificate issued by the Board of Certification.
- 2.27 “**MULTI-FAMILY**” means a building which contains five (5) or more units intended for residential occupancy.
- 2.28 “**NEW HOME WARRANTY**” means the *New Home Buyer Protection Act*, requiring builders to provide home warranty coverage for all new homes built in the province.
- 2.29 “**OCCUPANCY**” means the use or intended use of a building or part thereof for the shelter or support of persons, animals or property.
- 2.30 “**OCCUPANCY CERTIFICATE**” means a certificate authorizing the occupancy of a building for which a building permit was issued. Certificate issued once all inspections passed with a Permit Service Report.
- 2.31 “**ORDER**” means a directive by an Officer to an owner to cease work on/in a building or structure.
- 2.32 “**OFFICER**” means a person appointed as a Safety Codes Officer who holds an appropriate certification of competency and meets the requirements of the regulations with respect to all or part of the *Act*.
- 2.33 “**OWNER**” means any person in charge, or who has care and control, or holds himself out as having the powers and authority of ownership, or who for the time being exercises the powers and authority of ownership.
- 2.34 “**PEACE OFFICER**” means a member of a Royal Canadian Mounted Police, a Bylaw Enforcement Officer or Community Peace Officer of the City.
- 2.35 “**PERMIT**” means permission or authorization in writing to commence the use, occupancy, relocation, construction or demolition of any building.
- 2.36 “**PERMIT FEE**” means a fee, in accordance with [Bylaw C-1395, Schedule “A”](#) payable for a permit.
- (Bylaw C-1328A - July 1, 2019)**
- 2.37 “**PERMIT ISSUER**” means a person designated under the *Act* to issue permits.
- 2.38 “**PERMIT SERVICE REPORT**” means a report which remains on file as a record of compliance or noncompliance with the provisions of the *Act*, Regulations Code and Standards.

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- 2.39 **“PREVAILING MARKET VALUE”** means the prevailing price at which something can be constructed on a given market. Prevailing Market Value will be set at \$180.00/square foot for the purpose of this Bylaw.
- 2.40 **“REGISTERED PROFESSIONAL”** means:
- (a) a person who is registered or licensed to practice as an architect under the *Architects Act*; or
 - (b) a person who is registered or licensed to practice as a professional engineer under the *Engineering and Geoscience Professions Act*.
- 2.41 **“RETAINING WALL”** means a wall supporting and confining a mass of earth.
- 2.42 **“RESIDENTIAL”** means a building not more than three (3) storeys in height, not more than 600m² in area.
- 2.43 **“SECONDARY SUITE”** means a self-contained, accessory dwelling unit located within a principal single-detached dwelling or in an accessory building on the same parcel as a single-detached dwelling.
- 2.44 **“SEMI-DETACHED”** means a building that is divided vertically into two (2) separate dwelling units, each of which has independent utilities, independent entrance either leading directly to the outside or through a common vestibule.
- 2.45 **“SINGLE FAMILY DWELLING”** means a house used or intended to be used by one or more persons and contains cooking, eating, living, sleeping and sanitary facilities.
- 2.46 **“SITE”** means the physical location of the work that is the subject of a permit.
- 2.47 **“SOLAR PANEL”** means a panel designed to absorb the sun's rays as a source of energy for generating electricity or heating.
- 2.48 **“SOLID FUEL BURNING APPLIANCE”** means all solid fuel (wood, coal, etc.) burning appliances including stoves, factory made fireplaces (natural gas not included).
- 2.49 **“TEMPORARY HEAT PERMIT”** means a gas permit required to supply temporary heat during construction.
- 2.50 **“TEMPORARY PLUMBING PERMIT”** means a plumbing permit required to supply temporary plumbing during construction.
- 2.51 **“TEMPORARY POWER PERMIT”** means an electrical permit required to supply temporary power during construction.
- 2.52 **“TEMPORARY STAGE”** means a temporary platform constructed to support loads.

2.53 “**TEMPORARY TENT**” means a temporary structure composed of a covering made of a pliable membrane or fabric, supported by such mechanical means as poles, metal frames, ropes or cables and anchored in such a manner to reduce uplift.

2.54 “**VERIFICATION OF COMPLIANCE**” (V.O.C) means verification the required inspection meets compliance and is signed by a third party guarantor.

(Bylaw C-1328A - July 1, 2019)

All definitions contained in the *Safety Codes Act* shall apply to this Bylaw except to the extent that they are inconsistent with the definitions of words and expressions as set out in this Bylaw, and in the case of such inconsistency, the definitions set out in this Bylaw shall apply.

3. **SCOPE**

3.1 The provisions of this Bylaw shall apply to the issuance of Permits respecting the use, occupancy, construction, demolition, installation, alteration, repair, removal or change of occupancy of any building, Heating, Ventilation and Air Conditioning (HVAC) electrical, plumbing and gas equipment or systems regulated by the *Act* within the City.

4. **SAFETY CODES OFFICER’S POWERS AND DUTIES**

4.1 An Officer may exercise the powers and duties only in accordance with the designation as defined in Section 32 of the *Act* and the City’s Quality Management Plan.

4.2 An Officer is hereby authorized to enforce the provisions of this Bylaw, the *Act* and the Regulations.

4.3 An Officer shall keep an accurate account of all Permits issued and all fees, in accordance with [Bylaw C-1395, Schedule “A”](#) and other monies collected and received under this Bylaw.

(Bylaw C-1328A - July 1, 2019)

5. **PROHIBITION**

5.1 **Permit(s) Required:** No person shall use, occupy, relocate, construct, demolish, install, alter, or repair any building, electrical, gas or plumbing equipment or system located in a building or on any premises, unless there is a valid or temporary permit.

5.2 **No False Information:** A person who knowingly makes a false or misleading statement as defined in Section 67(2) of the *Act*, either orally or in writing is guilty of an offence.

5.3 **Deviation:** No person shall deviate or authorize a deviation from a permit or conditions of a permit without first obtaining the written permission of the permit issuer as defined in Section 27 of the Permit Regulations.

- 5.4 **No Obstruction of an Officer:** No person shall obstruct the entry of an Officer as defined in Section 34 of the *Act*.
- 5.5 **Do Not Occupy:** No person shall occupy a building without receiving an Occupancy Certificate.
- 5.6 **Construction Waiver:** No person shall start construction in a subdivision that has not received a successful hydrant flow test, unless a Construction Waiver has been signed.

6. **PERMIT HOLDER REGULATION**

6.1 **Building Discipline Permit Holder:**

- (a) A permit issuer may issue a permit in the building discipline to the following:
- (i) a person having the appropriate certification to carry out the undertaking as required by the *Apprenticeship and Industry Training Act*;
 - (ii) an owner who resides or intends to reside in a single family dwelling for the installation of building systems in the dwelling; or
 - (iii) an owner's agent.

6.2 **Gas Discipline Permit Holder:**

- (a) A permit issuer may issue a permit in the gas discipline to the following:
- (i) a gasfitter;
 - (ii) an owner who resides or intends to reside in a single family dwelling if the gas system serves the dwelling; or
 - (iii) an owner of a farm building if the gas system serves the farm building.
- (b) Without limiting the generality as defined in Section 44(2) of the *Act*, for the purpose of achieving the level of safety intended by the *Act* and the regulations, a permit issuer may limit the type and scope of the undertaking for which a permit is issued as stated above.

6.3 **Plumbing Permit Holder:**

- (a) A permit issuer may issue a permit in the plumbing discipline to the following:
- (i) a plumber;
 - (ii) an owner who resides or intends to reside in a single family dwelling if the plumbing system serves the dwelling; or
 - (iii) an owner of a farm building if the plumbing system serves the farm building.

6.4 **Electrical Permit Holder:**

- (a) A permit issuer may issue a permit in the electrical discipline to the following:
- (i) a master electrician for any electrical system within the scope of the master electrician's certification;

- (ii) an owner who resides or intends to reside in a single family dwelling where the electrical system serves that dwelling; or
 - (iii) an owner of a farm building served by a single phase electrical system.
- (b) Without limiting the generality as defined in Section 44(2) of the *Act*, for the purpose of achieving the level of safety intended by the *Act* and the regulations, a permit issuer may limit the type and scope of the undertaking for which a permit is issued as stated above.

7. **BUILDING PERMIT PRELIMINARIES**

- 7.1 **Development Permit:** Despite any other provision of this Bylaw a development permit must be issued, prior to Building Permit issuance, where such permit is required by the current Land Use Bylaw.
- 7.2 **Business License:** Despite any other provision of this Bylaw, contractors shall have and issued, valid business license to operate in the City prior to submitting for a Building or Subtrade Permit.
- 7.3 **Lot Grading Plan:** When required, a Lot Grading Plan must be approved prior to Building Permit issuance.
- 7.4 **New Home Warranty:** When required, New Home Warranty, or proof of exemption thereof, must be approved prior to Building Permit issuance.

8. **PERMIT APPLICATIONS**

- 8.1 Unless otherwise stated in this Bylaw, to obtain a Permit, an Applicant shall file a complete application on the form prescribed by the City.

9. **PLANS AND SPECIFICATIONS**

Commercial

- 9.1 One (1) set of building plans and specifications shall be submitted for a building permit. Each set shall:
- (a) be drawn in permanent ink (hard copy or digital file);
 - (b) be drawn to a legible scale;
 - (c) indicate the proposed occupancy use of all parts of the building; and
 - (d) as required, show calculations of unprotected openings shown as a percentage of exposed building face.
- 9.2 One (1) site plan shall be submitted for a building permit. Each plan shall specify:
- (a) actual dimensions of the lot;
 - (b) the building footprint;
 - (c) dimensions to front, rear and side yard property lines;

- (d) dimensions of any projections outside of the building footprint (ex: eaves and cantilever); and
 - (e) barrier Free Design requirements. On extensive building alterations, Barrier Free Design requirements shall be determined by the Authority Having Jurisdiction.
- 9.3 Pending complexity and scope of work, professional involvement may be required as per AHJ.
- 9.4 Each application shall have a:
- (a) completed permit application form;
 - (b) completed cost of construction;
 - (c) completed heat loss calculations (HVAC Requirement); and
 - (d) completed permit application check sheet.

Residential

- 9.5 One (1) set of building plans and specifications shall be submitted for a building permit. Each set shall:
- (a) be drawn in permanent ink (hard copy or digital file);
 - (b) be drawn to a legible scale;
 - (c) indicate the proposed occupancy use of all parts of the building; and
 - (d) as required (ex: single family dwelling, semi-detached, etc.), show calculations of unprotected openings as a percentage of exposed building face.
- 9.6 One (1) site plan shall be submitted for a building permit. Each plan shall specify:
- (a) actual dimensions of the lot;
 - (b) the building footprint;
 - (c) dimensions to front, rear and side yard property lines; and
 - (d) dimensions of any projections outside of the building footprint (ex: eaves and cantilever).
- 9.7 Each application shall have a:
- (a) completed permit application form;
 - (b) completed cost of construction;
 - (c) completed heat loss calculations (HVAC Requirement); and
 - (d) completed permit application check sheet.

10. ISSUANCE OF PERMITS

- 10.1 If an Officer is satisfied that the work described in an application for a Permit is in accordance with the provisions as defined in the *Act*, the applicable Regulations and Codes, the provisions of this Bylaw and the fees, in accordance with [Bylaw C-1395, Schedule "A"](#) have been paid, a Permit shall be issued to the applicant, with or without conditions.

(Bylaw C-1328A - July 1, 2019)

11. INSPECTIONS

- 11.1 During construction, until all Final Inspections are complete, permit placard must be posted on site, and visible from the street.
- 11.2 At the time of inspection the following Building Permit documents shall be onsite:
- (a) plans stamped “EXAMINED”;
 - (b) engineer floor joist layout;
 - (c) engineer roof truss layout; and
 - (d) permit conditions (required for Commercial projects only).
- 11.3 All work related to an inspection booked, must be complete and ready for date of inspection.
- 11.4 Adequate site access required to complete inspections. Sites must be clean, safe, and complete with secured ladders or stairs.
- 11.5 Receiving an inspection with failure to meet any of the above requirements, will result in a “FAILED”, “NOT READY”, or “NO ENTRY” inspection, subject to the Fines as defined in Schedule “C”.

(Bylaw C-1328A - July 1, 2019)

12. NON-ISSUANCE, EXPIRATION & EXTENSION OF PERMITS

Unless otherwise specified in this Bylaw:

- 12.1 Permit application submitted for approval, for which no Permit is issued and on which no action is taken by the Applicant for ninety (90) days may be cancelled.
- 12.2 Every Permit issued by an Officer may expire:
- (a) if the work authorized by the Permit has not commenced within ninety (90) days from the date of permit issuance;
 - (b) if the work authorized by the Permit is suspended or abandoned, or deemed to be abandoned by the Officer for a period of one hundred (120) days at any time after the work has commenced; or
 - (c) after one (1) year of permit issuance.
- 12.3 An Officer may grant a onetime extension to a Permit before the Permit has expired. A request for an extension shall be made by way of written request from the Applicant. The permit extension will be based on the information provided to the Officer and the length of extension will be determined by the Officer.

13. CANCELLATION, & SUSPENSION OF PERMITS

Unless otherwise specified in this Bylaw:

- 13.1 A Permit (prior to receiving inspections) or application may be cancelled upon written request to an Officer from the owner or his authorized agent. Refunds as defined in Schedule “C”.

13.2 An Officer may by notice in writing, suspend or cancel a Permit, if in the opinion of the Officer:

- (a) there has been a contravention of any condition of the Permit;
- (b) the Permit was issued in error; or
- (c) the Permit was issued on the basis of incorrect information supplied to the City.

13.3 Any fees, in accordance with [Bylaw C-1395, Schedule "A"](#) collected for a Permit, which has been cancelled by an Officer or allowed to expire as defined in Section 12.2 of this Bylaw, shall not be refunded.

(Bylaw C-1328A - July 1, 2019)

14. **FEES**

14.1 The fees, in accordance with [Bylaw C-1395, Schedule "A"](#) for each Permit shall be submitted at the time of application.

(Bylaw C-1328A - July 1, 2019)

14.2 If a new Permit is required, after the expiry of a Permit in accordance with Section 12.2 of this Bylaw, if no changes have been made or will be made to the original plans and specifications, and if the suspension or abandonment of the work has not exceeded six (6) months, the fee, in accordance with [Bylaw C-1395, Schedule "A"](#) for the new Permit shall be fifty (50%) percent of the fee.

(Bylaw C-1328A - July 1, 2019)

14.3 If the documents submitted with an application for a Permit contain substantial errors or changes the documents shall be resubmitted for further examination, a fee equal to ten (10%) percent of the fee, in accordance with [Bylaw C-1395, Schedule "A"](#) may be charged for every re-examination.

(Bylaw C-1328A - July 1, 2019)

14.4 If any unauthorized work, including excavation, has been started before the issuance of a Permit, the Permit fee shall be as defined in Schedule "C".

15. **OFFENCE**

15.1 Any person who contravenes any provisions of this Bylaw is guilty of an offence and:

- (a) liable upon prosecution of a fine of not less than Five Hundred Dollars (\$500.00) and not more than Ten Thousand Dollars (\$10,000.00), issued by a Peace Officer; or
- (b) may be issued an Order by an Officer, to remedy the contravention.

15.2 At the request of the AHJ, as a result of outstanding fees (fees in the arrears after 90 days), Business License may be suspended by a Peace Officer.

16. **GENERAL**

16.1 An Applicant for a Permit is responsible for, and is not excused from, ascertaining and complying with the requirements of any Federal, Provincial or other Municipal legislation and the Codes referenced in this Bylaw.

17. Bylaw C-1039 and all amendments are hereby repealed.

18. This Bylaw shall take effect on the date it is passed.

READ a first time this 8 day of August , 2016.

READ a second time this 8 day of August , 2016.

READ a third time and finally passed this 8 day of August , 2016.

“B. Given” (signed)
Mayor

“T. Williams” (signed)
Acting Corporate Services Director

BYLAW C-1328

SCHEDULE "A"

**Deleted by
(Bylaw C-1328A - July 1, 2019)**

BYLAW C-1328

SCHEDULE "B"

**Deleted by
(Bylaw C-1328A - July 1, 2019)**

BYLAW C-1328

SCHEDULE "C" - VIOLATION FINES

(Bylaw C-1328A - July 1, 2019)

Offence Fines

- 1) Commencement of work without a valid permit
(per contractor)
 - 1st Violation Fine **Double original permit fee**
 - 2nd Violation Fine (within 365 days of the 1st offence) **Triple original permit fee**
 - 3rd Violation (within 365 days of the 1st offence) **Fine to be set as defined in Section 15.1 of this Bylaw**

- 2) Occupying a Building:
 - a) Without passing final inspections **\$500.00 / discipline**

 - b) While a "Do Not Occupy Notice" is posted onsite
 - 1st Violation Fine **\$1,000.00**
 - 2nd Violation Fine **\$1,500.00**
 - 3rd Violation Fine **\$2,000.00**

- 3) Do Not Cover Notice:
 - Proceeding with work while a 'Do Not Cover' notice is posted **All covered portions shall be uncovered at Owners expense.**

- 4) Re-inspection:
(as defined in Section 11.5 of this Bylaw)
 - 1st Violation Fine **\$100.00**
 - 2nd Violation Fine **\$200.00**
 - 3rd Violation Fine **\$300.00**

- 5) General Offence
 - All offences, not already specified on this Schedule **Fine to be set as defined in Section 15.1 of this Bylaw**

BYLAW C-1328

SCHEDULE "D"

**Deleted by
(Bylaw C-1328A - July 1, 2019)**