

# THE CORPORATION OF THE TOWN OF PRESCOTT

## BY-LAW 05-2013

### BEING A BY-LAW RESPECTING CONSTRUCTION, DEMOLITION, CHANGE OF USE PERMITS, FEES, INSPECTIONS, AND A CODE OF CONDUCT FOR BUILDING OFFICIALS;

WHEREAS Section 7 of the *Building Code Act*, 1992, S.O.1992, Chap. 23, as amended, empowers Municipal Council to enact certain by-laws respecting construction, demolition, change of use, fees, inspections, and a code of conduct for Building Officials;

THEREFORE the Council of the Town of Prescott enacts as follows:

#### PART 1

#### DEFINITIONS AND INTERPRETATION

##### DEFINITIONS

1.) In this by-law,

"Act" means the *Building Code Act*, 1992, S.O. 1992, Chap. 23 including amendments thereto;

"Building" means a "building" as defined in subsection 1 (1) of the Act;

"Building Code" means the regulations made under Section 34 of the Act;

"Chief Building Official" means the Chief Building Official appointed pursuant to subsection 3(2) of the Act and by by-law of the Town of Prescott for the purposes of enforcement of the Act;

"Code of Conduct" means Conduct for Chief Building Officials and Inspectors as set out in Schedule "E" of the By- Law.

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

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

"Fixture" means "fixture" as defined in Sentence 1.1.3.2. (1) of the Building Code;

"Inspector" means an inspector appointed pursuant to subsection 3(2) of the Act and by by-law of the Town of Prescott for the purposes of enforcement of the Act;

"Owner" means the registered owner of the property or the agent of the registered owner duly authorized by the registered owner in writing;

"Permit" means permission or authorization in writing from the Chief Building Official to perform work regulated by the Act and the Building Code and in the case of an occupancy permit, to occupy any building or part thereof;

"Permit holder" means the owner to whom the permit has been issued or, where the permit has been transferred, the new owner to whom the permit has been transferred;

"Plumbing" means "plumbing" as defined in subsection 1(1) of the Act;

"Registered Code Agency" or "RCA" means a "registered code agency" as defined in subsection 1(1) of the Act;

"Sewage system" means "sewage system" as defined in Section 1.1 of the Building Code;

"Work" means to do anything in the construction or demolition or change of use or plumbing for a building, which is regulated by the Act and the Building Code and "project", has a similar meaning.

## **INTERPRETATION**

2. (1) Any word or term not defined in this by-law that is defined in the Act or Building Code shall have the meaning ascribed to it in the Act or Building Code.
- (2) In this by-law, a word interpreted in the singular number has a corresponding meaning when used in the plural.
- (3) This by-law includes the Schedules annexed hereto and the Schedules are hereby declared to form part of this by-law.
- (4) In this by-law, the word "metre" shall be represented by the abbreviation "m", the word "centimetre" shall be represented by the abbreviation "cm" and the word "millimetre" shall be represented by the abbreviation "mm".
- (5) It is declared that if any section, subsection or part or parts thereof be declared by any Court of Law to be bad, illegal or ultra vires, such section, subsection or part or parts shall be deemed to be severable and all parts

hereof are declared to be separate and independent and enacted as such.

## **PART II**

### **CLASSES OF PERMITS**

3. The classes of permits with respect to the construction, demolition or change of use of a building or part thereof shall be set out in Schedule "A" annexed hereto respecting classes of permits and permit fees.

## **PART III**

### **APPLICATION FOR PERMIT**

#### **INFORMATION TO BE SUBMITTED WITH ALL APPLICATIONS**

4. Every application for a permit shall:
  - (a) contain the information set out in Sections 5, 6, 7, 8, 9, or 10 of this bylaw, as applicable;
  - (b) be signed by the owner who shall certify the truth of the contents of the application;
  - (c) be submitted to the Chief Building Official.

#### **APPLICATION FOR PERMIT TO CONSTRUCT**

5. Where an application is made for a permit to construct under subsection 8(1) of the Act, the owner shall file the following information:
  - (a) the prescribed application form entitled "Application for a Permit to Construct or Demolish";
  - (b) complete plans and specifications, documents and other information as required in Part IV of this by-law; and
  - (c) the form entitled "Confirmation of Commitment by Owner" prescribed by the Chief Building Official, where required by the Chief Building Official.

#### **APPLICATION FOR PERMIT TO DEMOLISH**

6. Where an application is made for a permit to demolish under subsection 8(1) of the Act, the owner shall file the following information:
  - (a) the prescribed application form entitled "Application for a Permit to Construct or Demolish";
  - (b) site plan accompanied by plans and specifications, documents and other information as prescribed by the Chief Building Official;
  - (c) the form entitled "Confirmation of Commitment by Owner" prescribed by the Chief Building Official, where required by the Chief Building Official;

- (d) proof satisfactory to the Chief Building Official that arrangements have been made for the disconnection of water, sewer, gas, electric and private services.

#### **APPLICATION FOR CONDITIONAL PERMIT**

- 7. (1) Where an application is made for a conditional permit under subsection 8(3) of the Act, the owner shall file the following information:
  - (a) the prescribed application form entitled "Application for a Permit to Construct or Demolish";
  - (b) complete plans and specifications, documents and other information as required in Part IV of this by-law;
  - (c) a statement of the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted.
  - (d) a statement of the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained;
  - (e) the time in which plans and specifications of the complete building will be filed with the Chief Building Official; and
  - (f) the form entitled "Confirmation of commitment by Owner" prescribed by the Chief Building Official, where required by the Chief Building Official.
- (2) The fee for a conditional permit as set out in Schedule "A" in this by-law is nonrefundable.

#### **APPLICATION FOR CHANGE OF USE PERMIT**

- 8. Where an application is made for a change of use permit issued under subsection 10(1) of the Act, the owner shall file the following information:
  - (a) the form prescribed by the Chief Building Official; and
  - (b) complete plans and specifications showing the current and proposed occupancy of all parts of the building contained in the Building Code including,
    - (i) floor plans,
    - (ii) details of wall, ceiling and roof assemblies identifying required fire resistance ratings and load bearing capacities, and
    - (ii) details of the existing sewage system, if any.

## **APPLICATIONS FOR TRANSFER OF PERMIT**

9. Where an application is made for a transfer of permit under clause 7(h) of the Act because of change of ownership of the property, the owner applying for the transfer shall file the following information;
- (a) the form prescribed by the Chief Building Official;
  - (b) the names and address of the former and new owner;
  - (c) the date that the property was transferred to the new owner
  - (d) the nature of the permit being transferred; and
  - (e) confirmation of the continuation of or the particulars of any change in the arrangements for general review of the construction in accordance with Section 2.3., Design and General Review, of the Building Code.

## **APPLICATION FOR PARTIAL PERMIT**

10. Where an application is made for a partial permit in order to expedite work for a portion of a building prior to the issuance of a permit for the work for the complete building, and the Chief Building Official is in agreement that an application for a partial permit may be submitted, the owner shall file the following information:
- (a) the prescribed application form entitled "Application for a Permit to Construct or Demolish";
  - (b) complete plans and specifications, documents and other information as required in Part IV of this by-law;
  - (c) the form entitled "Confirmation of Commitment by Owner" prescribed by the Chief Building Official, where required by the Chief Building Official; and
  - (d) the completed form as set out in Schedule "B".

## **INCOMPLETE APPLICATION**

11. Where an application is found to be incomplete and does not comply with Sentence 2.4.1.1B.(5) of the Building Code, the application may be accepted for processing if the owner acknowledges that the application is incomplete and completes the form as set out in Schedule "B" of this by-law.

## **INACTIVE APPLICATION**

12. Where an application for a permit remains incomplete or inactive for six months, the application may be deemed by the Chief Building Official to have been abandoned and notice of cancellation shall be given to the owner.

## **PART IV**

### **PLANS AND SPECIFICATIONS**

#### **SUFFICIENT INFORMATION TO BE SUPPLIED**

13. The owner shall submit sufficient information with each application for a permit to enable the Chief Building Official to determine whether or not the proposed construction, demolition, change of use or transfer of permit will conform to the Act, and Building Code, any applicable law and whether or not adjacent property may be affected.

#### **TWO SETS OF PLANS AND SPECIFICATIONS**

14. The owner shall submit two complete sets of plans and specifications in accordance with this Part and Schedule "C" annexed to this by-law, unless otherwise specified by the Chief Building Official.

#### **PLANS TO SCALE**

15. The owner shall ensure that plans submitted to the Chief Building Official:
  - (a) are drawn to scale upon substantial material or in electronic format approved by the Chief Building Official;
  - (b) are legible and durable; and
  - (c) indicate the nature and extent of the work or proposed occupancy in sufficient detail to establish that the complete work will conform to the Act, the Building Code and any applicable law.

#### **PLAN OF SURVEY**

16. The owner shall submit a copy of a plan of survey certified by a Registered Ontario Land Surveyor to the Chief Building Official when required to demonstrate compliance with the Act, the Building Code or any applicable law.

## **SITE PLAN**

17. The owner shall ensure that site plans submitted to the Chief Building Official demonstrate compliance with the Act, the Building Code and any applicable law and shall contain the following information:
- (a) lot size, lot dimensions and setbacks to any existing or proposed buildings;
  - (b) the similarly dimensioned location of every other adjacent existing building on the property;
  - (c) existing and finished ground levels or grades to an established datum at or adjacent to the site; and
  - (d) existing rights-of-way, easements, municipal services and private services.

## **AS CONSTRUCTED PLANS**

18. On completion of the construction of the building, if required by the Chief Building Official, the owner shall submit to the Chief Building Official a set of as constructed plans of the work including a plan of survey showing the location of the building.

## **PLANS PROPERTY OF THE TOWN OF PRESCOTT**

19. Plans and specifications furnished in accordance with the Town requirements of this by-law or otherwise required by the Act become the property of the Town of Prescott and shall be retained in accordance with the relevant legislation and the Town's Records Retention By-law.

## **PARTV**

### **DEVIATIONS FROM PLANS AND SPECIFICATIONS**

20. Deviations from the plans, specifications or other documents filed and in respect of which a permit or permits were issued, may be made following the issuance thereof or during the course of the inspections provided that:
- (a) the changes do not contravene the Act, the Building Code or any applicable law;
  - (b) the Chief Building Official agrees to the changes;
  - (c) revised plans and specifications in the prescribed numbers are submitted for approval; and
  - (d) the additional non-refundable fee for "Revision to permit" as set out in Schedule "A" is submitted prior to review by the Chief Building Official.

## **PART VI**

### **EQUIVALENTS**

21. 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 permit was issued, contains an equivalent material, system or building design for which authorization under Section 9 of the Act is requested, the following information shall be provided by the owner to the Chief Building Official:
- (a) a description of the proposed material, system or building design for which authorization is requested;
  - (b) any applicable provisions of the Building Code; and
  - (c) evidence that the proposed material, system or building design will provide the level or performance required by the Building Code.

## **PART VII**

### **PERMIT**

#### **TRANSFER OF PERMIT**

22. It is a condition of the issuance of any permit that the permit shall not be transferred without the approval of the Chief Building Official and the payment of the required non-refundable fee as set out in Schedule "A".
23. The new owner shall apply for a transfer of the permit in accordance with the requirements of Section 9 of this by-law.

#### **RESTRICTED PERMIT**

24. A restricted permit for a temporary building may be issued by the Chief Building Official authorizing, for a limited time only, the erection and existence of a building or part thereof.

#### **PARTIAL PERMIT- LIMITATIONS**

25. Where a permit is issued for part of the work for a building, the permit holder may proceed but the issuance shall not be construed as to authorize construction beyond the plans for which approval was given, or guarantee that approval will necessarily be granted for the entire work.



## **PART VIII**

### **REVOCAATION**

#### **NOTICE OF REVOCATION**

26. (1) Prior to revoking a permit under subsection 8(10) (b) or subsection 8(10)(c) of the Act, the Chief Building Official shall serve the permit holder or cause the permit holder to be served with written notice of his or her intention to revoke the permit.
- (2) Notice under subsection (1) may be served either by personal service or by mailing the notice by registered mail addressed to the permit holder at the address the permit holder has communicated to the Chief Building Official in writing.
- (3) Where notice is served by registered mail, the permit holder shall be conclusively deemed for all purposes to have been served with the notice on the third day after the day of mailing.
27. If on the expiration of thirty (30) days from the date of service of the notice of intention to revoke the permit described in Section 26 of this by-law, the ground for revocation continues to exist, the Chief Building Official may revoke the permit without further notice to the permit holder.

#### **REQUEST FOR DEFERRAL**

28. A permit holder may, within thirty (30) days from the date of service of the notice described in Section 26 of this by-law, request in writing that the Chief Building Official defer the revocation by stating reasons why the permit should not be revoked.

#### **DEFERRAL OF REVOCATION**

29. The Chief Building Official having regard to the changes in the Act, Building Code or any applicable law may allow the deferral in writing.

#### **FEE FOR DEFERRAL**

30. A request for deferral shall be accompanied by the non-refundable fee as set out in Schedule "A" of this by-law.

## **PART IX**

## **PRESCRIBED NOTICES AND INSPECTIONS**

### **NOTICE AT EACH STAGE**

31. The permit holder shall notify the Chief Building Official or a Registered Code Agency, where one is appointed, of each stage of construction for which a notice is required under Article 2.4.5.1. and Article 2.4.5.2.(1) (d), (e) and (f) of the Building Code.

### **NOTICE OF COMPLETION**

32. The permit holder shall give notice of completion as prescribed by Section 11 of the Act or, where occupancy is required prior to completion, the permit holder shall give notice of inspection to ensure compliance with the requirements of Section 11 of the Act and subsection 2.4.3. of the Building Code.

### **INSPECTIONS**

33. Upon receipt of proper notice, the Chief Building Official or a Registered Code Agency, where one is appointed, shall undertake a site inspection of the building to which the notice relates in accordance with the prescribed time periods set out in Article 2.4.5.3 of the Building Code and Section 11 of the Act.

## **PART X**

### **FEES AND REFUNDS**

#### **FEES PAYABLE**

34. (1) The Chief Building Official shall calculate the required fees for the work proposed in accordance with Schedule "A" of this by-law and the owner shall pay such fees upon receipt of a permit.

#### **ADDITIONAL FEES**

35. (1) Any person who commences construction, demolition or changes the use of a building or part thereof prior to the issuance of a permit to construct, demolish or change the use of a building or part thereof shall, in addition to any other penalty imposed under the Act or Building Code, pay a non-refundable administrative surcharge fee equal to fifty percent (50%) of the amount calculated as the regular permit fee, but in no case shall the additional fee exceed Ten Thousand Dollars (\$10,000.00).

- (2) Where the Chief Building Official determines that a limiting distance agreement is required pursuant to the Act and the Building Code, the owner shall pay the fee shown on Schedule "A" in this by-law prior to execution of the agreement by the Chief Building Official.

## PLAN RE-EXAMINATION

36. Where an owner substantially revises a proposed building design after examination of the plans and specifications, a re-examination fee as set out in Schedule "A" in this by-law shall apply to the revised plans and specifications.

## REFUNDS

- 37.(1) The Chief Building Official shall determine the amount of refund of the refundable inspection fee, if any, that may be returned to the owner or permit holder where,
- (a) an owner withdraws an application for a permit;
  - (b) an application is deemed to have been abandoned in accordance with Section 12 of this by-law;
  - (c) the Chief Building Official refused to issue a permit for which an application has been made; or
  - (d) the Chief Building Official revokes a permit after it has been issued.
- (2) The amount of the refundable inspection fee that may be refunded shall be 100% of the fee less any additional re-inspection fees incurred by the Town.
- (3) The fee that may be refunded shall be paid to the person named on the fee receipt issued by the Town upon payment of the fee, unless the person directs in writing that it be refunded to another person.
- 38.(1) Upon the written request of the owner or permit holder, as applicable, the Chief Building Official shall determine the amount of refund of the permit to construct or to demolish fee, if any, that may be returned to the owner or permit holder where,
- (a) an owner withdraws an application for a permit;
  - (b) an application is deemed to have been abandoned in accordance with Section 12 of this by-law;
  - (c) the Chief Building Official refuses to issue a permit for which an application has been made; or
  - (d) the Chief Building Official revokes a permit after it has been issued.
- (2) The amount of the permit fees to construct or to demolish that may be refunded, less \$100.00 for each field inspection performed up to the cancellation date, shall be a percentage of the fees payable under this by-law, as follows:
- (a) ninety (90%) per cent if administrative functions only have been performed;
  - (b) eighty (80%) per cent if administrative and zoning functions only have been performed;

- (c) fifty-five (55%) per cent if administrative, zoning and plan examination functions have been performed; and
- (d) fifty (50%) percent if the permit has been issued or the applicant has been notified of the decision to issue the permit.

- (3) Despite subsection (2), no refund shall be payable where the amount calculated is less than the minimum fee for a "Permit to construct".
- (4) The fee that may be refunded shall be paid to the person named on the fee receipt issued by the Town of Prescott upon payment of the fee, unless the person directs in writing that it be refunded to another person.
- (5) Despite subsection (1) to (4) inclusive, no refund shall be issued after two years from the date of withdrawal, cancellation, abandonment, refusal to issue a permit or revocation of a permit.

## **PART XI**

### **CONSTRUCTION FENCING**

- 39.(1) The person to whom a permit for construction or demolition is issued shall, prior to the commencement of any construction or demolition or placement of any materials or equipment in the Town of Prescott, erect or cause to be erected and maintain a fence enclosing the site of the construction or demolition, for the purpose of preventing entry to the site in accordance.
  - (2) For the purposes of subsection 40, the site of the construction or demolition includes the area of the proposed construction or demolition, together with any area where materials are stored or where equipment is operated or stored.
  - (3) Subsection 40 does not apply to those areas in the Town:
    - (a) where all of the proposed construction or demolition is contained within an existing structure, and entry to the structure is limited by the walls of the structure and by the securing of any window, door or other opening;
    - (b) where existing fencing is in place which will provide a reasonable deterrence to entry;
    - (c) where it can be demonstrated that the hazard to the public is minimal due to:
      - (i) The nature of the construction or demolition, or
      - (ii) The security measures that are in place to reasonably deter entry to the construction or demolition site, or
    - (d) where the construction or demolition has progressed to such a stage that the public no longer requires the protection of the fencing.
- 40. Every fence shall be erected in accordance with the following standards:
  - (a) in the case of the construction or demolition of residential buildings of 3 stories or less, every fence shall have an unobstructed height of at least 1.2m

- (b) in the case of the types of construction of demolition not referred to in clause 40(a), every fence shall have an unobstructed height of at least 1.8m;
- (c) every fence shall be constructed as follows:
  - (i) if the fence is of wood construction, the exterior face shall be minimum 12.5mm thick exterior grade plywood or wafer board or oriented strand board (OSB) fence, that is close-boarded and securely nailed or screwed to the exterior of 89mm by 89mm vertical posts at 2. m centers and embedded at least 600mm into the ground and by 39mm by 89mm horizontal supports, top and bottom, that are secured to the vertical supports, or
  - (ii) if the fence is of the Poly-Vinyl-Chloride (PVC) safety-fence or snow-fence type, the fencing shall be fastened securely to and supported horizontally by steel "T" pickets at not more than 2.4m centers and embedded at least 600mm into the ground and by 39mm by 89mm horizontal supports, top and bottom, that are secured to the vertical supports, or
  - (iii) if the fence is of galvanized chain link construction, the chain link shall be fastened securely to vertical galvanized steel tubes at not more than 2.4m centers that are embedded at least 600mm into the ground and to horizontal metal rail threaded through the meshing top and bottom, or
  - (iv) a combination of the above materials may be used provided that there is an equivalent barrier and it can be demonstrated that it fulfills the required function, or
  - (v) other materials may be substituted provided that there is an equivalent barrier and it can be demonstrated that they fulfill the required function;
- (d) every opening in a fence shall be protected by a gate that shall be:
  - (i) constructed of materials with a construction and performance level the same as the fence, and
  - (ii) securely closed and locked when the construction or demolition site is not actually being use
- (e) where the building or structure is located adjacent to a "public way" as defined by the Occupational Health and Safety Act, R.S.O. 1990, Chap. 0.1, as amended, the "Public Way Protection" as required, may be constructed in addition to, or as part of, the required fencing, in accordance with the requirements of Sections 64 and 65 or O.Reg 213/91, as amended; and
- (f) every fence shall be maintained in a sturdy condition, such that there are no gaps under the fence or that the effective height of the protection is not reduced.

41. Despite Section 40 of this by-law, every site where,

- (a) there exists an extra hazard to the public due to the close proximity of the construction or demolition site to parks, schools, residences or places where significant populations of children congregate, or the closeness of

- the construction or demolition to the fence, or
- (b) the construction or demolition has been substantially suspended for a period of more than four (4) weeks;
- shall be protected by a fence that shall be constructed as follows:
- (c) of an exterior grade plywood that is a minimum of 12.5m thick;
  - (d) at least 2.4m in height;
  - (e) close-boarded;
  - (f) with a smooth surface facing the exterior side of the enclosed area of plywood that shall be securely nailed or screwed to the exterior of 89mm by 89mm vertical posts at 1.2m centers embedded at least 1.2m into the ground and by 39mm by 89mm horizontal supports, top and bottom, secured to the vertical supports;
  - (g) painted with a solid colour so as to resist weathering; and
  - (h) maintained free of posters, notices and bills.

## **PART XII**

### **GENERAL**

#### **OFFENCE**

42. Any person who contravenes any provision of this by-law is guilty of an offence as provided for in Section 36 of the Act.

**REPEAL**

43. By-law No.14-2003 entitled "A by-law of the Corporation of The Town of Prescott respecting Building Permits and inspections, as amended is repealed.

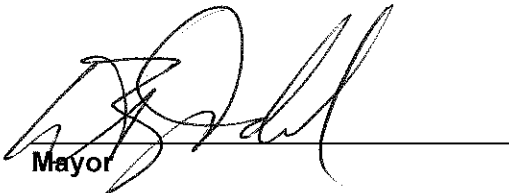
**SHORT TITLE**

44. This by-law may be referred to as the "Building By-Law".

**EFFECTIVE DATE**

45. (1) This by-law shall come into force and effect on

**READ A FIRST AND SECOND TIME THIS 4<sup>TH</sup> DAY OF MARCH, 2013**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**READ A THIRD TIME AND FINALLY PASSED THIS 18<sup>TH</sup> DAY OF MARCH, 2013**

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

Schedule "A" SUBMISSION  
 CLASSES OF PERMITS AND FEES  
 PAYABLE

Class of Permit	Fees Payable	
<b>Residential New Construction &amp; Additions</b>		
Deluxe (Brick, Stone, Stucco or Cedar (4 sides)	\$8.50/\$1000 of the value	minimum fee \$825 for new dwellings \$175 for additions
Standard (Aluminum or Vinyl Siding (3 sides)	\$8.50/\$1000 of the value	minimum fee \$825 for new dwellings \$175 for additions
<b>Residential Dwellings moved from elsewhere</b>		
Deluxe	\$8.50/\$1000 of the value	minimum fee \$500
Standard	\$8.50/\$1000 of the value	minimum fee \$500
Garages & Sheds attached or detached	\$8.50/\$1000 of the value	minimum fee \$150
Carports	\$8.50/\$1000 of the value	minimum fee \$125
Renovations	\$8.50/\$1000 of the value	minimum fee \$125
Open deck without roof	\$8.50/\$1000 of the value	minimum fee \$125
Gazebos & verandas roofed	\$8.50/\$1000 of the value	minimum fee \$125
HVAC systems when not included elsewhere	\$8.50/\$1000 of the value	minimum fee \$125
Plumbing	\$10 per fixture	minimum fee \$60
Institutional, Commercial & Assembly Buildings	\$8.50/\$1000 of the value	minimum fee \$825 for new buildings \$175 for additions
Industrial Buildings	\$8.50/\$1000 of the value	minimum fee \$825 for new buildings \$175 for additions
Pools	fixed fee \$50	
Place of Worship	N/A	
Wood Stoves	fixed fee \$50	
Fences	fixed fee \$50	
Signs	fixed fee \$50	
Demolition Permit	fixed fee \$150	
Temporary Permit	\$150 per six (6) month period if approved by C.B.O.	
Occupancy Permit	No charge	
Change of Use	fixed fee \$150	
Transfer of Permit Section	fixed fee \$50	
Renewal of Permit Section	fixed fee \$150	
Solar Panel Installation	fixed fee \$125	
Deferral Fee	\$100 per application	
Limiting Distance Agreement	\$250 per agreement	



SCHEDULE "B"

ACKNOWLEDGEMENT BY APPLICANT OF AN INCOMPLETE APPLICATION

Pursuant to Sentence 2, 4, 1, 1B. (5) of the Ontario Building Code

**Part A** (completed by Building Official)

A pre-screening of the application to \_\_\_\_\_  
(describe work)

at \_\_\_\_\_ reveals that the application is  
(location of work)

Incomplete within the meaning of Section 8 of the Building Code Act S.O., c.23 as amended.

As such, the application is not entitled to the processing time periods specified for issuance or refusal of a permit as prescribed in Column 3 of Table 2.4.1.1B. of the Building Code.

The Town of Prescott will, however, accept the incomplete application for processing provided the following acknowledgement is completed.

**Part B** (completed by Owner or Authorized Agent)

I, \_\_\_\_\_ acknowledge that my  
(Print name – Owner of Authorized Agent)  
application as described above does not meet the requirements of 2.4.1.1.B.(5) of the Building Code and therefore, is not entitled to the time periods prescribed in Column 3 of Table 2.4.1.1B. of the Building Code.

Notwithstanding the above, I wish to have the application accepted for processing and understand that a permit cannot be issued until all the information is submitted and reviewed for compliance.

Declaration of Applicant \_\_\_\_\_  
(Signature) (Date)

I have the authority to bind the corporation or partnership (if applicable)

*Personal information on this form is collected under the authority of the Building Code Act and will be used in the processing of your Building Permit Application. Questions regarding the collection of this information should be directed to the Municipal Freedom of Information and Protection of Privacy Office at 623-4231 ext. 237.*

**Schedule "C" SUBMISSION  
REQUIREMENTS CATEGORY:  
HOUSE**

*(As Defined by the Ontario Building Code Section 2.20)  
X Means May Be Required By C.B.O*

<b>Information Required</b>	<b>New Building</b>	<b>Addition</b>	<b>Interior Alterations</b>
<b>General</b>			
All drawings to be drawn on durable material, drawn to scale and fully dimensioned	X	X	X
<b>Site and Key Plan</b>			
Property lines and lot area	X	X	
Location of all existing and proposed building setbacks to property lines, parking spaces, distance to other buildings and other features in relation to property boundaries	X	X	
Overall dimensions of all buildings	X	X	
Summary of permitted and proposed zoning provisions	X	X	X
Location of easements and/or rights –of-way	X	X	
Locations of septic tank, connection to existing system, septic tank and other equipment	X	X	X
Key plan showing location of existing and proposed construction		X	X
<b>Grading Plan</b>			
Existing and proposed grade elevations at all lot corners, midpoints, points of grade change, driveways and drainage structures	X	X	
Proposed finished floor, top of foundation and u/s footing elevations	X	X	
Slope and surface direction runoff, culvert conditions	X	X	
<b>Floor and Roof Plans</b>			
Basement floor plan including foundation information and use of space	X	X	X
Floor plan of every upper level showing use of all space	X	X	X
Floor plan of every upper level showing structural framing above	X	X	
Roof truss layout	X	X	
Proprietary floor system layout	X	X	
Location of all plumbing fixtures	X	X	X
Location of all solid fuel burning appliances	X	X	X
Location of smoke alarms and carbon monoxide detectors	X	X	X
<b>Elevations</b>			
Area of exposed buildings face. Area and percentage of unprotected openings. Required limiting distance	X	X	
Exterior finishes	X	X	
Window/door type, locations and sizes including height of sills above floor	X	X	

Roof slope and finish	X	X	
Exterior stairs, landings, guards and handrails	X	X	
<b>Building Sections</b>			
Floor to floor and floor to ceiling heights	X	X	X
Footings and foundation wall details including height of grade above basement floor	X	X	X
Specifications of all floor, wall and roof assemblies	X	X	X
Shoring and underpinning details	X	X	X
Stairs, landings, guards and handrails	X	X	X
<b>Information Required</b>	<b>New Building</b>	<b>Addition</b>	<b>Interior Alterations</b>
<b>Construction Details and Notes</b>			
Typical wall section	X	X	X
Wall and floor fire separation details	X	X	X
Typical roof details	X	X	
Guard details including connection detail	X	X	
Building materials and specifications of all wall, floor and roof assemblies	X	X	X
Mechanical ventilation design summary	X	X	
Footings design for sensitive soils	X	X	

Schedule "C" – continued  
SUBMISSION REQUIREMENTS  
CATEGORY: SMALL BUILDING  
RESIDENTIAL

(As Defined by the Ontario Building Code Section 2.20)

Information Required	New Building	Addition	Interior Alterations
<b>General</b>			
All drawings to be drawn on durable material, drawn to scale and fully dimensioned	X	X	X
ASHRAE 90.1 energy certification form	X		
<b>Site and Key Plan</b>			
Property lines and lot area referenced to a current survey	X	X	
Location of all existing and proposed building setbacks to property lines, parking spaces, distance to other buildings and other features in relation to property boundaries	X	X	
Overall dimensions of all buildings	X	X	
Summary of permitted and proposed zoning provisions	X	X	X
Location of easements and/or rights –of-way	X	X	
Locations of septic bed, connection to existing system, septic tank and other equipment	X	X	X
Key plan showing location of existing and proposed construction		X	X
<b>Floor and Roof Plans</b>			
Basement floor plan including foundation information and use of space	X	X	X
Floor plan of every upper level showing use of all spaces	X	X	X
Floor plan of every upper level showing structural framing above	X	X	
Roof truss layout	X	X	
Proprietary floor system layout	X	X	
Location of all plumbing fixtures	X	X	X
Location of all solid fuel burning appliances	X	X	X
Location of smoke alarms and carbon monoxide detectors	X	X	X
<b>Elevations</b>			
Area of exposed buildings face. Area and percentage of unprotected openings. Required limiting distance	X	X	
Exterior finishes	X	X	
Window/door type, locations and sizes including height of sills above floor	X	X	
Roof slope and finish	X	X	
Exterior stairs, landings, guards and handrails	X	X	
<b>Building Sections</b>			
Floor to floor and floor to ceiling heights	X	X	X
Footing and foundation wall details including height of grade above basement floor	X	X	X
Specifications of all floor, wall and roof assemblies	X	X	X

Shoring and underpinning details	X	X	X
Stairs, landings, guards and handrails	X	X	X
<b>Construction Details and Notes</b>			
Typical wall section	X	X	X
Wall and floor fire separation details	X	X	X
Typical roof details	X	X	
Guard details including connection detail	X	X	
Building materials and specifications of all wall, floor and roof assemblies	X	X	X
Mechanical ventilation design summary	X	X	
Footing design for sensitive soils	X	X	

Schedule "C" – continued

SUBMISSION REQUIREMENTS

CATEGORY: SMALL BUILDING

NON-RESIDENTIAL

(As Defined by the Ontario Building Code Section 2.20)

Information Required	New Building or Addition	Interior Alterations
<b>General</b>		
All drawings to be drawn on durable material, drawn to scale and fully dimensioned	X	X
Drawings to be sealed, signed and dated by each professional design discipline	X	
ASHRAE 90.1 energy certification form	X	
Building Code analysis	X	X
Specifications for each design discipline	X	X
Geotechnical investigation report	X	
<b>Site and Key Plan</b>		
Property lines and lot area referenced to a current survey	X	X
Location of all existing and proposed building setbacks to property lines, parking spaces, distance to other buildings and other features in relation to property boundaries	X	X
Overall dimensions of all buildings	X	
Summary of permitted and proposed zoning provisions	X	X
Location of easements and/or rights-of-way	X	
Locations of septic bed, connection to existing system, septic tank and other equipment	X	X
Key plan showing location of existing and proposed construction	X	X
Barrier free information including curb cuts, ramps, parking and associated details	X	X
Fire route, fire department connections and fire hydrants	X	
<b>Architectural Drawings</b>		
Floor plans identifying rooms including use of all spaces, wall construction and fire separations	X	X
Reflected ceiling plans and associated details	X	X
Roof plan and associate details including any screening requirements for mechanical roof top equipment	X	X
Building elevations	X	
Building cross sections	X	X
Wall sections and details. Stair sections, plan and details	X	X
Enlarged detail plans and associated details	X	X
Door, window and room finish schedules if not in specifications	X	X
<b>Structural Drawings</b>		
Design information including loading, deflection, wind uplift, earthquake analysis and control flow drainage design on roof	X	
Shoring and underpinning plans and details	X	

Foundation plan and associated details	X	
Floor and roof framing plans including beam and column schedule	X	
Exterior canopy or other structural framing information	X	
Structural connection details	X	
<b>Heating, Ventilation and Air Conditioning</b>		
Layout, and sizes of duct at each floor level	X	X
Type, location and size of equipment	X	X
Roof plan showing roof mounted equipment	X	X
Details of specialized system	X	X
<b>Plumbing</b>		
Site service drawings showing water, storm sewers, sanitary sewers, catch basins, manholes and connection to municipal system	X	
Water and drain layout at each floor level and plumbing risers	X	X
Material, equipment and fixture specifications	X	X
<b>Electrical Drawings</b>		
Electrical site servicing drawing where separate from mechanical	X	
Lighting, power, emergency lighting, exit signage and electrical equipment	X	X
Fire alarm system drawings including alarm risers detail together with specifications and sequence of operation	X	X
<b>Other Submissions</b>		
Sprinkler Riser Diagram, including water entry schematic	X	X
Drawings showing fire hose cabinets, standpipe risers and other standpipe information	X	X

Schedule "C" – continued

SUBMISSION REQUIREMENTS

CATEGORY: LARGE OR  
COMPLEX BUILDINGS

(As Defined by the Ontario Building Code Section 2.20)

Information Required	New Building or Addition	Interior Alterations
<b>General</b>		
All drawings to be drawn on durable material, drawn to scale and fully dimensioned	X	X
Drawings to be sealed, signed and dated by each professional design discipline	X	
Commitment by owner for general review form for each required professional discipline	X	X
ASHRAE 90.1 energy certification form	X	
Building Code analysis	X	X
Specifications for each design discipline	X	X
Geotechnical investigation report	X	
<b>Site Plan</b>		
Property lines and lot area referenced to a current survey	X	X
Location of all existing and proposed building setbacks to property lines, distance to other buildings. All parking spaces.	X	X
Fire route, fire department connections and fire hydrants	X	
Existing and proposed grades. Proposed finished floor elevations of all buildings. Sidewalk elevations	X	
Barrier free information including curb cuts, ramps, parking and associated details	X	X
Summary of permitted and proposed zoning provisions	X	X
Key plan showing location of existing and proposed construction	X	X
<b>Architectural Drawings</b>		
Floor plans identifying rooms including use of all spaces, wall construction and fire separations	X	X
Reflected ceiling plans and associated details	X	X
Roof plan and associate details including any screening requirements for mechanical rooftop equipment	X	X
Building elevations	X	
Building cross sections	X	X
Wall sections and details. Stair sections, plan and details	X	X
Enlarged detail plans and associated details	X	X
Door, window and room finish schedules if not in specifications	X	X
<b>Structural Drawings</b>		
Design information including loading, deflection, wind uplift, earthquake analysis and control flow drainage design on roof	X	
Shoring and underpinning plans and details	X	
Foundation plan and associated details	X	
Floor and roof framing plans including beam and column schedule	X	
Exterior canopy or other structural framing	X	



information		
Structural connection details	X	
<b>Heating, Ventilation and Air Conditioning</b>		
Layout, and sizes of duct at each floor level	X	X
Type, location and size of equipment	X	X
Roof plan showing roof mounted equipment	X	X
Details of specialized system	X	X
<b>Plumbing</b>		
Site service drawings showing water, storm sewers, sanitary sewers, catch basins, manholes and connection to municipal system	X	
Water and drain layout at each floor level	X	X
Plumbing risers and stack loads	X	
Material, equipment and fixture specifications	X	X
<b>Electrical Drawings</b>		
Electrical site servicing drawing where separate from mechanical	X	
Lighting, power, emergency lighting, exit signage and electrical equipment	X	X
Fire alarm system drawings including alarm risers detail together with specifications and sequence of operation	X	X
<b>Other Submissions</b>		
Sprinkler Riser Diagram, including water entry schematic	X	X
Drawings showing fire hose cabinets, standpipe risers and other standpipe information	X	X
Smoke venting information related to high-rise buildings	X	

**SCHEDULE "D"**  
**PERFORMANCE DEPOSIT**

Administration Performance Deposit

<b>VALUE OF CONSTRUCTION</b>	<b>ADMINISTRATION PERFORMANCE DEPOSIT</b>
VALUE LESS THAN \$25,000.00	\$ 100.00
VALUE EQUAL TO AND BETWEEN \$25,000.00 AND \$59,999.99	\$ 250.00
VALUE EQUAL TO OR OVER \$60,000.00	\$ 1,000.00

Notes to Schedule "D"

1. The administration performance deposit will be refunded in whole or in part to the permit holder in accordance with the following provisions;

- a) One hundred (100%) per cent of the administration performance shall be refunded if;
  - i) Construction is fully completed within one (1) year of the date of the issuance of the building permit, and
  - ii) All inspections required under the Building Code Act have been carried out and passed by the building inspector.
  
- b) Seventy five (75%) per cent of the administration performance deposit is to be refunded if construction is fully completed within two (2) years of the date of the issuance of the building permit.
  
- c) Fifty (50%) per cent of the administration performance deposit is to be refunded if construction is fully completed within three (3) years of the date of the issuance of the building permit.
  
- d) Twenty five (25%) per cent of the administration performance deposit is to be refunded if construction is fully completed within four (4) years of the date of the issuance of the building permit.

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

2. Further, an amount of twenty five (\$25.00) dollars will be charged against and deducted from any refund due for any inspection not requested and carried out, or covered prior to inspection.

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

SCHEDULE "E"  
RESPECTING CODE OF CONDUCT FOR BUILDING OFFICIALS

The code of Conduct applies to the Chief Building Official and inspectors appointed under the Building Code Act in the exercise of a power or the performance of a duty under the Building Code Act or the Building Code. The purpose of this Code is to promote appropriate standards of behavior and enforcement actions to ensure building officials apply standards of honesty and integrity, and to prevent practices constituting an abuse of power including unethical or illegal practices.

Standards of Conduct

Building Officials undertake to:

- 1 Always act in the public interest, particularly with regard to the safety of building works and structures.
- 2 Not to act where there may be or where there may reasonably appear to be a conflict between their duties to their employer, their profession, their peers and the public at large and their personal interests.
- 3 Apply all relevant building by-laws, codes and standards appropriately and without favour.
- 4 Perform their inspections and plan examination duties impartially and in accordance with the highest professional standards.
- 5 At all times abide by the highest moral and ethical standards and avoiding any conduct, which could bring or tend to bring building officials into disrepute.
- 6 Comply with provisions of the building code act, the Ontario building code and other acts or law, which regulate or govern building officials or their functions.
- 7 Not to act beyond their personal level of competence or outside their area of expertise.
- 8 Maintain current accreditation to act as an Ontario Building Official.
- 9 Maintain their knowledge and understanding of the best current building practices, the building laws and Codes relevant to their inspection and plan examination function.

## Breaches of the Code of Conduct

The Ontario Building Code Act provides that the performance of Building Officials will be measured against this Code of Conduct. The Municipal administration will review any allegations brought forward that the Code of Conduct has been breached. Disciplinary action arising from violations of this Code of Conduct is the responsibility of the Municipal employer and will be based on the severity and frequency of the violation in accordance with relevant employment standards.