

THE RURAL MUNICIPALITY OF LAC DU BONNET

BUILDING BYLAW

BY-LAW No. 12-21

BEING a by-law to provide for the adoption of provincial codes, the appointment of a Building Inspector, the administration and enforcement of the building permit process and to repeal By-Law 02-15.

Council of the Rural Municipality of Lac du Bonnet in open meeting assembled and in the best interests of the RM enacts this bylaw as follows:

1.00 INTENT AND PURPOSE

- 1.01 The Rural Municipality of Lac du Bonnet Zoning By-law regulates the use and development of land, buildings and construction of buildings and requires that development permits be obtained before such work may be carried out.

Under *The Buildings and Mobile Homes Act*, the municipality is required to adopt and enforce *The Manitoba Building Code*.

The council wishes to appoint a Building Inspector/Development Officer and provide for a process of building permits that is complementary to the administration of the Zoning By-law, and any other applicable bylaws.

It is unlawful to commence work without an appropriate building permit.

Under section 249 of *The Municipal Act* states Contravention of a by-law is an offence.

2.00 DEFINITIONS AND INTERPRETATION

- 2.01 Unless the context otherwise requires, where used in this By-law;

"Applicant" means the owner, or such other person authorized in writing by the owner, to make an application for a variance order, conditional use order, development/building permit and any other application to the Rural Municipality of Lac du Bonnet;

"Building" means a structure used or intended to be used in supporting or sheltering any use or occupancy;

"Building Inspector" means the person charged with the duty of enforcing any applicable Municipal By-laws, provincial and national building codes or regulations. Building inspectors can include Development Officers of the Planning District or other employees so designated.

"Code" means *The Manitoba Building Code*, *The Manitoba Fire Code*, or *The Manitoba Plumbing Code*.

"Designated Officer" means a person appointed to a position established under section 130; See Municipal Bylaw appointing the Building Inspector/Development Officer as a designated officer

"Farm building" means a building, other than a dwelling, situated on a farm and used or intended to be used in the farm operation only;

"Owner" means the registered owner(s) of the land;

"Municipality" means the Rural Municipality of Lac du Bonnet;

"Planning District" means the Lac du Bonnet Planning District;

"Renovate" means to reconstruct part or all of the interior or exterior of a building without enlargement or structural alteration.

- 2.02 The footnotes form part of this by-law.

3.00 ADOPTION OF CODES

- 3.01 The municipality adopts without changes *The Manitoba Building Code*, *The Manitoba Fire Code*, and *The Manitoba Plumbing Code*, as provided for in the province's Regulations 164/98, 163/98 and 161/98 respectively.
- 3.02 If the province replaces a Code or makes changes to it, the municipality adopts such changes automatically, without further action by council.

4.00 BUILDING PERMIT REQUIRED

- 4.01 No person shall construct, erect, place, enlarge, structurally alter, renovate, demolish, relocate, remove or change the occupancy¹ of a building without first obtaining a building permit.
- 4.02 **Section 7** does not apply to a farm building, except in the case of a change of occupancy to a non-farm purpose.
- 4.03 Where a building permit is required, no preparatory work, including excavation, may take place on the land before the permit is obtained.
- 4.04 A building permit issued by the municipality fulfills the requirement of the *Zoning By-law* for a development permit, and compliance with all other applicable bylaws.

5.00 APPLICATION FOR BUILDING PERMIT

- 5.01 Where the building is of a class for which the building permit is administered by the province², an application must be made to the Office of the Fire Commissioner and is administered by that office. Nevertheless, a development permit for the building must be obtained from the building inspector/development officer under the *Zoning By-law*.
- 5.02 An application to the municipality for a building permit may be made by the owner or a person authorized in writing by the owner. The application must include:
- (a) a completed and signed application form;
 - (b) information as to the location and intended purpose of the building;
 - (c) a plan or plans showing the dimensions of the building or work;
 - (d) plans and specifications of the proposed work in sufficient detail to show that the proposed building or work complies with this by-law, the Codes, the Zoning By-law and other requirements;
 - (e) the fee called for in **Schedule A**.
- 5.03 Plans and specifications submitted with building permit applications must bear the name and business address of the designer.
- 5.04 Permit applications and the documents submitted with them become the property of the municipality.
- 5.05 If the Building Inspector considers that site conditions or a building's size or complexity warrant it, the Building Inspector may require an applicant to submit in connection with an application,
- (a) structural, electrical, mechanical, or fire suppression drawings prepared and sealed by a registered professional³; or
 - (b) a surveyor's certificate and/or Building Location Certificate

¹ This refers to the occupancies mentioned in *The Manitoba Building Code*.

² As provided in *Classes of Building Designation Regulation* 204/97. They are:

(a) buildings that have a floor area of more than 600 m² (6,000 sq. ft.)

(b) buildings that have more than three stories.

(c) buildings that are referred to in clause 2.1.2.1.(1)(a) (assembly occupancies, care or detention occupancies, high hazard industrial occupancies) of *The Manitoba Building Code*.

³ Under *The Manitoba Building Code*, a registered professional is an architect or Civic Engineer.

(c) a Lot Grade may be required as per the current Municipal By-law.
In this case the application is not complete until the requested documents are submitted.

- 5.06 A building permit for a new building must not be issued until the site is served by a proper culvert, crossings, and civic address and be in compliance with all applicable bylaws.
- 5.07 If based on the application and the information supplied, it appears to the Building Inspector that the proposed building, work or use does not contravene this by-law, a Code, the Zoning By-law, other by-laws, or provincial laws and regulations, the Building Inspector may issue a building permit to the applicant.
- 5.08 A building permit is issued in the name of the owner, and where the applicant is not the owner, to the owner and the applicant jointly.
- 5.09 A building permit may be issued subject to conditions.
- 5.10 A holder of a building permit may request the Building Inspector to approve alterations to plans and specifications. If in the opinion of the Building Inspector the nature and complexity of the alterations warrant it, the Building Inspector may suspend the issued building permit and require an additional fee for review and approval of the alterations.
- 5.11 A building permit is valid for 2 years. A permit becomes null and void if work or construction authorized is not commenced within six (6) months from the date of issuance of the permit, or if work or construction is suspended for six (6) months.
For Permit Renewal - See Schedule "A" "Miscellaneous Fees, Refunds and Penalties

6.00 PERFORMANCE AGREEMENTS

- 6.01 Before a permit may be issued, an owner must enter into a performance agreement with the municipality as stated in **Schedule B** in the following cases:
- (a) demolition or removal of a building from the municipality.
 - (b) moving a building (except a mobile home or factory-built building) from a site within or outside the municipality to a site in the municipality.

7.00 BUILDING INSPECTOR

- 7.01 The Building Inspector is appointed to carry out the powers, duties, and functions of a designated officer under this by-law.
- 7.02 Council may appoint one or more persons as Building Inspector.
- 7.03 The Building Inspector must
- (a) administer and enforce this by-law;
 - (b) keep records of applications and plans received, inspections and tests made, permits and orders issued, and all other reports and documents connected with the Building Inspector's functions;
 - (c) examine and process applications and plans received;
 - (d) make inspections of buildings and premises when requested at an appropriate stage of construction and with reasonable advance notice as determined by the Building Inspector.
- 7.04 A designated employee or officer of a planning district or municipality may, in accordance with the requirements of this Part {the Planning Act Part 12, Section 175} enter land or a building
- a) to conduct an inspection to determine if a person is complying with any of the following: (i) a by-law adopted under this Act that the district or municipality is authorized to enforce, (ii) the terms or conditions of a permit, approval or order made or issued under this Act, and b) to take any action authorized under this Act or a bylaw to enforce or remedy a contravention of any matter referred to in clause (a).
- and;

- (a) the powers of municipal inspection and enforcement
- (b) the power to issue a stop work order on a building or premises if a building permit has not been obtained.
- (c) the power to issue a stop work order on a building or premises until a condition is rectified, if in the Building Inspector's opinion,
 - (i) work being carried out is not in compliance with the building permit, plans submitted, the condition under which a building permit was issued, a Code, the *Zoning By-law*, another by-law, or provincial laws or regulations, or
 - (ii) there is an unsafe condition.
- (d) the power to revoke a building permit if
 - (i) it was issued in error,
 - (ii) the applicant submitted false or misleading information,
 - (iii) the work has not started within 12 months of issuance,
 - (iv) work is discontinued for a year,
 - (v) a condition under which the building permit was issued has not been met, or
 - (vi) there is an unauthorized deviation from the approved plans and specifications.
- (e) the power to prohibit occupancy of a building if in the Building Inspector's opinion,
 - (i) there is a breach of this by-law, a Code, the *Zoning By-law*, a condition under which a building permit was issued, another by-law, or provincial laws and regulations, or
 - (ii) there is an unsafe condition.

8.00 OWNER AND/OR CONTRACTOR RESPONSIBILITIES

- 8.01 An owner and/or Contractor must ensure that construction complies with this by-law, a Code, the *Zoning By-law*, a condition under which a building permit was issued, another by-law, or provincial laws and regulations. The issuance of a building permit and inspections done does not relieve the owner of this responsibility, and the owner must not deviate from original plans unless prior approval was given by the Building Inspector.
- 8.02 An owner and/or Contractor must complete and sign a Letter of Assurance as set out in **Schedule E before issuance of a Building Permit**.
- 8.03 An owner and/or Contractor is liable for the cost of repairing damage to municipal property (including roads) occurring in the course of building work or the moving of a building. If the holder of a permit is not the owner, both the holder and the owner have this liability, jointly and severally.
- 8.04 An owner and/or Contractor must during construction keep the building permit with approved plans and specifications in a conspicuous place on the premises.
- 8.05 An owner and/or Contractor of a building permit must comply with an order of the Building Inspector.
- 8.06 An owner and/or Contractor who fails to call for an inspection will be subject to fines and penalties and/or remedial actions to correct as required.
- 8.07 An owner and /or Contractor must complete and sign an Assurance of Compliance as set out in **Schedule "F" before official occupancy**.
- 8.08 An owner and/or Contractor must complete and sign an Assurance of Professional Inspection and Compliance as set out in **Schedule "G" only when necessary** and after completion of the project but before official occupancy.
- 8.09 An owner and/or Contractor must complete and sign a Trust Deposit Release Form as set out in **Schedule "H"**.

9.00 REVIEW

- 9.01 An owner, an applicant, or a holder of a building permit may request the council to review a decision or order of the Building Inspector, by giving written notice to the Chief Administrative Officer **within 14 days of receiving the decision or order.**
- 9.02 Upon receiving a request for review, the Chief Administrative Officer must set a date and time for the review by council and notify the person of the date of the review.
- 9.03 At the time and place set out in the notice, council will convene the review. The person who made the request may appear in person or by counsel. After reviewing the order, council may confirm, vary, substitute or cancel the decision or order.

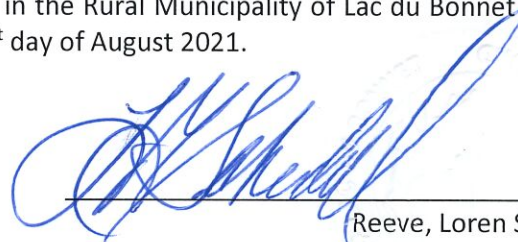
10.00 PENALTIES AND FINES

- 10.01 Any person who contravenes or disobeys, or refuses or neglects to obey any provision of this By-law is guilty of an offence and may be subject to a fine or penalty as set out in **Schedule "I"**.

11.00 REPEAL AND TRANSITION

- 11.01 By-law No. 25-10 and any amendments thereto are hereby repealed.
- 11.02 Permits, orders and decisions made under the repealed by-law remain in effect unless revoked or changed under this by-law.
- 11.03 An application for a building permit that was made under the repealed by-law but not granted continues under this by-law.

DONE and PASSED by Council duly assembled in the Rural Municipality of Lac du Bonnet Council Chambers in the Province of Manitoba this 31st day of August 2021.



Reeve, Loren Schinkel



Chief Administrative Officer, Cameron Bell

READ A FIRST TIME: August 17, 2021
READ A SECOND TIME: August 31, 2021
READ A THIRD TIME: August 31, 2021

Resolution No. 2021 0482
Resolution No. 2021 0509
Resolution No. 2021 0510

SCHEDULE "A" to Bylaw #12-21

CLASSES OF PERMITS AND PERMIT FEES

- Development Permit Fee - **\$30.00**
Subject to all permits except, Occupancy, Demolition and Removal permits.
- **A Trust Deposit of \$2,500 is required** for Single Family Dwellings and Guest Quarters.
- **A Trust Deposit of \$5,000 is required** for up to a 4-unit Multi-Family Dwelling.
- **A Trust Deposit of \$10,000 is required** for over 5 units Multi-Family Dwelling.
All deposits are payable in advance to Lac du Bonnet Planning District. Upon final inspection of the building, drainage, surrounding area and the municipal roadways, if no road damage was incurred and the building meets National Building Code, the Lac du Bonnet Planning District will reimburse the full amount. If damages are incurred, or construction is not completed to the satisfaction of the Building Inspector, the Lac du Bonnet Planning District, along with the RM of Lac du Bonnet, will assess the damages and completion costs and reimburse accordingly.
 - a) New construction and additions \$0.40 per square foot
 - b) Attached garages \$0.30 per square foot
 - c) Replacement of foundation \$0.20 per square foot
 - d) Rebuild or repairs due to fire \$0.40 per square foot
 - e) Renovations (interior & exterior) \$150.00 flat rate
including basement recreation rooms, non-structural under family rooms, etc. \$10,000 no permit required
(Full basement) \$0.15 per square foot
 - f) Development permits for structures greater than 600 m2 in building area per million or exceeding 3 storeys in building height construction value greater of \$500.00 or .05%
 - g) Development permits for above \$30.00 flat rate added to all permits (excluding f)
 - h) Ready to Move (RTM) \$0.40 per square foot
 - i) Foundations only:
 - i) Piles & grade beams \$80.00 flat rate
 - ii) Footing & grade beams \$80.00 flat rate
 - iii) Footing & pony walls \$80.00 flat rate
 - iv) Piles only \$50.00 flat rate
 - v) Basements \$0.15 per square foot
 - Finished Basement \$0.25 per square foot
 - j) Fencing \$30.00 flat rate

READY TO MOVE HOMES (RTM) BUILT OUTSIDE OR INSIDE THE MUNICIPALITY

An additional trust deposit of \$2,500.00 is required, payable in advance to The Lac du Bonnet Planning District. Upon completion of move and completion of building placement as per the National Building Code, an inspection of the property, surrounding area and the municipal roadways used for move or relocation will be performed. If no damages are incurred, Planning District will reimburse the full amount. If damages are incurred, or construction is not completed to the satisfaction of the Building Inspector, the Planning District along with the RM of Lac du Bonnet will assess the damages and completion costs and reimburse accordingly.

For homes completed only to the shell stage, all inspections will be done on the permanent site.

For homes to be completed past the close-in stage, the following is required:

- 1) A building permit as provided in **Schedule A** shall be obtained.
- 2) The engineered plans are required for the subject building complete with a duly executed affidavit from the builder stating that the home has been completed in accordance with the said plans; the inspector at the builder's site shall not be required.

MOBILE HOMES (OLD AND NEW)

Portable dwellings inspected by the C.S.A. used for long term or permanent accommodations; cannot be licensed under MB Highway Traffic Act.

Mobile homes relocated within the Municipality older than 10 years must be re-certified and approved by the Building Inspector before relocation.

Mobile homes relocated from outside the Municipality older than 5 years must be re-certified and approved by the Building Inspector.

A trust deposit of \$2,500.00 is required and payable in advance to The Lac du Bonnet Planning District. Upon completion of move or relocation, and completion of the mobile home placement as per CSA standards, an inspection of the property, surrounding area and the municipal roadways used for the move and/or relocation will be performed. If no damages are incurred, the mobile home meets CSA standards and construction is complete the Planning District will reimburse the full amount. If damages are incurred, or construction was not completed to the satisfaction of the Building Inspector, the Planning District along with the RM of Lac du Bonnet will assess the damages and completion costs and reimburse accordingly.

Mobile Homes (new & old) \$0.40 per square foot

ACCESSORY BUILDINGS AND STRUCTURES

A Trust Deposit of \$1,000 is required on all accessory buildings over 1200 square feet, and all loft garages, payable in advance to The Lac du Bonnet Planning District. Upon final inspection of the property, surrounding area and the municipal roadways, if no road damage was incurred and the building meets National Building Code, the Lac du Bonnet Planning District will reimburse the full amount. If damages are incurred, or construction was not completed to the satisfaction of the Building Inspector, Lac du Bonnet Planning District, along with the RM of Lac du Bonnet, will assess the damages and completion costs and reimburse accordingly.

- a) New construction and additions (garages, boathouses sunrooms) \$0.30 per square foot
- b) Canvas type structures \$0.15 per square foot
- c) **Buildings less than 107 sq. ft. which do not create a hazard** **\$30.00 locate fee**
- d) Swimming pool (above and in ground) \$95.00 flat fee
- e) Decks \$0.15 per square foot
- f) Porches \$0.15 per square foot
- g) Gazebos \$0.15 per square foot
- h) Towers (Commercial) \$250.00 flat fee 75-125'
\$500.00 flat fee over 125'

LOFT GARAGES

- a) Loft Garages \$0.40 per square foot
- b) All loft garages will require Engineered Stamped drawings.
- c) A fire separation will be required between the garage and any attached accessory use.
- d) A Trust Deposit fee of \$1,000.00 is required. This will be returned after the Building Inspector has completed a final inspection of the completed structure.

COMMERCIAL AND INDUSTRIAL BUILDINGS

A Trust Deposit of \$5,000.00 is required on Commercial and Industrial Buildings and payable in advance to The Lac du Bonnet Planning District. Upon completion of move or relocation, and completion of building placement as per the National Building Code, an inspection of the property, surrounding area and the municipal roadways used for move or relocation will be performed. If no damages are incurred, the building meets National Building Code and construction is complete the Planning District will reimburse the full amount. If damages are incurred, or construction was not completed to the satisfaction of the Building Inspector, the Planning District along with the RM of Lac du Bonnet will assess the damages and completion costs and reimburse accordingly.

- | | | |
|----|---|---|
| a) | New construction and additions
less than or equal to 600 sq. m. | \$0.45 per square foot |
| b) | Renovations | \$150.00 flat rate |
| c) | Occupancy Permit | \$ 50.00 flat rate |
| d) | Development permits for structures
greater than 600 m2 in building area
or exceeding 3 storeys in building height | greater of \$500 or .10%
per million of building
construction value |

AGRICULTURE BUILDINGS

- | | | |
|--|---|--------------------|
| | New construction
(Barns, stables, riding arenas) | \$100.00 flat rate |
|--|---|--------------------|

MOVING OR RELOCATION PERMITS (WHOLE OR IN PART)

A Trust Deposit of \$5,000.00 is required for moving or relocation permits and payable in advance to The Lac du Bonnet Planning District. Upon completion of move or relocation, and completion of building placement as per the National Building Code, an inspection of the property, surrounding area and the municipal roadways used for move or relocation will be performed. If no damages are incurred, 50% of the Trust Deposit will be returned. Once construction is complete the Planning District will reimburse the full amount. If damages are incurred, or construction was not completed to the satisfaction of the Building Inspector, the Planning District along with the RM of Lac du Bonnet will assess the damages and completion costs and reimburse accordingly.

- | | | |
|----|---|--|
| a) | Single Family Dwelling
(within the municipality) | \$150.00 flat rate
plus Foundation |
| b) | Single Family Dwelling
(from another jurisdiction must
Be inspected prior to entry into
Municipality) | \$150.00 flat rate
plus foundation |
| c) | Accessory Buildings & Structures
(within the municipality) | \$50.00 flat rate
plus foundation |
| d) | Accessory Buildings & Structures
(from another jurisdiction must
Be inspected prior to entry into
Municipality) | \$100.00 flat rate
plus foundation |
| e) | Commercial & Industrial Buildings
(within the municipality) | \$150.00 flat rate
plus foundation
plus plumbing |
| f) | Commercial & Industrial Buildings
(from another jurisdiction must
be inspected prior to entry into
Municipality) | \$150.00 flat rate
plus foundation
plus plumbing |

No building permit will be granted for moving or relocating if the structure has not been inspected and approved prior to the relocation.

DEMOLITION PERMITS (WHOLE OR IN PART)

A Trust Deposit of \$1,000.00 is required for demolition of buildings 250 sq. ft. and larger and payable in advance to The Lac du Bonnet Planning District. This will be refunded at such time as the Building Inspector, upon inspection, deems the area clean and safe.

Fees:	Residential (1)	\$25.00 Structures under 250 sq. ft.
	Residential (2)	\$100.00 Structures 250 sq. ft. and larger
	Commercial	\$300.00
	Industrial	\$500.00

Property owners must remove all residual material including foundation and all components to a depth determined by the Building Inspector; an environmental assessment may also be required.

PLUMBING PERMITS

a)	fixture drain	\$15.00 each
b)	floor drain	\$15.00 each
c)	grease, oil, mud, sand or other interceptor	\$30.00 each
d)	minimum charge for plumbing permit	
	1 bath	\$80.00
	2 bath	\$100.00
	3 bath	\$120.00
e)	minimum for any plumbing permit	\$25.00

MISCELLANEOUS FEES, REFUNDS AND PENALTIES

Sign Permit \$50.00

Renewal Permit

Renewal permit is required if work is not complete after 2 years of date of issuance of development or building permit.
\$150.00 for one year extension
\$150.00 for each subsequent 6 month extension

All renewal permits will be issued at the Building Inspector’s discretion.

Any building or structure erected before the issuance of a permit will be subject to two (2) times the permit fees by the Building Inspector or up to four (4) times the permit fees by Resolution of Council.

Whenever a permit is revoked under the provision of the building by-law, no portion of the permit fee shall be refunded.

Any Building or structure classified as “temporary non dwelling” (excluding trailers for temporary accommodations) shall be set at a rate of \$250.00 for a six-month period. All structures must be approved by the Building Inspector and cannot be for living, eating, or sleeping. Temporary structures are for tools, materials, or machinery only. This can be renewed once immediately following the expiry if deemed necessary by the Building Inspector.

Any Trailer for the purpose of temporary living accommodation is ONLY permitted when a valid building permit for a primary dwelling is in place. When there is a building permit for a primary dwelling in place then a temporary trailer permit for living accommodation may be issued for \$1,000.00 for the same period as the building permit period which is two years. The fee of \$1000.00 is refundable as long as the primary dwelling is built within the 2-year time frame. Only one (1) trailer as a temporary dwelling will be allowed per lot during the building permit period. The temporary trailer permit is only able to be extended for one (1) six-month period for \$250.00, and only if the primary dwelling is not at a lock upstage.

One (1) temporary trailer for living accommodations is permitted per roll number unless the property has been sold and there is a new owner. If the property is sold during the construction of the dwelling and proper permits were issued, these permits will be carried forward to the new owner for the remainder of the time left on the permit. If the property is sold and only has a temporary dwelling permit and no valid building permit is present, then the temporary dwelling permit will be null and void.

Plan examinations will be conducted at a fee of \$0.35 per \$1000.00 of value for any structure valued over \$10,000.00.

Permit Refunds will apply when the permit is requested in writing and will be subject to a 25% or a minimum \$50.00 administration fee. Refunds can be made up to 6 months after issuance.

The Lac du Bonnet Planning District may in special circumstances waive, reduce, or grant a refund of all or part of the permit Fees.

A \$50.00 administration fee will be charged on all trust deposit reimbursements.

INSPECTIONS

The following inspection fees will be calculated and included in the initial permit fees at a rate of \$50.00 per inspection:

- 1) Site inspection before work commences. (All property markers, lines and placement of the proposed construction must be clearly marked for the building inspector to see.) The owner or contractor must be present at the time of inspection.
- 2) When forms are up and steel is in place, but before concrete is poured.
- 3) During drilling of piers or piles.
- 4) Before backfilling.
- 5) When roof and framing are complete, and windows and doors have been installed and before any wiring.
- 6) **When rough-in plumbing is completed.**
- 7) When the vapour barrier and insulation have been installed.
- 8) When the building is completed both interior and exterior (final inspection).

48 hours' notice to be given for inspections.

Failure to call for an inspection may be subject to fines and penalties and/or remedial actions to correct as required.

Inspection fees are not included in permit fees.

- Additional Inspections (above the allotted number of inspections included in development or building permit) during regular working hours.
Regular working hours are 8:00 a.m. to 3:30 p.m. Monday – Friday
- \$50.00 per site visit
- Inspections requested after regular working hours.
Regular working hours are 8:00 a.m. to 3:30 p.m. Monday – Friday
- \$200.00/two hours or part thereof plus applicable mileage
- Inspections requested where no development or building permits issued during regular working hours
Regular working hours are 8:00 a.m. to 3:30 p.m. Monday - Friday
- \$75.00 /per hour or part thereof.
- Where the work is not ready for inspection or fails to pass inspection, a **re-inspection fee of \$50.00** per re-inspection will be charged.
- **All inspections outside the Municipality during regular hours will be charged a fee of \$75 per hour plus applicable mileage.**

**STRUCTURES BEING MOVED INTO THE MUNICIPALITY
AND
DEMOLITION OF STRUCTURES**

- 1) The Owner or Applicant may be required to enter into a Performance Agreement with the Municipality of Lac du Bonnet for "used" building(s) that are being moved into the Municipality and/or the Planning District stating:
 - a) The work that is required to bring the structure to municipal standards; and
 - b) The date the work must be completed.

- 2) the Owner or Applicant may be required to enter into a Performance Agreement with the Municipality of Lac du Bonnet and/or the Planning District in the case of the Demolition of a Structure within the Rural Municipality stating:
 - a) The necessary cleanup required after demolition; and
 - b) The condition the site must be left in after completion.

Demolition of any buildings within the Rural Municipality of Lac du Bonnet must have a demolition permit in place. The permit must be obtained before the start of demolition by the property owner, property owner's agent or any contractor working for the property owner. The permit may be obtained at the Lac du Bonnet Planning District Office.

- 3) Building Removal Conditions:
 - a) All materials and buildings must be disposed of safely and in a manner and place permitted by the bylaw of the municipality and laws of Manitoba. This includes legal junkyards or licences waste disposal facilities.
 - b) All concrete foundations and basements must be removed and disposed of at legally licensed waste disposal facilities.
 - c) All excavated holes are to be backfilled and levelled to prairie level.
 - d) All septic, holding and water tanks are to be removed and holes backfilled and levelled to prairie level.

The owner is liable for the cost of repairing damage to municipal property (including all roads) occurring in the course of building/demolition or the moving of a building. If the holder of a permit is not the owner, both the holder and the owner have the liability, jointly severally.

SCHEDULE "C" to Bylaw # 12-21

ASSURANCE OF RETENTION OF PROFESSIONAL

NOTE: To be submitted before issuance of a Building Permit.
The information provided is relied upon by the authority having jurisdiction.

RE: Design and Inspection of Construction by a Professional Engineer or architect, known as the "Prime Consultant"

The Authority Having Jurisdiction

(Date)

(Address of Project)

(Legal Description of Project)

The undersigned has been retained as the Prime Consultant,

To undertake and/or coordinate the design and inspections of the applicable registered professionals required for this project to ascertain that the design will comply and construction of the project will substantially conform in all material respects with the current Building code and other applicable safety standards, except the construction safety aspects.

As used herein, inspections shall mean such reviews of the work at the project site and at fabrication locations, where applicable, as the registered professional, based on professional discretion, considers necessary to ascertain that the work conforms in all respects to the plans and supporting documents prepared by the registered professional from which the permit issued by the municipality for the project. This includes keeping records of all site visits and any corrective action taken as a result thereof.

The owner and the prime consultant will notify the Authority Having Jurisdiction in writing before any intended termination of or by the prime consultant. It is understood that work on the above project will cease as of the effective date of such termination until a new appointment is made.

The owner hereby certifies that all required Municipal and Provincial Permits and other required authorizations will be obtained before the commencement of construction.

Prime Consultant's Information

Owner's Information

Prime Consultant's Name (Print)

Owner's Name (Print)

Prime Consultant's Signature

Owner's Signature

Address (Print)

Owner's or Owner's appointed signature

Occupation (Print)

Date

(Affix Coordinating Professional's Seal Here)

Title of Agent (Print)

Address

The Corporate Seal of

was hereunto affixed in the Presence of

(Print name of witness)

(Affix Owner's Corporate Seal here)

The above must be signed by the owner or the owner's appointed agent, the signature must be witnessed by the prime consultant. If the owner is a company, the corporate seal of the company must be affixed to the document in the presence of its duly authorized officers. The officers must also sign, setting forth their positions in the company. The prime consultant is to be registered in the province of Manitoba as a member in good standing in the Association of Architects or the Association of Professional Engineers.

SCHEDULE "D" to Bylaw # 12-21

**ASSURANCE OF PROFESSIONAL DESIGN AND
COMMITMENT FOR INSPECTION**

NOTE: To be submitted before issuance of a Building Permit
Separate form to be submitted by each registered professional.
The information provided is relied upon by the Authority Having Jurisdiction

The Authority Having Jurisdiction

(Date)

(Address)

Dear Sir

Re: _____

(Legal Description of

Project)

The undersigned hereby gives assurance that the design of the (initial applicable item/items)

- _____ Architectural
- _____ Structural
- _____ Mechanical
- _____ Plumbing
- _____ Fire Suppression Systems
- _____ Electrical
- _____ Geotechnical - temporary
- _____ Geotechnical – permanent

components of the project as shown on the plans and supporting documents prepared by this registered professional conform to all the applicable requirements of all applicable acts, regulations and by-laws. Further, the undersigned will be responsible for inspections of the above referenced components during construction.

**ASSURANCE OF PROFESSIONAL DESIGN AND
COMMITMENT FOR INSPECTION**

Page 2

The undersigned also assures competence in the necessary fields of expertise to undertake the project based on training, ability, and expertise in the appropriate professional and technical disciplines.

As used herein, inspections shall mean such reviews of the work at the project site and at fabrication locations, where applicable, as the registered professional, based on professional discretion, considers necessary to ascertain that the work conforms in all respects to the plans and supporting documents prepared by this registered professional for which the building permit is issued by the municipality for the project. This includes keeping records of all site visits and any corrective action taken as a result thereof

The undersigned also undertakes to notify the Authority Having Jurisdiction in writing as soon as practical if this contract for inspection is terminated at any time during construction.

Name

(Print)

Date

Signature

Address

Phone

Affix Professional Seal here

If the Registered Professional is a member of a firm, complete the following

I am a member of the firm _____
(Print name of firm)

and I sign this letter on behalf of myself and the firm.

The above letter must be signed by a registered professional who is registered in the Province of Manitoba as a member in good standing of the Association of Architects or the Association of Professional Engineers.

SCHEDULE "E" to Bylaw # 12-21

LETTER OF ASSURANCE

NOTE: To be submitted before issuance of a Building Permit
The information provided is relied upon by the Authority Having Jurisdiction

The Authority Having Jurisdiction

(Date)

(Address)

(Address of Project)

(Legal Description of Project)

The undersigned agrees to undertake and/or coordinate the design review of this project to ensure that the design will comply, and construction of the project will conform in all respects with all applicable acts, regulations and by-laws.

The owner hereby certifies that all required Municipal and Provincial Permits and other required authorizations will be obtained before the commencement of construction.

Designer's Information

Owner's Information

Name (Print)

Owner's Name (Print)

Agent's signature

Owner's or Owner's appointed signature

Address (Print)

Date

Occupation (Print)

Title of Agent (Print)

Address (Print)

The Corporate Seal of

was hereunto affixed in the Presence of

(Print name and office of signatory)

Affix Owner's Corporate Seal here

The above must be signed by the owner or the owner's appointed agent. If the owner is a company, the corporate seal of the company must be affixed to the document in the presence of its duly authorized Officers. The Officers must also sign, setting forth their positions in the company.

SCHEDULE "F" to Bylaw # 12-21

ASSURANCE OF COMPLIANCE

NOTE: To be submitted after completion of the project but before official occupancy
The information provided is relied upon by the Authority Having Jurisdiction

The Authority Having Jurisdiction

(Date)

(Address)

Dear Sir

(Address of Project)

(Legal Description of Project)

I hereby certify that all aspects of the project conform with the plan and supporting documents that were submitted before receiving a building permit and that the construction conforms to the Manitoba Building code. I further certify that there are no outstanding Municipal or Provincial approvals, permits or other requirements pertaining to the use or occupancy of this project.

Name (Print)

Date

Signature

Address (Print)

Phone

SCHEDULE "G" to Bylaw # 12-21

INSPECTION AND COMPLIANCE ASSURANCE OF PROFESSIONAL

NOTE: To be submitted after completion of the project but before official occupancy
Separate form to be submitted by each registered professional.
The information provided is relied upon by the Authority Having Jurisdiction

The Authority Having Jurisdiction

_____ (Date)

(Address)

Dear Sir

_____ (Address of Project)

_____ (Legal Description of Project)

I hereby certify that I have fulfilled my obligation for inspection as outlined in the following previously submitted letters.

SCHEDULE C ASSURANCE OF RETENTION OF PROFESSIONAL

SCHEDULE D ASSURANCE OF PROFESSIONAL DESIGN AND COMMITMENT FOR INSPECTION

Based on such inspections the following aspects of the project conform in all respects with the plans and supporting documents, including all amendments thereto, prepared by this registered professional for which a permit was issued by the municipality for the project.

INSPECTION AND COMPLIANCE ASSURANCE OF PROFESSIONAL – Page 2

COORDINATION OF DESIGN AND INSPECTION
(to be initialed by the prime consultant)

ARCHITECTURAL

STRUCTURAL

MECHANICAL

PLUMBING

FIRE SUPPRESSION SYSTEMS

ELECTRICAL

GEOTECHNICAL – temporary

GEOTECHNICAL – permanent
(To be initialed by the applicable registered professional)

I hereby enclose the final design plans and supporting documents prepared by this registered professional for the above referenced Project. I further certify that there are no outstanding Municipal or Provincial approvals, permits or other requirements pertaining to the use or occupancy of this project.

Name (Print)

Date

Signature

Address (Print)

Phone

(Affix PROFESSIONAL SEAL here)

If the Registered Professional is a member of a firm, complete the following:

I am a member of the Firm _____
(Print name of firm)

And I sign this letter on behalf of myself and the firm.

The above letter must be signed by a registered professional who is registered in the Province of Manitoba as a member in good standing in the Association of Architects or the Association of Professional Engineers.

SCHEDULE "H" to Bylaw # 12-21

TRUST DEPOSIT RELEASE FORM

Name: _____

Address: _____

Building Permit # _____

INSPECTIONS

ROAD DAMAGE

LANDSCAPE/DRAINAGE

FEES OUTSTANDING PAID

Authorization for release of trust deposit.

Building Inspector

SCHEDULE "I" to Bylaw #12-21

SET FINES FOR BY-LAW

Provision of By-law	Description of Offence	Set Fine for 1st Offense	Set Fine for 2nd Offense	Set Fine for 3rd or subsequent Offense
4.00	Failed to obtain a building permit	\$100	\$250	\$500
6.00	Failed to enter into a performance agreement with the municipality	\$100	\$250	\$500
8.01	Failed to comply with bylaw pertaining to construction	\$100	\$250	\$500
8.02	Failed to complete and sign a Letter of Assurance as set out in Schedule "E"	\$100	\$250	\$500
8.03	Failed to repair damages to municipal property and/or municipal roads	\$100	\$250	\$500
8.04	Failed to keep permit and plans in a conspicuous place on the premises	\$100	\$250	\$500
8.05	Failed to comply with the order from Building Inspector	\$100	\$250	\$500
8.06	Failed to call for inspections	\$100	\$250	\$500
8.07	Failed to complete and sign an Assurance of Compliance as set out in Schedule F	\$100	\$250	\$500
8.08	Failed to complete and sign an Assurance of Professional Inspection and Compliance as set out in Schedule G (if necessary)	\$100	\$250	\$500
8.09	Failed to complete and sign a Trust Deposit Release Form as set out in Schedule H	\$100	\$250	\$500