

TOWN OF LAC DU BONNET

BY-LAW NO. 112-10

A By-Law to rescind By-law #18/99 to provide for the adoption of provincial codes, the appointment of a building inspector, and the administration and enforcement of the building permit system.

The Town of Lac du Bonnet in meeting duly assembled at Lac du Bonnet, Manitoba enacts as a by-law the following:

Background and purpose

1. *The Town of Lac du Bonnet Zoning By-law regulates the construction of buildings and requires that development permits be obtained before such work may be carried out.*
2. *Under The Buildings and Mobile Homes Act the municipality is required to adopt and enforce The Manitoba Building Code.*
3. *The council wishes to appoint a building inspector and provide for a system of building permits that is complementary to the administration of the Zoning By-law.*

Interpretation

4. In this by-law,

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

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

"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 of the land;

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

5. The footnotes are part of this by-law.

Adoption of Codes

6. *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.*
7. *If the province replaces a Code or makes changes to it, the municipality adopts such changes automatically, without further action by council.*

Building permit required

8. 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.
9. Section 7 does not apply to
 - (a) a farm building, except in the case of a change of occupancy to a non-farm purpose;
10. Where a building permit is required, no preparatory work, including excavation, may take place on the land before the permit is obtained.
11. A building permit issued by the municipality fulfills the requirement of the *Zoning By-law* for a development permit.

Application for building permit

12. 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 municipality under the *Zoning By-law*.
13. 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.
14. Plans and specifications submitted with building permit applications must bear the name and business address of the designer.
15. Permit applications and the documents submitted with them become the property of the municipality.
16. If the building inspector considers that site conditions or a building's size or complexity warrant it, the

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*.

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.

In this case the application is not complete until the requested documents are submitted.

- 17. A building permit for a new building must not be issued until the site is served by a proper culvert and crossing in compliance with By-law No. 4-06.
- 18. If on the basis of the application and the information supplied with it, 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.
- 19. 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.
- 20. A building permit may be issued subject to conditions.
- 21. 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.

Performance agreements

- 22. Before a permit may be issued, an owner must enter into a performance agreement with the municipality in the form of 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.

Building inspector

- 23. The office of building inspector is established to carry out the powers, duties and functions of a designated officer under this by-law.
- 24. Council may appoint one or more persons as building inspector.
- 25. The building inspector must

³ Under *The Manitoba Building Code*, a registered professional is architect or engineer.

- (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.

26. The building inspector shall have the following powers:

- (a) the powers of inspection and enforcement under Division 3, Part 7 of *The Municipal Act*;
- (b) the power to order work on a building or premises to stop if a building permit has not been obtained;
- (c) the power to order work on a building or premises to stop until a condition is rectified, if in the building inspector's opinion,
 - (i) work is being carried out not in compliance with the building permit, plans submitted, a 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 6 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 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.

Owner's responsibilities

27. An owner 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 inspection by the municipality do not relieve the owner of this responsibility.
28. The owner 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.
29. An owner must during construction keep the building permit with approved plans and specifications in a conspicuous place on the premises.
30. An owner and a holder of a building permit must comply with an order of the building inspector.

Review

31. An owner, an applicant, or a holder of a building permit may request council to review a decision or order of the building inspector, by giving a written notice to the Chief Administrative Officer within 14 days of receiving the decision or order.
32. 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.
33. 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.

Offence and costs

34. A person who contravenes this by-law or a Code, including an owner on whose land a contravention takes place, is guilty of an offence and is liable to:
 - (a) a fine of not more than \$1000;
 - (b) a penalty equal to the municipality's cost of enforcement, to a maximum of \$1000; and
 - (c) in the case of a contravention of section 8, a penalty equal to the building permit fee.
35. The following amounts may be collected and enforced by the municipality in the same manner as a tax may be collected or enforced under *The Municipal Act*:
 - (a) a fine or penalty imposed on conviction;
 - (b) the cost of repairing damage to municipal property (including roads) that occurs in the course of building work or moving a building;

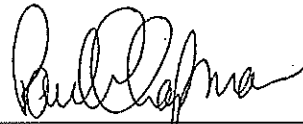
- (c) the cost of an action taken by the municipality under section 245 or 246 of *The Municipal Act*.

Repeal and transitional

36. By-law No. 36-82 and any amendments thereto, are hereby repealed.
37. Permits, orders and decisions made under the repealed by-law remain in effect, unless revoked or changed under this by-law.
38. An application for a building permit that was made under the repealed by-law but not granted continues under this by-law.

DONE, PASSED AND ENACTED by Council duly assembled in the Council Chambers of the Town of Lac du Bonnet, in the Province of Manitoba, this 9th day of September 2010.

TOWN OF LAC DU BONNET



Mayor Paul Chapman

Colleen L. Johnson

Chief Administrative Officer
Colleen L. Johnson

Read a 1st time this 19th day of August, A.D. 2010
Read a 2nd time this 19th day of August, A.D. 2010
Read a 3rd time this 9th day of September, A.D. 2010

FOR: All

AGAINST: None

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SCHEDULE "A"

This is Schedule "A" to Bylaw No. 19-06

"Classes of Permits and Permit Fees"

FEE SCHEDULE

Permit Fees

Section 1 Development & Building Permits

Development Permits \$30.00 added to all permits except, occupancy, Demolition, Locate and Remove permits.

Single Family Dwellings, Multi-family Dwellings and Cottages

- | | | |
|----|---|--|
| 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) | Wood stove and fireplace installation | \$50.00 flat rate |
| f) | Renovations (Interior & exterior)
including basement recreation rooms,
family rooms, etc.
(full basement) | \$100.00 flat rate

\$0.15 per square foot |
| g) | Development permits for structures
greater than 600 m2 in building area
or exceeding 3 storeys in building height | greater of \$500.00 or .05%
per million construction
value |
| h) | Development permits for above
(excluding g) | \$30.00 flat rate added
to all permits |
| i) | Ready to Move (RTM) (new) | \$0.40 per square foot |
| j) | Foundations only: | |
| | a) Piles & grade beams | \$80.00 flat rate |
| | b) Footing & grade beams | \$80.00 flat rate |
| | c) Footing & pony walls | \$80.00 flat rate |
| | d) Piles only | \$50.00 flat rate |
| | e) Basements | \$0.15 per square foot |
| | Finished Basement | \$0.25 per square foot |

For Ready to Move Homes Built outside the Municipality:

- a) for homes completed only to the shell stage, all inspections will be done on the permanent site
- b) for homes to be completed pas the close-in stage one of the following two options shall be selected by the applicant:
 - 1) A building permit as provided in Appendix A shall be obtained and an inspection shall be made at the close-in stage at the builders site. The fee for this inspection shall be \$30.00 per hour, calculated from the time of leaving the office until the time of return to the office, plus the rate per kilometer of the authority having jurisdiction. This fee shall be in addition to the regular permit fee.
 - 2) When the applicant provides engineered plans 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 builders site shall not be required.
 - 3) No homes built before 1995.

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/

- a) Mobile Homes (new & old) \$0.40 per square foot
If older than 10 years must be inspected by Building Inspector prior to entry into the municipality.

Accessory Buildings & Structures

- a) New construction and additions (garages, boathouses sunrooms) \$0.30 per square foot
- b) Canvas type structures (with Conditional Use approval) \$0.10 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

Commercial & Industrial Buildings

- 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 \$500.00 or .10% per million of building construction value.

Agricultural Buildings

- a) New construction (barns, Stables, Riding arenas) \$100.00 flat rate

Moving or Relocation Permits (whole or in part)

- 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 Kilometridge - 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 Kilometridge - 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 or Engineers report) \$150.00 flat rate - plus Kilometridge - plus foundation - plus plumbing

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

Demolition Permits (whole or in part)

a) Any type of structure \$45.00 flat rate

Plumbing Permit

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 & Penalties

Renewal Permit \$120.00 / annually
If exterior work is not complete after 2 years of date of issuance of development or building permit

Location of Survey Pins \$45.00 an hour or part thereof
(applicable mileage may be charged)

Any building or structure erected prior to the issuance of a permit will be subject to two (2) times the permit fees by the Development Officer 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, not portion of the permit fee shall be refunded.

Any building or structure classified Temporary shall be the set rate of \$60.00 for a six month period (renewable at Development Officers discretion not more than 3 times)

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 \$35.00 administration fee.

The Department Head of the Planning & Development Department may in special circumstances waive, reduce or grant a refund of all or part of the permit Fees.

Inspections

Scheduling of inspections

The following Inspection fees will be calculated and included in the initial permit fees.

- 1) Site inspection before work commences.
- 2) After the footing has been poured and the foundation forms are up but not poured
- 3) When forms are up and steel is in place, but before pad is poured
- 4) During drilling of piers or piles.
- 5) When forms and steel are in place, but before pouring on grade beams.
- 6) Before back filling.
- 7) When roof and framing are complete and windows and doors have been installed
- 8) When the vapour barrier and insulation have been installed.

- 9) When building is completed (final inspection)
- 10) Plumbing when ready.

Inspection fees not included in permit fees.

Additional Inspections (above the allotted number of inspections included in development or building permit) during regular working hours (8:00 a.m. to 4:00 p.m. Monday – Friday)

- \$35.00 per site visit

Inspections requested after regular working hours 8:00 a.m. to 4:00 p.m. Monday – Friday

- \$90.00 / two hours or part thereof plus applicable mileage

Inspection requested where no development or building permit issued During regular office hours 8:00 a.m. to 4:00 p.m.

- \$30.00 /per hour or part thereof

Where the work is not ready for inspection at each time for which the inspection was called for - \$30.00 per attendance

SCHEDULE "B"

This is Schedule "B" to Bylaw No. 19-06

STRUCTURES BEING MOVED INTO THE MUNICIPALITY and DEMOLITION OF STRUCTURES.

- 1) In the case of Used Buildings that are being moved into the Rural Municipality of Lac du Bonnet, the applicant may be required to enter into an agreement with the municipality 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) In the case of the Demolition of a Structure within the Rural Municipality of Lac du Bonnet, the applicant may be required to enter into an agreement with the municipality or the planning district stating:
 - a) The necessary cleanup required after demolition; and
 - b) The condition the site must be left in after completion.

SCHEDULE "C"

This is Schedule "C" to Bylaw No. _____

Pursuant to Subsection 4.2.1.4 of the Building Bylaw

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

Assurance of Retention of Professional

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

The Authority Having Jurisdiction _____

(Date)

Dear Sir

(Address of Project)

at Description of Project) (Leg

The undersigned has retained as the Prime Consultant,

To undertake and/or coordinate the design and inspections of the applicable registered professionals required for this project in order 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, on the basis of professional discretion, considers necessary in order 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 prior to 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 such time as a new appointment is made.

The owner hereby certifies that all required Municipal and Provincial Permits and other required authorizations will be obtained prior to 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"

This is Schedule "D" to Bylaw No. _____

Pursuant to Subsection 4.2.1.4 of the Building By-law

Note: To be submitted prior to 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

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

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.

The undersigned also assures competence in the necessary fields of expertise to undertake the project on the basis of 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, on the basis of professional discretion, considers necessary in order 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.

Note: 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"

This is Schedule "E" to Bylaw No. _____

Pursuant to Subsection 4.2.1.5 of the Building By-law

Note: To be submitted prior to issuance of a Building Permit

The information provided is relied upon by the Authority Having Jurisdiction

Letter of Assurance

The Authority Having Jurisdiction _____

(Date)

(Address)

Dear Sir

(Address of Project)

al Description of Project)

(Leg

The undersigned agrees to undertake and/or coordinate the design review of this project in order 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 prior to 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"

This is Schedule "F" to Bylaw No. _____

Pursuant to Subsection 4.2.3.2 of the Building By-law

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

Assurance of Compliance

The Authority Having Jurisdiction

(Date)

(Address)

Dear Sir

(Address of Project)

al Description of Project)

(Leg

I hereby certify that all aspects of the project conform with the plan and supporting documents which were submitted prior to 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"

This is Schedule "G" to Bylaw No. _____

Pursuant to Subsection 4.2.3.2 of the Building By-law

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

**Assurance of Professional
Inspection and Compliance**

The Authority Having Jurisdiction _____

(Date)

(Address)

Dear Sir

(Address of Project)

al Description of Project) (Leg

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

- SCHEDULE A ASSURANCE OF RETENTION OF PROFESSIONAL
- SCHEDULE B 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.

- _____ 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.

Note: 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.