

**BY-LAW 4-99-1**  
**A BY-LAW TO AMEND THE ROTHESAY BUILDING BY-LAW**

The Council of the Town of Rothesay, under authority vested in it by Sections 59 and 74 of the Community Planning Act, R.S.N.B. (1973) Chapter C-12, and amendments thereto, hereby amends By-law No. 4-99 "ROTHESAY BUILDING BY-LAW" and enacts as follows:

1. To add the following definition to Section 3) DEFINITIONS:

"Occupancy" means the use or intended use of a building or part thereof for residential, commercial, institutional, or industrial purposes.

2. To delete Section 6.2 (d) (i) through (vii) and replace this section with the following:

6.2 (d) unless waived by the Building Inspector, include duplicate copies of the following scale plans/drawings of the proposal:

- (i) A site plan showing the dimensions of the land on which the building is to be situated, the proposed structure relative to all property lines, the locations of all existing and proposed buildings, wells, decks, projections and cantilevered areas, topographical features including watercourses and ravines and easements and right of ways registered against the property;
- (ii) A foundation plan including footing details for all proposed buildings;
- (iii) Floor Plans for all stories of the building showing the proposed use, dimensions and floor areas of each room, the location of all plumbing fixtures, appliances and fireplaces, all framing details including joists, beams, lintels, rafters, trusses and posts, all point loads, and the location of windows, doors, hallways, stairs and door swings;
- (iv) Building Elevations including all four elevations (front, two sides and rear) showing the height and horizontal dimensions, location of windows and doors, proposed finished grades (elevations should accurately reflect grade levels), and finish materials;
- (v) Cross Section from footings to peak of roof, from side to side (front to rear) showing construction in sufficient

Exemplaire présenté comme  
copie conforme à l'instrument  
enregistré ou déposé au  
bureau d'enregistrement du  
comté de Kings NB

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This instrument purports  
to be a copy of the  
original registered or  
filed in the Kings  
County Registry Office NB

detail to accurately check the structure for compliance with the Building Code;

- (vi) A grading plan which shows the existing and proposed grades, the location of the proposed building, floor elevations, all measures for control and management of surface water, vegetation to be preserved and areas to be landscaped.
- (vii) The grades of the streets and sewers abutting the site;
- (viii) Set out the total estimated cost of the proposed work; and
- (ix) Contain such other information as the Building Inspector may require for the purpose of determining compliance herewith.

3. To add the following as Section 7 - OCCUPANCY PERMITS and renumber the remaining sections in numerical order.

## **7) OCCUPANCY PERMITS**

- 7.1 A person shall not occupy or permit the occupancy of any building until an occupancy permit has been issued by the Building Inspector.
- 7.2 A person shall obtain an occupancy permit from the Building Inspector prior to any:
  - (a) occupancy of a building or part thereof after the construction, partial demolition or alteration of that building; or
  - (b) change in the occupancy or use of any building or part thereof.
- 7.3 An application for an occupancy permit shall be made at least fourteen days (14) before such intended occupancy.
- 7.4 The Building Inspector shall issue an occupancy permit to the applicant or owner after a final inspection and if he is satisfied that:
  - 7.4.1 The building has been constructed in accordance with the approved plans associated with the building permit;
  - 7.4.2 The building has been constructed in accordance with all applicable codes as adopted by this By-law ;
  - 7.4.3 All relevant Provincial approvals have been received;

7.4.4 Works and services included in any Development Agreement registered against the subject property have been completed to the satisfaction of the Town; and

7.4.5 Engineering approvals from the Town have been provided with respect to both building and site services.

7.5 The Building Inspector may issue a temporary occupancy permit for single family residential homes for a period not exceeding six months prior to the application of interior finishes provided that the building complies with the health and safety requirements of the National Building Code and exterior finishes are substantially complete.

7.6 The owner of a commercial or industrial building or use shall post the Occupancy Permit placard in a conspicuous place within the building clearly visible to the general public.

4. To add the following as Section 8 - INSPECTIONS and renumber the remaining sections in numerical order:

#### **8) INSPECTIONS**

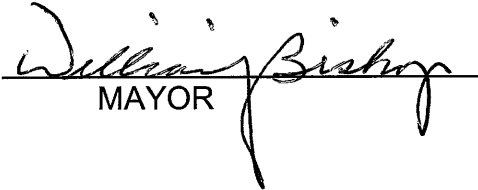
Where a building permit has been issued, the person named in the permit shall give to the Building Inspector at least 24 hours notice requesting an inspection regarding the following:

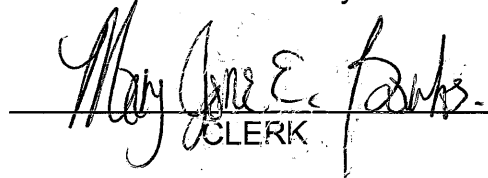
- a) Site Excavation
- b) Footing Inspections - after the forms for footings are complete but prior to placing any concrete therein;
- c) Foundation Walls - after the forms for foundations are complete but prior to placing any concrete therein
- d) Drain Tile/Dampproofing - after the removal of formwork from concrete foundation and installation of perimeter drain pipe, drain rock and damproofing but prior to backfilling against the foundation;
- e) Floor Slab - after granular base materials, damproofing membrane, below grade insulation, underground plumbing and if required reinforcing steel for the concrete slab have been placed but prior to placing of concrete;

- f) Framing - when the framing, sheathing, all exterior doors, windows and roof membrane are completed, including any bracing, chimney and duct work construction, and rough wiring, but before the insulation or other interior or exterior finishes are applied which would conceal such work;
- g) Insulation - after the placing of insulation and vapor barrier but before any interior finish is applied; and
- h) Final - after the building or portion thereof is complete and ready for occupancy but before any occupancy of the building.

5. To amend existing Section 7) Responsibility of the Permit Holder by deleting Section 7.1 and renumbering Sections 7.2 and 7.3 accordingly.

FIRST READING BY TITLE : 12 January 2004  
SECOND READING BY TITLE : 9 February 2004  
READ IN ENTIRETY : 9 February 2004  
THIRD READING BY TITLE  
AND ENACTED : 9 February 2004

  
MAYOR

  
CLERK



# ROTHESAY

## By-law 4-99

### Building By-law Schedule A



1. Where the total estimated cost of the work, including both labour and materials, is:

<u>Estimated Value</u> <u>of Construction:</u>	<u>Permit Fee:</u>
\$ Up to \$ 100 .....	NIL
\$ 101 to \$ 1,000 .....	\$ 20.00
\$ 1,001 to \$ 1,500 .....	\$ 22.00
\$ 1,501 to \$ 2,000 .....	\$ 24.00
\$ 2,001 to \$ 2,500 .....	\$ 26.00
\$ 2,501 to \$ 3,000 .....	\$ 28.00
\$ 3,001 to \$ 3,500 .....	\$ 30.00
\$ 3,501 to \$ 4,000 .....	\$ 32.00
\$ 4,001 to \$ 4,500 .....	\$ 34.00
\$ 4,501 to \$ 5,000 .....	\$ 36.00
\$ 5,001 to \$ 6,000 .....	\$ 41.00
\$ 6,001 to \$ 7,000 .....	\$ 46.00
\$ 7,001 to \$ 8,000 .....	\$ 51.00
\$ 8,001 to \$ 9,000 .....	\$ 56.00
\$ 9,001 to \$ 10,000 .....	\$ 61.00
\$ 10,001 to \$ 11,000 .....	\$ 66.00
\$ 11,001 to \$ 12,000 .....	\$ 71.00
\$ 12,001 to \$ 13,000 .....	\$ 76.00
\$ 13,001 to \$ 14,000 .....	\$ 81.00
\$ 14,001 to \$ 15,000 .....	\$ 86.00
\$ 15,001 to \$ 16,000 .....	\$ 91.00
\$ 16,001 to \$ 17,000 .....	\$ 96.00
\$ 17,001 to \$ 18,000 .....	\$ 101.00
\$ 18,001 to \$ 19,000 .....	\$ 106.00
\$ 19,001 to \$ 20,000 .....	\$ 111.00
\$ 20,001 to \$ 21,000 .....	\$ 116.00
\$ 21,001 to \$ 22,000 .....	\$ 121.00
\$ 22,001 to \$ 23,000 .....	\$ 126.00
\$ 23,001 to \$ 24,000 .....	\$ 131.00
\$ 24,001 to \$ 25,000 .....	\$ 136.00

Every \$1,000.00 or part thereof in addition to \$25,000.00; the fee shall be an additional \$2.50 per thousand dollars to \$ 100,000.00; and for values over \$100,000.00 the fee shall be an additional \$2.00 per thousand dollars or part thereof.

2. Effective February 1, 2005, where work requiring a permit under this By-law has been commenced by anyone, prior to issuance of such permit, the fees prescribed above shall be tripled.

ADOPTED BY RESOLUTION OF COUNCIL this 13<sup>th</sup> day of December, 2004.