



# The Municipal Corporation of the Town of Fort Erie

## BY-LAW NO. 80-2014

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### BEING A BY-LAW TO PROVIDE FOR THE ADMINISTRATION AND ENFORCEMENT OF THE *BUILDING CODE ACT, 1992* WITHIN THE TOWN OF FORT ERIE AND TO REPEAL BY-LAW NO. 183-93

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**WHEREAS** Section 7 of the *Building Code Act, 1992*, S.O. 1992, chapter 23, (the “Act”) authorizes the Council of a municipality to pass certain By-laws concerning the issuance of permits and other related matters, and

**WHEREAS** on September 27, 1993, the Municipal Council of the Town of Fort Erie passed By-law No. 181-93 to regulate the issuance of building permits for construction, change in use and demolition permits, and

**WHEREAS** at the Council-in-Committee meeting held on May 20, 2014, Report No. CDS-50-2014, approving a revised by-law for the administration and enforcement of the *Building Code Act, 1992*, and

**WHEREAS** it is deemed desirable to pass a new by-law to provide for the administration and enforcement of the *Act* in order to address changes to the regulations under the *Act*, and to repeal By-law No. 181-93;

**NOW THEREFORE** the Municipal Council of The Corporation of the Town of Fort Erie hereby enacts as follows:

#### 1.0 SHORT TITLE

1.1 This By-law may be cited as the “Building By-law”.

#### 2.0 DEFINITIONS

2.1 In this by-law:

- a) “**Act**” means the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended or replaced from time to time;
- b) “**Applicant**” means the Owner of a building or property who applies for a Permit or any person authorized in writing by an Owner to apply for a Permit on the Owner’s behalf, or any person or corporation empowered by statute to cause the construction or demolition of a building or buildings and anyone acting under the authority of such person or corporation;

- c) **“Building Code”** means the regulations made under the *Act*;
- d) **“Chief Building Official”** means the person appointed by the Council as the Chief Building Official for the purpose of enforcement of the *Act*, the Building Code and this By-law;
- e) **“Complete Application”** means an application that meets the requirements set out in the Building Code for applications where the Chief Building Official is required to make a decision within a prescribed time period, and Sections 4 and 5 and Schedule “B” of this By-law.
- f) **“Council”** means the Municipal Council of The Corporation of the Town of Fort Erie;
- g) **“equivalent”** means an alternative solution consisting of materials, systems or designs that are not authorized in the Building Code, but which in the opinion of the Chief Building Official will provide the level of performance required by the Building Code;
- h) **“Fees and Charges By-law”** means the Town’s Fees and Charges By-law No. 40-09 to establish fees and charges for various services provided by the Town, as amended or replaced from time to time.
- i) **“Inspector”** means a person appointed by the Council for the purpose of enforcement of the *Act*, the Building Code and this By-law;
- j) **“Owner”** means, in respect of the property on which the construction is to take place, the registered owner of the land, the person in charge of the property, and except for conditional Permits, a lessee, mortgagee in possession, and a person acting as the owner’s authorized agent;
- k) **“Permit”** means permission or authorization given, in writing, by the Chief Building Official to perform work, or to change the use of a building or part of a building, or to occupy a building or a part thereof prior to its completion as regulated by the *Act* and Building Code;
- l) **“Permit Holder”** means the Owner to whom a Permit has been issued, or where a Permit has been transferred, the new Owner to whom the Permit has been transferred;
- m) **“Registered Code Agency,”** means a person or an entity that has the qualifications and meets the requirements set out in the *Act*.
- n) **“Revised Submission”** means additional information filed with the Chief Building Official which depicts one or more changes to the proposed or as constructed design of a building or part of a building for which a Permit has already been issued and for which approval by the Chief Building Official is required;

- o) **“Supplementary Submission”** means a resubmission or additional information provided in relation to Permit application documents previously filed and reviewed, that requires additional review to determine Building Code compliance;
  - p) **“Town”** means The Corporation of the Town of Fort Erie.
- 2.2 Any word or term not defined in this By-law shall have the meaning ascribed to it in the *Act* or the Building Code.

### 3.0 CLASSES OF PERMITS

- 3.1 Classes of Permits with respect to the construction, demolition, change of use and occupancy of buildings shall be as set out in Schedule “A” to this By-law.

### 4.0 REQUIREMENTS FOR PERMIT APPLICATIONS

#### General Requirements

- 4.1 Every Permit application must meet the requirements of this Section and shall be:
- a) made by an Applicant;
  - b) made in writing to the Chief Building Official on forms prescribed by regulation or when no form is prescribed, on a form prescribed by the Chief Building Official;
  - c) accompanied by the fees established by the Fees and Charges By-law and calculated in accordance with Schedule “A”; and
  - d) be accompanied by acceptable proof of corporate identity and property ownership unless such proof is determined by the Chief Building Official to be required.

#### Complete Applications

- 4.2 To be considered a Complete Application, every Permit application shall be accompanied by the approval documents issued by the agencies responsible for the applicable laws listed in the Building Code where those agencies issue approval documents, and the law applies to the construction or demolition being proposed.
- 4.3 An application for a Permit may be refused by the Chief Building Official where it is not a Complete Application.

**Forms**

- 4.4 The Chief Building Official may, as the Chief Building Official deems appropriate, provide prescribed forms in an electronic format and may allow for the electronic submission of completed Permit application forms.
- 4.5 Notwithstanding subsection 4.4, completed forms generated electronically shall be accepted subject to the endorsement by the Applicant.

**Applications for Permits to Construct**

- 4.6 In addition to the other applicable requirements of Section 4, every application for a Permit to construct a building shall:
  - a) identify and describe in detail the work to be done and the existing and proposed use and occupancy of the building, or part thereof for which the Permit application is made; and
  - b) be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5 and Schedule “B” of this By-law.

**Applications for a Partial Permit (to Construct Part of a Building)**

- 4.7 In addition to the other applicable requirements of Section 4, every application for a partial Permit shall:
  - a) require a Permit application, including fees for the entire project; and
  - b) be accompanied by plans, specifications, documents, forms and other information covering that part of the work for which the application for a partial Permit is made, together with such information pertaining to the remainder of the work as may be required by the Chief Building Official.
- 4.8 The Chief Building Official shall issue a partial Permit when the Chief Building Official determines it is appropriate to expedite substantial construction before a Permit for the entire building is available and where the relevant provisions of this By-law, the *Act* and Building Code are met.
- 4.9 The Chief Building Official shall not, by reason of the issuance of a partial Permit pursuant to this By-law, be under any obligation to grant any additional Permits.

**Applications for Conditional Permits**

- 4.10 In addition to the other applicable requirements of Section 4, every application for a conditional Permit shall:

- a) include a written statement of the reasons why the Applicant believes unreasonable delays in construction would occur if a conditional Permit is not granted;
- b) include a written 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;
- c) state the time within which the plans and specifications for the completed building will be filed with the Chief Building Official; and
- d) require the Owner and such other persons as the Chief Building Official determines, to enter into an agreement with the Town.

4.11 The Chief Building Official shall, at his or her discretion, issue a conditional Permit where unreasonable delays are anticipated in obtaining all necessary approvals and where the relevant provisions of this By-law, the Act, and the Building Code are met.

4.12 The Chief Building Official is authorized to enter into agreements with respect to conditional Permits on behalf of the Town in a form satisfactory to the Town's Solicitor.

#### **Applications for Permits to Demolish**

- 4.13 In addition to the other applicable requirements of Section 4, every application for a Permit to demolish a building shall:
- a) identify and describe in detail the work to be done and the existing use and occupancy of the building, or part thereof, for which the application for a Permit is made, and the proposed use and occupancy of that part of the building, if any, that will remain upon completion of the demolition;
  - b) be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5 and Schedule "B" of this By-law; and
  - c) be accompanied by proof satisfactory to the Chief Building Official that arrangements have been made with the proper authorities for the complete disconnection of all existing water, sewer, gas, electric, telephone and any other utilities and services.

#### **Applications for Permits for Change of Use**

4.14 In addition to the other applicable requirements of Section 4, every application for a Permit for a change of use shall:

- a) include plans and specifications which show the current and proposed occupancy of all parts of the building;
- b) contain sufficient information to confirm compliance with the Building Code including floor plans, and details of wall, floor and roof assemblies;
- c) identify the required fire resistance rating and load barrier capacities; and
- d) be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5 and Schedule "B" of this By-law.

### **Abandoned Permit Applications**

- 4.15 Where an application for a Permit remains incomplete and inactive for six months after the Applicant has been advised in writing of all the reasons for refusal, the application may be deemed by the Chief Building Official to have been abandoned and written notice of the cancellation thereof shall be given to the Applicant, who may be entitled to a partial refund of fees.

Where an application is deemed abandoned, all submitted plans, specifications and documents may be disposed of, or upon written request from the applicant within 30 days of the notification in 4.15, returned to the applicant upon payment of any outstanding application fees.

### **Revisions to Permits**

- 4.16 After the issuance of a Permit, the Applicant shall give notice to the Chief Building Official in writing of any material proposed change to a plan, specification, document or other information upon which a Permit was issued, together with the details of such change and any additional information which the Chief Building Official may require. Changes shall not be made without the prior written authorization of the Chief Building Official.
- 4.17 Where the Chief Building Official has determined that a material change is substantial, the Chief Building Official may require the Applicant to submit a Revised Submission or a Supplementary Submission together with the required fee established in the Fees and Charges By-law before any work required by a material change may commence.

## **5.0 REQUIREMENTS FOR PLANS AND SPECIFICATIONS**

- 5.1 Every applicant shall submit sufficient plans, specifications, documents and other information to enable the Chief Building Official to determine whether the proposed building, construction, demolition or change of use will conform to the Act, the Building Code, and any other applicable law.

- 5.2 The plans, specifications, documents and other required information shall be submitted upon paper or other durable material and shall contain text that is legible and drawings that are legible, complete, fully dimensioned and to scale.
- 5.2.1 Where a Plot Plan is required to satisfy this section, the Plot Plan shall reference a current plan of survey prepared by a licensed Ontario Land Surveyor and shall include:
- a) lot size and dimensions of property;
  - b) setbacks from existing and proposed buildings to property boundaries and to each other;
  - c) existing and finished ground levels or grades;
  - d) existing rights of way, easements and municipal services; and
  - e) a copy of a current plan of survey, unless the Chief Building Official waives this requirement.
- 5.3 A copy of a current plan of survey prepared by a licensed Ontario Land Surveyor shall be filed with and retained by the Town unless the Chief Building Official waives this requirement.
- 5.4 Plans, specifications and other documents submitted by an Applicant shall:
- a) be fully coordinated among design disciplines and intended for construction;
  - b) be fully dimensioned and drawn to a suitable scale that clearly depicts the proposed construction, demolition or change of use;
  - c) be submitted on paper or other durable material; and
  - d) contain information and text that is clear and legible.
- 5.5 The Chief Building Official shall determine the number of plans, specifications, documents and other information required to be provided with an application for a Permit, having regard to the requirements of any *Act*, policy, regulation or by-law respecting the examination or circulation of the application.
- 5.6 On the completion of the foundation for a detached, semi-detached, triplex, fourplex or townhouse dwelling, the Chief Building Official may require submission of a plan of survey prepared by a licensed Ontario Land Surveyor indicating the location and elevation of the top of the foundation wall, prior to a framing inspection being undertaken.

- 5.7 On the completion of the construction of a building, or part of a building, the Chief Building Official may require submission of a set of plans of the building or part of a building, as constructed, together with a plan of survey prepared by a licensed Ontario Land Surveyor, showing the location of the building on the property.
- 5.8 Plans and specifications submitted in accordance with this By-law, or otherwise required by the *Act*, become the property of the Town and will be disposed of or retained in accordance with any relevant legislation or this By-law.

## 6.0 APPROVAL OF ALTERNATIVE SOLUTIONS

- 6.1 Where approval for an equivalent material, system or building design is proposed in either an application for a Permit, Revised Submission or Supplementary Submission for a proposed material change to a plan, specification, document or other information on the basis of which a Permit is issued, the Applicant shall submit:
- a) an Application on the form prescribed by the Chief Building Official;
  - b) supporting documentation demonstrating that the proposed alternative solution will provide the level of performance required by the Building Code; and
  - c) payment of the fee established by the Fees and Charges By-law.

## 7.0 TRANSFER OF PERMITS

- 7.1 No Permit shall be transferred without the approval of the Chief Building Official.
- 7.2 To transfer a permit, the new Owner shall complete and submit an application form prescribed by the Chief Building Official and pay the fee established by the Fees and Charges By-law.
- 7.3 Upon approval of the transfer of the Permit by the Chief Building Official, the new Owner shall be the Permit Holder for the purposes of this By-law, the *Act* and the Building Code.

## 8.0 FEES AND REFUNDS OF FEES

- 8.1 The Chief Building Official shall calculate the required Permit application fees in accordance with Schedule "A" to this By-law.



- 8.2 Where the amount of a fee to be paid as part of a Permit application is based upon a building category, floor area, and/or the value of the proposed construction, the Chief Building Official shall determine the appropriate building category, floor area, and/or value, and that determination shall be final.
- 8.3 The Chief Building Official shall not issue a Permit until all fees required by this By-law have been paid in full by the Applicant.
- 8.4 In addition to the fees paid at the time of the Permit application, where an Applicant makes a Supplementary Submission or a Revised Submission, the Applicant shall pay the fee calculated in accordance with Schedule "A" to this By-law and the Fees and Charges By-law.
- 8.5 In the case of withdrawal or abandonment of an application, or refusal or revocation of a Permit by the Chief Building Official, and upon written request by the Applicant, the Chief Building Official shall determine the amount of fees, if any, that may be refunded in his sole discretion, in accordance with Schedule "A" to this By-law.
- 8.6 Where work has commenced prior to the issuance of a Permit, the Permit application shall be subject to an additional fee equal to the Permit application fee.

**9.0 REGISTERED CODE AGENCIES**

- 9.1 Pursuant to the *Act* and the Building Code, the Chief Building Official is authorized to enter into service agreements with registered code agencies and appoint them to perform one or more of the specified functions described in the *Act*.

**10.0 FENCES AT CONSTRUCTION AND DEMOLITION SITES**

- 10.1 Where, in the sole discretion of the Chief Building Official, a construction or demolition site presents a hazard to the public, the Chief Building Official may require the Owner to erect fences to the standards and specifications the Chief Building Official deems to be appropriate in the circumstances.
- 10.2 In considering the necessity for fences and the height and characteristics of such fences, the Chief Building Official shall have regard to:
  - a) the proximity of the building or demolition site to occupied buildings;
  - b) the proximity of the construction or demolition site to lands accessible to the public;
  - c) the hazards presented by the construction or demolition activities and materials;

- d) the feasibility and effectiveness of site fencing; and
- e) the duration of the hazard.

10.3 Every fence required by this Section shall:

- a) be erected so as to be a continuous barrier and fully enclose all areas of the site which present a Hazard, so as to prevent unauthorized entry;
- b) have a height not less than 1.2 metres above grade at any point, unless the Chief Building Official determines that a greater minimum height is necessary;
- c) if constructed of plastic mesh, snow fencing or other similar materials, be securely fastened at 200mm intervals to vertical posts not more than 2.4 metres apart and to horizontal members, or a minimum 11 gauge cable at the top and bottom;
- d) be maintained in a vertical plane and in good repair; and

10.4 When the Chief Building Official determines that fencing is required, the Permit Holder shall, prior to the commencement of any construction, demolition, or placement of materials or equipment on the site, erect or cause to be erected fencing to the standards required by the Chief Building Official to enclose the construction or demolition site for the purpose of preventing unauthorized entry on the site. For the purposes of this Section, the construction or demolition site shall include the area of the proposed construction or demolition and any area where materials or equipment are, or will be, stored or operated.

## **11.0 INSPECTION NOTICES**

- 11.1 Inspection notices required by the Building Code and this By-law shall be made in writing or by telephone using the Town's Permit Inspection request line which has been prescribed for this purpose.
- 11.2 Inspection notices are required a minimum of two (2) business days prior to the stages of construction specified therein, and shall be given in accordance with the requirements of the Building Code.
- 11.3 The Permit Holder shall notify the Chief Building Official or the Registered Code Agency where one is appointed, of each stage of construction for which a notice is prescribed by the Building Code.
- 11.4 Notwithstanding Section 10 of this By-law, the Permit Holder shall notify the Chief Building Official of the date of completion of the building or demolition work no more than two (2) days after that date.

11.5 In addition to the notices prescribed in the Building Code, the Permit Holder shall provide the Chief Building Official with notice of the readiness for inspection for the following states of construction, where applicable:

11.5.1 Commencement of construction of:

- a) masonry fireplaces and masonry chimneys;
- b) factory-built fireplaces and allied chimneys;
- c) stoves, ranges, space heaters and add-on furnaces using solid fuels and allied chimneys;

11.5.2 Substantial completion of:

- a) interior finishes;
- b) heating, ventilating, air-conditioning and air- contaminant extraction equipment; and/or
- c) the grading of the property in accordance with the Town's Lot Grading and Drainage Policy in place from time to time.

## **12.0 OFFENCES AND PENALTIES**

12.1 Any person who contravenes any provision of this By-law is guilty of an offence and is liable upon conviction to a fine as provided for in the *Act*.

## **13.0 SEVERABILITY**

13.1 Should any provision of this By-law be declared by a court of competent jurisdiction to be invalid it shall not affect the validity of this By-law as a whole or any other part thereof, other than the part so declared to be invalid.

## **14.0 CODE OF CONDUCT FOR BUILDING OFFICIALS**

14.1 The Chief Building Official and every Inspector appointed by Council to enforce the *Act*, the Building Code, and this By-law shall be governed by the Code of Conduct attached as Schedule "C" to this By-law.

**15.0 INTERPRETATION AND IMPLEMENTATION**

- 15.1 All schedules attached hereto form part of this By-law.
- 15.2 Unless otherwise specified, references in this By-law to Sections, Subsections and Schedules are references to Sections, Subsections and Schedules in this By-law.
- 15.3 By-law No. 183-93 shall be repealed upon the date this By-law comes into force.
- 15.4 Notwithstanding Subsection 15.3 of this By-law, with respect to any Complete Application received prior to the effective date of this By-law, the provisions of By-law No. 183-93 shall remain in full force and effect for the purpose of that application.

**16.0 EFFECTIVE DATE**

- 16.1 This By-law shall come into full force and effect on May 26, 2014.

**17.0 CORRECTIONS**

- 17.1 Pursuant to the provisions of Sections 23.1 to 23.5 inclusive of the *Municipal Act, 2001*, as amended, the Clerk of the Town of Fort Erie is hereby authorized to effect any minor modifications or corrections solely of an administrative, numerical, grammatical, semantical or descriptive nature or kind to this by-law or its schedules as such may be determined to be necessary after the passage of this by-law.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 26<sup>th</sup> DAY OF MAY, 2014.**

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 Mayor

\_\_\_\_\_  
 Clerk

I, Carolyn J. Kett, the Clerk, of The Corporation of the Town of Fort Erie hereby certifies the foregoing to be a true certified copy of By-law No. 80-2014 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20

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## SCHEDULE "A" to BY-LAW NO. 80-2014

### Classes of Permits, Fees and Refunds

#### Calculation of Permit Fees

1. Permit fees shall be calculated by one of the following:
  - (a) The product of the gross floor area of a building and the applicable rate established by the Fees and Charges By-law at the time of application for a Permit;
  - (b) The flat rate established the Fees and Charges By-law at the time of application for a Permit; or
  - (c) As otherwise established by the Fees and Charges By-law.
  
2. The floor area of construction shall be measured to the outer face of exterior walls and to the centerline of party walls or demising walls, and shall include all habitable areas, including mezzanines, finished attics and enclosed balconies. No deductions shall be made for openings within the floor area (e.g., stairs and stair openings, ducts, elevators, escalators).
  
3. The following guidelines for calculating floor areas and fees apply to the specific building types and construction indicated. The applicable occupancy classification shall be determined in accordance with the Building Code.
  - (a) Assembly Occupancies:

The "Group A, Assembly Occupancy" rate established by the Fees and Charges By-law shall apply to the total floor area of floors, which are principally of assembly use. Other rates shall be applied to other floors based on the principal use of the total floor area.
  - (b) Institutional Occupancies:

The "Group B, Institutional Occupancy" rate established by the Fees and Charges By-law shall apply to the floor areas of floors, which are principally of institutional use. Other rates shall be applied to other floors based on the principal use of the total floor area.
  - (c) Residential Occupancies:

For single detached, semi-detached and townhouse dwellings, the floor areas of unfinished basements, attached garages, porches and decks shall not be included in the area calculations, but the fee is

inclusive of these areas that are included at the time of permit application.

For all other residential occupancies, the “Group C, Residential Occupancy” rate established by the Fees and Charges By-law shall apply to the floor areas of floors which are principally of residential use. Other rates shall be applied to other floors based on the principal use of the total floor area.

(d) Business and Personal Services Occupancies:

The “Group D, Business/Personal Services Occupancy” rate established by the Fees and Charges By-law shall apply to the floor areas of floors, which are principally of Business and Personal Services use. Other rates shall be applied to other floors based on the principal use of the total floor area.

(e) Mercantile Occupancies:

The “Group E, Mercantile Occupancy” rate established by the Fees and Charges By-law shall apply to the floor areas of floors, which are principally of Mercantile use. Other rates shall be applied to other floors based on the principal use of the total floor area.

(f) Industrial Occupancies:

The “Group F, Industrial Occupancy” rate established by the Fees and Charges By-law includes incidental finished office space. Group F Industrial buildings with no partitions are calculated using the lesser rate.

## SCHEDULE “B” TO BY-LAW NO. 80-2014

### Documents & Drawings Required for a Complete Application

Row	Class of Permit	Documents and Drawings Required
1(a)	<p><b>Permit to Construct</b></p> <ul style="list-style-type: none"> <li>• New Buildings</li> </ul> <p>Residential</p> <ul style="list-style-type: none"> <li>• Detached House</li> <li>• Semi Detached Houses</li> <li>• Duplex/Triplex/Fourplex</li> <li>• Townhouse Blocks</li> </ul>	<p><b>Documents</b></p> <ul style="list-style-type: none"> <li>• Approval documents required by applicable law</li> <li>• Heat loss/heat gain duct calculations</li> <li>• Residential Mechanical Ventilation Summary</li> </ul> <p><b>Drawings</b></p> <ul style="list-style-type: none"> <li>• Site Grading Plan</li> <li>• Plot Plan (information may be consolidated with Site Grading Plan)</li> <li>• Architectural Drawings (floor plans for each floor, roof plans and elevations)</li> <li>• Structural Drawings</li> <li>• Roof truss Drawings</li> <li>• Pre-engineered floor system shop drawings</li> <li>• HVAC Drawings</li> </ul>
1(b)	<p><b>Permit to Construct</b></p> <ul style="list-style-type: none"> <li>• Additions/alterations</li> <li>• Accessory Buildings</li> </ul> <p>Residential as in Row 1(a)</p>	<p><b>Documents</b></p> <ul style="list-style-type: none"> <li>• Approval documents required by applicable law</li> <li>• Heat loss/heat gain duct calculations</li> <li>• Residential Mechanical Ventilation Summary</li> </ul> <p><b>Drawings</b></p> <ul style="list-style-type: none"> <li>• Site Grading Plan</li> <li>• Architectural Drawings</li> <li>• Structural Drawings</li> <li>• HVAC Drawings</li> </ul>

Row	Class of Permit	Documents and Drawings Required
2(a)	<p><b>Permit to Construct</b></p> <ul style="list-style-type: none"> <li>• New Buildings</li> <li>• Additions</li> </ul> <p>Non-residential buildings Residential apartment buildings Mixed use buildings Other residential buildings no described in Row 1(a)</p>	<p><b>Documents</b></p> <ul style="list-style-type: none"> <li>• Approval documents required by an applicable law</li> <li>• Commitment to General Reviews by Architects and Engineers*</li> <li>• Subsurface investigation report</li> <li>• Heat loss/heat gain/duct calculations</li> <li>• Plumbing Data Form*</li> <li>• Energy Efficiency Certification Form*</li> </ul> <p><b>Drawings</b></p> <ul style="list-style-type: none"> <li>• Site Plan</li> <li>• Site Servicing/Site Grading Plan</li> <li>• Architectural Drawings</li> <li>• Structural Drawings</li> <li>• HVAC Drawings</li> <li>• Plumbing Drawings</li> <li>• Electrical Drawings</li> <li>• Fire Protection System Drawings</li> <li>• On-site Sewage System Drawings (including On-site Sewage System Statement of Design)</li> </ul>
2(b)	<p><b>Permit to Construct</b></p> <ul style="list-style-type: none"> <li>• Alterations</li> <li>• Tenant Improvements</li> </ul> <p>Non-residential buildings and other residential buildings not described in Row 1(a)</p>	<p><b>Documents</b></p> <ul style="list-style-type: none"> <li>• Approval documents required by an applicable law</li> <li>• Commitment to General Review by Architects and Engineers</li> </ul> <p><b>Drawings</b></p> <ul style="list-style-type: none"> <li>• Key Plan</li> <li>• Plot Plan (for additions)</li> <li>• Site Grading Plan (for additions)</li> <li>• Architectural Drawings</li> <li>• Structural Drawings</li> <li>• HVAC Drawings</li> <li>• Plumbing Drawings</li> <li>• Electrical Drawings</li> <li>• Fire Protection System Drawings</li> </ul>



Row	Class of Permit	Documents and Drawings Required
3	<b>Permit to Construct</b> <ul style="list-style-type: none"> <li>• Tents or Air Supported Structures</li> <li>• Mechanical Only Permits</li> <li>• Plumbing Only Permits</li> <li>• Designated Structures</li> <li>• Farm Buildings</li> </ul>	<b>Documents</b> <ul style="list-style-type: none"> <li>• Approval documents required by applicable law</li> <li>• Documents from Rows 1(a) to 2(b) or other documents which are applicable to the scope of work proposed and required by the Chief Building Official to determine compliance with the Building Code and other applicable law</li> </ul> <b>Drawings</b> <ul style="list-style-type: none"> <li>• Drawings from rows 1(a) to 2(b) which are applicable to the scope of work proposed and required by the Chief Building Official to determine compliance with the Building Code and other applicable law</li> </ul>
4	<b>Permit for Change of Use</b>	<b>Documents</b> <ul style="list-style-type: none"> <li>• Approval documents required by applicable law</li> <li>• Commitment to General Review by Architects and Engineers</li> </ul> <b>Drawings</b> <ul style="list-style-type: none"> <li>• Plot Plan</li> <li>• Key Plan</li> <li>• Architectural Drawings</li> <li>• HVAC Drawings</li> </ul>
5	<b>Permit to Demolish</b>	<b>Documents</b> <ul style="list-style-type: none"> <li>• Approval documents required by applicable law</li> <li>• Commitment to General Review by Architects and Engineers</li> </ul> <b>Drawings</b> <ul style="list-style-type: none"> <li>• Plot Plan</li> <li>• Demolition Plan (where required)</li> </ul>

Notes:

1. The Chief Building Official may waive the requirements for any specified documents or drawings where the scope of work, applicable law or Building Code does not, as determined by the Chief Building Official, necessitate its submission.
2. The information required on drawings is contained in the table below.

Item	Drawing Type	Information Required	Class of Permit – Part A Row No.					
			1(a)	1(b)	2(a)	2(b)	3	4
1.	Plot Plan	a Shall reference a certified plot plan of survey	x	x	x			
		b Legal description, survey property lines, property dimensions, compass orientation, location and name of adjacent roads	x	x	x			
		c Outline of all existing and proposed buildings and structures, building dimensions and their distance to property lines			x			
		d Dimensions and location of parking and vehicle access and fire routes			x			
		e Dimensions and location of barrier-free parking, curb cuts, path of travel to building and building access			x			
2.	Grading Plan	a Signature and seal of professional engineer, landscape architect or Ontario land surveyor	x		x			
		b Property lines, easements sidewalks, driveways, building location, curb cuts, retaining walls	x		x			
		c Location of catch basins, above and below ground utilities, and connections to services	x		x			
		d Existing and proposed elevations within the site and at property lines, retaining wall elevation, slopes of driveways, drainage flow and swales			x			

Item	Drawing Type	Information Required	Class of Permit – Part A Row No.						
			1(a)	1(b)	2(a)	2(b)	3	4	
3.	Architectural	a Existing plans showing construction and room and space identification of all floors in the area of proposed work or occupancy		X	X	X			X
		b Plans of all floors including basements complete with all rooms and room names	X	X	X	X			X
		c Roof plan showing roof slope, drainage, roof and roofing construction details	X	X	X	X			
		d Building elevations showing grade, floor and ceiling heights, overall building height, exterior finish materials, window heights and sizes and spatial separation requirements	X	X	X	X			
		e Residential construction details including proposed wall section from footing to roof, specifications of all wall, floor and roof assemblies and all building materials and construction specifications	X	X	X	X			
		f Stairs, guards and handrail dimensions and details, window sizes and height above floor level; location and fuel type of all fireplaces	X	X	X	X			
		g Mezzanine plan showing construction, guardrails, egress			X	X			
		h Location and details of barrier free entrances and barrier free washrooms			X	X			
		i Enlarged sections and detail plans of washrooms and exit stairs			X	X			
		j Roof equipment screening, anchorage for window washing, roof access			X				
		k Building cross sections showing grade, floor and ceiling heights, horizontal and vertical fire separations	X	X	X				
		l Enlarged sections and detail plans of washrooms and exit stairs			X	X			

Item	Drawing Type	Information Required	Class of Permit – Part A Row No.					
			1(a)	1(b)	2(a)	2(b)	3	4
	Architectural	m Wall sections, plan and section construction details						
		n Exit stair enclosure, wall construction details, fire separations and listed design numbers, door numbers referenced to a door schedule						
		o Door and hardware schedule, door and frame details, window schedule, room finish schedule						

Item	Drawing Type	Information Required	Class of Permit - Part A Row No.					
			1(a)	1(b)	2(a)	2(b)	3	4
4.	Structural	a Foundation plans, floor and roof framing plans, footing, column and beam schedules, structural details and material specifications	x	x	x	x		
		b Design specifications, live and dead loading, wind and snow loading, earthquake loading, geotechnical report design basis			x	x		
		c Structural drawings sealed by a professional engineer for all structural elements not within the scope of Part 9 of the building code	x	x		x		
		d Roof and floor truss drawings sealed by a professional engineer	x	x		x		
5.	HVAC	a Heating, ventilating and air conditioning plans, service shafts, equipment layout and schedules	x		x	x		
		b Heat loss and gain calculations, ventilation design summary	x					
		c Fire damper locations, kitchen exhaust equipment			x	x		x
6.	Plumbing	a Plumbing and drainage plans; location and sizing of under and above ground storm, sanitary and water supply piping and appurtenances			x	x		
		b Location of fire stopping; specifications of plumbing and fire stopping materials	x	x	x	x		
7.	Electrical	a Electrical supply and distribution plans; location of power and lighting outlets; equipment schedules; transformer locations			x	x		
		b Location and specification of emergency lighting, emergency generators and exit signage			x	x		

8.	Fire Protection	a	Fire hydrant locations, sprinkler and standpipe distribution plans and schedules; sprinkler head layout; fire hose cabinet locations			X	X		
		b	Location and specification of emergency lighting, emergency generators and exit signage; fire alarm system annunciator, diagrams and specifications			X	X		
		c	Location of smoke alarms and carbon monoxide detectors	X	X	X	X		

Notes

1. Where indicated by an **X**, the information described is required to be included on the drawings for the class of Permit specified.
2. Required information may be located or consolidated on other drawings rather than the drawing specified in this schedule.
3. The chief building official may waive the requirement for any required information specified in this schedule due to limited scope of work, applicable law or Building Code requirements.

## **SCHEDULE “C” to BY-LAW NO. 80-2014**

### **The Corporation of the Town of Fort Erie Code of Conduct for Building Officials**

#### **1.0 Introduction**

For the purposes of this Code of Conduct, “Building Officials” means the Chief Building Official and the Inspector or Inspectors appointed by the Municipal Council of The Corporation of the Town of Fort Erie for the purposes of enforcement of the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended or replaced from time to time, (the “*Act*”), the Building Code regulation thereto, and the By-law to which this Schedule is attached.

This Code of Conduct is maintained in accordance with the provisions of the *Act*. Building Officials appointed pursuant to the *Act* undertake building certification functions that ensure the quality, structural integrity and safety of buildings.

The conduct of Building Officials will reflect the highest standards of professionalism, technical competence, skill, honesty, integrity, fairness and independence in the exercise of their powers and duties under the *Act* and the Building Code.

#### **2.0 Standards of Conduct and Professionalism**

Building Officials employed by The Corporation of the Town of Fort Erie shall:

1. Act in the public interest, particularly with regard to the safety of building works and structures, and not act beyond their level of competence or area of expertise;
2. Comply with the provisions of the *Act*, the Building Code and any other statute, regulation or by-law that regulates or governs Building Officials or their functions;
3. Perform their inspections and certifying duties impartially and in accordance with the highest professional standards;
4. Maintain their knowledge and understanding of current building and design best practice, building statutes and regulations, and municipal by-laws relevant to their building certification functions;
5. Avoid situations where there may reasonably appear to be a conflict between (a) their personal interests and (b) their duties and

- obligations to their employer, clients, their profession, peers, and the public at large;
6. Apply all relevant building laws, regulations and standards, and without favour, independent of the influence of interested parties;
  7. Not divulge any confidential or sensitive information or material which they become privy to in the performance of their duties except in accordance with laws governing freedom of information and protection of privacy;
  8. Avoid and refrain from any conduct that may damage the reputation of Building Officials or The Corporation of the Town of Fort Erie;
  9. Extend professional courtesy to all;
  10. Accept responsibility for the conduct of subordinate Building Officials;
  11. Maintain current accreditation to perform the functions assigned to them;
  12. Take reasonable steps to ascertain and document all available facts relevant to the performance of their duties.

### **3.0 Guideline for Responding to Misconduct Allegations**

The *Building Code Act* provides that the performance of Building Officials will be measured against this Code of Conduct. In response to any allegation of a breach of this Code of Conduct, the Chief Building Official shall direct an investigation and where appropriate, recommend disciplinary action against any Inspector in accordance with the Town's Policy of Progressive Discipline. Where the allegation is against the Chief Building Official, the Chief Administrative Officer shall direct the investigation and discipline will be commensurate with the Town's Policy of Progressive Discipline. A violation of this Code of Conduct may result in discipline measures, which may include a verbal warning, suspension or termination of employment. In determining the appropriate discipline, the Chief Building Official or Chief Administrative Officer, as the case may be, shall have regard to the conduct, the Building Official's powers and responsibilities, the severity of any breach and relevant collective agreements, employment laws and standards.



#### **4.0 Conflict with the Town of Fort Erie Employee Guide to Ethical Conduct**

In the event of a conflict between this Code of Conduct and the Town of Fort Erie Employee Guide to Ethical Conduct in place from time to time, the said Town of Fort Erie Employee Guide to Ethical Conduct shall prevail.

#### **5.0 Public Notification Practice**

This Code of Conduct will be posted on the Town's website and made available to the public at the Community Development Services Department upon request.