

**TOWN OF MORRIS**

**BUILDING**

**BY-LAW**

**No: 07/10**

# TABLE OF CONTENTS

<b>SECTION ONE:</b>	<b><i>Title</i></b>
<b>SECTION TWO:</b>	<b><i>Scope &amp; Definitions</i></b>
	2.1 Scope
	2.2 Definitions
<b>SECTION THREE:</b>	<b><i>General</i></b>
	3.1 Application Generally
	3.2 Limited Application to Existing Buildings
	3.3 Exemptions
	3.4 Prohibitions
	3.5 Mobile Homes and RTM=s
<b>SECTION FOUR:</b>	<b><i>Permits</i></b>
	4.1 Application
	4.2 Permits
	4.2.1 Building Permits
	4.2.2 Plumbing Permits
	4.2.3 Occupancy Permits
	4.2.4 Temporary Permits
	4.2.5 Demolition Permits
	4.2.6 Sign Permits
	4.2.7 Change of Occupancy Permits
	4.2.8 Building Moving Permits
	4.2.9 General
<b>SECTION FIVE:</b>	<b><i>Duties, Responsibilities, and Powers</i></b>
	5.1 Duties of Owner
	5.2 Duties of Constructor
	5.3 Duties of Authority Having Jurisdiction
	5.4 Duties of Designer
	5.5 Powers of Authority Having Jurisdiction

**SECTION SIX:** *Appeal*

**SECTION SEVEN:** *Offences and Penalties*

**SECTION EIGHT:** *Repeal*

**SCHEDULE MA** *Classes of Permits, Permit Fees and Inspection Fees*

**SCHEDULE MB** *Plans and Specifications to be Submitted*

**SCHEDULE MC** *Assurance of Retention of Professional*

**SCHEDULE MD** *Assurance of Professional Design and Inspection*

**SCHEDULE ME** *Letter of Assurance*

**SCHEDULE MF** *Assurance of Compliance*

**SCHEDULE MG** *Building Moving Permits*

**SCHEDULE MH** *Offences and Penalties*

**BUILDING BY-LAW NO 07/10**

**SECTION ONE:** *Title*

This By-law may be cited as the Town of Morris Building By-law.

**SECTION TWO:** *Scope & Definitions*

**2.1 Scope**

- 2.1.1 This By-law applies to the whole of the Town of Morris.
- 2.1.2 This By-law applies to administration and enforcement in the design, construction, erection, placement and *occupancy* of new *buildings*, and the *alteration*, reconstruction, demolition, removal, relocation, *occupancy* and change in *occupancy* of existing *buildings* and any requirements that are necessary to correct *unsafe conditions* in existing *buildings*.
- 2.1.3 The requirements of the *Code* are hereby adopted and shall apply to all work falling within the scope and jurisdiction of this By-law.
- 2.1.4 Any construction or condition that lawfully existed before the effective date of this By-law need not conform to the requirements of this By-law if such construction or condition does not constitute an *unsafe condition* in the opinion of the *authority having jurisdiction*.

**2.2 Definitions:**

2.2.1 The words and terms in italics in this By-law shall have the meaning prescribed in subsection 2.2.3 herein, and if no definition is provided herein they shall have the meanings as prescribe in the *Code*. Should a word or term be defined in both this By-law and the *Code*, then the definition set forth in this By-law shall govern.

2.2.2 Definitions of words and phrases used in this By-law that are not specifically defined in the *Code* or in this subsection shall have the meanings that are commonly assigned to them in the context in which they are used in these requirements, considering the specialized use of terms within the various trades and professions to which the terminology applies.

2.2.3 Words and terms in italics in this By-law shall have the meanings prescribed in the Manitoba Building Code. Words not defined in the Manitoba Building Code shall be defined as follows:

***Architect*** means a person who is a registered member or licensee of the Manitoba Association of Architects

***Audit*** means a random review of design or construction work by the *authority having jurisdiction* to ascertain compliance with the *Code* and this By-law

***Authority Having Jurisdiction*** means the Town of Morris and, the Building Inspector or designate lawfully appointed by The Town of Morris has the authority to administer and enforce the provisions of this by-law .

***By-law*** means any By-law passed by Council

***Code*** means the Manitoba Building Code as established, adopted and revised from time to time with Manitoba amendments as well as The Buildings and Mobile Homes Act.

***Council*** means the municipal council of the Town of Morris

***Inspection*** means a review of design or construction work to ascertain compliance with the *Code* and By-law

***Permit*** means written permission or written authorization from the *authority having jurisdiction* in respect to matters regulated by this By-law

***Person*** means and includes any individual, corporation partnership, firm, joint venture, syndicate, association or trust, and any other form of entity or organization

***Professional Engineer*** means a person who is a member or licensee of the Association of Professional Engineers of the Province of Manitoba

***RTM*** means ready to move houses being houses or *buildings* constructed in one location and moved to a different location

## **Valuation**

Shall mean the total monetary worth of all construction or work, including all painting, papering, roofing, electrical work, plumbing, permanent or fixed equipment, including any permanent heating, elevator equipment or fire sprinkler equipment, and all labor, materials and other devices entering into and necessary to prosecution of the work in its completed form. No portion of any *building* including, mechanical, electrical and plumbing work, shall be excluded from the valuation for a *permit*.

## **SECTION THREE:**

### **General**

#### **3.1 Application Generally**

This By-law applies to the design, construction, placement and *occupancy* of new *buildings* and the *alteration*, reconstruction, demolition, removal, relocation, *occupancy* and change in *occupancy* of existing *buildings*.

#### **3.2 Limited Application to Existing Buildings**

3.2.1 When a *building* or any part of it is altered or repaired, the *Code* applies to the parts of the *building* altered or repaired except that where in the opinion of the *authority having jurisdiction*, the *alteration* will affect the degree of safety of the existing *building*, the existing *building* shall be improved as may be required by the *authority having jurisdiction*.

3.2.2 The number of *stories* of an existing *building* or structure shall not be increased unless the entire *building* or structure conforms with the requirement of the *Code*.

3.2.3 The requirements of this By-law apply where the whole or any part of a *building* is relocated either within or into the area of jurisdiction of the *authority having jurisdiction*.

3.2.4 When the whole or any part of a *building* is demolished, the requirements of this By-law apply to the work involved in the demolition and to the work required to any parts remaining after demolition to the extent of deficiencies occurring or remaining after demolition.

3.2.5 When a *building* is damaged by fire, earthquake or other cause, the *Code*, the requirements of this By-law and appropriate regulations under the Fire Prevention Act, and the Manitoba Fire Code, apply to the work necessary to reconstruct damaged portions of the *building*.

3.2.6 When an *unsafe condition* exists in or about a *building*, the *Code*, the requirements of this By-law and the appropriate regulations in the Fire Prevention Act, and the Manitoba Fire Code, shall apply to the work necessary to correct the *unsafe condition*.

3.2.7 When the *occupancy* of a *building* or any part of it is changed, the requirements of this By-law apply to all parts of the *building* effected by the change.

#### **3.3 Exemptions**

3.3.1 These requirements do not apply to:

- (a) sewage, water, electrical, telephone, rail or similar systems located on a street or a public transit right of way.
- (b) public utility towers or poles, television and radio or other communication aerials and towers, except for loads resulting from those located on or attached to *buildings*.

- (c) flood control and hydro electric dams and structures.
- (d) mechanical or other equipment and appliances not regulated in this By-law.
- (e) accessory *buildings* not greater than 120 square feet in *building* area subject to the concurrence of the *authority having jurisdiction*.

### 3.4 Prohibitions

- 3.4.1 Any person who fails to comply with any order or notice issued by any *authority having jurisdiction*, or who allows a violation of the requirements of this By-law or of the *Code* to occur or to continue, contravenes the provisions of this By-law.
- 3.4.2 No person shall undertake any work or authorize or allow work to proceed on a project for which a *permit* is required unless a valid *permit* exists for the work to be done.
- 3.4.3 No person shall deviate from the accepted plans and specifications forming part of the *permit*, or omit or fail to complete, prior to occupancy, work required by the said accepted plans and specifications, without first having obtained the acceptance of the *authority having jurisdiction* to allow such deviation except for minor changes to accepted plans and specifications which, when completed would not cause a violation of the *Code* or other By-laws.
- 3.4.4 Where an *occupancy permit* is required by Section 4.2.3 herein, no person shall occupy or allow the occupancy of any *building*, or part thereof, or change the *occupancy*, unless and until an *occupancy permit* has been issued by the *authority having jurisdiction*.
- 3.4.5 No person shall knowingly submit false or misleading information to the *authority having jurisdiction* concerning any matter relating to this By-law.
- 3.4.6 No person shall excavate or undertake work on, over or under public property, or erect or place any construction or work or store any materials thereon without receiving prior approval in writing from the appropriate government authority.
- 3.4.7 No person shall allow the ground elevations or the property boundaries of a *building* lot to be changed so as to place a *building*, or part of it, in contravention of the requirements of this By-law, unless the *building*, or part of it, is so altered, after obtaining the necessary *permit*, such that no contravention will occur because of the change of the property boundary or grades.
- 3.4.8 No persons shall allow the ground elevation or the property boundaries of a building lot to be changed so as to place adjacent properties or buildings in contravention of this By-law.

### 3.5 Mobile Homes and RTM's

- 3.5.1 Mobile homes and/or RTM's shall comply with the requirements of the *Code*.
- 3.5.2 The *authority having jurisdiction* may require any or all of the following in respect to a mobile home or RTM sought to be located within the area of jurisdiction of the *authority having jurisdiction*:
  - (a) the submission of a complete set of plans and specifications;
  - (b) the seal of an *Engineer* licensed in the Province of Manitoba in respect to all building components requiring professional certification;
  - (c) submission of copies of any or all permits taken out for the mobile home or RTM in the location of its construction together with a copy

- of any or all inspection reports;
- (d) such inspections or certifications as the *authority having jurisdiction* may deem necessary in order to ensure compliance with the *Code* and this By-law.
- (e) For any used buildings/homes being moved into Morris, the building inspector and or council may at their discretion require the owner to obtain a performance bond in the amount to be determined by schedule MI or to be determined by resolution of council.

### 3.6 Portable Structures over 120 sq. ft

In a residential district

- 3.6.1 Portable structures in a residential district shall be located a minimum of 3.5m (10 ft.) to the rear of the primary dwelling and shall be a maximum of 18.6 sq. m (200 sq. Ft.) and a maximum height of 3.66 m(12 ft.)
- 3.6.2 All portable structures shall be designed by a qualified manufacturer, and shall be installed as per manufacturer's instructions.
- 3.6.3 All portable structures require a development permit and are subject to all terms of an accessory building.

In a Commercial/Industrial District

- 3.7.1 All portable structures in an Commercial/Industrial District shall be treated as an accessory building and must meet associated requirements of an accessory building

## **SECTION FOUR**

### **Permits**

#### **4.1 Application**

- 4.1.1 Except as otherwise allowed by the *authority having jurisdiction*, every application for a *permit* shall be in the form prescribed by the *authority having jurisdiction* and shall:
  - (a) identify and describe in detail the work and occupancy to be covered by the *permit* for which the application is made.
  - (b) describe the land on which the work is to be done by a description that will readily identify and locate the *building* lot.
  - (c) state the *valuation* of the proposed work and be accompanied by the required fee as set out on Schedule MA hereto; and,
  - (d) include those plans and specifications set out on Schedule MB hereto (unless otherwise waived by the *authority having jurisdiction*), and show the *occupancy* of all parts of the *building*,
  - (e) state the names, addresses and telephone numbers of the owners, *architect*, *professional engineer* or other *designer*, *constructor* and any inspection or testing agency engaged to monitor the work or part of the work.
  - (f) ensure that pegs, stakes, lines and other marks required for new construction or additions that may infringe on limiting distances, be clearly marked on the building site and shall be accurately maintained during the course of construction and until occupancy has been approved.
  - (g) sufficient information shall be submitted with each application for a permit to enable the *authority having jurisdiction* to determine whether or not the proposed work will conform to the code and whether or not it may affect the adjacent property.
  - (h) when required by the *authority having jurisdiction*, provide plans & specifications.
  - (i) when required to prove compliance with the code, provide site plans referenced to an up-to-date survey.
  - (j) provide a building location certificate if required by the *authority having jurisdiction*.

- 4.1.2 When an application for a *permit* has not been completed in conformance with the requirements of the *authority having jurisdiction* within six months after the date of filing, the application shall (unless otherwise extended by the *authority having jurisdiction*) be deemed to have been abandoned, and can only be reinstated by re-filing.
- 4.1.3 A *permit* shall expire and the right of an owner under the *permit* shall end if
- (a) the work authorized by the *permit* is not commenced within six months from the date of issue of the *permit* and actively carried out after that, or
  - (b) the work authorized under the *permit* is suspended for six months unless otherwise extended by the *authority having jurisdiction*.
  - (c) all work authorized by the permit must be completed within 18 months of issuance of this permit.
- 4.1.4 Any revision to the original application described in article 4.1.1 shall be made in the same manner as for the original *permit*.
- 4.1.5 Applications for *permits* may be filed, and *permits* may be issued to an owner, or to a *constructor* or other properly authorized agent of the *owner*.

## 4.2 Permits

### 4.2.1 Building Permits:

- 4.2.1.1 Except as permitted in Article 4.2.1.2 herein, unless a *building permit* has first been obtained from the *authority having jurisdiction*, no *person* shall commence or cause to be commenced;
- (a) the location, placement, erection or construction of any *building* or structure or portion thereof;
  - (b) the addition, extension, improvement, *alteration* or conversion of any *building* or structure, or portion thereof;
  - (c) the repair, rehabilitation, or *renovation* of any *building* or structure, or portion thereof;
  - (d) the relocation or removal of any *building* or structure, or portion thereof;
  - (e) the excavation of any land for any purpose of erecting or location on or above it, any *building* or structure;
  - (f) the installation, construction, repair, renewal, *alteration* or extension of a mechanical system;
  - (g) the installation, construction, *alteration* or extension of a spray paint operation, spray painting booth, dip tank or other special process; or
  - (h) the *alteration*, addition, erection or re-erection of a sign.
- 4.2.1.2 A *building permit* is not required for:
- (a) patching, painting or decorating;
  - (b) replacement of stucco, siding or shingles with the same material;
  - (c) replacement of doors or windows when the opening is not altered;
  - (d) replacement of open landing and stairs;
  - (e) construction of fences in conformance to the Town of Morris Zoning By-law;
  - (f) installation of cabinets and shelves;
  - (g) a detached accessory storage building not greater than 120 square feet in building area;
  - (h) non-structural alterations or repairs where the value of such work does not exceed the maximum values as outlined in Schedule M.



4.2.1.3 Notwithstanding that a *building permit* is not required for the work described in Article 4.2.1.2, such work shall comply with the *Code* and the provisions of this or other applicable By-laws and the work shall not place the *building* or structure in contravention or further contravention of the *Code* or this or any other By-law.

4.2.1.4 Before the issuance of a *building permit* for cases described in Subsection 6.1.17(1), the *owner* shall (unless the *authority having jurisdiction* waives such requirement) submit Letters of Assurance in the forms set out in Schedules C and D, as attached hereto, which:

- (a) confirm that the *owner* has retained the necessary architects or professional engineers for all the applicable disciplines, for professional design and inspection; and
- (b) incorporated the architects or professional engineers assurance of professional design and commitment for inspection.

4.2.1.5 Before the issuance of a *building permit*, for cases in which professional design is not required, the *owner* shall (unless the *authority having jurisdiction* waives such requirement) submit a Letter of Assurance, in the form set out in Schedule E as attached hereto, confirming that the *owner* will ensure that the *building* will be constructed in accordance with the *Code*.

4.2.1.6 Notwithstanding the provisions of Section 7, any owner, agent or person in charge, who commences work without first having obtained a permit and necessary variance applications therefore shall have permit fees assessed as per Schedule M. *Failure to do so will result in the application fee being doubled and subject to a fine as set out in the attached schedules.*

#### 4.2.2 Plumbing Permits

4.2.2.1 Except as provided in sentence 4.2.2.2., no person shall construct, extend, alter, renew or repair or make a connection to a plumbing system unless a *permit* to do so has been obtained.

4.2.2.2 A plumbing *permit* is not required when a valve, faucet, fixture or service water heater is repaired or replaced, a stoppage cleared or a leak repaired, if no change to the piping is required.

4.2.2.3 When required by the *authority having jurisdiction*, the application shall also be accompanied by a plan that shows:

- (a) the location and size of every building drain, and of every trap and clean out fitting that is on a building drain;
- (b) the size and location of every soil or waste pipe, trap and vent pipe; and
- (c) a layout of the potable water distribution system including pipe sizes and valves.

#### 4.2.3 Electrical & Gas Permits

- (a) No electrical work with respect to installation, alteration, repair or extension of any electrical equipment shall commence until an electrical permit is issued by the inspection department.

#### 4.2.4 Occupancy Permits

Except as otherwise permitted herein, no *person* shall occupy or use or permit the *occupancy* or use or change the *occupancy* or use of any *building* or part thereof, for which an *occupancy* permit is required hereunder.

4.2.3.1 An *Occupancy Permit* is required from the *authority having*

*jurisdiction* for:

- (a) the *occupancy* of any new *building* or structure or portion thereof except a single family dwelling, a two family dwelling or a multi-family dwelling without shared exit facilities;
- (b) the occupancy of any existing *building* or structure where an *alteration* is made thereto, except a single family dwelling, a two family dwelling or a multi-family dwelling without shared exit facilities;
- (c) for a change from one *Major Occupancy* group to another or a change from one division to another within a *Major Occupancy* group in any existing building or structure, or part thereof;
- (d) for a change from one use to another within the same division in a *Major Occupancy* group which results in an increase in the occupant load;
- (e) for a change or addition of an *occupancy* classification of a suite in a *building*; and
- (f) for a change from a use not previously authorized to a new use.

4.2.3.2 Before the issuance of an occupancy *permit*, the *owner* shall (unless the *authority having jurisdiction* waives such requirement) submit Letters of Assurance in the form set out in the applicable Schedule MF, as attached hereto, confirming that the construction of the *building*, work or project conforms with the plans, specifications and related documents for which the *building permit* was issued.

The owner, builder or their designate must contact the authority of those utility services in order to ensure that the location of such services is known. Furthermore permission must be obtained prior to excavation or digging being done. Failure to comply will result in fines being levied. Also should any public infrastructure or private property be damaged, they must be adequately repaired, at their own cost to the standard of such Utilities and to the standard of the Town.

4.2.3.3 *The authority having jurisdiction* may issue an *Interim Occupancy Permit* for a partial use of a *building* or structure subject to any conditions imposed by the *authority having jurisdiction*.

4.2.3.4 No change shall be made in the type of *occupancy* or use of any *building* or structure, which would place the building or structure in a different occupancy group, or divisions within a group, unless such *building* or structure is made to comply with the requirements of the *Code* for that occupancy group, or division within a group.

4.2.3.5 *The authority having jurisdiction* may issue a *Temporary Occupancy Permit* for the use of a *building* or structure approved as a temporary *building* or structure.

4.2.3.6 A *Temporary Occupancy Permit* shall be for a period not more than six (6) months, but before the expiration of such period, the *Temporary Occupancy Permit* may be renewed by the *authority having jurisdiction* for two further six month periods.

4.2.3.7 Notwithstanding apparent compliance with this By-law, the *authority having jurisdiction* may refuse to issue an *Occupancy Permit* if the *building*, structure or proposed use is to the *authority having jurisdiction's* knowledge in violation of a Zoning By-law, or any other By-law of the *authority having jurisdiction*.

4.2.3.8 An applicant for a *Occupancy Permit* shall supply all

information requested by the *authority having jurisdiction* to show compliance with the By-law and any other relevant By-laws of the *authority having jurisdiction*.

4.2.3.9 The required *Occupancy Permit* shall be maintained in a legible condition by the *owner* or his agent in a location acceptable to the *authority having jurisdiction*.

#### **4.2.4 Temporary Permit**

4.2.4.1 A permit for a temporary building may be issued by the authority having jurisdiction, authorizing for limited time only for the erection of a building for an occupancy which because of its nature, will exist for a short time under circumstances which warrant only selective compliance with the *Code*. No person shall erect or place a temporary building without first entering into an agreement with the authority having jurisdiction and obtaining the required building permit.

4.2.4.2 A temporary permit shall state the date after which and the condition under which the permit is no longer valid.

#### **4.2.5 Demolition Permits**

4.2.5.1 No person shall commence or cause to be commenced the demolition of any *building* or structure, or portion thereof, unless a *Demolition Permit* has first been obtained from the *authority having jurisdiction*.

4.2.5.2 The demolition of a *building* or structure shall be subject to the requirements of the *Code*.

4.2.5.3 The *authority having jurisdiction* may request written notification of approval from all affected utilities companies, i.e., hydro, gas, telephone, public works, etc. prior to issuing a demolition permit.

4.2.5.4 Upon completion of demolition or removal of the building, the owner must return the site to a safe condition to the satisfaction of the *authority having jurisdiction*.

#### **4.2.6 Sign Permits**

4.2.6.1 The application of a sign permit shall be made on the prescribed form.

4.2.6.2 Include a site plan showing street lines or other boundaries of the property upon which it is proposed to erect such sign and location thereof upon the property and in relation to the other structures upon such property and upon the premises immediately adjoining.

4.2.6.3 When required, to provide complete drawings and specifications covering the construction of the sign and supporting framework and any other information in respect to the building upon which it is proposed to locate the sign as to determine whether the structure of such building will carry the additional loads and stresses imposed by the erection of the sign thereon.

4.2.6.4 All sign installations shall conform to the Manitoba Building

Code and to the Town of Morris Zoning By-law.

#### **4.2.7 Change of Occupancy Permit**

4.2.7.1 No change shall be made in the type of occupancy or use of any building or structure, which would place the building or structure in a different occupancy group, of divisions within a group, unless a permit to do so has been issued by the *authority having jurisdiction*.

#### **4.2.8 Building Moving Permit**

4.2.8.1 No building shall be moved into the town of Morris or within the town of Morris prior to the issuance of a building moving permit as outlined in the building moving permit application as per Schedule AG@ of this document.

#### **4.2.9 General**

4.2.9.1 No permit shall be assigned or transferred without the written consent of the *authority having jurisdiction*.

### **SECTION FIVE**

### **ELEVATIONS**

#### **5.1 Applicant Responsibilities**

5.1.1 Except as otherwise allowed by the *authority having jurisdiction*, every application for new construction, addition or alteration which may affect the site drainage shall;

- (a) deposit with the Town, in the form of cash, bond or irrevocable letter of credit, the required fee as set out in Schedule A hereto;
- (b) provide an elevation plan showing a dimension from the top of the footing to the finished grade;
- (c) every holder of a building permit shall complete the lot grading within one year from the date on which the building permit was issued and up to 1 to 6 month extension;
- (d) call the authority having jurisdiction after forming and prior to pouring to verify correct elevation of footings;
- (e) maintain the approved lot elevations;
- (f) any other information that the *authority having jurisdiction* may require.

#### **5.2 Building Inspector Responsibilities**

5.2.1 The building inspector or his designate shall provide, prior to issuance of the building permit;

- (a) establish mandatory finished grade elevations on the building site. *Failure to comply with such prescribed elevations will result in fines according to schedule MH and such conditions must be remedied at the owners cost.*

#### **5.3 Violations**

5.3.1 (a) In the event that an applicant refuses or neglects to correct a deficiency within 30 days of being notified by certified or registered mail, the *authority having jurisdiction* may, without further notification to the applicant, correct the deficiency and apply the whole or any part of the deposit to the cost of correcting the deficiency. Any fees over and above the amount of the deposit, the Town may charge against the applicant and in default of payment, recover the cost as a debt due to the Town.

(b) The notice will be deemed to be delivered four (4) business

days after mailing.

5.3.2 The *authority having jurisdiction* shall return to the applicant the deposit referred to in section 5.1.1. (a) when to the satisfaction of the *authority having jurisdiction* that the applicant has complied with all of the requirements of the building code and this By-law. The applicant shall not be entitled to interest on the deposit.

#### **5.4 Variation of Elevations**

The *authority having jurisdiction* may allow for a tolerance of 100 mm plus or minus with respect to any requirements of this section of the By-law.

### **SECTION Six UNSAFE BUILDING CONDITIONS**

- 6.1 Building inspector to Report : In the event the building inspector is of the opinion that a building, structure or other premises is by reason of its ruinous, dilapidated, unsafe, or unprotected condition, dangerous to the public safety, he shall immediately report to the council and provide details of the apprehended danger to public safety.
- 6.2 Determination by council: whereas the report from the Building Inspector or otherwise , Council is of the opinion that ruinous, dilapidated, unsafe, or unprotected condition, dangerous to the public safety, the Council may make an order respecting the building, structure or premises in accordance with the provisions of The Municipal Act C.C.S.M. Cap. M225
- 6.3 Building inspector to Enforce: If the owner does not comply with an order made by Council aforesaid within the period specified in the order, the Building Inspector shall carry out the order or cause it to be carried out in accordance with the provisions of The Municipal Act.
- 6.4 Emergency Action: Where, in the opinion of the Council, an unoccupied building is so ruinous, unsafe, or dilapidated as to be dangerous, or likely to cause injury to a person or damage to property, the Municipality may promptly take such reasonable emergency action as is required to eliminate or minimize the hazard in accordance with the provisions of The Municipal Act.
- 6.5 Accounts to be Kept: The Building Inspector shall keep an account of the expense of putting the building or property in safe condition or the expense or removing or demolishing a building in contravention of any by-law and any monies received from the sale of such building as provided in The Municipal Act and thereafter deliver an accurate account to the C.A.O. of the Municipality. Any such costs incurred after deducting any credit due to the owner, mortgagee or other person entitled thereto shall form a lien and charge against the property concerned and may be collected as taxes in arrears in accordance with the provisions of The Municipal Act.
- 6.6 Approval by Council: Nothing shall be incumbent upon the Building Inspector to enforce any part of section 6 of this by-law without first obtaining approval from Council.
- 6.7 Demolition: The provision of this by-law relating to demolition or removal of a building by Council is not intended to derogate from the authority of Council pursuant to section 323 of The Municipal Act.

### **SECTION Seven**

#### ***Duties, Responsibilities & Powers***

#### **7.1 Duties and Responsibilities of the Owner:**

- 7.1.1 Every *owner* shall allow the *authority having jurisdiction* to enter any *building* or premises at any reasonable time for the purpose of administering and enforcing the requirements of this By-law.
- 7.1.2 Every owner or authorized agent of the homeowner shall obtain all permits or approvals required in connection with proposed work, prior to commencing the work to which they relate. A copy of all permits must be made available to the Building Inspector upon request. Gas and electrical permits must be obtained according to Provincial standards.
- 7.1.3 Every owner shall ensure that the plans and specifications on which the issue of any *permit* was based are available continuously at site of the work for *audit* or *inspection* during working hours by the *authority having jurisdiction*, and that the *permit*, or true copy thereof, is posted conspicuously and properly displayed on the site during the entire execution of work.
- 7.1.4 Every *owner* shall give notice to the *authority having jurisdiction* of dates on which he intends to begin work prior to commencing work on the building site.
- 7.1.5 Every owner shall have available to the *authority having jurisdiction*, prior to commencing the work, listing:
- (a) the name, address and telephone number of
    - (i) the *constructor* or other person in charge of the work;
    - (ii) the *designer* of the work;
    - (iii) the person reviewing the work; and
    - (iv) any *inspection* or testing agency engaged to monitor the work or part of the work.
- 7.1.6 Every *owner* shall give sufficient notice to the *authority having jurisdiction*;
- (a) of intent to begin work that the *authority having jurisdiction* has directed may be subject to *audit* during construction; and
  - (b) of intent to cover work that the *authority having jurisdiction* has directed may be subject to *audit* during construction; and
  - (c) when work has been completed and before *occupancy*.
- 7.1.7 Every *owner* shall give notice in writing to the *authority having jurisdiction*
- (a) immediately upon any change in ownership or change in the address of the *owner* occurs prior to the issuance of an *occupancy permit*;
  - (b) prior to occupying any portion of the *building* if it is to be occupied in stages; and
  - (c) of any such other notice as may be required by the *authority having jurisdiction*.
- 7.1.8 Every *owner* shall give such other notice to the *authority having jurisdiction* as may be required by the provisions of the *Code* or this By-law.
- 7.1.9 Every *owner* shall make, or have made at his own expense, the tests or *inspections* necessary to prove compliance with these requirements and shall promptly provide a copy of all such test or *inspection* reports to the *authority having jurisdiction* when and as required by the *authority having jurisdiction*.

- 7.1.10 Every *owner* shall provide an up-to-date survey of the *building* site when and as required by the *authority having jurisdiction*.
- 7.1.11 When required by the *authority having jurisdiction*, every *owner* shall uncover and recover at his own expense any work that has been covered contrary to an order issued by the above authority.
- 7.1.12 Every *owner* is responsible for the cost of repair of any damage to public property or works located thereon that may occur as a result of undertaking work for which a *building permit* was or was not required.
- 7.1.13 Except in one and two family dwellings and their accessory buildings, every *owner* shall, where required, obtain an *occupancy permit* from the *authority having jurisdiction* before any
- (a) *occupancy* or a *building* or part of it after construction, partial demolition or *alteration* of that *building*; or
  - (b) change in the *occupancy* of any *building* or part of it.
- 7.1.14 Should *occupancy* occur before the completion of any work being undertaken, every *owner* shall ensure that no *unsafe condition* exists or will exist because of the work being undertaken or not completed.
- 7.1.15 The granting of a permit by the *authority having jurisdiction* shall not in any way relieve the *owner* of a *building* from full responsibility for carrying out the work or having it carried out in accordance with these requirements, including ensuring that the *occupancy* of the *building*, or any part of it, is in accordance with the terms of the *permit*.
- 7.1.16 when a *building and or the site* or part of it is in an *unsafe condition*, the *owner* shall immediately take all necessary action to put the *building* and or the site in a safe condition.
- 7.1.17 (1) Every *owner* who undertakes to construct or have constructed a *building* which;
- (a) has structural components falling within the scope of Part 4 of the *Code*; or
  - (b) has structural components specifically requiring a *professional engineer* design in accordance with the *Code*; or
  - (c) requires the use of *fire walls* according to the *Code*;
- shall ensure that an *architect, professional engineer* or both are retained to undertake professional design and inspection.
- (2) Professional design and inspection referred to in sentence (1) requires that an *architect, professional engineer* or both be responsible
- (a) for the design and that all appropriate plans, specifications and related documents meet the requirements of the *Code*, and the requirements of applicable acts, regulations and By-laws, and bear the seal or stamp of the registered professional, and
  - (b) for *inspection* of construction to ensure compliance with the design and the requirements of applicable acts, regulations and By-laws.
- (3) If the engagement of an *architect* or *professional engineer* pursuant to Sentences 6.1.17.(1) and (2) is terminated during the construction period, work shall be discontinued until a replacement has been appointed.
- (4) The requirements of Sentences 6.1.7 (a), (b), and (c) shall apply to a change in *occupancy*, and *alteration*, addition, reconstruction or the relocation of a *building* where and as required by the *authority having jurisdiction*.
- (5) NOTE: Professional design and inspection is responsible for all costs related and are incorporated into the cost of the appropriate plans. No

further costs to the contractor/owner for inspections.

7.1.18 Where the dimensions of a structural component are not provided in Part 9 of the *Code* for use in a *building* within the scope of that part, and such dimensions are to be determined on the basis of calculation, testing or other means of evaluation, the *owner* shall retain the services of an *architect* or *professional engineer*.

7.1.19 Every *owner* who undertakes to construct, alter, reconstruct, demolish, remove or relocate a *building* shall provide *supervision* and coordination of all work and trades. Furthermore the owner will ensure that the site is maintained in an orderly state and does not become unsightly or unsafe, and that no debris, material whether old or new does not encroach in any way on adjacent properties. Failure to adhere will result in fines being assessed. Such waste or surplus material must be disposed of on a regular basis so as not to accumulate and must be taken to the community landfill site so designated by the Town of Morris.

7.1.20 Every *owner* shall ensure that all materials, systems, equipment, and the like used in the construction, *alteration*, reconstruction or renovation of a *building* meet the requirements of applicable acts, regulations and By-laws for the work undertaken.

7.1.21 Every *owner* shall ensure proper drainage during construction of any *building*.

## **7.2 Duties and Responsibilities of the Constructor:**

7.2.1 Every *Constructor* is responsible for ensuring that no excavation or other work is undertaken on public property, and that no *building* is erected or materials stored in whole or in part thereon prior to issuance of the permits.

7.2.2 Every *Constructor* shall ensure that all construction safety requirements of the *Code* are complied with.

7.2.3 Every *Constructor* is responsible jointly and severally with the *owner* for work undertaken.

7.2.4 Every *Constructor* shall ensure that all materials, systems, equipment, etc. used in the construction, *alteration*, reconstruction or renovation of a *building* meet the *Code* for the work undertaken *and* CSA approved where required.

7.2.5 Every *Constructor* shall abide by all provincial legislation and regulations as it pertains to Manitoba Building and Labour codes .

## **7.3 Duties & Responsibilities of the Authority Having Jurisdiction:**

7.3.1 The *authority having jurisdiction* shall be responsible for the administration and enforcement of the *Code* and this By-law subject always to such direction as may from time to time be given by the *Council*.

7.3.2 The *authority having jurisdiction* shall keep copies of all applications received, *permits* and orders issued, *inspections* and tests made, and of all papers and documents connected with the administration of the *Code* and this By-law for such time as required by the provisions of the Municipal Act.

7.3.3 Where the *authority having jurisdiction* seeks to enforce any of the powers set out herein, the *authority having jurisdiction* shall issue in writing such notices or orders as may be necessary to inform the *owner* of the contravention of the *Code* or this By-law.



7.3.4 The *authority having jurisdiction* shall provide, when requested to do so, all reasons for refusal to grant a *permit*.

#### **7.4 Duties and Responsibilities of the Designer:**

7.4.1 When a *designer* is retained, the *designer* shall ensure that the design of the *building* conforms to the *Code*.

7.4.2 When a *professional engineer* or *architect* is required by the *Code* or the requirements of this By-law, they shall do *inspections* to ensure that the construction conforms to the design and the *Code*.

7.4.3 Every *designer* is required to submit to the *authority having jurisdiction*:

- (a) all information needed for review of the design;
- (b) any changes to the design for which a permit has or may be issued;
- (c) copies of all *inspection* reports for *inspections* done by the *designer* and others; and
- (d) any other documentation or certification required by the *authority having jurisdiction*.

7.4.4 Every *designer* shall ensure that all materials, systems, equipment or related matter specified for the construction, *alteration*, reconstruction or renovation of a *building* meet the requirements of the *Code* and the requirements of applicable Acts, regulations and By-laws for the work to be undertaken. Used material is not to be used for any New construction projects except at the discretion and permission of the building inspector.

7.4.5 If the responsible *architect* and/or *professional engineer* withdraw from the project, he shall immediately advise the *authority having jurisdiction*.

7.4.6 Prior to the issuance of an occupancy permit, the responsible architect and/or professional engineer shall, where required by the *authority having jurisdiction*, submit a certificate stating:

The construction has been reviewed under my supervision in accordance with recognized professional inspection standards, and that to the best of my/our knowledge the structure was constructed in accordance with the accepted drawings and specifications and requirements of the applicable By-laws.

7.4.7 The responsible *architect* and/or *professional engineer* shall sign, date and seal all of the documents referred to in this article.

#### **7.5 Powers of Authority Having Jurisdiction:**

7.5.1 The *authority having jurisdiction* may enter any *building* or premises at any reasonable time to *audit* for compliance with the *Code* or these requirements, or to determine if an *unsafe condition* exists.

(a) Contractors must notify the Building Inspector when inspections are needed no less than 24 hours prior to inspections. Furthermore, Inspection call notices will be given to the permit holder and all new homes require a final inspection prior to occupancy. Temporary permits may be granted subject to the conditions of 4.2.4.1.

(b) Occupancy permits are granted only when all safety areas are completed. Temporary occupancy permits require a re-inspection for final occupancy.

(c) Open excavations must be secured by fencing and properly marked. Open holes must be secured and made safe on the day that the

excavation takes place

- 7.5.2 The *authority having jurisdiction* is empowered to issue orders for:
- (a) an *owner* or authorized agent to hold work at specific stages of construction in order to facilitate an *audit* or *inspection*;
  - (b) a person who contravenes these requirements to comply with them within the time period that may be specified;
  - (c) work to stop on the *building* or any part of it if such work is proceeding in contravention of these requirements, or if there is deemed to be an *unsafe condition*;
  - (d) the removal of any unauthorized encroachment on public property; or on neighboring property
  - (e) the removal of any *building* or part of it constructed in contravention of these requirements;
  - (f) the cessation of any *occupancy* in contravention of these requirements;
  - (g) cessation of any *occupancy* if any *unsafe condition* exists because of work being undertaken or not completed; and
  - (h) correction of any *unsafe condition*.
- 7.5.3 The *authority having jurisdiction* may direct that tests of materials, equipment, devices, construction methods, structural assemblies or *foundation* conditions be made, or sufficient evidence or proof be submitted at the expense of the *owner*, where such evidence or proof is necessary to determine whether the material, equipment, device, construction or *foundation* condition meets these requirements.
- 7.5.4 The *authority having jurisdiction*, may require an owner to submit, in addition to the information required in Article 4.1.1, an up-to-date plan or survey, prepared by a registered land surveyor, *architect* or *professional engineer*, as is appropriate to the work, and which shall contain sufficient information regarding the site and the location of any *building*;
- (a) to establish before construction begins that all the requirements related to this information will be complied with; and
  - (b) to verify that, upon completion of the work, all such requirements have been complied with.
- 7.5.5 The *authority having jurisdiction* may ask for any other documentation or tests deemed necessary at the expense of the owner.
- 7.5.6 Notwithstanding any other provisions herein, wherein the opinion of the *authority having jurisdiction* over the site conditions, the size or complexity of a *building*, part of a *building* or *building* component warrant, or for any other reason, the *authority having jurisdiction*, may require that the *owner* have the following done at his/her expense:
- (a) the appropriate plans, specifications and related documents be reviewed by and bear the seal or stamp of an *architect* or *professional engineer*; and
  - (b) the work be inspected during construction by the *architect* or *professional engineer* responsible for the work.
- 7.5.7 The *authority having jurisdiction* may issue a *building permit* at the risk of the *owner* with, if necessary, conditions to ensure compliance with these requirements and any other applicable regulations, to excavate or to construct a portion of a *building* before all the plans of the project have been submitted to the *authority having jurisdiction*.
- 7.5.8 The *authority having jurisdiction* may refuse to issue any permit
- (a) whenever information submitted is inadequate to determine compliance with the provisions of these requirements; or
  - (b) whenever incorrect information is found to have been submitted; or
  - (c) that would authorize any *building* work or *occupancy* that would not be permitted by these requirements; or

- (d) that would be prohibited by any other Act, regulation or By-law.
- 7.5.9 The *authority having jurisdiction* may revoke a permit by written notice to the permit holder if;
- (a) there is contravention of any condition under which the permit was issued; or
  - (b) the permit was issued in error; or
  - (c) the permit was issued on the basis of incorrect information; or
  - (d) the work is being done contrary to the terms of the permit.
- 7.5.10 The *authority having jurisdiction* may place a *valuation* on the cost of the work for the purpose of determining permit fees. Such *valuation* shall take precedence over any valuation provided by the *owner*, as per Schedule A.
- 7.5.11 The *authority having jurisdiction* may issue an *occupancy permit*, subject to compliance with provisions to safeguard persons in or about the premises, to allow the *occupancy* of a *building* or part of it for the accepted use, before commencement or completion of the construction or demolition work.
- 7.5.12 When any *building*, construction or excavation or part of it is in an *unsafe condition*, as a result of being open or unguarded, or because of danger from fire or risk of accident because of its ruinous or dilapidated state, faulty construction, abandonment or other, and when due notice to correct such condition has not been complied with, the *authority having jurisdiction* may;
- (a) demolish, remove or make safe such *building*, construction excavation or part of it at the expense of the *owner* and may recover such expense in like manner as municipal taxes; and
  - (b) take such other measures as may be deemed necessary to protect the public.
- 7.5.13 Notwithstanding any other provisions herein, when, in the opinion of the *authority having jurisdiction*, immediate measures need to be taken to avoid an imminent danger, the *authority having jurisdiction* may take such action as is appropriate, without notice and at the expense of the *owner*.
- 7.5.14 The *authority having jurisdiction* may withhold issuing an *occupancy permit* on completion of the *building* or part of the *building*, until the owner has provided letters to certify compliance with the Code, these requirements and the requirements of applicable Acts, regulations or By-laws.
- 7.5.15 The *authority having jurisdiction* may issue to the *owner* an order or notice in writing to correct any *unsafe conditions* observed in any *building*.

## **SECTION EIGHT**                      **Appeal**

- 8.1 Any person aggrieved by any decision or order of the *authority having jurisdiction* as to the issuance of permits, the prevention of construction or *occupancy* of *buildings*, the demolition or removal of buildings, or structures, or any other matter herein may, within fifteen (15) days from the date of the decision, appeal to the Housing Committee of the Town of Morris. All decisions or orders remain in effect during the appeal process.
- 8.2 The Committee may hear the appeal as a committee of the whole or by subcommittee especially established for this purpose.
- 8.3 Upon hearing of an appeal, the Committee may:
- (a) uphold, rescind, suspend or modify any decision or order given by the *authority having jurisdiction*; or

- (b) extend the time within which compliance with the decision or order shall be made; or
- (c) make such other decision or order as in the circumstances of each case it deems just;

and the decision or order of the Committee upon being communicated to the appellant, shall stand in place of the decision or order against which appeal is made, and any failure to comply with the decision or order is deemed an offense.

**SECTION Nine                      Offences and Penalties**

- 9.1 Any person who contravenes or disobeys, or refuses or neglects to obey;
- (a) any provision of the *Code* or this By-law or any provision of any other By-law that, by this By-law, is made applicable; or
  - (b) any order or decision of the Council under Article 6 herein;

for which no other penalty is herein provided is guilty of any offence and liable, on summary conviction, to a fine in accordance with the fines specified in Schedule MH of this By-law plus costs incurred by the Town of Morris to remedy the situation. .

- 9.2 Where a corporation commits an offense against the *Code* or this By-law, each Director or Officer of the corporation who authorized, consented to, connived at, or knowingly permitted or acquiesced in, the doing of the act that constitutes the offence, is likewise guilty of the offences and liable, on summary conviction, to the penalty for which provision is made in Subsection 8.1 aforesaid.

**SECTION TEN                      Repeal**

- 10.1 By-law No. 5/90 be and the same is hereby repealed.
- 10.2 The repeal of the By-laws in the last preceding section mentioned shall not revive any By-law or any provision of any By-law repealed by them, nor shall the said repeal prevent the effect of any saving clause in the said By-laws or the application of any of the said By-laws or any other By-law or provision of law formerly in force to any transaction matter or thing anterior to the said repeal to which they would otherwise apply.
- 10.3 And the repeal of the said By-laws should not affect:
- (a) any penalty, forfeiture or liability incurred before the time of such repeal, or any proceedings for enforcing the same, had, done, completed or pending at the time of such repeal
  - (b) any action, suit, judgment, decree, certificate, execution, process, order, rule or any proceeding, matter or thing whatever, respecting the same had, done, made, entered, granted, completed, pending, existing or in force at the time of such repeal;
  - (c) any act, deed, right, title, interest, grant, assurance, registry, rule, regulation, contract, lien, charge, matter or thing had, done, made, acquired, established or existing at the time of such repeal;
  - (d) any office, appointment, commission, salary, allowance, security, duty or any matter or thing appertaining thereto at the time of such repeal
  - (e) any bond, note debenture, debt, or other obligation made, executed, or entered into by the Corporation at the time of such repeal;
  - (f) shall and such repeal defeat, disturb, invalidate, or prejudicially affect any other matter or thing whatsoever had, done, completed, existing or pending at the time of such repeal.

10.4 Schedules included in this By-law may be updated and adopted by resolution of Council.

10.5 This By-law shall not supersede any Provincial or Federal Codes nor any Town of Morris By-laws or Development Plans.

**DONE AND PASSED** by the Council of the Town of Morris, in open meeting, duly assembled, this 9th day of September A.D., 2010.

Mayor

\_\_\_\_\_

Chief Administrative Office

\_\_\_\_\_

Given First reading this 8th day of April, A.D., 2010

Given Second reading this 9th day of September, A.D., 2010

Given Third reading this 9th day of September, A.D., 2010

## Schedule MA

This is Schedule MA to By-law No. 07/10  
respecting  
Classes of Permits and Permit Fees  
Inspection Fees

### Class of Permit

#### 1.1 Building Permit (residential and other part 9 construction)

A)	-Main Floor	\$ .30 per sq. ft.
	-Second Floor	\$.25 per sq. ft.
	-Attached Garage	\$.10 per sq. ft.
	-Basement Development	\$.20 per sq. ft.
	-RTM's	\$.20 per sq. ft.
	-Commercial Buildings	\$.45 per sq. ft.
	Flat Fees:	
	-Sheltered Deck	\$ 50.00
	-Non Sheltered Deck	\$ 25.00
	-Accessory Building	\$ 50.00
	-Demolition (Residential)	\$ 10.00
	-Demolition (Commercial)	\$ 50.00
	-Outdoor Inground Pool	\$ 50.00
	-Above Ground Pool	\$ 25.00
	-Residential Sign	\$ 25.00
	-All Renovations (Structural & Plumbing)	\$100.00
B)	-Minimum Permit Fee	\$ 25.00
C)	- Plumbing Permit (3 Inspections Max.)	\$150.00
	- (Each additional inspection)	\$ 50.00
D)	Other Applicable Permits	
	- Performance Bond- used homes/buildings	\$ 3,000.00
	-Refundable Sidewalk & Blvd Damage Deposit	\$ 250.00
	-Lot Grading Fee Deposit (Residential)	\$ 500.00
	(Commercial)	\$ 1,000.00/per building
	-Development Permit	\$10.00
	-Occupancy Permit (CSA certified Mobile Homes)	\$25.00
	Progress Inspections (Financial Institutions)	\$80.00
E.	After Hours Inspection Fee	\$40.00 per hour plus Km's

## **Schedule MB**

This is Schedule MB to **By-law No. 07/10**  
respecting

List of Plans or Working Drawings  
to accompany applications for permits

The authority having jurisdiction may require the following:

- 1) Site Plan
- 2) Floor Plans
- 3) Foundation Plans
- 4) Framing Plans
- 5) Engineered Stamped Truss Plans
- 6) Building Elevations
- 7) Grade Levels
- 8) Plumbing Drawings
- 9) Site Drainage Plans
- 10) Heating, Ventilation & Air Conditioning Plans
- 11) Building Location Certificate
- 12) Engineered Stamped Plans
- 13) Surveys and pinned lots

**Schedule MC**

This is Schedule MC to By-law No. 07/10

Pursuant to Subsection 4.2.1.4 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

**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  
Town of Morris  
Box 28 Morris, MB

Date

Dear Sir

RE:

(Address of Project)

(Legal Description of Project)

The undersigned has retained 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 for which the 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 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 or Owner's appointed agent's  
signature

\_\_\_\_\_  
Address (print)

Date



Occupation (print)

Title of Agent (if applicable) (print)

(Affix Coordinating Professional's Seal here)

Address (print)

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 MD**

This is Schedule MD to By-law No. 07/10

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  
Town of Morris  
Box 28 Morris MB R0G 1K0

Date

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 assured 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.

**Schedule MD/2**

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 his contract for inspection is terminated at any time during construction.

Name

\_\_\_\_\_

(Print)

Date

Signed

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 in the Association of Architects or the Association of Professional Engineers.

**Schedule ME**

This is Schedule ME to By-law No. 07/10

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  
Town of Morris  
Box 28 Morris, MB, R0G 1K0

Date

Dear Sir:

Re:  
(Address of project)

(Legal description of project)

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)

\_\_\_\_\_  
Signature

Owner' or Owner's appointed  
agent's signature

\_\_\_\_\_  
Address (print)

Date

**Schedule ME/2**

\_\_\_\_\_  
Occupation (print)

Title of Agent (if applicable)(print)

\_\_\_\_\_  
Certification or Licence

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 MF**

This is Schedule MF to By-law No. 07/10

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 the authority having jurisdiction.

**ASSURANCE OF COMPLIANCE**

The Authority Having Jurisdiction  
Town of Morris  
Box 28 Morris, MB, R0G 1K0

Date

Dear Sir:

Re: (Address of Project)

(Legal Description of Project)

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

Signed

Address

Phone

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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)

\_\_\_\_\_

Signed

Date

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 in the Association of Architects or the Association of Professional Engineers.

## Schedule MG

This is Schedule MG to By-law No. 07/10

pursuant to Building Moving Permits

Date of Application

Applicant \_\_\_\_\_ Address \_\_\_\_\_  
Ph # \_\_\_\_\_.

Before a building permit is issued, the applicant must be able to provide the following information;

- 1) At the applicants expense, the building inspector must inspect the building prior to moving
- 2) The completed building must meet or exceed the Manitoba Building Code Building must blend into existing neighborhood
- 3) Provide a detailed interior and exterior plan of the building to include but not be limited to the following;
  - a) exterior wall finish\*
  - b) doors and windows\*
  - c) roofing
  - d) landscaping plan
  - e) driveway
  - f) blend into existing neighborhood
  - g) other
- 4) Route taken into the Town of Morris by the mover
- 5) Project completion date of maximum of one year from permit issuance date. At the discretion of the Building Inspector an extension may be granted.
- 6) The applicant must be willing to provide proof of financing
- 7) The Building Inspector or Council may at their discretion require the owner to obtain a performance bond in the amount to be determined by resolution of Council

I hereby agree to the above mentioned conditions;

Applicant Signature

Development Officer Approval \_\_\_\_\_ Date\_\_\_\_\_.



## Schedule MH

This is Schedule MH to By-law No. 07/10

### OFFENCES AND PENALTIES

1. Where a person/individual is in contravention of any portion of this By-law or any By-laws or *Codes* referred to in this By-law, that person/individual shall be subject to the following penalties:
  - (a.) When the contravention is detected the Building Inspector, or his/her designate, shall forthwith send a notice, via certified or registered mail, of the infraction to the person/individual whose name appears on the Building Permit Application. Such notice shall be deemed to have been given four days from the date on the notice. The above notice shall state the specifics of the contravention and give the person/individual thirty (30) days to rectify the contravention.
  - (b) If the contravention is not rectified after the period mentioned in clause (a) above then the person shall be subject to the following fines:

First 10 days after period in clause (a)	\$50.00 per day
After first 10 days	\$100.00 per day
2. Where a corporation is in contravention of any portion of this By-law or any By-laws or *Codes* referred to in this By-law, that corporation and/or any Directors or Officers, as referred to in Section 8.2 of this By-law, shall be given notice in accordance with Section 1(a) above. The fines applicable to the corporation and/or any Directors or Officers, as stated earlier in this section, shall be two (2) times the amounts listed above in section 1(b).
3. Where remedial action is outstanding in reference to sections 1 and 2 above, the said owner or applicant or the officer(s)/director(s) of said corporation, shall not be granted any other permits within the corporate limits of the Town of Morris until such outstanding remedial action is satisfactorily rectified.