

# THE CORPORATION OF THE TOWNSHIP OF PERRY

## BY-LAW No. 2017-24

Being a By-Law Respecting Construction, Demolition, Septic, Change of Use, Conditional Permits, Transfer of Permits and Inspections and the Setting and Refunding of Fees

**WHEREAS** Section 7 of the *Building Code Act*, S.O. 1992, c. 23, as amended, empowers Council to pass certain by-laws respecting construction, demolition, change of use, conditional permits, transfer of permits, sewage systems, inspections and the setting and refunding of fees;

**AND WHEREAS** pursuant to Section 425 of the *Municipal Act*, S.O. 2001, c. 25, as amended, provides that a Municipality may pass by-laws providing that a person, who contravenes a by-law of the municipality passed under this Act is guilty of an offence;

**AND WHEREAS** pursuant to Section 435 of the *Municipal Act*, S.O. 2001, c. 25, as amended, a municipality has the power to enter onto lands at any reasonable time for the purpose of carrying out an inspection to determine compliance with this by-law;

**AND WHEREAS** pursuant to Section 2 of the *Trespass to Property Act*, R.S.O. 1990, c. T.21, as amended, makes it an offence for every person who is not acting under right or authority conferred by law and who, without the express permission of the occupier, the proof of which rest on the defendant, enters on premises when entry is prohibited under the Act or engages in an activity on the premises when the activity is prohibited under the Act or does not leave the premises immediately after he or she is directed to do so by the occupier of the premises or a person authorized by the occupier;

**AND WHEREAS** pursuant to Section 5 of the *Trespass to Property Act*, R.S.O. 1990, c. T.21, as amended, allows a municipality as "occupier" to post signs, prohibiting activities within an area.

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Township of Perry hereby enacts as follows:

### I. SHORT TITLE

This By-law may be cited as the "Building By-law".

### II. DEFINITIONS

- A. "Act" means the *Building Code Act*, S.O. 1992, c. 23, as amended;
- B. "Applicant" means the owner of a building or property who applies for a permit or any person authorized by the 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. "As Constructed Plans" means the construction plans & specifications that show the building and the location of the building on the property as the building has been constructed (Division A, Article 1.4.1.1 of the Building Code);
- D. "Building" means (as per Section 1.(1) of the Building Code Act):
  1. A structure occupying an area greater than ten square

- metres (108 square feet) consisting of a wall, roof and floor or any of them or a structural system serving the function thereof including all plumbing, works, fixtures and service systems appurtenant thereto,
2. A structure occupying an area of ten square metres (108 square feet) or less that contains plumbing, including the plumbing appurtenant thereto,
  3. Plumbing not located in a structure,
  4. Structures designated in the building code;
- E. **"Building Area"** means the greatest horizontal area of a building within the outside surface of the exterior walls. Building area shall include carports, storage buildings/sheds, decks, docks, boat ports and other like attached or detached accessory structures. Building area for structures with no exterior walls, such as car ports or docks, shall be calculated based on the area of the exterior support posts/columns (eg. Carport or pole shed) or the area of the walking surface (eg. Deck or dock);
- F. **"Building Code"** means the Regulations made under Section 34.(1) of the *Building Code Act*;
- G. **"Chief Building Official"** means a person appointed by By-law by the Corporation of the Township of Perry for the purposes of enforcement of the *Building Code Act* (as per Section 1.(1) of *the Building Code Act*);
- H. **"Completion Permit"** means a permit that is obtained to complete a project that has had a portion of the project constructed without benefit of a building permit issued by the Township of Perry. The permit fee for this class of permit includes the cost of any enforcement required to obtain compliance;
- I. **"Construct"** means to do anything in the erection, installation, extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere and "construction" has a corresponding meaning (as per Section 1.(1) of the *Building Code Act*);
- J. **"Corporation"** means the Corporation of the Township of Perry;
- K. **"Demolish"** means to do anything in the removal of a building or any material part thereof and "demolition" has a corresponding meaning (as defined in Section 1.(1) of the *Building Code Act*);
- L. **"Dwelling Unit"** means a building, structure or suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities;
- M. **"Enforcement Authority"** means the individuals, such as the Chief Building Official, Deputy-Chief Building Official, Inspectors and Municipal Law Enforcement Officer(s) appointed by council for the enforcement of the *Building Code Act* in areas which the municipality has jurisdiction;
- N. **"Inspector"** means a person appointed by By-law by the Corporation of the Township of Perry for the purposes of enforcement of the *Building Code Act* (as per Section 1.(1) of *the Building Code Act*);

- O. **"Farm Building"** means all or part of a building (as per Division A, Article 1.4.1.2. of the Building Code),
1. That does not contain any area used for residential occupancy,
  2. That is associated with and located on land devoted to the practice of farming, and
  3. That is used essentially for the housing of equipment or livestock or the production, storage or processing of agriculture and horticultural produce or feeds;
- P. **"Permit"** means written permission or written authorization from the Chief Building Official to perform work regulated by this By-law, the Building Code and the *Building Code Act*;
- Q. **"Plumbing"** means a drainage system, a venting system and a water system or parts thereof (as per Section 1.(1) of the Building Code);
- R. **"Property Owner"** means a person, persons, company or corporation that is the registered owner of land;
- S. **"Remedy Unsafe Building"** means a permit that has become necessary due to a building being determined to be unsafe by the Chief Building Official. The permit fee includes the cost of any enforcement required to obtain compliance;
- T. **"Sewage System"** means,
1. a chemical toilet, an incinerating toilet, a recirculating toilet, a self-contained portable toilet and all forms of privy, including a portable privy, and earth pit privy, a pail privy, a privy vault and a composting toilet system,
  2. a grey water system,
  3. a cesspool,
  4. a leaching bed system or
  5. a system that requires or uses a holding tank for the retention of hauled sewage at the site where it is produced before its collection by a hauled sewage system,
- where these,
6. have a design capacity of 10,000 litres per day or less,
  7. have, in total, a design capacity of 10,000 litres per day or less, where more than one of these are located on a lot or parcel of land, and
  8. are located wholly within the boundaries of the lot or parcel of land on which is located the building or buildings they serve (as per Section 1.4.1.2 of the Building Code);
- U. **"Special Inspection"** means an inspection that is requested and conducted outside normal building inspections at the discretion of the Chief Building Official. Which may include inspections requested on permits that are more than 12 months old or that were issued under a previous version of the Ontario Building Code;
- V. **"Structure"** means anything constructed or erected with a fixed location on the ground or over the water. Among other things, structures include buildings, mobile homes ('manufactured homes'), trailers, sleeping cabins/bunkies, garages, sheds, walls, fences, billboards, shipping

containers, docks and boat houses/boat ports, etc.

- W. **“Word-term-not-defined”** Any word or term not defined in this By-law, that is defined in the Act or Building Code shall have the meaning ascribed to it in the Act or Building Code. Should a word or term not be defined in the Act or Code, it shall have the meaning that is commonly assigned to it in the context in which it is used, taking into account the specialized use of terms by the various trades and professions to which the terminology applies.
- X. **“Work”** means construction, alteration, addition or demolition of a building or part thereof.

### **III. CLASSES OF PERMITS**

The classes of permits set out in Schedule “C” of this by-law are hereby established.

### **IV. REQUIREMENTS FOR APPLICATIONS**

#### *A. The Application*

1. To obtain a permit, the owner or an agent authorized by the owner shall file an application in writing by completing a prescribed form available at the office of the Chief Building Official, on the Township of Perry web site [www.townshipofperyy.ca](http://www.townshipofperyy.ca) or from the Building Code website [www.obc.mah.gov.on.ca](http://www.obc.mah.gov.on.ca).

#### *B. Construction Permit*

1. Where application is made for a construction permit under Subsection 8.(1) of the *Building Code Act*, the application shall:
  - a) Describe the land on which the work is to be done, by a description that will readily identify and locate the building lot;
  - b) Include a minimum of two sets of complete plans and specifications for the work to be covered by the permit and show the occupancy of all parts of the building;
  - c) State the valuation of the proposed work including materials and labour and be accompanied by the required fee;
  - d) State the names, addresses, email address and telephone numbers of the owner, authorized agent, builder and of the architect or engineer, where applicable, or other designer or contractor;
  - e) Be accompanied by a written acknowledgement of the owner that he/she has retained an architect or professional engineer to carry out the field review of the construction where required by the Building Code (Letter of Commitment and General Review). The Architect/Engineer shall provide written field reports to the Township as required/requested;
  - f) Be signed by the owner or his or her authorized agent who shall certify the truth of the contents of the application.

#### *C. Demolition*

1. Where application is made for a demolition permit under Subsection 8.(1) of the Act, the application shall:
  - a) Contain the information required by Section IV B.1.

of this By-Law; and

- b) May be required to be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the cutting off and plugging of all water, sewer, electric, telephone or other utilities and services.

D. *Change of Use Permit*

1. Every application for a change of use permit issued under Subsection 10.(1) of the *Building Code Act* shall be submitted to the Chief Building Official and shall:
  - a) Describe the building in which the occupancy is to be changed, by a description that will readily identify and locate the building;
  - b) Identify and describe in detail the current and proposed occupancies of the building or part of a building for which the application is made;
  - c) Include plans and specifications which show the current and proposed occupancy of all parts of the building and which contain sufficient information to establish compliance with the requirements of the Building Code including floor plans, details of wall, ceiling and roof assemblies, identifying required fire resistance ratings and load bearing capabilities;
  - d) Be accompanied by the required fee;
  - e) State the name, address, email address and telephone number of the owner; and
  - f) Be signed by the owner or his or her authorized agent who shall certify the truth of the contents of the application.

E. *Conditional Permit*

1. Where application is made for a conditional permit under Subsection 8.(3) of the *Building Code Act*, the application shall:
  - a) Contain the information required by Section IV.B.1. of this By-Law;
  - b) Contain such other information, plans and specifications concerning the complete project as the Chief Building Official may require;
  - c) State the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted;
  - d) State the necessary approvals, which must be obtained in respect of the proposed building and the time in which such approvals will be obtained;
  - e) State the time in which plans and specifications of the complete building will be filed with the Chief Building Official; and
  - f) Shall be at the discretion of the Chief Building Official.

F. *Sewage System Permit*

1. Every permit issued by the North Bay Mattawa Conservation Authority for a sewage system permit shall be submitted to the Chief Building Official (to be submitted by the property owner or sewage system

contractor) and contain the following information:

- a) The information required by Section IV B.1. of this By-law;
- b) The name address, telephone number and licence number of the person installing the sewage system.
- c) Where the person named in Section F.1.b) above, requires a licence under the Act and the Building Code, the number and date of issuance of the licence, and the name of the qualified person supervising the work to be done under the sewage system permit.
- d) A site evaluation which shall include all of the following items, unless otherwise specified by the Chief Building Official:
  - (1) the date the evaluation was done;
  - (2) name, address, telephone number and signature of the person who prepared the evaluation;
  - (3) a scaled map of the site showing:
    - (a) the legal description, lot size, property dimensions, existing rights-of-way, easements of municipal/utility corridors,
    - (b) the location of any existing or proposed buildings,
    - (c) the location of the proposed sewage system including number of runs,
    - (d) the location of any unsuitable, disturbed or compacted areas,
    - (e) proposed access routes for system maintenance.
  - (4) Depth of bedrock;
  - (5) Depth to zones of soil saturation;
  - (6) Soil properties, including soil permeability, soil conditions, including the potential for flooding.

G. *Alternative Solution*

1. The person proposing an alternative solution shall provide the documents required by Division C Section 2.1 of the Building Code.

**V. PLANS AND SPECIFICATIONS**

- A. Sufficient information shall be submitted with each application for a permit to enable the Chief Building Official to determine whether or not the proposed construction, demolition or change of use will conform to the Act, the Building Code and any other applicable law.
- B. After the issuance of a permit under the Act, notice of any material change to a plan, specification, document or other information on the basis of which the permit was issued shall not be made without the written authorization of the Chief Building Official.
- C. Each application shall, unless otherwise specified by the Chief Building Official, be accompanied by two complete sets of plans and specifications as required under this by-law.
- D. Plans shall be drawn to scale on paper, cloth or other durable material shall be legible and without limiting the

generality of the foregoing, shall include such working drawings as set out in Schedule "B" to this By-Law, unless otherwise specified by the Chief Building Official.

- E. Site plans shall be accurately drawn to scale, and when required by the Chief Building Official to demonstrate compliance with the *Building Code Act*, the Building Code or other applicable law, a copy of a survey prepared by an Ontario Land Surveyor shall be submitted.

Site Plans shall show:

1. Lot Size and the dimensions of the property lines and setbacks to any existing or proposed buildings;
2. Dimensions with setbacks of all structures;
3. Existing and finished ground levels or grades;
4. Existing rights-of-way, easements and municipal services/utility corridors; and
5. Verification by an Ontario Land Surveyor of by-law compliance may be required before proceeding past foundation state, if required by the Chief Building Official.

#### **VI. PAYMENT OF FEES**

- A. Fees for a required permit shall be as set out in Schedule C of this By- Law, and are due and payable upon submission of an application for a permit.
- B. Where the fees payable in respect of an application for a construction or demolition permit issued under Subsection 8.(1) of the *Building Code Act* or a conditional permit under Subsection 8.(3) of the *Building Code Act* are based on the cost of valuation of the proposed work, the cost of valuation of the proposed work shall mean the total value of all work regulated by the permit, including the cost of all material, labour, equipment, overhead, professional and related services, provided that where application is made for a conditional permit, fees shall be paid for the complete project.
- C. The Chief Building Official may place a valuation on the cost of the proposed work for the purposes of establishing the permit fee, and where disputed the applicant shall pay the required fee under protest and, within six (6) months of completion of the project, shall submit an audited statement of the actual costs and where the audited value is determined to be less than the valuation, the Chief Building Official shall issue a refund.

#### **VII. REFUNDS**

- A. In the case of withdrawal of an application or the abandonment of all or a portion of the work or the non-commencement of any project, the Chief Building Official shall determine the amount of paid permit fees that may be refunded to the applicant, if any, in accordance with Schedule "A" attached to and forming part of this By-Law. Application for refund must be made within 6 months of the date of permit application in order to be eligible for a refund of any permit fee.

#### **VIII. NOTICE OF REQUIREMENTS FOR INSPECTIONS**

- A. The owner or an authorized agent shall notify the Chief Building Official at least **two (2)** municipal office business

days prior to each stage of construction for which notice in advance is required under Division C article 1.3.5.1. of the Building Code. In addition to the prescribed notice contained in Article 1.3.5.1 of the Building Code, notice of any solid fueled fired appliance rough in and notice of the final inspection detailed in clauses 1.3.5.2.(1)(c) and 1.3.5.2.(1)(i) of the Building Code is also required.

- B. Notice may be given in one of the following ways:
1. Telephone message at (705) 636 - 5941 ext. 207;
  2. Email at [mike.wilmon@townshipofperry.ca](mailto:mike.wilmon@townshipofperry.ca);
  3. In person at the Township of Perry Municipal Office

#### **IX. AS CONSTRUCTED PLANS**

- A. The Chief Building Official may require that a set of plans of a building or any class of building as constructed be filed with the Chief Building Official on completion of construction under such conditions as may be prescribed in the Building Code.

#### **X. TRANSFER OF PERMITS**

- A. If land changes ownership after a building permit has been issued, a building permit can be transferred to the new owner for a fee in accordance with Schedule C of this By-Law, as amended. When a building permit is transferred, the new owner assumes all responsibility and may be required to provide additional information and, if necessary, proof of engagement of a design professional. Changes made to plans submitted for the original building permit may require payment of an additional fee.

#### **XI. REVOCATION OF PERMITS**

- A. In accordance with Section 8.(10) of the *Building Code Act*, the Chief Building Official may revoke a permit issued under the Act.

#### **XII. ENFORCEMENT (OFFENCES)**

- A. No person shall:
1. Construct a building without a permit contrary to subsection 8.(1) of the Act;
  2. Cause construction of building without a permit contrary to subsection 8.(1) of the *Building Code Act*;
  3. Demolish a building without a permit contrary to subsection 8.(1) of the *Building Code Act*;
  4. Cause demolition of a building without a permit contrary to subsection 8.(1) of the *Building Code Act*;
  5. Change plans without authorization contrary to subsection 8.(12) of the *Building Code Act*;
  6. Construct a building not in accordance with plans contrary to subsection 8.(13) of the *Building Code Act*;
  7. Change the use of a building without a permit contrary to subsection 10.(1) of the *Building Code Act*;
  8. Occupy a building newly erected without notice or inspection contrary to section 11.(1) of the *Building Code Act*;
  9. Obstruct or remove a posted order without authorization contrary to section 20. of the *Building Code Act*;
  10. Furnish false information on an application for a permit

- contrary to clause 36.(1)(a) of the *Building Code Act*;
11. Commence demolition before a building has been vacated contrary to Division C sentence 1.3.1.1.(4) of the Building Code;
  12. Fail to post a permit on the construction site contrary to Division C article 1.3.2.1 of the Building Code;
  13. Fail to post a permit on the demolition site contrary to Division C article 1.3.2.1 of the Building Code;
  14. Occupy an unfinished building without a permit contrary to Division C sentence 1.3.3.1.(1) of the Building Code; and
  15. Fail to provide notification of construction phase contrary to Division C sentence 1.3.5.1 (1) of the Building Code.
- B. No Person shall fail to comply with:
1. An order to comply made by an inspector under subsection 12.(2) of the *Building Code Act*;
  2. An order not to cover made by an inspector under subsection 13.(1) of the *Building Code Act*;
  3. An order to uncover made by an inspector under section 13.(6) of the *Building Code Act*;
  4. A stop work order made by the Chief Building Official under subsection 14.(1) of the *Building Code Act*
  5. An order to remedy an unsafe building made by an inspector under subsection 15.9(4) of the *Building Code Act*;
  6. An order prohibiting use or occupancy of an unsafe building made by the Chief Building Official under subsection 15.9(6) of the *Building Code Act*; and
  7. An order to repair a dangerous building made by the Chief Building Official under subsection 15.10(1) of the *Building Code Act*.

### **XIII. PENALTIES**

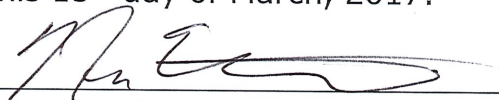
- A. Every person who contravenes any provision of this By-Law or the *Building Code Act* or is party to such contravention is guilty of an offence and upon conviction is liable to a fine, in accordance with section 36 of the *Building Code Act* with respect to offences arising from sections XII A 1.-15. and XII B 1.-7. of this By-Law; or otherwise as provided for in the Provincial Offences Act R.S.O. 1990, c. P.33;
- B. Every person who hinders or obstructs a person lawfully carrying out the enforcement of this By-Law is guilty of an offence;
- C. Every person who is guilty of an offence under this by-law may, if permitted under the Provincial Offences Act, R.S.O. c 1990, c. P33 as amended, pay a set fine, and the Chief Judge of the Ontario Court of Justice shall be requested to establish set fines as set out in Schedule "D";
- D. In addition to the penalties prescribed in sections XII A 1.-15. and XII B 1.-7. of this By-law, the Chief Building Official may apply under subsection 36(1) and or 38(1) of the *Building Code Act* for additional penalties and/or fine up to Five Thousand Dollars (\$5,000.00) or the maximum fine applicable pursuant to the provisions of the Provincial Offences Act, R.S.O. 1990, Chapter P33.; and

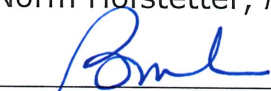
- E. No part of this by-law shall come into force and take effect until Schedule "D" is approved and filed by the Regional Senior Justice, pursuant to Provincial Offences Act Part 1. A copy of this approval is attached and forms part of this by-law.

**XIV. REPEAL OF BY-LAWS**


- A. By-law 2015-16 and any other by-laws or provisions in other by-laws found to be inconsistent with this new by-law are hereby deemed to be repealed.
- B. Should any clause in this by-law be declared invalid by a court of competent jurisdiction, such clause shall be construed as being severed from this by-law and the remainder of the by-law shall continue in full force and effect.

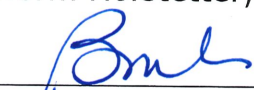
Read a first and second time this 15<sup>th</sup> day of March, 2017.

  
\_\_\_\_\_  
Norm Hofstetter, *Mayor*

  
\_\_\_\_\_  
Beth Morton, *Clerk-Administrator*

Read a third and final time and enacted in open Council this 15<sup>th</sup> day of March, 2017.

  
\_\_\_\_\_  
Norm Hofstetter, *Mayor*

  
\_\_\_\_\_  
Beth Morton, *Clerk-Administrator*

**SCHEDULE "A"**  
**TO BY-LAW NO. 2017-24**

**REFUNDS**

<u><b>Status of Permit Application</b></u>	<u><b>Percentage of Fee Eligible for Refund</b></u>
1. Application withdrawn in writing plans reviewed and prior to permit issuance	75% maximum
2. Application withdrawn in writing or revoked, prior to construction, after the permit has been issued	50% maximum
3. Application withdrawn in writing or revoked, six (6) months or more after permit has been issued	0%

**NOTE:**

**No refunds after any building inspections are carried out.**

**No refund shall result in the retention by the Township of Perry of an amount less than \$50.00.**

**All refunds are at the discretion of the Chief Building Official.**

**SCHEDULE "B"**  
**TO BY-LAW NO. 2017-24**

**LIST OF PLANS OR WORKING DRAWINGS  
TO ACCOMPANY APPLICATIONS FOR PERMITS**

Site Plan

Floor Plans

Foundation Plans

Framing Plans

Roof Plans

Sections & Details

Building Elevations

Electrical Drawings

Heating, Ventilation, Air Conditioning Drawings with Heat Gain/Loss  
Calculations

Plumbing Drawings

Sewage System Design and Plans (including cross section)

Site Drainage

**Note:**

**The Chief Building Official may specify exceptions to the above-mentioned plans required to accompany an application for permit.**

**THE CORPORATION OF THE TOWNSHIP OF PERRY**

**SCHEDULE "C"  
BY-LAW NO. 2017-24  
BUILDING DEPARTMENT**

<b>CONSTRUCTION PERMIT FEES (new, addition, renovations, plumbing, heating, etc.)</b>		
Minimum Charge Building Permit		\$200.00
The greater of \$12/\$1,000 of estimated construction value or per sq. ft.		<b>Per Sq. Ft.</b>
Group C Occupancies (single family dwellings)	New or addition(s) less than 3000 sq ft in gross area as defined in OBC.	\$1.50
	New or addition(s) larger than 3000 sq ft. in gross area as defined in OBC or log/timber framed construction.	\$1.85
	Internal renovations	\$0.65
	Decks	\$0.50
	Garages	\$0.75
	Screen Room	\$0.75
	Bunkie	\$1.10
	Car port and storage buildings	\$0.50
	Replacement or repair of foundation and roofs	\$500.00 flat rate
	Replacement of drainage tile around existing foundation	\$200.00 flat rate
Shoreline Structures	Floating or post dock	\$0.50
	Crib Dock	\$0.50
	Steel Dock	\$0.75
	Boat port	\$0.60
	Boathouse	\$0.85
Group C Occupancies (other than single family dwellings)		\$1.60
All other Occupancies, New or Addition (i.e. commercial, industrial and institutional)		\$1.60
Renovation for non-residential buildings (i.e. commercial, industrial and institutional)		\$1.00
		<b>Flat fee</b>
An additional fee for each required inspection for water access properties (at the discretion of the Chief Building Official).		\$25.00
Foundation Permit		\$300.00 above the normal fees
Inspection Fee for a re-inspection (at the discretion of the Chief Building Official).		\$75.00 to \$150.00
Special inspection: fee to inspect buildings or structures where a request has been made for a final inspection or for an Occupancy/Use where the permit has been inactive for one year and/or the permit is three years or older, plus Administration Fees Option 2 (at the discretion of the Chief Building Official)		\$200.00
Demolition of building or structure		
	Part 3 Buildings	\$250.00
	Part 9 Buildings	\$100.00
Required fencing for outdoor swimming pools		\$125.00
Tents (over 645 square feet) and temporary structures such as greenhouses or other temporary special event structures		\$125.00

<b>CONSTRUCTION PERMIT FEES (new, addition, renovations, plumbing, heating, etc.)</b>		
Solar Panels on building	Part 9 of OBC	\$250.00
	Part 3 of OBC	\$500.00
Change of Use Permits (Non-Refundable)	Part 9 of OBC	\$100.00
	Part 3 of OBC	\$150.00
Transfer of Active Permit		\$100.00
Completion permit		Double the above fees Min. \$400.00
Conditional permit (Issuance at the discretion of the Chief Building Official)		Double the above sq.ft. fees Min. \$270.00
Demolition Permit for a dwelling or cottage which will remain until the replacement new structure is habitable.		Signed agreement, bank draft or bond letter and a fee of \$500.00
Remedy Unsafe permit		Double the above fees Min. \$400.00
Review fee for permits which are denied or submitted incomplete		50% of permit fee max of \$1,000.00

<b>ADMINISTRATION FEES</b>										
Application for alternative design		\$500.00								
Review revised plans or application (at the discretion of the Chief Building Official)		\$50.00 per page \$100.00 per page after an inspection								
Building, septic and zoning information reports (for non-property owners)		\$100.00								
Non-compliance with the <i>Building Code Act</i> administration fee, plus any funds spent by the municipality for its investigation		\$250.00								
If other administrative action is required exceeding the initial fee, an additional hourly fee will be applied (per hour).		\$50.00								
<p><b>Option One:</b> Administration Fee \$250.00 Plus, Refundable Deposit for Structures based on Construction Value between:</p> <table style="margin-left: 20px;"> <tr> <td>\$50,000 to \$149,999</td> <td>\$500.00</td> </tr> <tr> <td>\$150,000 to \$299,999</td> <td>\$2,500.00</td> </tr> <tr> <td>\$300,000 to \$499,999</td> <td>\$3,000.00</td> </tr> <tr> <td>Over \$500,000</td> <td>\$5,000.00</td> </tr> </table> <ul style="list-style-type: none"> <li>• As long as the Township receives a request for and grants an occupancy or final within three years of issuing the building permit the deposit will be returned in full.</li> <li>• If the building is used or occupied before the three years and a final or occupancy has not been granted only 50% of the deposit will be returned.</li> <li>• Interest earned on deposits for construction value projects will remain with the municipality and will not be refunded.</li> </ul>	\$50,000 to \$149,999	\$500.00	\$150,000 to \$299,999	\$2,500.00	\$300,000 to \$499,999	\$3,000.00	Over \$500,000	\$5,000.00		
\$50,000 to \$149,999	\$500.00									
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Over \$500,000	\$5,000.00									
<b>Option Two</b> Administration fee for each year a building permit remains open after the first year of issuance (up to three years).		\$200.00 per year								
Administration fee for each year a building permit remains open (when permit is four years or older).		\$500.00 per year								
<b>Note: All fees are at the discretion of the Chief Building Official.</b>										

<b>CIVIC ADDRESSING SIGNAGE</b>	
New	\$60.00
Replacement	\$50.00
Replacement posts	\$20.00

**\* Permit fees are required at the time a building permit application is submitted.**

**\*\* Permit fees may be paid by cash, debit, credit card (2% additional charge) or cheque. Please make cheques payable to "The Township of Perry."**

**SCHEDULE "D"**  
**TO BY-LAW NO. 2017-24: Building By-Law**  
**The Corporation of the Township of Perry**  
**Part 1 Provincial Offences Act**  
**Building Code Act**  
**SET FINES**

<b>Item</b>	<b>Column 1 Short Form Wording</b>	<b>Column 2 Provision creating or defining offence</b>	<b>Column 3 Set Fine</b>
1	Construct building without permit	XII.A.1.	\$300.00
2	Cause construction of building without permit	XII.A.2.	\$300.00
3	Demolish building without permit	XII.A.3.	\$150.00
4	Cause demolition of building without permit	XII.A.4.	\$150.00
5	Change plans without authorization	XII.A.5.	\$150.00
6	Construct building not in accordance with plans	XII.A.6.	\$150.00
7	Change the use of building without permit	XII.A.7.	\$300.00
8	Occupy newly erected building without notice or inspection	XII.A.8.	\$300.00
9	Obstruct or remove posted order without authorization	XII.A.9.	\$300.00
10	Furnish false information on permit application	XII.A.10.	\$300.00
11	Commence demolition before building vacated	XII.A.11.	\$300.00
12	Fail to post permit on construction site	XII.A.12.	\$150.00
13	Fail to post permit on demolition site	XII.A.13.	\$150.00
14	Occupy unfinished building without permit	XII.A.14.	\$300.00
15	Fail to provide notification of construction phase	XII.A.15.	\$150.00
16	Fail to comply with order to comply	XII.B.1.	\$500.00
17	Fail to comply with order not to cover	XII.B.2.	\$500.00
18	Fail to comply with order to uncover	XII.B.3.	\$500.00
19	Fail to comply with stop work order	XII.B.4.	\$500.00
20	Fail to comply with order to remedy unsafe building	XII.B.5.	\$500.00
21	Fail to comply with an order prohibiting use or occupancy of unsafe building	XII.B.6.	\$500.00
22	Fail to comply with order to repair dangerous building	XII.B.7.	\$500.00
23	Hinder or obstruct person lawfully carrying out enforcement of building by-law	XIII.B	\$500.00

**Note: The general penalty provision for the offences listed above is section XIII of Township of Perry Building By-law #17-24, a certified copy of which has been filed and s.61 of the Provincial Offences Act, R.S.O. 1990, c. P.33**

OFFICE OF THE REGIONAL SENIOR JUSTICE  
ONTARIO COURT OF JUSTICE  
NORTHEAST REGION

159 CEDAR STREET  
3<sup>rd</sup> FLOOR, SUITE 303  
SUDBURY, ONTARIO P3E 6A5



CABINET DU JUGE PRINCIPAL RÉGIONAL  
COUR DE JUSTICE DE L'ONTARIO  
RÉGION DU NORD-EST

159, RUE CEDAR  
3<sup>e</sup> ÉTAGE, BUREAU 303  
SUDBURY (ONTARIO) P3E 6A5

TELEPHONE/TÉLÉPHONE (705) 564-7624  
FAX/TÉLÉCOPIEUR (705) 564-7620

RECEIVED  
APR 07 2017

April 3, 2017

Ms. Melinda Torrance, Deputy Clerk  
The Township of Perry  
P.O. Box 70, 1695 Emsdale Road  
Emsdale, Ontario, P0A 1J0

Dear Ms. Morton;

**Re: Set Fines – Provincial Offences Act**  
**Part I – Township of Perry, Parry Sound District**

Enclosed herewith is an original Order and an original schedule of set fines for By-law No. 2017-24, the By-law indicated in the schedule. Please ensure that a copy of the said documents is forwarded to the Provincial Offences Office, which has jurisdiction for the Township of Perry.

The setting of the fines does not constitute my approval of the short form of wording used to describe the offences.

I have forwarded the copy of the Order and the schedules of these set fines to the Ontario Court of Justice in Parry Sound, together with a certified copy of the By-Law.

Yours truly,

A handwritten signature in blue ink, appearing to read "Patrick Boucher".

PATRICK BOUCHER  
REGIONAL SENIOR JUSTICE  
ONTARIO COURT OF JUSTICE

PJB/hrd

Encl.

c.c.: His Worship Theodore Hodgins, Regional Senior Justice of the Peace  
Her Worship Lauren Scully, Justice of the Peace

OFFICE OF THE REGIONAL SENIOR JUSTICE  
ONTARIO COURT OF JUSTICE  
NORTHEAST REGION

159 CEDAR STREET  
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FAX/TÉLÉCOPIEUR (705) 564-7620

## PROVINCIAL OFFENCES ACT

### Part I

IT IS ORDERED pursuant to the provisions of the *Provincial Offences Act* and the rules for the Ontario Court of Justice, that the amount set opposite each of the offences in the schedule of offences under the Provincial Statutes and Regulations thereunder and Municipal By-Law No. 2017-24, of the Township of Perry, Parry Sound District, attached hereto is the set fine for that offence. This Order is to take effect April 10, 2017.

Dated at the City of Greater Sudbury, this 3<sup>rd</sup> day of April, 2017.

A handwritten signature in blue ink, appearing to read 'P. Boucher', written over a horizontal line.

PATRICK BOUCHER  
REGIONAL SENIOR JUSTICE  
ONTARIO COURT OF JUSTICE

**SCHEDULE "D"**  
**TO BY-LAW NO. 2017-24: Building By-Law**

**The Corporation of the Township of Perry**  
**Part 1 Provincial Offences Act**

**SET FINES**



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**TO BY-LAW NO. 2017-24: Building By-Law**

**The Corporation of the Township of Perry**  
**Part 1 Provincial Offences Act**

**SET FINES**

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