

THE CITY OF YELLOWKNIFE

NORTHWEST TERRITORIES



BUILDING BY-LAW NO. 3815

Adopted June 26, 1995

This By-law is printed under and
by authority of the Council of
the City of Yellowknife

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**CITY OF YELLOWKNIFE
BY-LAW NO. 3815**

A BY-LAW of the Municipal Corporation of the City of Yellowknife in the Northwest Territories to regulate the construction, alteration, repair and demolition of buildings, structures and excavations, pursuant to the relevant provisions of the *Cities, Towns and Villages Act*, R.S.N.W.T., 1988, c.C-8 as amended from time to time.

NOW THEREFORE THE COUNCIL OF THE MUNICIPAL CORPORATION OF THE CITY OF YELLOWKNIFE, in regular session, duly assembled, hereby enacts as follows:

SECTION 1 TITLE

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

SECTION 2 GENERAL

SUBSECTION 2.1 DEFINITIONS

2.1.1. Words and phrases used in this By-law not specifically defined in the Code or in this By-law shall have the meanings which are commonly assigned to them in the context in which they are used in this By-law, taking into account the specialized use of terms within the various trades and professions to which the terminology applies.

2.1.2. The following words whenever used herein shall mean:

Building Inspector: the individual occupying the following positions within the Building Inspections Division of the City:

(a) Manager of Building Inspections;

(b) Building Inspectors within the Building Inspections Division.

Building Inspections Division: the Building Inspections Division of the Department of Public Safety of the City;

City: The Municipal Corporation of the City of Yellowknife;

Code: the National Building Code Of Canada, as issued from time to time;

Construction Value: shall mean the total value of the construction work for which a Permit is issued and shall include any applicable sales taxes, goods and services taxes and value added taxes,

Contractor: a Person who contracts with an Owner or his authorized agent to undertake a project, and includes an Owner who contracts with more than one Person for the work on a project or undertakes the work on a project or any part thereof;

Council: the Municipal Council of the City;

Depart of Public Safety: the Department of Public Safety of the City;

Director of Public Safety: the Director of the Department of Public Safety;

Facia Sign: a sign placed flat and parallel to the face of a building so that no part projects more than 300 mm from the building;

Hoarding: any covered way, fence, railing, boarding or barricade used in connection with a construction site;

Manager of Building Inspections: the Manager of the Building Inspections Division at the City;

Mechanical System: a) Piping systems, b) Solid Fuel Burning Appliances, c) Plumbing Systems, d) Systems or equipment for heating, cooling or ventilation services, e) Tanks and appurtenances for the storage of gases and fuels, and f) Medical gas installations.

Multi-Family Dwelling: a building or buildings developed on one site and containing more than two self-contained dwelling units.

Occupy: to use a building or part thereof for the shelter or support of Persons, animals or property;

Officer: a Person who is appointed in accordance with the *Cities, Towns and Villages Act* as a Municipal Enforcement Officer to enforce the By-laws of the City of Yellowknife and any Peace Officer who is authorized by Council to enforce the By-laws of the City of Yellowknife;

Owner: any person controlling the property under consideration;

Permit: an authorization in writing by a Building Inspector to perform work regulated by this By-law;

Person: an individual, partner, corporation, firm, society, cooperative or other incorporated legal entity and their respective heirs, executors, administrators and assigns;

Professional Designer: an individual who is a member or licensee of the Association of Professional Engineers, Geologists and Geophysicists of the Northwest Territories duly entitled to engage in the practice of engineering in the Northwest Territories or an architect who holds professional liability insurance to act as an architect in the Northwest Territories and is a member of a provincial association;

Projecting Sign: a sign which is attached to a building or structure so that part of the sign projects more than 300 mm from where it is attached;

Roof Sign: any sign placed on or over the top enclosure, above or within the vertical walls of a building, and

Sprinklered: that a building or part thereof is equipped with a system of automatic sprinklers for fire protection.

Two-Family Dwelling a building divided into two self-contained dwelling units.

SUBSECTION 2.2 SCOPE

- 2.2.1. Apart from the specific provisions of this By-law relating to signs, this By-law applies to the design, construction and occupancy of new buildings, and the alteration, reconstruction, demolition, removal, relocation and occupancy of existing buildings.
- 2.2.2. The provisions of the Code issued by the Associate Committee on the Code, National Research Council of Canada, are hereby adopted and form part of this By-law.
- 2.2.3. The Administrative Requirements of the Code shall not form a part of this By-law.

- 2.2.4. Any lawful construction, alteration, repair or demolition or excavation commenced before the effective date of this By-law, need not conform to this By-law.
- 2.2.5 Notwithstanding 2.2.4. where a building has been unoccupied for a period of 6 months, or more prior to the building being re-occupied, it must comply with the provisions of this By-law.
- 2.2.6. This By-law does not apply to
- (a) sewage, water, electrical, telephone, rail or similar systems;
 - (b) public utility towers and poles, television and radio or other communication aerials and towers, except for loads resulting from those located on or attached to buildings; and
 - (c) flood control and hydro electric dams and structures.

SECTION 3 ADMINISTRATION

- 3.1.1. This By-law shall be administered by the City's Building Inspection Division.
- 3.1.2. Building Inspectors and the Director of Public Safety may administer and enforce the provisions of this By-law.

SECTION 4 PERMITS & FEES

SUBSECTION 4.1 BUILDING PERMITS

- 4.1.1. No Person shall construct, add to, alter, repair, reconstruct, relocate any building or excavate for the purpose of constructing any building within the City until a building Permit has been obtained pursuant to this By-law.
- 4.1.2. Subject to the discretion of the Building Inspector, a building Permit may not be required for:
- (a) landscaping works provided that excavation or placing of fill does not exceed 300 mm over the original existing grade;
 - (b) residential decks, patios and retaining walls provided that the distance between the top of the platform and the adjacent finished grade does not exceed 600 mm;

- (c) for construction, additions, alterations, repairs, reconstruction, removal or demolition the value of which does not exceed \$1,000.00;
- (d) a temporary building to be used directly for the purpose of facilitating construction work on a construction site provided that it shall be removed by the Owner immediately upon completion of construction work;
- (e) accessory buildings utilized for cold storage and not greater than 20 m² in building area.
- (f) fences, other than those referred to in Part 8 of the Code.
- (g) routine maintenance.

SUBSECTION 4.2 MECHANICAL PERMITS

- 4.2.1. Except as provided for in 4.2.2., a Mechanical System shall not be constructed, extended, altered, renewed or repaired unless a mechanical Permit has been obtained.
- 4.2.2. A mechanical Permit is not required when a valve, faucet, fixture or service water heater is repaired or replaced with similar equipment, a blockage cleared or a leak repaired, where no change to the piping is required.

SUBSECTION 4.3 SIGN PERMITS

- 4.3.1. A sign Permit is required for the construction and installation of signs which are regulated under this By-law and for which a development Permit is required.

SUBSECTION 4.4 DEMOLITION PERMITS

- 4.4.1. Notwithstanding anything contained elsewhere in this By-law, a Permit is required for the demolition and removal of a building or part of a building.
- 4.4.2. No Permit shall be issued and no Person shall demolish and remove any building or part of a building until all municipal taxes and utility levies are paid on the property on which the building is located.
- 4.4.3. Completion of work, for which a Permit has been issued, must occur within the period specified on the demolition Permit or such extension of time as may be authorized by the Manager of Building Inspections prior to the expiration

of the demolition Permit. If the demolition is not completed within the time set forth in the demolition Permit, the Manager of Building Inspections may require that the Permit holder apply for a new demolition Permit.

- 4.4.4. The site on which the building was originally situated must be left in a clean, tidy and safe condition, to the satisfaction of the Building Inspector.

SUBSECTION 4.5 PERMIT FOR A TEMPORARY BUILDING

- 4.5.1. A Permit for a temporary building may be issued by the Building Inspector, authorizing for a limited time the erection and existence of a building, or part thereof, for an occupancy which because of its nature, will exist for a short time (not exceeding one (1) year), in accordance with the conditions specified by the Building Inspector.
- 4.5.2. Notwithstanding anything contained herein, a Permit for a temporary building may be extended provided permission in writing is issued by the Building Inspector.
- 4.5.3. A Permit to erect a temporary building shall be posted on the building.
- 4.5.4. A temporary building or structure shall be properly maintained by the Owner to the satisfaction of the Building Inspector.
- 4.5.5. On or before the expiry of the Permit the building shall:
- (a) be dismantled under a demolition Permit, or
 - (b) be moved to another location in accordance with City By-laws.

SUBSECTION 4.6 APPLICATION FOR A PERMIT

- 4.6.1. To obtain a Permit the Owner or his agent shall file an application in writing on a form prescribed by the Manager of Building Inspections.
- 4.6.2. Except as otherwise permitted by the Building Inspector, every application shall contain:
- (a) the identification and description in detail of the work to be performed and occupancy type to be covered by the Permit for which an application is made;

- (b) a legal description of the land on which the work is to be done;
 - (c) 2 sets of plans and specifications, depicting the occupancy of all parts of the building;
 - (d) the names, addresses, telephone numbers and business license numbers (where applicable) of the Owner, Professional Designer, Contractor, or other designer, and
 - (e) the estimated value of the proposed work and be accompanied by the required fee.
- 4.6.3. Where the requirements for an application for a Permit as stipulated in 4.6.2. have not been satisfied within 6 months of the date of filing then the application shall be deemed to be abandoned and application form and contents may be destroyed.
- 4.6.4. A Permit shall expire and the right of an Owner under a Permit shall terminate:
- (a) if the work authorized by the Permit is not commenced within 6 months from the date of issuance of the Permit and actively carried out thereafter; or
 - (b) if work is suspended for a period of 6 months, or
 - (c) 2 years following the date the Permit was issued.
- 4.6.5. Where an Owner or his agent request a revision to an original application, a Building Inspector may require any or all of the information required in Section 4.6.2.
- 4.6.6. An applicant may withdraw his application for a Permit at any time before such a Permit is granted or refused, and shall thereupon be entitled to have refunded to him one half of the application fee paid.
- 4.6.7. A Permit holder is entitled to have refunded to him one-half the Permit fee paid, if he did not start and does not intend to do the work described in the Permit, and requests to have the Permit withdrawn.
- 4.6.8. The Building Inspector may refer any application for a Permit to any City employee or other regulatory official if it is deemed expedient or necessary.

SUBSECTION 4.7 PERMIT FEES

4.7.1. Permit fees shall be subject to the following conditions:

- (a) payment of Permit fees shall be made to the City of Yellowknife, Finance Department;
- (b) for the purposes of calculating Permit fees, the Manager of Building Inspections may determine the construction value of a project or require verification of the cost by reference to the contract documents;
- (c) where the applicant obtains the material and does the work himself, the Permit fee shall be based on the sum of the material cost and the labour cost as determined by the Building Inspector;
- (d) acceptance of Permit fees prior to the issuance of a Permit, shall not be taken to mean that the building Permit has been issued or will be issued;
- (e) Permit fees shall be doubled whenever any construction, addition, alteration, repair, reconstruction, use, occupancy, relocation, removal, demolition, excavation or Hoarding has been commenced prior to a Permit being issued;
- (f) "construction value" shall mean the total value of the construction work for which a Permit is issued and shall include any applicable sales taxes, goods and services taxes and value added taxes, and
- (g) Permit fees shall be calculated in accordance with Schedule "A", attached to and forming part of this By-law.

SUBSECTION 4.8 ISSUANCE OF PERMITS

4.8.1. When a Building Inspector has received a completed application and is satisfied that the project described in the application meets the requirements of this By-law, and the applicant has paid to the City the Permit fee, the Building Inspector shall issue a Permit to the applicant and endorse the words "examined" on all sets of plans and specifications that have been examined by the Building Inspector. The Building Inspector may impose such conditions on the Permit as he deems necessary to ensure compliance with this By-law.

- 4.8.2. Work performed under a Permit must meet all the conditions under which the Permit was issued.
- 4.8.3. No permit shall be issued until the Building Inspector is satisfied that the Owner or his agent has obtained a development permit if it is required by the Zoning By-law.
- 4.8.4. Where, in order to expedite work, approval of a portion of the building is desired prior to the issuance of a Permit for the whole project, application shall be made for the complete project, and complete plans and specifications covering the portion of the work for which immediate approval is desired shall be filed with the City.
- 4.8.5. Where a Permit is issued for part of a building, the holder of such a Permit may proceed at his own risk.
- 4.8.6. Every Owner shall ensure that the plans and specifications on which the issuance of the building Permit was based are available at the site of the work for inspection during working hours by the Building Inspector, and that the Permit, or true copy thereof, is posted conspicuously on the site during the entire execution of the work.
- 4.8.7. Every Owner shall give notice to the Building Inspections Division of the dates on which he intends to begin work prior to commencing work on the building site.
- 4.8.8. When required by a Building Inspector, every Owner shall uncover and replace at his own expense any work that has been covered contrary to an order issued by a Building Inspector.

SECTION 5 PROFESSIONAL INVOLVEMENT

SUBSECTION 5.1 GENERAL

- 5.1.1. A Building Inspector may, in his absolute discretion, require that plans, drawings and specifications submitted with an application for a Permit, be designed by a Professional Designer, for the following buildings:
 - (a) a building, 3 storeys or less in height, for assembly occupancy or institutional occupancy, which:
 - (i) in the case of a single storey building, has a gross area of 300 square meters or less;

- (ii) in the case of a 2 storey building, has a gross area of 150 square meters or less on each floor, and
 - (iii) in the case of a 3 storey building, has a gross areas of 100 square meters or less on each floor;
- (b) a building for residential occupancy which:
- (i) is a single family dwelling, or
 - (ii) is a multiple family dwelling, containing 4 dwelling units or less;
- (c) a building, 3 storeys or less in height, for residential occupancy as a hotel, motel or similar use which:
- (i) in the case of a single storey building, has a gross area of 400 square meters or less;
 - (ii) in the case of a 2 storey building, has a gross area of 200 square meters or less on each floor, or
 - (iii) in the case of a 3 storey building, has a gross areas of 130 square meters or less on each floor;
- (d) a building, 3 storeys or less in height, for use as a warehouse, business and personal services occupancy, for mercantile occupancy or industrial occupancy which:
- (i) in the case of a single storey building, has a gross area of 500 square meters or less;
 - (ii) in the case of a 2 storey building, has a gross area of 250 square meters of less on each floor, or
 - (iii) in the case of a 3 storey building, has a gross areas of 165 square meters or less on each floor, or
- (e) a relocatable industrial camp building.

- 5.1.2. Applications for buildings not described in 5.1.1. must include plans, drawings and specifications which are imprinted with a stamp or seal affixed by or on behalf of a Professional Designer.
- 5.1.3. Every Owner or Contractor who undertakes to construct or have constructed a building or portion thereof within the scope of Part 4 of the Code, shall ensure that a professional engineer is retained to undertake:
- (a) the design of the building, and
 - (b) a review to determine compliance with the design during construction.
- 5.1.4. Where this By-law or the Code requires that a building or portion of a building be designed by a Professional Designer, then upon completion of the construction, the designer or other Person authorized by the designer shall submit to the Building Inspector his letter certifying that the construction conforms to the design and this by-law.
- 5.1.5. 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 or Contractor shall retain the services of a Professional Designer competent to undertake such work.

SECTION 6 CONTRACTORS

SUBSECTION 6.1 GENERAL

- 6.1.1. Every Contractor shall comply with the requirements of all applicable legislation relating to the construction being performed.
- 6.1.2. Every Contractor is responsible jointly and severally with the Owner for any work actually undertaken.
- 6.1.3. Except as provided in 6.1.4., all Contractors who perform work authorized by a Permit must:
- (a) hold a valid City of Yellowknife Business License, and
 - (b) hold, or employ a Person who holds a valid Journeyman Trade Certificate which is applicable to the work being performed.

- 6.1.4. The Owner of a Detached Single Family Dwelling may perform work authorized by a Permit on his own residence, without meeting the requirements of 6.1.3.

SECTION 7 INSPECTION MANDATE

SUBSECTION 7.1 GENERAL

- 7.1.1. Council may from time to time, taking into account social and economic factors, including the resources available to it and the various demands made upon those resources by the residents of the City, and further, after consultation with the Building Inspections Division, make planning and policy decisions respecting the level of allocation of resources to the Building Inspections Division which may affect the operational performance of the division in regard to the frequency of and extent to which inspections are made under this By-law.

SUBSECTION 7.2 LIABILITY

- 7.2.1. No action lies against the City or its employees for anything done or not done by any of them in good faith while exercising their powers or performing their duties under this By-law.

SECTION 8 RESPONSIBILITIES AND OBLIGATIONS

SUBSECTION 8.1 GENERAL RESPONSIBILITIES

- 8.1.1. No Contractor or Owner shall deviate from the plans and specifications forming a part of the building Permit, or omit or fail to complete, prior to occupancy, work required by the said plans and specifications accepted by the City, without first having obtained in writing the approval of the City to do so.
- 8.1.2. No Owner or Contractor involved in the construction, reconstruction, demolition, alteration, removal, relocation or occupancy of a building shall cause, allow or maintain any unsafe condition.
- 8.1.3. Notwithstanding 2.2.4., whenever a change in ground elevations or property boundaries creates a contravention of this By-law the Owner shall obtain a building permit and alter the building to conform to this By-law.
- 8.1.4. Any Owner or Contractor who knowingly submits false or misleading information contravenes this By-law.

- 8.1.5. Every Owner shall allow a Building Inspector to enter any building or premises at any reasonable time for the purpose of administering and enforcing this By-law.
- 8.1.6. Every Owner shall obtain all required Permits or approvals prior to commencing the work to which they relate.
- 8.1.7. Every Owner shall, prior to commencing the work, give notice in writing to the Building Inspections Division of
- (a) the name, address and telephone number of
 - (i) the Contractor or other Person in charge of the work,
 - (ii) the suitably qualified Person reviewing the work, and
 - (iii) any inspection or testing agency engaged to monitor the work, and
 - (b) any change in or termination of employment of such Persons during the course of the construction as soon as such change or termination occurs.
- 8.1.8. Every Owner shall give notice in writing to the Building Inspections Division
- (a) as soon as any change in ownership or change in the address of the Owner occurs prior to the completion of the work for which a Permit was issued,
 - (b) prior to Occupying any portion of the building if it is to be occupied in stages.
- 8.1.9. Every Owner shall give such other notice to the Building Inspections Division as may be required by the provisions of this By-law.
- 8.1.10. Every Owner shall make, or have made at his own expense, the tests or inspections necessary to prove compliance with this By-law and shall promptly file a copy of all such test or inspection reports with the Building Inspections Division.
- 8.1.11. Every Owner shall provide an up-to-date survey of the building site when and as required by the Building Inspections Division.

- 8.1.12. 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 Permit was required.
- 8.1.13. Should occupancy occur prior to the completion of any work being undertaken that requires a Permit, every Owner shall ensure that no unsafe condition exists or will exist because of the work being undertaken or not completed.
- 8.1.14. When required by a Building Inspector, every Owner shall provide a letter to certify compliance with this By-law and with any required Permits.
- 8.1.15. In recognition of the fact that the resources of the City are limited and that the City is therefore unable to carry out inspections at such a level as to ensure compliance with all relevant legislative standards, neither the issuance of a Permit nor the carrying out of inspections made by the Building Inspectors shall in any way relieve the Owner of a building from full responsibility for carrying out the project or having the project carried out in accordance with this By-law, and any other relevant legislation.
- 8.1.16. The issuance of Permits, or the carrying out of any inspections pursuant to this By-law shall in no way be construed as a warranty by the City of any plans, designs or construction.
- 8.1.17. When a building or part thereof is in an unsafe condition, the Owner or Contractor shall forthwith take all necessary action to put the building in a safe condition.

SECTION 9 AUTHORITY OF THE CITY

SUBSECTION 9.1 GENERAL

- 9.1.1. A Building Inspector may enter any building or premises at any reasonable time for the purpose of administering or enforcing this By-law, or if there is reason to believe an unsafe condition exists.
- 9.1.2. A Building Inspector is empowered to order:
 - (a) a Person who contravenes this By-law, to comply with its provisions within the time period specified;

- (b) work to stop on the building or any part thereof if such work is proceeding in contravention of this By-law, or if there is deemed to be an unsafe condition;
 - (c) the removal of any unauthorized encroachment on public property;
 - (d) the removal of any building or part thereof constructed in contravention of this by-law;
 - (e) the cessation of any occupancy if any unsafe condition exists because of work being undertaken or not completed, and
 - (f) correction of any unsafe condition.
- 9.1.3. A Building Inspector may require any Owner to submit, in addition to the information required in 4.6.2, an up-to-date plan or survey, prepared by a registered land surveyor, which shall contain sufficient information regarding the site and the location of any building:
- (a) to establish before construction begins that all the requirements of this by-law 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.
- 9.1.4. A Building Inspector may issue a Permit at the risk of the Owner, with conditions, to ensure compliance with this By-law and any other applicable legislation, to excavate or to construct a portion of a building before all the plans of the project have been submitted or accepted by the Building Inspections Division.
- 9.1.5. The Building Inspections Division, in its absolute discretion, may issue a Permit for the whole project prior to work commencing thereon, conditional upon the submission of additional information not available at the time of issue.
- 9.1.6. The Building Inspections Division may refuse to issue any Permit:
- (a) whenever information submitted is inadequate to determine compliance with the provisions of this By-law;
 - (b) whenever incorrect information is submitted;

- (c) that would authorize any building, work or occupancy that would not be permitted by this By-law, or
 - (d) that would be prohibited by any other regulation.
- 9.1.7. The Building Inspections Division may revoke a Permit upon written notice to the Permit holder where:
- (a) there is a contravention of any condition under which the Permit was issued;
 - (b) the Permit was issued in error, or
 - (c) the Permit was issued on the basis of incorrect information.
- 9.1.8. When any building, construction or excavation or part thereof 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 otherwise, and when due notice to correct such condition has not been complied with, the City may:
- (a) demolish, remove or make safe such building, construction, excavation or part thereof at the expense of the Owner, and
 - (b) take such other measures as may be considered necessary to protect the public.
- 9.1.9. When immediate measures must be taken to avoid an imminent danger of fire or risk of accident, the City may take such action as is appropriate, without notice and at the expense of the Owner.

SECTION 10 SIGNS

SUBSECTION 10.1 GENERAL

10.1.1.A Building Inspector may order the removal of any sign that is not maintained in accordance with the provisions of this By-law.

SUBSECTION 10.2 LOCATION OF SIGNS

10.2.1. A sign shall not be erected, constructed or maintained in a location which may interfere with or obstruct:

- (a) any fire escape, window, door or other opening;

- (b) an opening which is required for ventilation;
- (c) passage in any stairwell;
- (d) free passage from one part of a roof to another;
- (e) the exit from or into any building;
- (f) the operation of any exterior standpipe, or
- (g) the installation, maintenance or public view of any utility traffic sign or traffic light.

SUBSECTION 10.3 DESIGN AND CONSTRUCTION

- 10.3.1. All signs shall be designed and constructed to withstand wind pressures not less than that required for buildings and other structures in a similar location.
- 10.3.2. Free standing, roof, and Projecting Signs shall be designed in accordance with Part 4 of the Code.
- 10.3.3. Except for display surfaces, construction materials for signs and sign structures shall be of a quality and grade specified for buildings regulated under the Code.

SUBSECTION 10.4 ROOF SIGNS

- 10.4.1. Roof Signs shall be secured by or bear upon masonry, bearing walls, columns, girders or roof joists.
- 10.4.2. All Roof Signs shall be placed so as to provide a minimum clearance of 1200 mm from the roof to the lowest point on the sign, and there shall be 1 m clearance around the sign.

SUBSECTION 10.5 FACIA SIGNS

- 10.5.1. Facia Signs shall be securely fastened to:
 - (a) a masonry wall by means of anchors, bolts, expansion screws or similar connectors, or
 - (b) a wood wall by means of wood blocks and appropriate fasteners.
- 10.5.2. Where a Facia Sign projects more than 300 mm from the face of a building or structure to which it is attached, the provisions of the Code for Projecting Signs shall apply.

- 10.5.3 Where a Facia Sign projects more than 25 mm from the face of a building or structure that is adjacent to a public sidewalk, the sign shall have a clearance of 3 m from the sidewalk to the bottom of the sign.

SECTION 11 HOARDING

SUBSECTION 11.1 GENERAL

- 11.1.1. A building Permit is required whenever Hoarding is placed on a construction site, or on public property in connection with a construction site.
- 11.1.2. In addition to the requirements of the Code for Hoarding, additional requirements to protect the public and public property may be imposed by the Building Inspector.
- 11.1.3. A Building Inspector may require an Owner or Contractor to submit a Security bond prior to Hoarding being placed on public property, to ensure that the public property will be restored to a satisfactory condition.

SECTION 12 ADDITIONAL BUILDING REQUIREMENTS

SUBSECTION 12.1 SPRINKLERING OF BUILDINGS

- 12.1.1. All two-family dwellings and multi-family dwellings shall be sprinklered.
- 12.1.2. All buildings over 3 storeys in building height shall be Sprinklered.
- 12.1.3. For the purpose of determining building height, wherever a basement is used for any purpose other than a service room or service space, the basement shall be considered a storey.

SUBSECTION 12.2 FIRE DEPARTMENT CONNECTIONS

- 12.2.1. Fire Department siamese connections for sprinkler and/or standpipe systems are to be 2-1/2" Standard Iron Pipe Thread or 8 Threads per Inch.
- 12.2.2. Private wall hydrants are to be equipped with a 4-1/2" Inside Diameter, National Thread or 4 Threads per Inch. (Reference: City of Yellowknife's Standard for Hydrants re: large steamer port.)

SUBSECTION 12.3 PRESERVED WOOD FOUNDATIONS

12.3.1. All Preserved Wood Foundations shall be designed in strict conformance with Part 4 of the National Building Code.

SUBSECTION 12.4 BUILDING SITE DRAINAGE

12.4.1. Surface drainage on a building site shall be directed toward a street unless written approval from the Manager of Public Works and Engineering is obtained to do otherwise.

12.4.2. Surface drainage shall be designed to prevent erosion or damage to public property.

12.4.3. Where drainage is towards a sidewalk, provision shall be made for the building site to drain through or under a sidewalk to the street surface to prevent erosion or damage to the sidewalk.

SECTION 13 VIOLATIONS AND PENALTIES

SUBSECTION 13.1 GENERAL

13.1.1. Every Person who contravenes the provisions of this By-law is guilty of an offence.

13.1.2. Any Person violating any provision of this By-law is guilty of an offence and is liable upon Summary Conviction to a fine not exceeding:

(a) Two thousand (\$2,000.00) dollars for an individual;

(b) Ten thousand (\$10,000.00) dollars for a corporation;
and

(c) Imprisonment for a period not exceeding six months, in default of payment of a fine.

13.1.3. Pursuant to Section 13.1.2 of this By-law, an officer may issue a Summary Offence Ticket Information in the form prescribed by the *Summary Conviction Procedures Act* and Regulations, to any person who violates any provision of this By-law and such person may, in lieu of prosecution, pay the City the voluntary penalty set out in Schedule B of this By-law for the offence, prior to the court date specified on the ticket.

SECTION 14 APPEALS

SUBSECTION 14.1 GENERAL

14.1.1. Any Person served with an order pursuant to this By-law providing for:

- (a) the demolition, removal or alteration of buildings or structures that were constructed, altered or repaired in contravention of this By-law,
- (b) the filling, covering or alteration of excavations made in contravention of this By-law;
- (c) the suspension or cancellation of a Permit, or
- (d) an order to vacate,

may appeal the order to Council within seven (7) days of the date of such order and the decision of Council on such an appeal shall be final.

14.1.2. An appeal made under Section 14.1.1. shall:

- (a) be in writing, stating the reasons for the appeal;
- (b) be delivered to the City Clerk, and
- (c) be heard by Council at a regular or special Council meeting within twenty one (21) days from the date it is received.

14.1.3. When hearing an appeal, Council may dismiss, uphold or vary the decision of the Building Inspector.

14.1.4. Where the Council, Senior Administrative Officer, Director of Public Safety or such other person as may be authorized to take the action referred to herein, is of the opinion that there is imminent danger to public health or safety, they may:

- (a) shorten the period allowed in the notice, and/or
- (b) initiate action prior to the appeal being heard by Council.

REPEALS

THAT By-law No. 2300, and all subsequent amendments are hereby repealed.

EFFECT

THAT this by-law shall come into effect upon receiving Third Reading and otherwise meeting the requirements of Section 57 of the *Cities, Towns & Villages Act*.

READ a First Time this 27 day of February, A.D., 1995.

David Lovell
Mayor

A/ JHKronstal
Senior Administrative Officer

READ a Second Time this 26 day of June, A.D., 1995.

David Lovell
Mayor

A/ JHKronstal
Senior Administrative Officer

READ a Third Time and Finally Passed this 26 day of June A.D., 1995.

David Lovell
Mayor

A/ JHKronstal
Senior Administrative Officer



**CITY OF YELLOWKNIFE
BY-LAW NO. 3815**

Schedule "A"

Page 1

PERMIT FEES

1. Building Permits Fees
 - (a) residential Detached Single Family Dwelling, duplex units and additions \$25 + (\$3.77 per m2) (\$0.35 per sq.ft.)
 - (b) residential decks and garages \$25 + (\$2.15 per m2) (\$0.20 per sq. ft.)
 - (c) All other building Permits \$25 + \$5.50 per \$1000.00 of construction costs
2. Mechanical Permits
 - (a) Plumbing and pipefitting items
Basin, Bath Tub, Floor drain, Kitchen sink, Laundry Tub, Rain water Leader, Service sink, Sewage pump out tank, Shower, Urinal, Water closet, Water heater, Water Storage Tank other fixtures \$25 + \$6 per item
 - (b) all other mechanical Permits \$25 + \$5.50 per \$1000 of construction costs
3. Sign Permit \$25 + \$5.50 per \$1000 of sign costs.
4. Demolition Permit \$25 + \$5.50 per \$1000 of demolition costs.
5. Temporary Building \$25 + \$5.50 per \$1000 of construction costs.
6. File Information \$25 per file information request.
7. Inspection Fee for requested inspections where a valid Building Permit is not in effect \$75 per inspection
8. Re-inspection fee \$75 per re-inspection

CITY OF YELLOWKNIFE
BY-LAW NO. 3815

Schedule "B"

VOLUNTARY FINES

	<u>Section</u>	<u>Amount</u>
1. Failure to comply with an order	9.1.2	
(a) individual		\$ 200.00
(b) corporation		\$ 1,000.00
2. Failure to display Permit	4.8.6	\$ 50.00
3. Failure to obtain a Permit	4.1.1 to 4.5.1	
(a) individual		\$ 200.00
(b) corporation		\$ 1,000.00
4. Failure to comply with Permit conditions	4.8.2	\$ 500.00