



Corporation of the Town of Ingersoll  
By-Law 17-4926

---

A By-law to provide for the administration and enforcement of the *Building Code Act, 1992* within the Town of Ingersoll

**WHEREAS** Section 7 of the *Building Code Act, 1992*, S.O. 1992, c.23, as amended, empowers council to pass By-laws respecting permits for construction, demolition, occupancy, change of use, sewage systems and conditional permits and respecting inspections and the charging of permit fees and other related matters;

**NOW THEREFORE** the Council of the Corporation of the Town of Ingersoll enacts as follows:

1. INTERPRETATION

1.1 Definitions

In this By-law the following definitions shall apply. Words shown in ***bold italicized script*** in this By-law shall have the meaning as defined in the following definitions:

Act means the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended.

Applicant means the ***owner*** of a building or property who applies for a ***permit*** or any ***authorized agent*** 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 that person or corporation.

Architect means the holder of a license, certificate of practice or temporary license under the *Architect's Act* as defined in the ***Building Code***.

Authorized Agent means a person(s) who has been authorized in writing to act on the ***owner's*** behalf for matters relating to an application for a ***permit***.

Building means a building as defined in section 1(1) of the ***Act***.

Building Code means regulations made under section 34 of the ***Act***.

Chief Building Official means the Chief Building Official appointed by a By-law of the Corporation of the Town of Ingersoll for the purpose of enforcement of the ***Act***.

Construct means construct and Construction has a corresponding meaning as defined in subsection 1(1) of the ***Act***.

Corporation means The Corporation of the Town of Ingersoll.

Demolish means demolish and Demolition has a corresponding meaning as defined in subsection 1(1) of the **Act**.

Inspector means an inspector appointed pursuant to subsection 3(2) of the **Act** and by by-law of the **Corporation** for the purposes of enforcement of the **Act**.

Owner means the registered owner of the land or property and includes a lessee, mortgagee in possession and the person in charge of the property.

Permit means permission or authorization in writing by the **Chief Building Official** to perform work, to change the use of a **building** or part thereof, or to occupy a building or part thereof, as regulated by the **Act** and the **Building Code**.

Permit Holder means the **owner** to whom the **permit** has been issued or where the **permit** has been transferred, the transferee, and shall be the person who assumes the primary responsibility for compliance with the **Act** and the **Building Code**.

Professional Engineer or Engineer means a person who holds a license or a temporary license under the **Professional Engineer's Act**, as defined in the **Building Code**.

Registered Code Agency means a registered code agency as defined in subsection 1(1) of the **Act**.

Sewage System means sewage system as defined in subsection 1(1) of the **Act**.

Town Engineer means the **Professional Engineer** or engineering firm retained by the **Corporation** or his/her designate.

Work means the **construction** or **alteration**, **addition** or **demolition** of a **building** or part thereof.

## 1.2 Additional Definitions

Any words, phrases or terms 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 the **Building Code**. Should a word or term not be defined in the **Act** or the **Building 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.

## 2. PERMITS

### 2.1 Classes of Permits (The Act, Section 7(a))

The classes of **permits** set out in Schedule "A" of this By-Law are hereby established.

### 2.2 Application Requirements for a Permit

To obtain a **permit**, the **owner** or an **authorized agent**, shall file an application in writing by completing a prescribed form available at the offices of the Town of Ingersoll or from the **Building Code** website ([www.obc.mah.gov.on.ca](http://www.obc.mah.gov.on.ca)). Forms prescribed by the council of the Town of Ingersoll under Clause 7(f) of the **Act** shall be those forms authorized by the **Chief Building Official** as further set out in Schedule "C" to this By-law.

### 2.3 Information submitted to the *Chief Building Official*

Every application for a *permit* shall be submitted to the *Chief Building Official* and shall contain the following information:

1. Where application is made for a *building permit* under subsection 8(1) of the *Act*, the application shall:
  - i. Be completed using the provincial application form, "Application for a Permit to Construct or Demolish";
  - ii. Be accompanied by the plans and specifications prescribed by this By-law, resolution or regulation made under clause 7(1)(b) of the *Act*, and any associated information or approvals required to demonstrate compliance with any applicable law as set out in Div. A-1.4.1.3 of the *Building Code*;
  - iii. Include complete plans and specifications, documents and other information as required by Article 1.3.1.3 (5), Division C of the *Building Code*;
  - iv. Identify and describe in detail the *work* and occupancy to be covered by the *permit* for which application is made;
  - v. Describe the land on which the *work* is to be done by a description that will readily identify and locate the building lot;
  - vi. Include completed forms set out in the Schedules to this By-law and plans where deemed required by the *Chief Building Official*, for the *work* to be covered by the *permit*;
  - vii. Be accompanied by all fees and deposits that are required, under Schedule "A" of this By-law, resolution or regulation made under clause 7(1)(c) of the *Act*;
  - viii. State the names, addresses, telephone numbers, fax numbers and email addresses of the *owner* and of the *architect*, *engineer*, designer, contractor or constructor, where applicable;
  - ix. Be accompanied by a signed acknowledgement of the *owner* that they have retained an *Architect* or *Professional Engineer* to carry out field review of the *construction* where required by the *Building Code*. This written acknowledgement shall be completed by filling out a "Commitment to General Review Form" and submitting it to the *Chief Building Official* as part of the *permit* application and prior to the issuance of a *permit*;
  - x. Be accompanied by a signed acknowledgement of the *Architect(s)*, *Professional Engineer(s)* and/or other professionals as appropriate that they have been retained by the *owner* to carry out field review of the *construction* where required by the *Building Code*. This written acknowledgement shall be completed by filling out a "Commitment to General Review Form" and submitting it to the *Chief Building Official* as part of the *permit* application and prior to the issuance of a *permit*;
  - xi. For new single detached, duplex or semi-detached dwellings, except where waived by the *Chief Building Official*, be accompanied by:

- a. In the case of land in respect of which an accepted area or subdivision grading plan has been filed with the **Town Engineer**, a lot grading plan bearing the signature and seal of the subdivider's **Professional Engineer** who is responsible for the overall subdivision grading certifying thereon that the lot grading plan conforms with the accepted area or subdivision grading plan filed with the **Town Engineer**;
  - b. In the case of land in respect of which no accepted area or subdivision grading plan has been filed with the **Town Engineer**, a lot grading plan bearing the signature and seal of a **Professional Engineer**, or a Landscape Architect (a member of the Ontario Association of Landscape Architects) or an Ontario Land Surveyor who certifies thereon that the drainage scheme depicted by the plan will be compatible with the existing drainage patterns;
  - c. In the case of land to be developed and where Section 51 of the **Planning Act**, R.S.O. 1990, c.P.13, as amended, applies, or where Site Plan approval would otherwise be required, a geotechnical report, signed and sealed by a **Professional Engineer**, confirming areas of imported (non-native) soils and the presence of methane, if any;
- xii. For single detached, duplex, triplex, semi-detached, or row townhouse **buildings** intended to be continuously occupied during the winter season, include a completed Energy Efficiency Design Summary Form,
  - xiii. Be signed by the **owner** or his or her **authorized agent** who shall certify the truth of the contents of the application.
2. Where application is made for a **demolition permit** under subsection 8(1) of the **Act**, the application shall:
- i. Be completed using the provincial application form, "Application for a Permit to Construct or Demolish";
  - ii. Include complete plans and specifications, documents and other information as required under Article 1.3.1.3(5)-Division C of the **Building Code** and as described in this By-law for the **work** to be covered by the **permit**;
  - iii. Be accompanied by proof satisfactory to the **Chief Building Official** that arrangements have been made with the proper authorities where applicable for the disconnection and plugging of all water, sewer, gas, electric, telephone or other utilities and services on the form authorized by the **Chief Building Official**, and
  - iv. be accompanied by all fees that are required, under Schedule "A" of this By-law, resolution or regulation made under Clause 7(1) (c) of the **Act**.
3. Where application is made for a conditional **permit** under subsection 8(3) of the **Act**, the application shall:
- i. Be completed using the provincial application form, "Application for a Permit to Construct or Demolish";

- ii. Include complete plans and specifications, documents and other information as required under Article 1.3.1.3(5)-Division C of the **Building Code** and as described in this By-law for the **work** to be covered by the **permit**;
  - iii. Contain such other information, plans and specifications concerning the complete project as the **Chief Building Official** may require;
  - iv. State in writing to the **Chief Building Official** the reasons why the **applicant** believes that unreasonable delays in **construction** would occur if a conditional **permit** is not granted;
  - v. State the necessary approvals which must be obtained in respect of the proposed **building** and the date or time by which such approvals will be obtained;
  - vi. State the time in which plans and specifications of the complete **building** will be filed with the **Chief Building Official**, if a complete **permit** application has not already been made;
  - vii. Be accompanied by a security deposit as prescribed by the **Chief Building Official**. The security shall be used in the event the **building** may need to be removed and the site restored to its original condition. The security amount shall be refunded upon the issuance of a full **permit**;
  - viii. Be accompanied by all fees and deposits that are required, under Schedule "A" of this By-law, resolution or regulation made under Clause 7(1)(c) of the **Act**, and
4. Where application is made for a change of use **permit** issued under subsection 10(1) of the **Act**, the application shall be submitted to the **Chief Building Official** and shall:
- i. Be completed using the provincial application form "Application for a permit to construct or demolish",
  - ii. Describe the **building** in which the occupancy is to be changed by a description that will readily identify and locate the **building**;
  - iii. Identify and describe in detail the current and proposed occupancies of the **building** or part of a **building** for which the application is made;
  - iv. 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 capacities and details of the existing **sewage system**, if any;
  - v. Be accompanied by the required fee as contained in Schedule "A" of this By-law;
  - vi. State the name, address, telephone number, fax number and email address of the **owner**, and

- vii. Be signed by the **owner** or his or her **authorized agent** (who produces written authorization) and who shall certify the truth of the contents of the application.
5. Where application is made for a transfer of **permit** under the **Act**, the application shall:
- i. Be completed using the Transfer of Building Permit Application Form authorized by the **Chief Building Official**;
  - ii. Include the names and addresses of the previous and new **owner**, the date the ownership change took place, a description of the **permit** that is being transferred, and legal documentation confirming proof of new ownership;
  - iii. Be accompanied by the required fee as contained in Schedule "A" of this By-law;
  - iv. Include a written statement from the new **owner** agreeing to responsibility for all conditions of approval upon which the **permit** was issued; and
  - v. Include, where applicable, proof of engagement from the design professional(s) to undertake a field review.
6. Where application is made for occupancy of an unfinished **building** as provided for in Subsection 1.3.3 -Division C of the **Building Code**, the application shall include:
- i. Description of the part of the **building** for which occupancy is requested;
  - ii. Plans showing portion(s) of the floor area(s) to be occupied complete with location(s) of temporary exits as applicable;
  - iii. When required in the **Building Code**, a signed statement of the **architect** or **professional engineer**, or both undertaking to provide a general review of the **construction** of the **building**; and
  - iv. When required in the **Building Code**, a written report from the **architect** or **professional engineer**, or both, stating the status of the **building** or part thereof.

## 2.4 Conditional Permits

1. When application is made for a conditional **permit** under subsection 8(3) of the **Act**, the **applicant** shall enter into a conditional **permit** agreement with the **Corporation**. In the event the conditions in said agreement have not been satisfied on or before the date(s) prescribed therein. The agreement shall be considered expired, in which case the **permit holder** shall make a request for an extension. The conditional fee shall be paid at the time the extension request is made. **Building** inspections will not be conducted if there are outstanding conditional permit fees.
2. The **Chief Building Official** is authorized to execute, on behalf of the **Corporation**, conditional **permits** as provided for in the **Act**. The issuance of conditional **permits** is at the sole discretion of the **Chief Building Official**.

## 2.5 Revisions to Permits

1. Where a **permit holder** has made substantial changes to or has deviated from the plans, specifications, documents or other information filed and in respect of which a **permit** has been issued, the **permit holder** shall notify the **Chief Building Official** by filing the following:
  - i. the prescribed application form entitled Application for a Permit to Construct or Demolish;
  - ii. revised plans, specifications, documents and other information sufficient to enable the **Chief Building Official** to determine whether or not the revised **construction, demolition**, or change of use will conform to the **Act**, the **Building Code** and any other applicable law; and
  - iii. the required fee(s) and deposit(s) as contained in Schedule "A" of this By-law.
2. No person shall make a substantial change or cause a substantial change to be made to a plan, specification, document or other information on the basis of which a **permit** was issued without first obtaining the written authorization of the **Chief Building Official**.
3. The **Chief Building Official**, in his/her sole discretion, shall determine if there have been substantial changes to or the **permit holder** has deviated from the plans, specifications, documents or other information filed and in respect of which a **permit** has been issued.

## 2.6 Revocation of Permits

1. Prior to revoking a **permit** under subsection 8(10) of the **Act**, the **Chief Building Official** may serve a notice by personal or electronic service or by mail at the address the **permit holder** has communicated to the **Chief Building Official** in writing, and following a 30 day period from the date of service, the **Chief Building Official** may revoke the **permit** if grounds to revoke still exist, without any further notice and all submitted plans, specifications, documents and other information may be disposed of or, or upon the written request of the **applicant**, returned to the **applicant**.
2. Where notice is served by electronic or mail service, the **permit holder** shall be conclusively deemed for all purposes to have been served with notice on the fifth day after the day of posting.
3. A **permit holder** may within 30 days from the date of service of a notice under this Part, request in writing that the **Chief Building Official** defer the revocation by stating reasons why the **permit** should not be revoked. The **Chief Building Official** having regard to any changes to the **Act, Building Code** or other applicable law may allow the one-time deferral, applicable to a period of no later than twelve (12) months from the date the deferral is granted by the **Chief Building Official**.
4. A request for deferral shall be accompanied by the non-refundable fee set out in Schedule "A" of this By-law.



## 2.7 Incomplete Application

1. Where the **Chief Building Official** determines that an application is incomplete, the **Chief Building Official** may refuse to accept the application or may commence to process the application if the **applicant** acknowledges in writing that the application is incomplete.
2. Where an **applicant** acknowledges that the application is incomplete, the **Chief Building Official** shall not be bound by the timelines prescribed by the **Building Code** within which a **permit** must be issued or refused, until such time as the application is deemed to be complete.

## 2.8 Inactive or Abandoned Permit Application

1. Where an application for a **permit** remains incomplete or inactive for six (6) months after it is made, the application may be deemed by the **Chief Building Official** to have been abandoned and notice thereof shall be given to the **applicant**.
2. Prior to cancelling an application, the **Chief Building Official** may serve a notice by personal or electronic service or by mail at the address the **applicant** has communicated to the **Chief Building Official** in writing, and following a thirty (30) day period from the date of service, the **Chief Building Official** may cancel the application without any further notice.
3. Where notice is served by electronic or mail service, the **permit holder** shall be conclusively deemed for all purposes to have been served with notice on the fifth day after the day of posting.
4. An **applicant** may within thirty (30) days from the date of service of a notice under this section, request in writing that the **Chief Building Official** defer the cancellation by stating reasons why the application should not be cancelled.
5. The **Chief Building Official** having regard to any changes to the **Act, Building Code** or other applicable law, may allow the deferral, applicable to a period of no later than six (6) months from the date the deferral is granted by the **Chief Building Official**.
6. The **applicant** may by written notice to the **Chief Building Official** withdraw his or her application.
7. If an application is deemed to be abandoned, a new application shall be filed for any **work** proposed in the abandoned application and the required fee(s) and deposit(s) as set out in Schedule "A" of this By-law shall be paid. An inactive **permit** application may also include an application where information is outstanding, six (6) months or more after it is made, in such a manner that a full or partial **permit** cannot be issued.
8. Where an application is deemed abandoned, all submitted plans, specifications and documents shall be disposed of, or upon the written request of the **applicant**, returned to the **applicant**.

## 2.9 Plans and Specifications

1. 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, change of use or transfer of permit** will conform



to the *Act*, the *Building Code* and any other applicable law and must be accompanied by two (2) complete sets of the plans and specifications as described in this By-law and Schedule "D" of this By-law in order for an application to be deemed as complete, unless otherwise specified by the *Chief Building Official*.

2. Plans shall be drawn to scale (min. 1:75 or 3/16"=1'-0") on paper, electronic media approved by the *Chief Building Official*, or other durable material approved by the *Chief Building Official*, and shall be legible. Free hand drawings are not permitted to be submitted.
3. A Plan of Survey certified by a licensed Ontario Land Surveyor shall be submitted to the *Chief Building Official* when required to demonstrate compliance with the *Act*, *Building Code* or any applicable law.
4. Any site plans submitted to the *Chief Building Official* shall demonstrate compliance with the *Act*, the *Building Code* or any applicable law and shall contain the following information:
  - i. lot size and the dimensions of property lines and setbacks to any existing or proposed *buildings*;
  - ii. Existing and finished ground levels or grades;
  - iii. Natural features including water courses, streams and topographic features;
  - iv. public utilities and existing streets and street names;
  - v. Existing rights-of-way, easements and municipal services;
  - vi. Proposed fire access routes, and existing fire hydrant locations, if applicable, and any information or documentation required to determine compliance with fire access requirements of the *Building Code* and water supply requirements for fire suppression;
  - vii. Scale bar; and
  - viii. North marker indicated.

#### 2.10 As Constructed Plans

On completion of the *construction* of the *building(s)*, the *Chief Building Official* may require a set of *as constructed plans* of the *work* be submitted to the *Chief Building Official*, including a plan of survey certified by a licensed Ontario Land Surveyor showing the location of the *building(s)*. The *owner* shall submit *as constructed plans* of the *work* if required by the *Chief Building Official*.

#### 2.11 Plans Property of the Corporation

Plans and specifications submitted in accordance with the requirements of this By-law or otherwise required by the *Act* become the property of the *Corporation* and shall be retained or disposed of in accordance with the relevant legislation and the Town's by-laws.

### 3. FEES

#### 3.1 Fees Payable

1. The **Chief Building Official** shall calculate the required fees for the **work** proposed in accordance with Schedule "A" of this By-law and the **owner** shall pay such fees upon submission of the application for a **permit**. Applications are not complete until all permit fees have been paid.
2. The building permit fees for farm **buildings** as set out in Schedule "A" in this By-law shall only apply to a farm business holding a valid farm business registration number issued pursuant to the provisions of the *Farm Registration and Farm Organizations Funding Act*, 1993, S.O. 1993, chap. 21, as amended.

#### 3.2 Additional Fees

1. Any person who commences **construction, demolition** or changes the use of a **building** or part thereof prior to the issuance of a **permit to construct, demolish** or change the use of a **building** or part thereof shall, in addition to any other penalty imposed under the *Act* or **Building Code**, pay a non-refundable Construction without a Permit Fee as set out on Schedule "A" of this By-law.
2. Where an extension request is made, the **owner** shall pay the fee as set out in Schedule "A" of this By-law prior to the **Chief Building Official** approving said extension.
3. Where an application for a **permit** is subject to additional user fees prescribed by the **Corporation**, including but not limited to development charges, the fees so prescribed shall be paid in addition to the fees set out in Schedule "A" of this By-law prior to the issuance of the **permit**.

#### 3.3 Additional Inspection Fee

1. In addition to the fees paid at the time of application, an additional inspection fee shall be payable prior to each inspection being undertaken of any **building** in the amount as set out in Schedule "A" of this By-law where:
  - i. any of the prescribed notice requirements under the **Building Code** or the notices required under this By-law have not been complied with by a **permit holder**,
  - ii. more than two inspections are required due to **construction** being incomplete or not in compliance with the **Building Code**;
  - iii. a **building** or any part of a **building** is occupied prior to occupancy of a **building** or any part of a **building** being permitted by the *Act*, **Building Code** or the **Chief Building Official**; or,
  - iv. an inspection as requested to confirm that outstanding items have been completed or corrected in respect to a deficient **permit**.

#### 3.4 Re-examination Fee

1. Where in the opinion of the **Chief Building Official** a proposed **building** design of a **permit** application has substantially changed or where the

contractor or other person providing professional services changes after the examination of the plans, specifications, documents or other information filed has been completed, a plan re-examination fee as set out in Schedule "A" of this By-law shall apply to examine revised plans, specifications, documents or other information.

2. Where an alternative solution under the **Building Code** is requested, the **owner** or **permit holder** shall pay a plan re-examination fee as set out in Schedule "A" of this By-law and any additional costs that may be incurred by the **Corporation** in relation to the evaluation process as determined by the **Chief Building Official**.

### 3.5 Fee Refunds

1. Upon the written request of the **owner** or **permit holder**, as applicable, the **Chief Building Official** shall determine the amount of refund of the paid permit fee, if any, that may be returned to the **owner** or **permit holder** in accordance with Schedule "B" of this By-law where:
  - i. an **owner** withdraws an application for a **permit**;
  - ii. an application is deemed to have been abandoned in accordance with the terms of this By-law;
  - iii. the **Chief Building Official** has refused to issue a **permit** for which an application has been made; or,
  - iv. the **Chief Building Official** has revoked the **permit**.
2. The amount of the paid permit fees that may be refunded shall be the total fee paid less the cumulative percentage of fees applicable to the administration, review and inspection functions undertaken prior to receipt by the **Chief Building Official** of the written request, as set out in Schedule "B" of this By-law.
3. Despite subsection (2), no refund shall be payable where the amount calculated is equal to or less than \$100.00.
4. The fee that may be refunded shall be paid to the person named on the **permit** application, unless the person directs in writing that it be refunded to another person.

### 3.6 Non-Refundable Fees

1. Despite section 3.5, the following fees shall not be refundable:
  - i. Connection to Sewer;
  - ii. Connection to Water;
  - iii. Additional Inspection Fees;
  - iv. Plan Re-examination Fees; and
  - v. Any other fee(s) where the amount is less than \$100.00.

### 3.7 Annual Fee Adjustment

1. Council may adjust the building permit fees for any or all classes of *permits* in this By-law once annually in accordance with the "*Consumer Price Index*" as published by Statistics Canada. Such adjustment to the fees shall not require an amendment to this By-Law nor require a public meeting.
2. Council may adjust the building permit fees for any or all classes of *permits* in this by-law in the first two years to increase the building reserve. Such adjustment to the fees shall not require an amendment to this By-Law nor require a public meeting.

## 4. SECURITY DEPOSITS

### 4.1 Deposits Payable

1. The **Chief Building Official** shall calculate the required deposits for the **work** proposed in accordance with Schedule "A" of this By-law and the **owner** shall pay such deposits upon submission of the application for a **permit**. Applications are not complete until all required deposits have been paid.
2. In addition to the fees described in this By-law, where application is made for a **permit** under the **Act** and the work(s) for which the permit relates includes:
  - i. renovations;
  - ii. the making of addition(s) to any **building**;
  - iii. new **construction** of any **building**;
  - iv. lot grading; or
  - v. any combination of the works described in i to iv above,

a refundable security deposit shall be deposited with the **Corporation** in the amount set out in Schedule "A" of this By-law. The refundable security deposit is collected by the **Corporation** to provide securities for any potential damage that may occur as the result of improper or incomplete works through the course of the permitted **construction**, for assurance that the works are completed to the satisfaction of the **Chief Building Official**, for assurance that all necessary inspections are completed through the duration of construction and to ensure the **permit** file can be appropriately closed at the conclusion of the works. The refundable security deposit will be held by the **Corporation** without interest until the work for which the **permit** has been issued has been completed in accordance with the stipulated requirements of the **permit** to the satisfaction of the **Chief Building Official**.

### 4.2 Deposit Refunds

1. The refundable security deposit will be refunded upon successful completion of the project in accordance with the approved **permit** documents which results in closure of such permit file, less any fees and/or costs owing.
2. The deposit that may be refunded shall be paid to the person named on the **permit** application, unless the person directs in writing that it be refunded to another person.

#### 4.3 Deposits Held as Security

1. The deposits identified in this By-law shall be held as security by the **Corporation** until the work for which the permit has been issued has been completed in accordance with the stipulated requirements of the **permit** to the satisfaction of the **Chief Building Official**.
2. The **owner** shall be responsible for any **permit** fees and any damage to the **Corporation's** property or any restriction and the amount of any fees owing and/or the costs for damage and/or repair may be deducted by the **Corporation** in addition to any other available remedy or penalty.
3. In the event the amount of any fees owing and/or the costs of damage and/or repair exceed the value of the deposit held, the **Corporation** may invoice the **applicant** in the amount in excess of the deposit, and if such invoice is not paid by the stipulated due date, the **Corporation** may recover the amount owing by action or by adding the costs to the tax roll of the property to which the **permit** relates and collecting them in the same manner as taxes.

#### 4.4 Security Forfeited

1. The refundable security deposit will be forfeited:
  - i. when a **building** is occupied prior to issuance of an occupancy permit;
  - ii. where the **applicant** fails to call for a building inspection that is required by the **Building Code** and identified through the **permit** process; or,
  - iii. where more than five (5) years have lapsed from the date of the last documented inspection.

### 5. NOTICE REQUIREMENTS FOR INSPECTIONS

#### 5.1 Prescribed Notices

The **permit holder** shall notify the **Chief Building Official** of each stage of **construction** for which a notice is required under Article 1.3.5.1 and Article 1.3.5.2 (a), (b), (c), (d), (e), (h), (i) and (j) of Division C, of the **Building Code**.

#### 5.2 Notice Prior to Occupancy

The **permit holder** shall notify the **Chief Building Official** requesting an occupancy **permit** be issued, for certain **buildings** of residential occupancy in accordance with Article 1.3.3.4 of Division C of the **Building Code**.

#### 5.3 When Notice Deemed Effective

A Notice pursuant to this By-law is not effective until the notice is actually received by the **Chief Building Official** or his/her designate by voice mail, by email or other means of electronic transfer deemed acceptable by the **Corporation**, or where the notice is given in person or orally, or in writing and is acknowledged by the **Chief Building Official** or his/her designate. Where notice is received by voice mail, by email or electronic transfer, the notice shall be deemed to be effective if received on a business day or on the first business day following a weekend or statutory holiday.

#### 5.4 Time Period for Conducting Inspection

Upon receipt of proper notice, the **Chief Building Official** or an **inspector** shall undertake a site inspection of the **building** to which the notice relates in accordance with the prescribed time periods set out in Section 11 of the **Act** and Article 1.3.5.3 of Division C of the **Building Code**.

### 6. REGISTERED CODE AGENCIES HIRED BY THE CORPORATION

The **Chief Building Official** is authorized to negotiate and execute service agreements with a **Registered Code Agency** to perform specified functions pursuant to Section 4.1 of the **Act**, provided that the **Registered Code Agency** meets all requirements of the **Act** and the **Building Code**, funds are pre-approved by the **Corporation** and the specified functions to be performed by the **Registered Code Agency** are restricted to those permitted by the **Act**.

### 7. AUTHORIZATION OF ALTERNATIVE SOLUTIONS AND EQUIVALENTS

#### 7.1 Alternative Solution Submission

Where an alternative solution for an equivalent material, system or **building** design is proposed in either an application for a **permit**, or in a material change to a plan, specification, document or other information on the basis of which a **permit** is issued, the **applicant** shall submit:

- i. A detailed submission or application satisfactory to the **Chief Building Official** or **Registered Code Agency**, if applicable;
- ii. Supporting documentation describing the proposed location(s) where the alternative solution is proposed and demonstrating that the proposed alternative solution will provide a level of safety and performance required by the **Building Code**;
- iii. A description of the proposed material, system or **building** design for which authorization is sought;
- iv. A description of all applicable provisions of the **Building Code** in contravention; and
- v. Payment of the required fees and deposits as set out in Schedule "A" to this By-law.

#### 7.2 Alternative Solution Approval

The **Chief Building Official** or **Registered Code Agency** may accept or reject any proposed alternative solution and/or may impose conditions or limitations on their use.

#### 7.3 Alternative Solution Location

Alternative solutions which are accepted under this By-law shall be applicable only to the location as described in the application and are not transferrable to any other **building permit**.



**8. OFFENCES AND PENALTIES**

Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided in section 36 of the *Building Code Act, 1992, S.O. 1992, c.23, as amended.*

**9. VALIDITY**

In the event that any provision of this By-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remaining provisions of this By-law.

**10. GENERAL**

**10.1 Schedules**

The Schedules attached hereto shall form party of this By-law and include:

- i. Schedule "A" – Permit and Miscellaneous Fees and Deposits;
- ii. Schedule "B" – Fee Refunds;
- iii. Schedule "C" – Forms; and
- iv. Schedule "D" – Plans and Specifications

**10.2 Effective Date**

This By-law comes into force on the 14<sup>th</sup> of February, 2017.

**10.3 Short Title**


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


**10.4 Repeal**

By-law 15-4824, as amended, of the Corporation of the Town of Ingersoll is hereby repealed.

**READ** a first and second time in Open Council this 13<sup>th</sup> day of February, 2017.

**READ** a third time in Open Council and passed this 13<sup>th</sup> day of February, 2017.

  
\_\_\_\_\_  
Ted Comiskey, Mayor

  
\_\_\_\_\_  
Michael Graves, Clerk

## **SCHEDULES TO BY-LAW NUMBER 17-4926**

- 1. Schedule "A" – Permit and Miscellaneous Fees and Deposits**
- 2. Schedule "B" – Fee Refunds**
- 3. Schedule "C" - Forms**
- 4. Schedule "D" – Plans and Specifications**

## Schedule "A" – Permit and Miscellaneous Fees and Deposits

<b>Building Permit Fee Schedule - Ingersoll</b>		
	Class of <i>Permit</i>	Fees
1		
2	<b>Group C, Low, Medium Density Residential</b>	\$2,000.00 base fee + \$0.62/sqft for projects > 2,000/sqft
3	<b>Group C, High Density Residential</b>	\$4,100.00 base fee + \$0.62/sqft for projects > 2,000/sqft
4	<b>Group C, Major/Minor Alterations</b>	\$155.00 + \$0.62 sqft
5	<b>Group C, Pools/Decks/Sheds/Tents</b>	\$155.00
6	<b>Groups A, B, D, E, Commercial</b>	\$4,000.00 base fee + \$0.76/sqft for projects > 2,500sqft
7	<b>Group F, Industrial</b>	\$2,900.00 base fee + \$0.76/sqft for projects > 2,500sqft
8	<b>Groups A, B, D, E &amp; F Major Alterations</b>	\$3,200.00 base fee + \$0.76/sqft for projects > 2,500sqft
9	<b>Group C, Demolitions</b>	\$155.00
10	<b>Groups A, B, D, E &amp; F Demolitions</b>	\$1,800.00
11	<b>Groups A, B, D, E &amp; F Minor Alterations</b>	\$950.00
12	<b>Other <i>Permits</i>: renew, moving <i>building</i>, sign, solar panels</b>	\$155.00
13	<b>Solid Fuel Appliances</b>	\$155.00
14	<b>Farm <i>Buildings</i></b>	\$1,900.00
15	<b>Designated Structures</b>	\$155.00
16	<b>Change of Use</b>	\$1,000.00
17	<b>Standalone Plumbing - Residential</b>	\$155.00
18	<b>Standalone Plumbing - Non-res</b>	\$155.00
19	<b>Connection to Sewer</b>	\$65.00
20	<b>Connection to Water</b>	\$65.00
21	<b>Standalone HVAC</b>	\$155.00
22	<b>Additional Fees</b>	
23	<b>Additional Inspection Fees</b>	\$50.00 / additional inspection
24	<b>Plan Re-examination Fees</b>	\$50.00/hr (min. fee of \$150.00)
25	<b>Transfer of Permit</b>	\$150.00
26	<b>Extension fee</b>	\$150.00
27	<b>Construction without a permit</b>	200% of the base fee
28	<b>Hourly Rate</b>	<i>Inspector</i> \$50/hr CBO \$75/hr
29	<b>Miscellaneous – Charges</b>	For classes of <i>permits</i> not described or included in this schedule, a reasonable permit fee shall be determined by the <i>Chief Building Official</i>

<b>Building Permit Deposit Schedule – Ingersoll</b>		
	Description of Works	Deposits
1.	Renovations	\$1,000.00
2.	Additions	\$1,000.00
3.	New Construction	\$1,000.00
4.	Lot Grading	\$1,000.00
5.	Any combination of Renovations, Additions, New Construction, Lot Grading	\$1,000.00

## Schedule "B" – Fee Refunds

Pursuant to Section 3.7 of this By-law, the fees that may be refunded shall be a percentage of the fees payable calculated by the *Chief Building Official* or a designate as follows:

1. 80% if administrative functions only have been performed;
2. 70% if administrative and zoning functions only have been performed;
3. 45% if administrative, zoning and plans examination functions have been performed;
4. 35% if the *permit* has been issued and no field inspections have been performed subsequent to *permit* issuance;
5. 5% shall additionally be deducted for each field inspection that has been performed after the *permit* has been issued.
6. No refund shall be made for an amount less than \$100.00.

## Schedule "C" – Forms

Pursuant to Section 2 of this By-law, the following forms shall be those used for the administration and enforcement of the *Act* and the *Building Code*:

1. Application for a Permit to Construct or Demolish
2. Building Permit
3. Partial Building Permit
4. Demolition Permit
5. Conditional Permit
6. Change of Use Permit
7. Sewage System Permit
8. Structural Sign Permit
9. Occupancy Permit
10. Transfer Permit
11. Acknowledgement of Incomplete Application
12. Commitment to General Review Form by *Architect* and *Engineer*
13. Energy Efficiency Design Summary Form
14. Alternative Solution Submission Form
15. Order to Comply
16. Order Not to Cover or Enclose
17. Order to Uncover
18. Stop Work Order
19. Order Requiring Tests and Samples

## Schedule "D" – Plans and Specifications

Site Plan

Site Servicing Plan

Lot Grading Plan

Foundation Plan

Floor Plan (each Floor)

Elevations

Framing Plans

Sections & Details

Reflected Ceiling Plan

Plumbing Plans

HVAC Plan

Electrical Plan

The **Chief Building Official** may specify that not all the above-mentioned plans are required to accompany an application for **permit**.

This information is in addition to any information specified in this By-Law.