

**TOWN OF MILLET
BYLAW #2010/02**

**A BYLAW OF THE TOWN OF MILLET, IN THE PROVINCE OF ALBERTA,
TO ADMINISTER THE SAFETY CODES ACT BEING S.A. 1991 CHAPTER
S-0.5 AS IT RELATES TO THE BUILDING, ELECTRICAL, GAS AND
PLUMBING DISCIPLINES.**

NOW THEREFORE, the Council of the Town of Millet, duly assembled, hereby enacts as follows:

TITLE

1.1.1 This bylaw may be cited as the “Safety Codes Bylaw”.

GENERAL

Definitions

2.1.1 Words and phrases used in this bylaw which are specifically defined in the Act, Regulations under the Act, or in this bylaw shall bear the meaning expressed in the definition. Words and phrases used in this bylaw which are not so defined shall have the meanings which are commonly assigned to them in the context in which they are used in this bylaw, taking into account the specialized use of the terms within the various trades and professions to which the terminology applies.

2.1.2 Whenever used herein:

- (a) “*Act*” means the Safety Codes Act S.A. 1991 C. S-0.5 and any Regulations passed pursuant to the Act;
- (b) “*Administrator*” means an Administrator appointed under the Safety Codes Act S.A. 1991 C. S-05;
- (c) “*Building*” means a structure and any part of a building or structure but does not include anything excluded by the Regulations from the definition of building;
- (d) “*Contractor*” means a Person or Organization that does or undertakes to do, either for his own use or benefit or for that of another, whether or not for the purpose of any gain, any process or activity to which this Act applies;
- (e) “*Council*” means the Council of the Town of Millet;
- (f) “*Electrical System*” means an assembly or part of an assembly of electrical equipment or components used or intended to be used for the generation, transmission, distribution, control or utilization of electrical energy, but does not include anything excluded by the Regulations from the definition of electrical system;
- (g) “*Electrical Work*” means the actual installation, repair and maintenance of an electrical system used for the production, transmission and utilization of electrical energy for heat, light and power purposes;

- (h) “*Gas*” means any gas or compressed gas or any mixture or dilution of gases and includes any combustible or flammable fluid but does not include gas or any mixture or dilution of gases or combustible or flammable fluid excluded by the Regulations from the definition of gas;
- (i) “*Gas System*” means any equipment or installation used or intended to be used in or in conjunction with the processing, transmission, storage, distribution, supply or use of gas but does not include anything excluded by the Regulations from the definition of gas system;
- (j) “*Occupancy*” means the use or intended use of a building or part thereof for the shelter or support of persons, animals or property;
- (k) “*Owner*” means any person controlling any property under consideration;
- (l) “*Permit*” means an authorization in writing by a Safety Codes Officer to perform work regulated by this bylaw;
- (m) “*Person*” means an individual, partner, corporation, firm, society, cooperative or other incorporated legal entity and their respective heirs, executors, administrators and assigns;
- (n) “*Plumbing Equipment*” means
 - (i) any piping, equipment, appliance or device used or intended to be used in a plumbing system, and
 - (ii) any other thing defined as plumbing equipment in the Regulations;
- (o) “*Plumbing System*” means the whole or any part of a drainage system, a venting system or a water system but does not include anything excluded by the Regulations from the definition of plumbing system;
- (p) “*Quality Management System*” means one or more of the Quality Management Plans for the disciplines of building, electrical, gas and plumbing as approved by an Administrator and as amended from time to time;
- (q) “*Regulations*” means an Regulations passed pursuant to the Act;
- (r) “*Safety Codes Officer*” means the person or persons designated by an Administrator to act as a Safety Codes Officer and employed by an Accredited Agency to administer a portion of the Act.

Scope

- 2.2.1 This bylaw applies to the administration and enforcement of the Act within the Town of Millet for the disciplines of building , electrical, gas and plumbing.

Quality Management Plans

- 2.3.1 The Quality Management Plans adopted by the Town of Millet or an Accredited Agency authorized by the Town of Millet to enforce a portion of the Act within the Town of Millet are meant to reflect an intention to exercise powers and perform duties under the Act in good faith. Nothing in any Quality Management Plan shall be taken to derogate from any defence afforded to the Town of Millet, its employees, officers or administrators by virtue of any statute as amended from time to time and without restricting the generality of the foregoing by virtue of Section 12 of the Safety Codes Act S.A. 1991 C. S-0.5 and Sections 529, 530 and 535 of the Municipal Government Act R.S.A. 1994 c. M-26.1.

ADMINISTRATION

- 3.1.1 This bylaw shall be administered by Safety Codes Officers employed by an Accredited Agency.
- 3.1.2 Subject to the terms of his or her designation and to the provisions of the Act, a Safety Codes Officer may administer and enforce the provisions of this bylaw and is authorized to do all things necessary and necessarily incidental to such administration and enforcement.

PERMITS

Permits

- 4.1.1 Every owner shall obtain all required permits or approvals prior to commencing the work to which they relate.
- 4.1.2 On receipt of an application, a Safety Codes Officer may issue a permit to a person who complies with the requirements of the Act and the relevant Quality Management Plan.
- 4.1.3 A Safety Codes Officer may include terms and conditions in a permit.
- 4.1.4 If a Safety Codes Officer refuses to issue a permit, the Safety Codes Officer shall serve the applicant with a written notice of the refusal.

Building Permits

- 4.2.1 Subject to the provisions of the Act, no person shall construct (including excavation for the purpose of constructing), add to, alter, renovate, demolish, relocate or change the occupancy of any building within the Town of Millet until and unless a building permit has been obtained pursuant to this bylaw.

Electrical Permits

- 4.3.1 Subject to the provisions of the Act, no person shall carry out work to which the Electrical Code applies until and unless an electrical permit has been obtained pursuant to this bylaw.

Gas Permits

- 4.4.1 Subject to the provisions of the Act, no person shall install, alter or make additions to any gas installation until and unless a gas permit has been obtained pursuant to this bylaw.

Plumbing Permits

- 4.5.1 Subject to the provisions of the Act, no person shall install, renew, alter or make additions to any plumbing installation until and unless a plumbing permit has been obtained pursuant to this bylaw.

CONTRACTORS

General

- 5.1.1 Every Contractor shall comply with the requirements of all applicable legislation relating to the construction being performed.

INSPECTION MANDATE

General

- 6.1.1 Safety Codes Officers will perform inspections authorized under the Act including but not necessarily limited to those inspections referred to in the Quality Management Plan.

RESPONSIBILITIES AND OBLIGATIONS

General Responsibilities

- 7.1.1 No Contractor or Owner shall deviate from the plans and specifications forming a part of a permit or omit or fail to complete work required by the said plans and specifications accepted by the Safety Codes Officer, without first having obtained in writing the approval of a Safety Codes Officer to do so and, subject to the above, any person who acts pursuant to a permit shall do so in accordance with the Act and shall comply with the Act in any terms or conditions contained in the permit.
- 7.1.2 No Contractor or Owner involved in any work for which a permit is required shall cause, allow or maintain any unsafe condition.
- 7.1.3 Any Owner or Contractor who knowingly submits false or misleading information contravenes this bylaw.
- 7.1.4 Every Owner shall allow a Safety Codes Officer to enter any building or premises at any reasonable time for the purpose of administering and enforcing this bylaw or if there is reason to believe an unsafe condition exists.
- 7.1.5 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 is required.

AUTHORITY OF THE MUNICIPALITY

General

- 8.1.1 A Safety Codes Officer may exercise any and all powers given to him or her under the Act and without restricting the generality of the foregoing is empowered to order:
- (a) a person who contravenes the Act or this bylaw to comply with the provisions thereof within the time period specified;
 - (b) work to stop if such work is proceeding in contravention of the Act or this bylaw, or if there is deemed to be an unsafe condition;
 - (c) the removal of any building or part thereof constructed in contravention of this bylaw;
 - (d) the cessation of any occupancy if any unsafe condition exists because of work being undertaken or not completed;
 - (e) correction of any unsafe condition or contravention of the Act of this bylaw.
- 8.1.2 A Safety Codes Officer may refuse to issue any permit:
- (a) whenever information submitted is inadequate to determine compliance with the provisions of the Act;
 - (b) whenever incorrect information is submitted.

FEEES

General

- 9.1.1 The fee for each permit shall be submitted at the time of application.
- 9.1.2 The fees for permit application and associated service costs shall be charged in accordance with the "Safety Codes Fees Policy" of the Town of Millet as revised from time to time.

SEVERABILITY

General

- 10.1.1 Should any provisions of this bylaw be invalid, then such invalid provisions shall be severed and the remaining bylaw shall be maintained.

EFFECTIVE DATE

General

- 11.1.1 That Bylaw 2000/10 is hereby rescinded.
- 11.1.2 This bylaw shall come into effect upon receiving third reading.

READ a first time this 24th day of March, 2010.

READ a second time this 24th day of March, 2010.

READ a third time, by unanimous consent, this 24th day of March, 2010, and finally passed.

MAYOR

CHIEF ADMINISTRATIVE OFFICER