



BUILDING BYLAW RESORT VILLAGE OF THE DISTRICT OF KATEPWA

BYLAW NO. 2026-04

A BYLAW TO PROVIDE FOR THE ADMINISTRATION AND ENFORCEMENT OF THE CONSTRUCTION CODES ACT, ASSOCIATED REGULATIONS, THE NATIONAL BUILDING CODE OF CANADA (NBC), MINISTERIAL INTERPRETATIONS, ORDERS OF THE SASKATCHEWAN CONSTRUCTION STANDARDS APPEAL BOARD, AND BUILDING OFFICIAL ORDERS WITHIN THE LIMITS OF THE DISTRICT OF KATEPWA

THE COUNCIL OF THE DISTRICT OF KATEPWA IN THE PROVINCE OF SASKATCHEWAN, ENACTS AS FOLLOWS:

1. SHORT TITLE

This Bylaw may be cited as the “*Building Bylaw*.”

2. DEFINITIONS

- a. Definitions contained in The Construction Codes Act, The Building Code Regulations, and The Energy Code Regulations shall apply in this Bylaw.
- b. In addition:
 - i. “**Act**” means *The Construction Codes Act*.
 - ii. “**Building Official**” means a person who holds a building official’s licence.
 - iii. “**Building Permit**” means written authorization issued by the Local Authority or its Building Official permitting construction in accordance with The Act.
 - iv. “**Building Official Services**” means plan review services, inspection services and enforcement services carried out by an appointed building official.
 - v. “**Certificate of Occupancy**” means a written document issued by the Building Official or (Local Authority through its building official) giving the owner of the building permission to occupy the building for its intended use;
 - vi. “**Competent Person**” means a person who is recognized by the Local Authority as having:
 - (a) a degree, certificate or professional designation; or
 - (b) the knowledge, experience and training;

- necessary to design or review the design of a building.
- vii. **“Deck”** means an open air structure used as an extension to the interior of a dwelling with or without direct access from the principal dwelling or the ground, constructed above grade with or without foundation as prescribed by the *National Building Code of Canada* to hold it erect and attached to or abutting a dwelling. A deck is not defined as a landing or a stair.
 - viii. **“Development Permit”** means written authorization issued by the Local Authority confirming zoning compliance.
 - ix. **“District”** means the District of Katepwa
 - x. **“Extra Inspection”** means an inspection that is conducted by the building official that is in addition to a typical scheduled inspection.
 - xi. **“Final Elevation Certificate”** means the rough grade elevation that is prepared by a registered land surveyor. The rough grade stage is after the building has been constructed, but prior to landscaping.
 - xii. **“Initial Elevation Certificate”** means the rough elevation of the ground prior to commencement of building constructed and is prepared by a registered land surveyor.
 - xiii. **“Inspection”** means the inspection of the following by an appointed building official to ascertain whether The Act and the regulations have been or are being complied with:
 - (a) ongoing or incomplete building construction, materials of construction or building systems;
 - (b) completed or existing building construction, materials of construction or building systems.
 - xiv. **“Local Authority”** means the District of Katepwa.
 - xv. **“NBC”** means the edition and provisions of the National Building Code of Canada, including revisions, errata and amendments to it, declared to be in force pursuant to The Act and the regulations.
 - xvi. **“NECB”** means the edition and provisions of the National Energy Code of Canada for Buildings, including revisions, errata and amendments to it, declared to be in force pursuant to The Act and The Energy Code Regulations.
 - xvii. **“Owner”** means:
 - (a) any person who has any right, title, estate or interest in land, improvements or premises other than that of a mere occupant, tenant or mortgagee;
 - (b) any person, firm or corporation that controls the property under consideration; or
 - (c) if the building is owned separately from the land on which the building is located, the owner of the building.
 - xviii. **“Owner’s Representative”** means any person, corporation, employee or contractor who has authority to act on behalf of an owner.
 - xix. **“Permit”** means written authorization issued by the Local Authority or its building official.
 - xx. **“Plan Review”** means the examination of building drawings and related documents by a building official to ascertain whether those drawings and documents meet the requirements of The Act and the regulations.

- xxi. **“Real Property Report (RPR)”** means a survey prepared by a registered land surveyor showing property boundaries, building locations, and related easements.
- xxii. **“Regulations”** means The Building Code Regulations and The Energy Code Regulations.
- xxiii. **“SAMA fee”** means a fee charged to the Local Authority by the Saskatchewan Assessment Management Agency with respect to the work.
- xxiv. **“Value of Construction”** means the total costs to the owner for the building construction in its completed form and includes the cost of all building work, materials of construction, building systems, labour and overhead, and profit of the contractor and subcontractors.
- xxv. **“work”** means any design, construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, change of use, occupancy or change of occupancy of a building.

3. SCOPE

This Bylaw applies to all work undertaken within the District of Katepwa, except as exempted by The Construction Codes Act or this Bylaw.

4. GENERAL RESPONSIBILITIES

- a. A building permit is required whenever work regulated by The Act and Regulations is to be undertaken.
- b. No owner or owner’s agent shall work or authorize work or allow work to proceed on a project for which a permit is required unless a valid permit exists for the work to be done.
- c. The granting of any permit that is authorized by this bylaw shall not entitle the grantee, his successor or assigns, or anyone on his behalf to erect any building that fails to comply with the requirements of any building restriction agreement, Bylaw, Act and/or Regulation affecting the site described in the permit.
- d. It is the duty of every owner or the owner’s representative of a building in Saskatchewan to ensure that the building and work is in accordance with The Act, the regulations, any associated codes, interpretations and orders and any bylaws adopted by the Local Authority with which the building is associated.
- e. It shall be the responsibility of the owner or the owner’s representative to arrange for all permits, inspections and certificates required by any other applicable bylaws, Acts and regulations.
- f. A building or part of a building for which a permit has been granted shall not be occupied before the issuance of a Certificate of Occupancy by the Local Authority or the building official pursuant to The Act.
- g. All required approvals under other bylaws must be obtained prior to commencing work.

- h. It is the responsibility of the owner to ensure that the District infrastructure is not damaged during construction or demolition. In the event that District infrastructure is damaged, it is the responsibility of the owner to repair the damages to the current District standard within 30 days of the completion of the construction or demolition.

5. DEVELOPMENT PERMITS

- a. No Building Permit shall be issued until a Development Permit has first been approved by the Local Authority. Building permits shall be subject to any conditions stated on the Development Permit, Building Permit, or Plan Review.
- b. A Development Permit confirms zoning compliance and site suitability but does **not** authorize construction.
- c. The Development Permit shall be issued using the form attached as **Schedule A**.
- d. If the Local Authority becomes aware that **work regulated by The Act** may not comply with The Act or regulations, the Building Official may enter and inspect the property at reasonable times to verify compliance.
- e. Where non-compliance is confirmed, the Building Official may issue a Stop Work Order and require the owner to remedy the works to achieve compliance at the owner's expense, plus fees as set out in the Fees and Charges Bylaw of the District of Katepwa, as amended from time to time.
- f. If the owner fails to comply with a Stop Work Order within the time specified, the Local Authority may cause the work to be corrected, removed, or otherwise remedied, and recover the costs from the owner as permitted by The Act.

6. BUILDING PERMITS

- a. Every application for a permit for work shall be on the form provided by the Local Authority, and shall be accompanied by plans and specifications of the proposed building and work in a format acceptable to the Local Authority.
- b. A Building Permit shall only be issued where:
 - i. A Development Permit has been approved;
 - ii. A licensed Building Official has reviewed and approved the construction plans; and
 - iii. All permit fees and deposits have been collected, subject to applicable taxes.
- c. The Building Permit shall be issued using the form attached as **Schedule B**.
- d. A building or part of a building must not be occupied before the issuance of a Certificate of Occupancy by the Building Official.
- e. No person or company to whom a permit is issued pursuant to The Act shall fail to comply with the terms and conditions of the permit.

- f. Anyone who commences work without first obtaining a Building Permit, the permit fee shall be doubled as set out in the Fees and Charges Bylaw of the District of Katepwa, as amended from time to time.
- g. Failure to apply for the required permit may result in the issuance of a “Stop Work Order.”
- h. An **Initial and Final Elevation Certificate** of the site described in the building permit application may be required as part of the building permit approval and shall be supplied by the owner if requested by the Local Authority or Building Official.
- i. It shall be the responsibility of the owner to obtain an initial and final elevation certificate to ensure that rainwater and snow melt water is directed away from buildings within the property boundaries to the public street, drain, swale, or holding ponds.
- j. The permit fee for construction, erection, placement, alteration, repair, renovation, or reconstruction of a building shall be as set out in the Fees and Charges Bylaw of the District of Katepwa, as amended from time to time.
- k. The Building Official may issue a Temporary Certificate of Occupancy for a period not exceeding six (6) months where, in the opinion of the Building Official, the building or part thereof may be safely occupied while remaining deficiencies are completed. The owner shall remedy all outstanding deficiencies prior to the expiry of the temporary certificate. The Building Official may extend the temporary occupancy once, for up to an additional three (3) months, where satisfactory progress has been demonstrated.
- l. The Local Authority or the building official may establish the value of construction for the work described in an application for a permit, for the purpose of calculating a permit fee, based on established current construction costs, the owner’s or the owner’s representative statement of costs or constructor’s contract values, or similar methods selected by the Local Authority or building official.
- m. It is the responsibility of the owner or owner’s representative to ensure that all notifications required by Section 7 of The Act and this building bylaw are given to the Local Authority and that all inspections are scheduled and completed. Failure to do so may result in additional fees for follow up inspections.
- n. The owner or owner’s representative will be invoiced by the Local Authority for additional inspection fees and payment of the inspection fees will be due on receipt of an invoice. Unpaid inspection fees will be considered a debt due to the Local Authority and may be recovered from the owner of the land or premises in or on which the work was carried out as per The Act.
- o. The Local Authority may, at its discretion, rebate a portion of a permit fee or deposit where work is reduced in scope or discontinued, or where other exceptional circumstances occur.

7. PERMIT EXEMPTIONS

- a. No Building Permit is required for:
 - i. Accessory buildings **less than 10 m² (107.6 ft²)** in area, provided no sleeping accommodations are provided.
- b. Nothing in this section relieves an owner from complying with any other applicable bylaws, regulations, or Acts.

8. PARTIAL BUILDING PERMITS

- a. In some cases work on a project may need to be expedited. In such instances an application may be made to issue a Building Permit for only a portion of the work prior to the issuance of a Building Permit for the entire project. In such a case, the applicant is responsible to submit complete plans and specifications for the portion of the work requiring a Building Permit.
- b. The appointed building official shall review all applications for Partial Building Permits to determine validity and compliance of construction standards.
- c. Issuance of a Partial Building Permit does not constitute approval of the entire project and is at the applicant's risk.
- d. Any work completed under a Partial Building Permit shall be subject to the provisions of this bylaw.
- e. The fee for a Partial Building Permit is as set out in the Fees and Charges Bylaw of the District of Katepwa, as amended from time to time.

9. DEMOLITION OR REMOVAL

- a. No person shall demolish or remove, or cause to be demolished or removed, any building greater than **10 m² (107.6 ft²)** in area without first having obtained a permit from the Local Authority.
- b. All fees, deposits, and charges related to demolition or removal permits, including any inspection or re-inspection fees, are as set out in the Fees and Charges Bylaw of the District of Katepwa, as amended from time to time.
 - i. The applicant shall provide any deposit required under the Fees and Charges Bylaw to cover the cost of restoring the site following demolition or removal.
 - ii. If the applicant who demolished or removes the building restores the site to a condition satisfactory to the Local Authority or its Building Official, the sum deposited, or portion thereof, shall be refunded.
- c. Every application for a permit to demolish or remove a building shall be in a form provided by the Local Authority.
- d. Where a building is to be demolished or removed and the Local Authority or its Building Official is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, the Local Authority, upon receipt of the fee and deposit prescribed, shall issue a permit.

- e. Where a building is to be removed from its site and set upon another site in the Local Authority, and the Local Authority or its Building Official is satisfied that there are no debts or taxes in arrears or taxes outstanding with respect to the building or land on which the building is situated, and the building when placed on its new site and completed, to the best of the knowledge of the Local Authority or its Building official, will conform with the requirements of this bylaw, the Local Authority, upon receipt of the fee and deposit prescribed, shall issue a permit.
- f. All permits issued under **this section expire six (6) months** from the date of issue except that a permit may be renewed for six months upon written application to the Local Authority.
- g. The applicant is responsible to ensure compliance with any other applicable bylaws, Acts, and regulations, and to obtain all required approvals prior to demolishing or moving a building.
- h. The owner shall ensure that all building components, substructures or framework located below ground level have been removed and disposed of in the proper manner.
- i. Waste material generated from a demolition, including any and all concrete from a basement and/or foundation, shall not be buried on the site, but shall be removed from the site and disposed of at an approved location.
- j. Upon completion of a demolition, the owner shall:
 - i. Remove all rubbish and building materials from the property;
 - ii. Fill and level any excavation on the property with clean non-expansive fill, to an elevation compatible with abutting properties; and
 - iii. Ensure that the property is left in a safe and clean condition.
- k. Should it become necessary to close or block any road, street, lane, or sidewalk during demolition, the owner or owner's agent shall obtain the prior written approval of the Local Authority.
- l. During demolition, the owner shall supply and maintain, at his own expense, all warning signs, barricades, fences or other services that may be required to warn the public and/or protect the public from the work in progress.

10. REAL PROPERTY REPORT AND SURVEY REQUIREMENTS

- a. A Real Property Report (RPR) prepared by a registered land surveyor is required for new principal dwellings and accessory buildings constructed on a foundation, to verify that the structure complies with the approved site plan and required setbacks. The RPR must be provided to the Local Authority after the foundation is poured and before framing begins.

- b. Where a complete RPR has been filed with the Local Authority within the past ten (10) years, a Foundation Survey prepared by a registered surveyor may be accepted in lieu of a new RPR, provided it confirms compliance with the approved site plan.
- c. The requirement for an RPR or Foundation Survey may be waived at the discretion of the Building Official where the structure is minor in nature, where property boundaries are clearly established, or where the location can be reasonably confirmed by other means.
- d. The Building Official may require an updated RPR or Foundation Survey at any time if it is deemed necessary to confirm building placement, property boundaries, or compliance with the approved site plan.
- e. Proceeding beyond foundation placement **without** submitting the required RPR (or accepted foundation survey) is a contravention of this Bylaw. The Building Official may issue a Stop Work Order and withhold further inspections until the RPR (or accepted substitute) is provided, and may apply the RPR Non-Compliance Surcharge as set out in the Fees and Charges Bylaw of the District of Katepwa, as amended from time to time.
- f. If a subsequently submitted RPR or foundation survey shows the building location does not comply with the approved site plan or permit conditions, the owner must, at their expense, take corrective measures (which may include relocation or partial removal) to achieve compliance. The Local Authority may withhold occupancy, register a notice of non-compliance on the property file until rectified, and/or the return of the damage deposit until compliance is achieved.

11. DEPOSITS

- a. A refundable **Damage/Restoration Deposit** is required for all new principal buildings and demolitions as set out in the Fees and Charges Bylaw of the District of Katepwa, as amended from time to time.
- b. The deposit shall be refunded upon satisfactory site restoration, confirmation of compliance with this Bylaw, approved permit conditions and that no municipal infrastructure has been damaged.

12. PERMIT EXPIRY, RENEWAL, REVOCATION

- a. Permits expire:
 - i. **24 months** from issuance;
 - ii. **6 months** if work has not commenced; or
 - iii. When work is suspended for more than 6 months without written approval.
- b. The expiry of a permit does not relieve the owner or the owner's representative from the obligation to complete the work approved in the permit.

- c. An owner or the owner's representative that does not complete all the work listed on a permit before the permit expires shall apply to the Local Authority that issued the permit to do one of the following
 - i. revoke the permit;
 - ii. extend the term of the permit;
 - iii. vary the conditions of the permit.
- d. The Local Authority may revoke, extend or vary the conditions of a permit on written application of the permit holder and subject to any condition or fees listed in the bylaw.
- e. Application for a new Building Permit will be subject to the Building Permit fees applied to a new application as prescribed in the Fees and Charges Bylaw of the District of Katepwa, as amended from time to time.
- f. The Local Authority may revoke a permit if, after written notice is given to the permit holder:
 - i. there is contravention of any condition under which the permit was issued;
 - ii. the permit was issued in error; or
 - iii. the permit was issued on the basis of incorrect or false information; or
 - iv. if the holder of the permit requests in writing that it be revoked.
- g. If the owner has not requested an extension within three (3) months of a permit's expiry, the permit shall be deemed expired, and no further work may proceed until a new Building Permit is issued.

13. PERMITS – REFUSAL TO ISSUE

- a. The Local Authority may refuse to issue a permit if:
 - i. the proposed work described on the permit application would contravene:
 - (a) The Act;
 - (b) the regulations;
 - (c) an order of the appeal board;
 - (d) a written interpretation of the minister pursuant to section 8 of The Act; or
 - (e) the Local Authority's building bylaw;
 - ii. the person who designed or reviewed the design of a proposed building that is within the scope of Part 9 of the NBC is not a competent person;
 - iii. the person who designed or completed a design review of a proposed building that is within the scope of Part 3, 4, 5, 6 or 7 of the NBC is not an architect or engineer;
 - iv. the person who designed or completed a design review of a proposed building that is within the scope of the NECB is not an architect or engineer;
 - v. the application for a permit is incomplete;
 - vi. any fees, deposits or bonds required pursuant to the Local Authority's building bylaw for the issuance of a permit have not been paid; or
 - vii. the proposed work described on the permit application would contravene any other Act, regulations or bylaw that applies to the proposed work.

- b. Where the Local Authority refuses to issue a permit pursuant to subsection (13.a), the Local Authority shall:
 - i. provide written notice to the applicant as to the reasons for the Local Authority's refusal to issue a permit; and
 - ii. refund any fee or deposit paid as part of the permit application for work pursuant to The Act, less any fees paid for:
 - (a) plan review; and
 - (b) permit application or administration.

14. INSPECTIONS AND NOTIFICATIONS

- a. The owner shall schedule inspections at the stages identified in the **Plan Review** and on the **Building Permit**, and shall provide any notifications required by the Building Official.
- b. The owner or owner's representative shall provide in writing to the Local Authority any deviation, omissions, or revision to work for which a permit has been issued under this section and must obtain written approval from the Local Authority.

15. ENFORCEMENT

- a. The Local Authority or the building official may take any measures as permitted by section 24, 25 or 26 of The Act and sections 13 and 14 of The Building Code Regulations for the purpose of ensuring compliance with this building bylaw.

16. PENALTY

- a. Any person who contravenes any of the provisions of this Bylaw shall be liable to the penalties provided in Part 8 of *The Construction Codes Act*.
- b. Conviction of a person or corporation for breach of any provision of this Bylaw shall not relieve the person from compliance herewith.

17. MISCELLANEOUS

- a. If any section, subsection, sentence, clause, phrase, or other portion of this bylaw is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and the holding of the Court shall not affect the validity of the remaining portion of the Bylaw.

18. COMING INTO FORCE

- a. Bylaw No. 2025-06 in the Resort Village of the District of Katepwa, is hereby repealed.
- b. This Bylaw shall come into force and take effect from the date on which it is approved by the Minister of Government Relations.

Enactment pursuant to Section 17 of *The Construction Codes Act*

(seal)

Mayor

Administrator

Read a first time 20th day of January 2026

Read a second time this 20th day of January 2026

Read a third time and adopted this 20th day of January 2026

SCHEDULE A – DEVELOPMENT PERMIT TEMPLATE

DISTRICT OF KATEPWA – DEVELOPMENT PERMIT

Permit No.: DP-_____

Date: _____

Applicant: _____

Civic Address: _____

Legal Description: _____

Description of Development: _____

Zoning District: _____

Permitted / Discretionary Use: _____

Conditions of Approval:

NOTE: This Development Permit confirms that the proposed development complies with the District's Zoning Bylaw.

It is issued to inform the applicant that the use and location are approved, allowing for further planning such as engaging contractors, ordering materials, or securing financing.

However, no construction may begin until a Building Permit has been issued by the District of Katepwa.

Approved this ____ day of _____, 20__.

Chief Administrative Officer/Designate

SCHEDULE B – BUILDING PERMIT TEMPLATE

DISTRICT OF KATEPWA – BUILDING PERMIT

Permit No.: KAT YY-_____

Date: _____

Applicant: _____

Civic Address: _____

Legal Description: _____

Description of Work: _____

Plan Review Reference: _____

Conditions of Approval:

NOTE: This Building Permit authorizes construction in accordance with The Construction Codes Act, the National Building Code of Canada, and the District of Katepwa Building Bylaw. All aspects of the construction must comply with the Plan Review enclosed and the conditions listed above.

All required inspections must be scheduled with the Building Official.

This Permit does not authorize occupancy until a Certificate of Occupancy has been issued by the Building Official.

Approved this ____ day of _____, 20__.

Chief Administrative Officer/Designate