

**CHAPTER 19  
BUILDING BYLAW  
TOWN OF MIDDLETON**

**Be it enacted by the Town Council of the Town of Middleton, under the authority of the *Nova Scotia Building Code Act*, Chapter 46 of the Revised Statues of Nova Scotia, 1989 and amendments thereto, as well as regulations passed pursuant to the *Act* and any amendments thereto, as follows:**

This Bylaw shall be known and cited as the "*Building Bylaw*."

**Definitions**

1. Unless otherwise defined herein, terms used in this bylaw shall have the same meanings as those defined in the *Building Code Act* and the regulations prescribed pursuant thereto.
2. In this bylaw:
  - 1) "***Building Code Act***" or "***Act***" means Chapter 46 of the Revised Statues of Nova Scotia, 1989, the *Building Code Act*, as amended;
  - 2) "***Town***" means the Town of Middleton; and
  - 3) "***Nova Scotia Building Code Regulations***," "***Building Code***" or "***Regulations***" refers to regulations made pursuant to the *Building Code Act*.

**Application**

3. The Town is responsible for the administration and enforcement of the *Building Code Act* in the Town.
4. This bylaw applies to all construction or demolition or any stage thereof, and for occupancy and change of occupancy of a building located in the Town of Middleton.

**Permits**

5. A permit is required (the "Permit"), prior to commencing work, if work regulated by the *Building Code* is to be done.
6. In accordance with the *Building Code*, a Permit is required, prior to commencing work, for:
  - 1) the design, construction, erection, placement and occupancy of new buildings; and
  - 2) the alteration, reconstruction, demolition, removal, relocation, occupancy and change of occupancy classification of existing buildings in the Town.

7. Except as required by another enactment, a Permit is not required for:
  - 1) accessory buildings not greater than 20 square metres (215.2 square feet) in area;
  - 2) interior and exterior non-structural material alterations and material repairs with a monetary value of five thousand dollars or less; or
  - 3) replacement or installation of a new plumbing fixture that does not increase the hydraulic load of the drainage system or require alterations to an existing water distribution system or drainage system.
8. A Permit shall expire three (3) years from the date of issuance and the Permit conditions shall no longer be valid.
9. All Permit applications shall be signed:
  - 1) by the owner(s) of the property (relevant to the application); or
  - 2) by an authorized agent of the owner of a property provided that the owner of the property submits a signed letter appointing the agent; and
  - 3) any other person apparently having a legal interest in the property.
10. An application for a Permit shall be in such form and contain such information as may from time to time be required for the proper administration of this bylaw.
11. An application form must be completed and submitted in full before any Permit may be issued.
12. When an application for a Permit has not been completed in conformance with the requirements of this bylaw within six months after it is filed, the application shall be deemed to have been abandoned.
13. The Town may withhold the issuance of a building Permit until satisfied that any and all applicable provincial and municipal regulatory requirements have been met including, but not limited to, any requirements under a land use bylaw or subdivision bylaw.
14. The issuance of a building Permit is not a guarantee that the proposed construction, demolition, or change of occupancy is in compliance with all or any other provincial regulatory requirements.

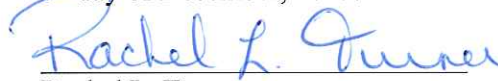
#### **Permit Fees**

15. A building Permit fee will be charged to an applicant in accordance with Policy G.2.1 Fees – Building and Planning, as it may be amended from time to time.
16. A portion of the Permit fees may be refunded as per Policy G.2.1 Fees – Building and Planning.


### Inspections

17. The owner of a building, or the authorized agent of the owner, shall notify the Building Official at least forty-eight (48) hours in advance to schedule a required inspection.
18. A Permit is deemed to have expired if an inspection is not completed prior to one year from the date of:
  - 1) the issuance of the Permit; or
  - 2) the last inspection

**THIS IS TO CERTIFY THAT** this bylaw amendment, of which the foregoing is a true copy, was duly passed at a duly called meeting of the Town Council by majority vote of the whole Council of the Town of Middleton on the 7<sup>th</sup> day of December, 2015.

  
 Rachel L. Turner  
 Chief Administrative Officer

**GIVEN** under the hand of the Chief Administrative Officer and under the corporate seal of the Town of Middleton this 7<sup>th</sup> day of January, 2016.

  
 Rachel L. Turner  
 Chief Administrative Officer

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| 1. Date of First Reading:                     | September 08, 2015 |
| 2. Date of advertisement of Notice of Intent: | November 12, 2015  |
| 3. Date of Second Reading:                    | December 07, 2015  |
| 4. Date of Publication of Notice of Passing:  | December 17, 2015  |