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RURAL MUNICIPALITY OF HANOVER

Building By-Law No. 2379-15 As Amended

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF HANOVER FOR THE REGULATION OF CONSTRUCTION IN THE RURAL MUNICIPALITY OF HANOVER

WHEREAS The Rural Municipality of Hanover is empowered by The Building and Mobile Homes Act, C.C.S.M. ,cap. .B93 to, by by-law, adopt The Manitoba Building Code;

AND WHEREAS subsection 239(1) of the Municipal Act, CCSM c.m.225 provides as follows:

239(1) If this or any other Act or a by-law authorizes or requires anything to be inspected, remedied, enforced or done by a municipality, a designated officer of the municipality may, after giving reasonable notice to the owner or occupier of land or the building or other structure to be entered to carry out the inspection, remedy, enforcement or action,

- (a) enter the land or structure at any reasonable time, and carry out the inspection, enforcement or action authorized or required by the Act or by-law;
- (b) request that anything be produced to assist in the inspection, remedy, enforcement or action; and
- (c) make copies of anything related to the inspection, remedy, enforcement or action.

AND WHEREAS it is deemed expedient and in the public interest to adopt the said *Code* and establish such standards;

NOW THEREFORE the *Council* of the Rural Municipality of Hanover, duly assembled, enacts as follows:

SECTION 1 Name

This by-law may be known as the Rural Municipality of Hanover **Building By-law**.

SECTION 2 Scope & Definitions

2.1 Scope:

- 2.1.1 This by-law applies to the whole of the Rural Municipality of Hanover.
- 2.1.2 This by-law applies to administration and enforcement in the design, construction, erection, placement and occupancy of new building and structures, and the alteration, reconstruction, demolition, removal, relocation, occupancy and change in occupancy of existing building and structures and any requirements that are necessary to correct unsafe conditions in existing building and structures.
- 2.1.3 The requirements of the *Code* are hereby adopted and shall apply to all work falling within the scope and jurisdiction of this by-law.
- 2.1.4 Any construction or condition that lawfully existed before the effective date of this by-law need not conform to the requirements of this by-law if such construction or condition does not constitute an unsafe condition in the opinion of the *authority having*

jurisdiction.

2.2 Definitions:

2.2.1. The words and terms in italics in this by-law shall have the meaning prescribed in subsection 2.2.3 herein, and if no definition is provided herein they shall have the meanings as prescribed in the *Code*. Should a word or term be defined in both this by-law and the *Code*, then the definition set forth in this by-law shall govern.

2.2.2. Definitions of words and phrases used in this by-law that are not specifically defined in the *Code* or in this subsection shall have the meanings that are commonly assigned to them in the context in which they are used in these requirements, considering the specialized use of terms within the various trades and professions to which the terminology applies.

2.2.3 Words and terms in *italics* in this by-law shall have the following meanings:

"Audit"

means a random review of design or construction work by the *authority having jurisdiction* to ascertain compliance with the *Code* and this by-law

"Authority having Jurisdiction"

means the Rural Municipality of Hanover (the "Municipality") and, where the context requires, such building inspector or other authority lawfully appointed by the Municipality to administer and enforce the provisions of this by-law.

"Building"

means any structure used or intended for supporting or sheltering any use or occupancy.

"Code"

means the Manitoba Building Code as established, adopted and revised from time to time under Section 3 *Construction Standard* of The Building and Mobile Homes Act, C.C.S.M., cap.B93

"Council"

means the municipal Council of the Rural Municipality of Hanover

"Final Inspection"

means the last inspection to be made on the construction under development. It is to include all plumbing and building inspection reports, water/sewer connection permit, culvert/access permit and verification and yard/site elevation confirmation.

"Licensed Utility Contractor"

means a utility contractor that is properly registered with the Municipality as having a minimum standard of experience in making water and/or sewer connections on various types of municipal utility infrastructure and knowledge of the installation standards of the Municipality.

"Occupancy Permit"

shall mean a permit issued after the *Final Inspection*.

"Owner"

means a *person*, or agent of such *person*, who appears by the records of the proper land titles office to have any right, title, estate, or interest in the land.

"Permit"

means written permission or written authorization from the *authority having jurisdiction* in respect to matters regulated by this by-law

"Person"

means and includes any individual, corporation partnership, firm, joint venture, syndicate, association or trust, and any other form of entity or organization

"Rough Grading"

means cutting and filling the earth for preparation of finish grading to within 3 inches of final grade.

"RTM"

means ready to move houses being houses or *building* constructed in one location and moved to a different location

"Valuation"

shall mean the total monetary worth of all construction or work, including all painting, papering, roofing, electrical work, plumbing, permanent or fixed equipment, including any permanent heating, elevator equipment or fire sprinkler equipment, and all labour, materials and other devices entering into and necessary to the prosecution of the work in its completed form. No portion of any building including, mechanical, electrical and plumbing work, shall be excluded from the valuation for a *permit*

"Waste Facility"

shall, in addition to its common meaning, include agricultural waste storage facilities, domestic sewage disposal lagoons and landfill sites.

SECTION 3 *General*

3.1 *Application Generally:*

This by-law applies to the design, construction, erection, placement and occupancy of new *building*, and the alteration, reconstruction, demolition, removal, relocation, occupancy and change in occupancy of existing *building*.

3.2 *Limited Application to Existing Building:*

3.2.1 When a building or any part of it is altered or repaired, the *Code* applies to the parts of the building altered or repaired except that where in the opinion of the *authority having jurisdiction*, the alteration will affect the degree of safety of the existing building, the existing building shall be improved as may be required by the *authority having jurisdiction*.

3.2.2 The number of storeys of an existing building or structure shall not be increased unless the entire building or structure conforms to the requirement of the *Code*.

- 3.2.3 The requirements of this by-law apply where the whole or any part of a building is relocated either within or into the area of jurisdiction of the *authority having jurisdiction*.
- 3.2.4 When the whole or any part of a building is demolished, the requirements of this by-law apply to the work involved in the demolition and to the work required to any parts remaining after demolition to the extent that deficiencies occurring or remaining after demolition require correction.
- 3.2.5 When a building is damaged by fire, earthquake or other cause, the *Code*, the requirements of this by-law and the appropriate regulations under the Fire Prevention and Emergency Measures Act, and the Manitoba Fire *Code*, apply to the work necessary to reconstruct damaged portions of the building.
- 3.2.6 When an unsafe condition exists in or about a building, the *Code*, the requirements of this by-law and the appropriate regulations in the Fire Prevention and Emergency Measures Act, and the Manitoba Fire *Code*, shall apply to the work necessary to correct the unsafe condition.
- 3.2.7 When the occupancy of a building or any part of it is changed, the requirements of this by-law apply to all parts of the building or structure affected by the change.

3.3 Exemptions:

- 3.3.1 The general requirements in Section 3, do not apply to:
- (a) sewage, water, electrical, telephone, rail or similar systems located on a street or a public transit right of way;
 - (b) public utility towers or poles, television and radio or other communication aerials except for loads resulting from those located on or attached to *building*;
 - (c) flood control and hydroelectric dams and structures;
 - (d) mechanical or other equipment and appliances not regulated in this by-law; and
 - (e) accessory *building* not greater than 120 square feet in building area
- 3.3.2 A farm building less than 600 m² in size, other than a farm building used as residence, an attached garage or carport, shall be subject to an application for and obtaining of a building permit.

3.4 Prohibitions:

- 3.4.1. Any *person* who fails to comply with any order or notice issued by any *authority having jurisdiction*, or who allows a violation of the requirements of this by-law or of the *Code* to occur or to continue, contravenes the provisions of this by-law.
- 3.4.2. No *person* shall undertake any work or authorize 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.
- 3.4.3. No *person* shall deviate from the accepted plans and specifications forming part of the *permit*, or omit or fail to complete, prior to occupancy, work required by the said accepted plans and specifications, without first having obtained approval by the

authority having jurisdiction to allow such deviation except for minor changes to accepted plans and specifications which, when completed would not cause a violation of the *Code* or other by-laws.

- 3.4.4 Where an *Occupancy Permit* is required by Section 4.2.3. herein, no *person* shall occupy or allow the occupancy of any building, or part thereof, or change the occupancy, unless and until an occupancy *permit* has been issued by *authority having jurisdiction*.
- 3.4.5 No *person* shall allow the ground elevations or the property boundaries of a building lot to be changed so as to place a building, or part of it, in contravention of the requirements of this by-law, unless the building, or part of it, is so altered, after obtaining the necessary *permit*, such that no contravention will occur because of the change of the property boundary of a building or grades.
- 3.4.6 No *person* shall knowingly submit false or misleading information to the *authority having jurisdiction* concerning any matter relating to this by-law.
- 3.4.7 No *person* shall excavate or undertake work on, over or under public property, or erect or place any construction or work or store any materials thereon without receiving prior approval in writing from the appropriate government authority.

3.5 Mobile Homes and *RTM*'s:

- 3.5.1 Mobile homes and/or *RTM*'s shall comply with the requirements of the *Code*.
- 3.5.2 The *authority having jurisdiction* may require any or all of the following in respect to a mobile home or *RTM* sought to be located within the municipality:
- (a) the submission of a complete set of plans and specifications;
 - (b) the seal of an Engineer licensed in the Province of Manitoba in respect to all building components requiring professional certification;
 - (c) submission of copies of any or all *permit* taken out for the mobile home or *RTM* in the location of its construction together with a copy of any or all inspection reports; and
 - (d) such inspections or certifications as may be deemed necessary in order to ensure compliance with the *Code* and this by-law.

SECTION 4 Permit

4.1 Application:

- 4.1.1 Except as otherwise allowed and prescribed by the *authority having jurisdiction*, every application for a *permit* shall:
- (a) identify and describe in detail the work and occupancy to be covered by the *permit* for which the application is made;
 - (b) describe the land on which the work is to be done by a description that will readily identify and locate the building lot;
 - (c) state the valuation of the proposed work; and be accompanied by the required fee as set out in the fees by-law;
 - (d) include those plans and specifications, as set out in Schedule A of this by-law

- (unless otherwise waived by the *authority having jurisdiction*), and show the occupancy of all parts of the building;
- (e) state the names, addresses and telephone numbers of the owner(s), applicant and contractor; and
 - (f) include such additional information as may be required by the *authority having jurisdiction*.
- 4.1.2 When an application for a *permit* has not been completed in conformance with the requirements of the *authority having jurisdiction* within three months after the date of filing, the application shall (unless otherwise extended by the *authority having jurisdiction*) be deemed to have been abandoned.
- (a) Applications may be reinstated by the authority having jurisdiction within one (1) year of the date of abandonment without a new application being filed as long as the application continues to meet the requirements of all applicable codes. The authority having jurisdiction may alter the fees owing on a reinstated application so that they reflect the fee schedule in place at the time of reinstatement.
- 4.1.3 A *permit* shall expire and the right of an owner under the *permit* shall end if:
- (a) the work authorized by the *permit* is not commenced within six months from the date of issue of the *permit* and actively carried out after that, or
 - (b) the work authorized under the permit is incomplete 24 months from the date of issue, unless otherwise extended by the authority having jurisdiction
- 4.1.3.1 A permit extended under 4.1.3(b) shall be extended to the date of expiry of the permit deposit, or by 12 months where no deposit was taken.
- (a) There shall be no limit to the number of extensions which may be granted however Council may set a fee for extension requests where at least 36 months has lapsed between the date of issue and the new expiry date requested in the extension.
- 4.1.3.2 Permits that have expired under section 4.1.3 shall not be subject to refund.
- 4.1.4 Any revision to the original application described in Section 4.1.1 shall be made in the same manner as for the original *permit*, or as may be required by the *authority having jurisdiction*.
- 4.1.5 Applications for a permit may be filed, and a permit may be issued to an owner, or to a contractor or other properly authorized agent of the owner if that agent holds a Letter of Authorization as set out in the schedules of this by-law or in some format acceptable to the authority having jurisdiction.

4.2 *Permit:*

4.2.1 Building *Permit:*

- 4.2.1.1 Except as permitted in Section 4.2.1.2 herein, unless a building *permit* has first been obtained from the *authority having jurisdiction*, no *person* shall commence or cause to be commenced:
- (a) the location, placement, erection or construction of any building or structure or portion thereof;

- (b) the addition, extension, improvement, alteration or conversion of any building or structure, or portion thereof;
- (c) the development of a previously unfinished basement;
- (d) the repair, rehabilitation, or renovation of any building or structure, or portion thereof;
- (e) underpinning;
- (f) the relocation or removal of any building or structure, or portion thereof;
- (g) the excavation of any land for any purpose of erecting or location on or above it, any building or structure;
- (g) the installation, construction, repair, renewal, alteration or extension of a mechanical system;
- (h) the installation, construction, alteration or extension of a spray paint operation, spray painting booth, dip tank or other special process.

4.2.1.2 A building *permit* is not required for:

- (a) patching, painting or decorating;
- (b) replacement of stucco, siding or shingles with the same material;
- (c) replacement of doors or windows when the opening is not altered;
- (d) replacement of open landing and stairs and open decks;
- (e) construction of fences;
- (f) installation of cabinets and shelves;
- (g) a detached accessory storage building no greater than 120 square feet in building area;
- (h) non-structural alterations or repairs where the value of such work in less than five thousand dollars (\$5,000.00).
- (i) a concrete pad which is not to serve as the foundation or floor of any structure.

4.2.1.3 Notwithstanding that a building *permit* is not required for the work described in section 4.2.1.2., such work shall comply with the *Code* and the provisions of this and other applicable by-law(s) and the work shall not place the building or structure in contravention or further contravention of the *Code* or this or any other by-law.

4.2.1.4 Before the issuance of a building *permit* for cases described in subsection 5.1.20(1), the owner shall (unless the *authority having jurisdiction* waives such requirement) submit Letters of Assurance in the forms set out in the schedules to this by-law, which:

- (a) confirm that the owner has retained the necessary architect(s) or professional engineer(s) for all the applicable disciplines, for professional design and inspection; and
- (b) incorporate the architect's or professional engineer's assurance of professional design and commitment for inspection.

4.2.1.5 Before the issuance of a building *permit*, for cases in which a professional design is not required, the owner shall (unless the *authority having jurisdiction* waives such requirement) submit a Letter of Assurance in the form set out in the schedule to this by-law, confirming that the owner will ensure that the building will be constructed in accordance with the *Code*.

4.2.1.6 Before the issuance of a building permit, all fees must be paid in full as set out in the

fees by-law.

4.2.2. Plumbing Permit:

4.2.2.1 Except as provided in Section 4.2.2.2, no *person* shall construct, extend, alter, renew or repair or make a connection to a plumbing system unless a *permit* to do so has been obtained.

4.2.2.2 A plumbing *permit* is not required when a valve, faucet, fixture or service water heater is repaired or replaced, a stoppage cleared or a leak repaired, if no change to the piping is required.

4.2.2.3 When required by the *authority having jurisdiction*, the application shall also be accompanied by a plan that shows:

- (a) the location and size of every building drain, and of every trap and clean out fitting that is on a building drain;
- (b) the size and location of every soil or waste pipe, trap and vent pipe; and
- (c) a layout of the potable water distribution system including pipe sizes and valves.

4.2.2.4 When a plumbing permit is required only *Licensed Utility Contractors* are allowed to connect to municipal water/sewer systems.

4.2.3. Occupancy Permit:

Except as otherwise permitted herein, no *person* shall occupy; use or *permit* the occupancy; use or change the occupancy; or use of any building or part thereof for which an occupancy *permit* is required hereunder.

4.2.3.1 An *Occupancy Permit* is required from the *authority having jurisdiction* for:

- (a) the occupancy of any new building or structure or portion thereof except a single-family dwelling where the property owner is acting as builder or general contractor and intends to reside in the dwelling. For the sake of clarity, a property owner acting under this subsection may reside in the dwelling without an occupancy permit prior to its completion but must obtain an occupancy permit upon completion of the dwelling.
- (b) the occupancy of any existing building or structure where an alteration is made thereto, except a single-family dwelling, a two-family dwelling or a multi-family dwelling without shared exit facilities;
- (c) for a change from one Major Occupancy group to another or a change from one division to another within a Major Occupancy group in any existing building or structure, or part thereof;
- (d) for a change from one use to another within the same division in a Major Occupancy group which results in an increase in the occupant load;
- (e) for a change or addition of an occupancy classification of a suite in a building; and
- (f) for a change from a use not previously authorized to a new use.

4.2.3.2 Before the issuance of an Occupancy Permit, the owner shall ensure that all required inspections have been completed and passed and all work is finished in accordance

with all applicable codes. They shall also ensure that all documentation required by the authority having jurisdiction has been provided and that the work done conforms to the plans, specifications and related documents for which the building permit was issued.

4.2.3.3 The *authority having jurisdiction* may issue an *Interim Occupancy Permit* for a partial use of a building or structure subject to any conditions imposed by the *authority having jurisdiction*.

4.2.3.4 No change shall be made in the type of occupancy or use of any building or structure, which would place the building or structure in a different occupancy group, or divisions within a group, unless such building or structure is made to comply with the requirements of the *Code* for that occupancy group, or division within a group.

4.2.3.5 The *authority having jurisdiction* may issue a *Temporary Occupancy Permit* for the use of a building or structure approved as a temporary building or structure.

4.2.3.6 A *Temporary Occupancy Permit* shall be for a period not more than six (6) months, but before the expiration of such period, the *Temporary Occupancy Permit* may be renewed by the *authority having jurisdiction* for two further six month periods.

4.2.3.7 Notwithstanding apparent compliance with this by-law, the *authority having jurisdiction* may refuse to issue an *Occupancy Permit* if the building, structure or proposed use is to the *authority having jurisdiction's* knowledge in violation of a Zoning by-law, or any other by-law of the *authority having jurisdiction*.

4.2.3.8 An applicant for an *Occupancy Permit* shall supply all information requested by the *authority having jurisdiction* to show compliance with this by-law and any other relevant by-laws of the *authority having jurisdiction*.

4.2.3.9 The required *Occupancy Permit* shall be displayed and maintained in a legible condition by the owner or the owner's agent in a location acceptable to the *authority having jurisdiction*.

4.2.4. Demolition Permit:

4.2.4.1 No *person* shall commence or cause to be commenced the demolition of any building or structure, or portion thereof, unless a *Demolition Permit* has first been obtained from the *authority having jurisdiction*.

4.2.4.2 The demolition of a building or structure shall be subject to the requirements of the *Code*.

4.2.5 Development Permit:

4.2.5.1 No *person* shall commence or cause to be commenced the construction, alteration, expansion or repair of any *waste facility* without first obtaining a development permit.

4.2.6 General:

- 4.2.6.1 No permit shall be assigned or transferred unless signed authorization is received from the assignor or transferor and assignee or transferee agreeing to the re-assignment or transfer. The authority having jurisdiction may accept or refuse the reassignment or transfer of a permit from one person to another.

SECTION 5: Duties, Responsibilities & Powers

5.1. Duties and Responsibilities of the Owner:

- 5.1.1 Every owner shall allow the *authority having jurisdiction* to enter any building or premises at any reasonable time for the purpose of administering and enforcing the requirements of this by-law.
- 5.1.2 Every owner shall obtain all permits or approvals required in connection with any and all proposed work, prior to commencing the work to which they relate.
- 5.1.3 For all construction requiring a building permit, the owner, applicant, or contractor shall leave a deposit. Council may, by policy, establish the specific circumstances under which a deposit must be provided. The value of the deposit shall be set in the Fees and Charges By-Law and may be amended from time to time.
- 5.1.4 The deposit shall be refunded, less any reductions charged during the course of the project, to the payer of the deposit upon satisfactory completion and inspection of all required work. Council may, by policy, set the terms for the release of the deposit.
- 5.1.5 The deposit shall be forfeited when:
- (a) subject to section 4.2.3.1(a) any commercial structure or residential dwelling unit is occupied prior to the issuance of a certificate of occupancy;
 - (b) when Final Inspection has failed by the designated employee, officers, or employees of the municipality;
 - (c) construction is not completed within twenty-four (24) months from the time of payment of the permit, unless a twelve (12) month written extension is obtained from the *authority having jurisdiction*;
 - (d) in the case of single and two unit structures, the garage pad elevation is greater or less than 3 inches (76.2 mm) from the required grade set by the municipality; or, in the case of all other structures, the grading of the lot does not comply with the lot grading and drainage plan approved by the municipality.
- 5.1.6 It is the responsibility of the owner to ensure all required inspections are completed at the appropriate intervals as identified by the *authority having jurisdiction*.
- 5.1.7 The *authority having jurisdiction* may garnish the deposit for any required re-inspections and missed inspections at a rate as set out in the fees by-law.
- 5.1.8 The garnishment or forfeiture of a deposit may be appealed, in writing within thirty (30) days from the time of notification, to *council* or designated sub-committee as per Section 6 of this by-law.

- 5.1.9 Every owner shall:
- (a) ensure that the plans and specifications on which the issue of any *Permit* was based are available continuously at the-site of the work for *Audit* or inspection during working hours by the *authority having jurisdiction*, and that a Posting *Permit* is posted conspicuously on the site during the entire execution of the work;
 - (b) keep visible at all times during construction, the street number of the premises in figures at least 3 inches (75 mm) high and visible from the street or sidewalk.
- 5.1.10 Every owner shall give notice, if required, to the *authority having jurisdiction* of dates on which the owner intends to begin work prior to commencing work on the building site.
- 5.1.11 Every owner shall before commencing the work, give notice in writing to the *authority having jurisdiction*, prior to commencing the work, listing
- (a) the name, address and telephone number of
 - (i) the contractor or other *person* in charge of the work;
 - (ii) the designer of the work;
 - (iii) the *person* reviewing the work; and
 - (iv) any inspection or testing agency engaged to monitor the work or part of the work.
 - (b) any change in or termination or employment of such *persons* during the course of the construction immediately that such change or termination occurs.
- 5.1.12 Every owner shall give sufficient notice to the *authority having jurisdiction*:
- (a) of intent to begin work that the *authority having jurisdiction* has directed may be subject to *audit* during construction;
 - (b) of intent to cover work that the *authority having jurisdiction* has directed may be subject to *audit* during construction; and
 - (c) when work has been completed and before occupancy.
- 5.1.13 Every owner shall give notice to the *authority having jurisdiction*:
- (a) immediately upon any change in ownership or change in the address of the owner occurs prior to the issuance of an *Occupancy Permit*;
 - (b) prior to occupying any portion of the building if it is to be occupied in stages; and
 - (c) of any such other notice as may be required by the *authority having jurisdiction*.
- 5.1.14 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 the owner undertaking work for which a *permit* was or was not required.
- 5.1.15 Every owner shall when required by the *authority having jurisdiction*:
- (a) give such other notice to the *authority having jurisdiction* as may be required by the provisions of the *Code* or this By-law;
 - (b) make, or have made at the owner's expense, the tests or inspections necessary to prove compliance and provide copies of all such tests;
 - (c) provide up-to-date Survey or Building Location Certificate of the building side;

- (d) uncover and re-cover at the owner's own expense any work that has been covered contrary to an order issued by the authority;
- (e) be responsible for the cost of repair of any damage to public property or works located thereon that may occur as a result of the owner undertaking work for which a permit was or was not required; and
- (f) ensure that that during the construction process, no unsafe conditions exists or will exist because of the work being undertaken.

5.1.16 Except in accessory buildings, every owner shall, where required, obtain an Occupancy Permit from the authority having jurisdiction before any:

- (a) Occupancy of a building or part of it after construction, partial demolition or major alteration of that building; or
- (b) Change in the occupancy of any building or part of it.

5.1.17 Should occupancy occur before the completion of any work being undertaken, every owner shall ensure that no unsafe condition exists or will exist because of the work being undertaken or not completed.

5.1.18 The granting of a *permit* by the *authority having jurisdiction* shall not in any way relieve the owner of a building from full responsibility for carrying out the work or having it carried out in accordance with these requirements, including ensuring that the occupancy of the building, or any part of it, is in accordance with the terms of the *permit*.

5.1.19 When a building or part of it is in an unsafe condition, the owner shall immediately take all necessary action to put the building in a safe condition.

5.1.20 (1) Every owner who undertakes to construct or have constructed a building which:

- (a) has structural components falling within the scope of Part 4 of the *Code*; or
- (b) has structural components specifically requiring a professional engineer design in accordance with the *Code*; or
- (c) requires the use of firewalls according to the *Code*; shall ensure that an architect, professional engineer or both are retained to undertake professional design and inspection.

(2) Professional design and inspection referred to in Section 5.1.20(1) requires that an architect, professional engineer or both be responsible:

- (a) for the design and that all appropriate plans, specifications and related documents meet the requirements of the *Code*, and the requirements of applicable acts, regulations and by-laws, and bear the seal or stamp of the registered professional; and
- (b) for inspection of construction to ensure compliance with the design and the requirements of applicable acts, regulations and by-laws.

(3) If the engagement of an architect or professional engineer pursuant to section 5.1.20(1) and (2) is terminated during the construction period, work shall be discontinued until a replacement has been appointed.

(4) The requirements of section 5.1.20(1), (2), and (3) of this by-law, shall apply to a change in occupancy, an alteration, addition, reconstruction or the relocation of a building where and as required by the *authority having jurisdiction*.

5.1.21 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 shall retain the services of an architect or professional engineer.

5.1.22 Every owner who undertakes to construct, alter, reconstruct, demolish, remove or relocate a building shall provide supervision and co-ordination of all work and trades.

5.1.23 Every owner shall ensure that all materials, systems, equipment, and the like used in the construction, alteration, reconstruction or renovation of a building meet the requirements of applicable acts, regulations and by-laws for the work undertaken.

5.1.24 It shall be the owner's responsibility for waste management of construction debris and its removal. Construction debris shall not be buried.

5.2 Duties and Responsibilities of the Contractor:

5.2.1 Every Contractor shall ensure that all construction safety requirements of the *Code* are complied with.

5.2.2 Every Contractor is responsible for ensuring that no excavation or other work is undertaken on public property and that no building is erected or materials stored in whole or in part thereon without approval first having been obtained in writing from the *authority having jurisdiction*.

5.2.3 Every Contractor is responsible jointly and severally with the owner for work undertaken. During the construction process, every contractor must ensure that the construction site is kept safe and that any open excavations or hazards are clearly marked and barricaded.

5.2.4 Every Contractor is responsible jointly and severally with the owner to ensure all required permits have been obtained prior to commencing work.

5.3 Duties and Responsibilities of Authority having Jurisdiction:

5.3.1 The *authority having jurisdiction* shall administer this by-law and shall have the powers of enforcement more particularly set out in section 5.5 herein.

5.3.2 The *authority having jurisdiction* shall keep copies of all applications received, *permits* and orders issued, inspections and tests made, and of all papers and documents connected with the administration of the *Code* and this by-law for such time as required by the provisions of the Municipal Act (Manitoba).

5.3.3 Where the *authority having jurisdiction* seeks to enforce any of the powers set out in section 5.5.2 herein, the *authority having jurisdiction* shall issue in writing such

notices or orders as may be necessary to inform the owner of the contravention(s) of the *Code* or this by-law.

5.3.4 The *authority having jurisdiction* shall provide, when requested to do so, all reasons for refusal to grant a *permit*.

5.4 Duties and Responsibilities of the Designer:

5.4.1 When a designer is retained, the designer shall ensure that the design of the building conforms to the *Code*.

5.4.2 When a professional engineer or architect is required by the *Code* or the requirements of this by-law, they shall do inspections to ensure that the construction conforms to the design and the *Code*.

5.4.3 Every designer is required to submit to the *authority having jurisdiction*:

- (a) all information needed for review of the design;
- (b) any changes to the design for which a *permit* has or may be issued;
- (c) copies of all inspection reports for inspections done by the designer and others, and
- (d) any other documentation or certification required by the *authority having jurisdiction*.

5.4.4 Every designer shall ensure that all materials, systems, equipment or related matter specified for the construction, alteration, reconstruction or renovation of a building meet the requirements of the *Code* and the requirements of applicable Acts, regulations and by-laws for the work to be undertaken.

5.4.5 If the responsible designer, architect and/or professional engineer withdraw from the project, such designer, architect and/or engineer shall immediately advise the *authority having jurisdiction*.

5.4.6 Prior to the consideration of issuance of an *Occupancy Permit*, the responsible designer, architect and/or professional engineer shall, where required by the *authority having jurisdiction*, submit a certificate stating:
"The construction has been reviewed under my supervision in accordance with recognized professional inspection standards, and that to the best of my/our knowledge the structure was constructed in accordance with the accepted drawings and specifications and requirements of the applicable by-laws".

5.4.7 The responsible designer, architect and/or professional engineer shall sign, date and seal all documents referred to in this section of the by-law.

5.5 Powers of "Authority having Jurisdiction":

5.5.1 The *authority having jurisdiction* may enter any building or premises at any reasonable time to *audit* for compliance with the *Code* or this or any other by-law or to determine if an unsafe condition exists.

5.5.2 The *authority having jurisdiction* is empowered to issue orders for:

- (a) an owner or authorized agent to hold at specific stages of construction in order to facilitate an *audit* or inspection;

- (b) a *person* who contravenes these requirements to comply with them within the time period that may be specified;
- (c) work to stop on the building or any part of it, if such work is proceeding in contravention of these requirements, or if there is deemed to be an unsafe condition;
- (d) the removal of any unauthorized encroachment on public property;
- (e) the removal of any building or part of it constructed in contravention of these requirements;
- (f) the cessation of any occupancy in contravention of these requirements;
- (g) the cessation of any occupancy if any unsafe condition exists because of work being undertaken or not completed; and
- (h) correction of any unsafe condition.

5.5.3 The *authority having jurisdiction* may direct that tests of materials, equipment, devices, construction methods, structural assemblies or foundation conditions be made, or sufficient evidence or proof be submitted at the expense of the owner, where such evidence or proof is necessary to determine whether the material, equipment, device, construction or foundation condition meets these requirements.

5.5.4 The *authority having jurisdiction*, may require an owner to submit, in addition to the information required in section 4.1.1 of this by-law, a staking certificate or building location certificate (BLC) being not more than 1 year old and prepared by a registered land surveyor, architect or professional engineer, as is appropriate to the work, and which shall contain sufficient information regarding the site and the location of any building:

- (a) to establish before construction begins that all the requirements 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.

5.5.5 The *authority having jurisdiction* may ask for any other documentation or tests deemed necessary at the expense of the owner.

5.5.6 Notwithstanding any other provisions herein, wherein the opinion of the *authority having jurisdiction* the site conditions, the size or complexity of a building, part of a building or building component warrant, or for any other reason, the *authority having jurisdiction*, may require that the owner have the following done at his/her expense:

- (a) the appropriate plans, specifications and related documents be reviewed by and bear the seal or stamp of an architect or professional engineer; and
- (b) the work be inspected during construction by the architect or professional engineer responsible for the work.

5.5.7 The *authority having jurisdiction* may issue a building *permit* at the risk of the owner with, if necessary, conditions to ensure compliance with these requirements and any other applicable regulations, to excavate or to construct a portion of a building before all the plans of the project have been submitted to the *authority having jurisdiction*.

5.5.8 The *authority having jurisdiction* may refuse to issue any *permit*:

- (a) whenever information submitted is inadequate to determine compliance with the provisions of these requirements;

- (b) whenever incorrect information is found to have been submitted;
- (c) that would authorize any building work or occupancy that would not be permitted by these requirement; or
- (d) that would be prohibited by any other Act, regulation or by-law.

5.5.9 The *authority having jurisdiction* may revoke a *permit* by written notice to the *permit* holder if:

- (a) there is contravention of any condition under which the *permit* was issued;
- (b) the *permit* was issued in error;
- (c) the *permit* was issued on the basis of incorrect information; or
- (d) the work is being done contrary to the terms of the *permit*.

5.5.10 The *authority having jurisdiction* may place a *valuation* on the cost of the work for the purpose of reporting. Such *valuation* shall take precedence over any *valuation* provided by the owner.

5.5.11 The *authority having jurisdiction* may issue an *Occupancy Permit*, subject to compliance with provisions to safeguard *persons* in or about the premises, to allow the occupancy of a building or part of it for the accepted use, before commencement or completion of the construction or demolition work.

5.5.12 When any building, construction or excavation or part of it 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 other state, and when notice to correct such condition has not been complied with, the *authority having jurisdiction* may:

- (a) demolish, remove or make safe such building, construction excavation or part of it at the expense of the owner and may recover such expense in like manner as municipal taxes;
- (b) take such other measures as may considered necessary to protect the public;
- (c) issue to the owner an order or notice in writing to correct any unsafe conditions observed in any building.

5.5.13 Notwithstanding any other provisions herein, when, in the opinion of the *authority having jurisdiction*, immediate measures need to be taken to avoid an imminent danger, the *authority having jurisdiction* may take such action as is appropriate, without notice and at the expense of the owner.

5.5.14 The *authority having jurisdiction* may withhold issuing an *Occupancy Permit* on completion of the building or part of the building, until the owner has provided letters to certify compliance with the *Code*, these requirements and the requirements of applicable Acts, regulations or by-laws.

SECTION 6 *Appeal*

6.1 Any *person* aggrieved by any decision or order of the *authority having jurisdiction* as to the issuance of *permits*, the prevention of construction or occupancy of *building*, the demolition or removal of *building*, or structures, or any other matter herein may, within

thirty (30) days from the date of the decision, appeal to the *Council*. All decisions or orders remain in effect during the appeal process.

- 6.2 *Council* may hear the appeal as a committee of the whole or by subcommittee especially established for this purpose.
- 6.3 Upon the hearing of an appeal, the *Council* may:
- (a) uphold, rescind, suspend or modify any decision or order given by the *authority having jurisdiction*;
 - (b) extend the time within which compliance with the decision or order shall be made; or
 - (c) make such other decision or order as in the circumstances of each case it deems just;
- 6.4 The decision or order of the *Council* upon being communicated to the appellant, shall stand in place of the decision or order against which appeal is made, and any failure to comply with the decision or order is an offense.

SECTION 7 Offenses and Penalties

- 7.1 Any owner or contractor who commences work prior to obtaining the required permits herein, shall be levied a penalty of double the permit fee but not less than one hundred dollars (\$100.00). Council may alter any penalties by resolution.
- 7.1.1 The owner or contractor may appeal any penalty levied within thirty (30) days of written notification as per Section 6 of this by-law.
- 7.2 Any *person* who contravenes or disobeys, or refuses or neglects to obey:
- (a) any provision of the *Code* or this by-law or any provision of any other by-law that, by this by-law, is made applicable; or
 - (b) any order or decision of the *Council* under Section 6 herein for which no other penalty is herein provided / is guilty of any offense and liable, on summary conviction, to a fine not less than five hundred dollars or double the permit fee, not exceeding five thousand dollars (\$5,000.00), or in the case of an individual, to imprisonment for a term not exceeding six (6) months or to both such fine and such an imprisonment.
- 7.3 Where a corporation commits an offense against the *Code* or this by-law, each Director or Officer of the corporation who authorized, consented to, connived at, or knowingly permitted or acquiesced in, the doing of the act that constitutes the offense, is likewise guilty of the offenses and liable, on summary conviction, to the penalty for which provision is made in subsection 7.2 of this by-law.
- 7.4 Where the contravention, refusal, neglect, omission, or failure, continues for more than one day, the *person* is guilty of a separate offense for each day it continues.

SECTION 8 Repeal

- 8.1 This by-law repeals By-Law No. 2221 & 2293-12, as well as any resolutions passed or schedules amended, dealing with either by-law.
- 8.2 The repeal of the by-laws in section 8.1 shall not revive any by-law or any provision of any by-law repealed by them, nor shall the said repeal prevent the effect of any saving clause in the said by-law or the application of any of the said by-law or any other by-law or provision of law formerly in force to any transaction matter or thing anterior to the said repeal to which they would otherwise apply.
- 8.3 The repeal of By-law No. 2221 and 2293-12 shall not affect:
- (a) any penalty, forfeiture or liability incurred before the time of such repeal, or any proceedings for enforcing the same, had, done, completed or pending at the time of such repeal;
 - (b) any action, suit, judgement, decree, certificate, execution, process, order, rule or any proceeding, matter or thing whatever, respecting the same had, done, made, entered, granted, completed, pending, existing or in force at the time of such repeal;
 - (c) any act, deed, right, title, interest, grant, assurance, registry, rule, regulation, contract, lien, charge, matter or thing had, done, made, acquired, established or existing at the time of such repeal;
 - (d) any office, appointment, commission, salary, allowance, security, duty or any matter or thing appertaining thereto at the time of such repeal;
 - (e) any bond, note, debenture, debt, or other obligation made, executed, or entered into by the Municipality at the time of such repeal;
 - (f) disturb, invalidate, or prejudicially affect any other matter or thing whatsoever had, done, completed, existing or pending at the time of such repeal.

SECTION 9 Amendments

- 9.1 Any schedules attached to this by-law may be amended by resolution of *Council*.

SECTION 10 Effective Date

- 10.1 This By-Law shall come into force and take effect on the date of its enactment.

DONE AND PASSED as a by-law of the R. M. of Hanover in the Province of Manitoba this 4th day of November A.D. 2015.

Reeve

Chief Administrative Officer

Read a first time this 28th day of October, 2015.
Read a second time this 4th day of November, 2015.
Read a third time this 4th day of November, 2015.

Schedule A to By-Law 2379-15

*List of Plans or Working Drawings
to accompany applications for permits*

- 1) The Site Plan
- 2) Floor Plans
- 3) Structural Plans
- 4) Mechanical Plans
- 5) Architectural Plans
- 6) Reflected Ceiling Plans
- 7) Sections and Details
- 8) Building Elevations
- 9) Electrical Drawings
- 10) Plumbing Drawings
- 11) Survey Certificate

Schedule B to By-Law 2379-15

LETTER OF CERTIFICATION FOR FINAL OCCUPANCY ASSURANCE OF PROFESSIONAL FIELD REVIEW AND COMPLIANCE

(This letter must be submitted after completion of the project but prior to final inspection by the Rural Municipality of Hanover.
A separate letter must be submitted by each registered professional.)

Building Permit No.

Date

Disciplines or Part (i.e. Structural or Part 4)

Name of Project (Print)

Address of Project (Print)

(Each registered professional shall complete the following:)

Name (Print)

Address (Print)

Affix Seal, Signature & Date

I hereby give assurance that:

- I have fulfilled my obligation for field review as required for the project as outlined in the previously submitted Letter of Assurance.
- I am a registered professional who is registered in the Province of Manitoba as a member in good standing with the Engineers Geoscientists Manitoba or the Manitoba Association of Architects;
- The project is substantially complete and approved for occupancy;
- I, (or a suitably qualified person reporting to me, has) have completed periodic reviews of the project at appropriate stages of construction;
- In my professional opinion the design and construction of this project was carried out in substantial compliance to the applicable provisions of the Manitoba Building Code, the Manitoba Energy Code for buildings, and the Manitoba Plumbing Code, and the plans submitted in support of the application for the building permit. This includes any additional plans, documents, review of plans and design decisions that have been part of my responsibility and related to Code issues applicable to my discipline that were not detailed as part of the submitted permit application.
- The design and construction of any building elements of a Part 9 building that are not compliant to Part 9 of the Manitoba Building Code (MBC) comply with the requirements of Division B, Part 4 or other applicable Parts of the MBC.
- I have informed the Authority Having Jurisdiction in cases where I am aware that the construction has materially deviated from the submitted plans.
- I am not aware of any deficiencies or I have reported any deficiencies to the Authority Having Jurisdiction that would compromise compliance with the aforementioned code(s).

(If the registered professional is a member of a firm, complete the following:)

I am a member of the firm _____ and I sign this
letter on their behalf.

Schedule C to By-Law 2379-15

LETTER OF CERTIFICATION FOR INTERIM OCCUPANCY ASSURANCE OF PROFESSIONAL FIELD REVIEW AND COMPLIANCE

(This letter must be submitted after completion of the project but prior to final inspection by the Rural Municipality of Hanover.
A separate letter must be submitted by each registered professional.)

Building Permit No.

Date

Disciplines or Part (i.e. Structural or Part 4)

Name of Project (Print)

Address of Project (Print)

(Each registered professional shall complete the following:)

Name (Print)

Address (Print)

Affix Seal, Signature & Date

I hereby give assurance that:

- I have fulfilled my obligation for field review as required for the project as outlined in the previously submitted Letter of Assurance.
- I am a registered professional who is registered in the Province of Manitoba as a member in good standing with the Engineers Geoscientists Manitoba or the Manitoba Association of Architects;
- I, (or a suitably qualified person reporting to me, has) have completed periodic reviews of the project at appropriate stages of construction;
- Other than the exceptions listed below, in my professional opinion the construction of this project was carried out in substantial compliance to the applicable provisions of the Manitoba Building Code, the Manitoba Energy Code for Buildings, and the Manitoba Plumbing Code, and the plans submitted in support of the application for the building permit. This includes any additional plans, documents, review of plans and design decisions that have been part of my responsibility and related to Code issues applicable to my discipline that were not detailed as part of the submitted permit application.
- The design and construction of any building elements of a Part 9 building that are not compliant to Part 9 of the Manitoba Building Code (MBC) comply with the requirements of Division B, Part 4 or other applicable Parts of the MBC.
- I have informed the Authority Having Jurisdiction in cases where I am aware that the construction has materially deviated from the submitted plans.
- I am not aware of any deficiencies or I have reported any deficiencies to the Authority Having Jurisdiction that would compromise compliance with the aforementioned code(s).

List of Exceptions and Points of No Compliance: *(May be listed on separate page if not enough space)*

In my professional opinion, these point of non-compliance with the Manitoba Building Code, the Manitoba Energy Code for Buildings, and the Manitoba Plumbing Code are not material and do not pose a health or safety hazard to occupants of the building. In my professional opinion, the above-noted building may be occupied until _____ and on the following conditions *(list on separate page)* with compromising the health or safety of occupants.
(Date)

(If the registered professional is a member of a firm, complete the following:)

I am a member of the firm _____ and I sign this letter on their behalf.

Schedule D to By-Law 2379-15

LETTER OF ASSURANCE OF PROFESSIONAL DESIGN AND COMMITMENT FOR INSPECTION

Date: _____

Permit No. _____

Description of Project: _____

The undersigned hereby gives assurance that, to the best of his/her knowledge, the design of the:

(Please Initial) _____	MBC Parts 3 & 5 and MECB Part 3 (Architectural)
(Please Initial) _____	MBC Part 4 (Structural, including Part 9 buildings with Part 4 components)
(Please Initial) _____	MBC Part 6 and MECB Part 5 (HVAC)
(Please Initial) _____	MBC Part 7 and MECB Part 6 (Plumbing)
(Please Initial) _____	MECB Parts 4 & 7 (Electrical)
(Please Initial) _____	Exhaust and Suppression Systems
(Please Initial) _____	Fire Detection and Alarm System
(Please Initial) _____	Fire Suppression Systems

Comments: _____

Components of the project as shown on the plans and supporting documents prepared by this registered professional conform to all the applicable requirements of all applicable Acts, Regulations and By-laws. Further, the undersigned will be responsible for inspection of the above-referenced components during construction, as required by Manitoba Building Code Amendment, Article 2.2.7.2 (1) – Review of Construction.

The undersigned also assured competence in the necessary fields of expertise to undertake the project on the basis of training, ability and expertise in the appropriate professional and technical disciplines.

As used herein, inspection shall mean such reviews of the work at the project site and at fabrication locations, where applicable, as the registered professional, on the basis of professional discretion, considers necessary in order to ascertain that the work conforms in all respects to the plans and supporting documents prepared by this registered professional for which the Building Permit is issued. This includes keeping records of all site visits and any corrective action taken as a result thereof. Copies of the inspection reports will be provided to the authority having jurisdiction upon request.

(Each registered professional shall completed the following:)

Name

Address

Telephone

Affix Seal, Signature &
Date

(If the registered professional is a member of a firm, complete the following:)

I am a member of the firm _____ and I sign this letter on behalf of the firm.

Note: The foregoing letter must be signed by a registered professional who is registered in the Province of Manitoba as a member in good standing in the Engineers and Geoscientists Manitoba or the Manitoba Association of Architects.

Schedule E

Manitoba Energy Code for Buildings 2013

LETTER OF ASSURANCE

Declaration of Professional Responsibility of the Coordinating Registered Professional (CRP) and Owner's Statement
(This letter is required to be submitted before the issuance of a building permit)

Permit No. _____

Building

Date

Name of Project (Print)

Address of Project (Print)

Professional Declaration:

Via this submission, I am making the following declaration associated with this project for a (an):

- New Building Base Building Only (New Building or Addition) Addition Tenant Improvements

This declaration of professional responsibility is applicable and limited to the scope of work defined in the drawings I specifications associated with the permit application(s) for the project referenced above, and only as it pertains to the Manitoba Energy Code for Buildings 2013 (MECB).

- I am an engineer or architect entitled to practice as such in the Province of Manitoba' and I am aware of the provisions of the MECB regarding the methods of compliance with the MECB.
- As the Coordinating Registered Professional (CRP), I am committing to:
 - a) ascertain which disciplines relating to the MECB are required on the project, and which registered professionals need to be retained,
 - b) coordinate design work and field reviews as it relates to the MECB, and
 - c) provide to the RM of Hanover a Letter of Certification under seal at the completion of construction and prior to final occupancy for this project. In providing this Letter of Certification, I am not responsible for ensuring the compliance of design or construction with respect to the MECB for those aspects which are the responsibility of other registered professionals under seal, and as such I am entitled to reasonably rely on:
 - Letters of Assurance and Certification required by the RM of Hanover of registered professionals of record, and/or
 - Other statements provided to me which I may choose to require under seal by architects and/or engineers pertaining to the design and construction of this project. My forthcoming Letter of Certification may be based in whole or in part on this reliance.
- I am aware that the RM of Hanover will rely upon this declaration and the Letter of Certification signed and sealed by me, as well as other Letters of Assurance and Letters of Certification submitted by other registered professionals and will not conduct any planned examination or review or inspect any construction, except by way of possible audit, as they relate to the current edition of the MECB.
- I further understand that the RM of Hanover recommends that I periodically review my professional liability exposures, including those posed by potential third party claims, and that I carry an appropriate level of insurance, and/or that I ensure that I am protected by appropriate levels of insurance held by professionals on whose certificates and statements I am relying. I understand that this review should include this specific project, including the building's occupancy type, classification, value, size and complexity, the extent of my professional involvement with it, and the RM of Hanover's reliance on my certificate.
- By affixing my seal, I am representing that I am fully aware of the provisions of the MECB, and will be applying a professional standard of care to ensure coordination and compliance of this project with the applicable provisions of the MECB.

Coordinating Registered Professional:

Name (Print)

Address (Print)

Phone #

Affix seal, signature and date

If the registered professional is a member of a firm, complete the following:

I am a member of the firm _____ and I
sign this letter on behalf of the firm. (Print Name of Firm)

Registered professionals must be in good standing with the Engineers Geoscientists Manitoba or the Manitoba Association of Architects.

Schedule F

LETTER OF AUTHORIZATION

Authorization Statement (if applicable):

I (we) hereby give authorization to _____ to apply for a building permit for the stated address.

(Print Applicant's Name)

Address: _____

Owner Statement:

- I have reviewed the Letters of Assurance required by the RM of Hanover and submitted as part of the application for a permit for this project.
- I agree to ensure that the construction that is authorized in response to this application is in compliance with:
 - the permit(s) issued in response to this application;
 - the sealed plans submitted as part of the application; and,
 - any applicable Acts, Regulations and By-laws.
- Subject to any Appeal to which I am entitled, I hereby agree to immediately bring into compliance any construction pursuant to this application that is found not to be in compliance.
- I understand that the RM of Hanover does not accept responsibility for any errors and omissions in the sealed plans. I further understand that it is my responsibility, as registered owner(s)/agent of the project, to review liability exposures, including those posed by potential third party claims, and ensure that any and all parties involved in the design and construction of the project carry a level of insurance that is appropriate and/or acceptable to me, based on the occupancy type and classification, value, size and complexity of the building and the risks to me associated with the RM of Hanover's reliance on the letters of assurance as outlined above.
- I understand that I must notify the RM of Hanover in writing of any change in registered professional who signed and sealed the plans, drawing and other documents submitted as part of the application for the permit.
- In the event that the CRP must be replaced,
 - I will notify the RM of Hanover within ten business days, and
 - I understand that the RM of Hanover will not issue final occupancy or building permits associated with tenant spaces until a new CRP is engaged and submits the requisite Letters of Assurance and Certification to the RM of Hanover.

Registered Owner(s) on the Status of Title or Certificate of Title:

_____	_____	_____
Name (Print)	Signature	Date
_____	_____	_____
Name (Print)	Signature	Date

Address		

If the owner is a corporation the signature of a signing officer must be given here. If the signature is that of the agent, a copy of the document that appoints the agent must be attached.

Owner's Delegate Contact Information (required): Note: The general practice is for RM of Hanover staff to directly contact the relevant professional (if different from the applicant) for questions or requests associated with his/her involvement with a building permit application. Usually the applicant is notified as well if relevant, or if an issue is not resolved quickly. However, there may be occasion when the RM of Hanover staff may wish to notify the owner about outstanding issues associated with permits. Since each property ownership and project situation could be different, we ask that the owner identify who they wish to assign as their delegate in those situations. For example, this could be the owner (him/herself), an owner representative or agent, a tenant, the applicant, or simply any individual assigned by the owner to be the main point of contact for the RM of Hanover regarding matters relating to this permit application.

Owner or Delegate Contact Information (required):

Name: _____
Position/Title: _____
Company Name: _____
Company Address: _____
Phone No. (Main): _____
Phone No. (Alternative): _____
Email Address: _____

Notice for Permits Relating to Base Buildings Only:

For buildings or additions constructed initially as base building only, MECB requirements apply to all of the interior alterations or

tenant improvements as determined by final occupancy permits for the entire building or addition. As such, the RM of Hanover requires a final Letter of Certification from the CRP for the entire building to ensure that each tenant space complies with the MECB and that the building 'as a whole' complies with the MECB. It is the owner's responsibility to ensure that each tenant and their designers will be made aware of the MECB requirements pertaining to their respective interior alterations, and the tenant's responsibility to the CRP.

Schedule G

MANITOBA ENERGY CODE FOR BUILDINGS 2013 LETTER OF CERTIFICATION ASSURANCE OF COORDINATION OF PROFESSIONAL FIELD REVIEWS

(This letter must be submitted after completion of the project but before the occupancy permit is issued or a final inspection is made by the RM of Hanover)

Building Permit No.

Date

Name of Project

Address of Project

Legal Description of Project

(The MECB Coordinating Registered Professional shall complete the following):

Name

Address

Affix Seal, Signature and Date

I hereby give assurance that:

- As the MECB Coordinating Registered Professional, I have applied a professional level of care in coordinating the design work and field reviews of the registered professionals required for this project as it relates to the MECB.
- Based on the designs, reviews of construction, and required certificates submitted under seal by all registered professionals on the project, and if applicable, my own further reviews and/or any further statements issued to me under seal of professionals, I hereby represent that:
 - In my professional opinion the design and construction of this project was carried out in substantial compliance with the applicable provisions of the MECB.
 - I am not aware of any substandard workmanship, materials or assemblies that would compromise compliance with the MECB.
 - I commit to retaining all MECB records for a minimum period of seven years and will make them available to the RM of Hanover in the event of an audit, together with relevant information and/or supporting statements from other professionals.

(If the registered professional is a member of a firm, complete the following):

I am a member of the firm _____
and I sign this letter on behalf of the firm. (Print Name of Firm)