

TOWNSHIP OF WOOLWICH

BY-LAW NUMBER 106-2004

A BY-LAW TO ESTABLISH AND REQUIRE PAYMENT  
OF FEES AUTHORIZED UNDER THE BUILDING CODE ACT  
AND SIMILAR CHARGES

WHEREAS section 391 of the Municipal Act 2001, S.O. 2001, c.25, as amended, authorizes a municipality by by-law to impose fees or charges on any class of persons for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

AND WHEREAS by-laws establishing fees for the processing of applications made in respect of construction and demolition activities are authorized by section 7 of the Building Code Act, S.O. 1992, c.23, as amended;

NOW THEREFORE the Council of the Corporation of the Township of Woolwich enacts as follows:

1. In this by-law,

“Act” means the Building Code Act, 1992, including amendments thereto;

“Applicant” means the owner of a building or property who applies for a permit or the person authorized by the owner to apply for a permit on the owner's behalf;

“Chief Building Official” means the Chief Building Official appointed by Council under Section 3 of the Act;

“Corporation” means the Corporation of the Township of Woolwich;

“Department” means a department of the Township;

“Owner” means any person, firm or corporation controlling the real property under consideration;

“Permit” means permission or authorized given in writing by the Chief Building Official to perform work regulated by the Act and Building Code, or to occupy a building or part thereof prior to its completion;

“Township” means the Corporation of the Township of Woolwich.

2. Terms not defined in this by-law shall have the meaning ascribed to them in the Act or Building Code.
3. Council hereby establishes the fees and charges as set out in Schedule A to this by-law.

4. To obtain a permit, an applicant shall file an application in writing on the form prescribed and available from the Chief Building Official. The Chief Building Official shall determine the required fees of the work proposed and the applicant shall pay the fees calculated in accordance with Schedule A.
5. No request by any person for any information, service, activity or use of Township property described in Schedule A will be processed or provided by the Township, unless and until the person requesting the information, service, activity or use of Township property has paid the applicable fee in the prescribed amount as set out in Schedule A to this by-law.
6. In the case of withdrawal, abandonment of an application, or the refusal or revocation of a permit, upon written request by the applicant the Chief Building Official shall determine the amount of fees, if any, that may be refunded, in accordance with Schedule B to this by-law.
7. Where land for which a permit has been issued changes ownership no work shall be done pursuant to the permit until such time as the new owner has completed to the satisfaction of the Chief Building Official an application in the form prescribed by the Chief Building Official. A fee, as described in Schedule A, shall be payable on a transfer to the new owner who shall thenceforth be the permit holder for the purposes of the Act, Building Code and this by-law.
8. The fees listed in Schedule A to this by-law will be subject to Provincial Sales Tax (P.S.T.) and Goods and Services Tax (G.S.T.) where applicable.
9. A person may pay any fees and charges imposed under this by-law by cash, cheque, certified cheque or banker's draft payable to the Corporation or by interac banking card.
10. The building fees set out in Schedule D to by-law 105-2002 are hereby repealed.
11. Schedules A and B shall be deemed to be an integral part of this by-law.
12. Where applicable, any by-law affected by the Schedules of Fees shall be amended in accordance with the Schedule of Fees appended as Schedule A. The appropriate by-laws shall be amended only in respect of the alteration of the fees permitted to be charged under the appropriate by-law, and only in such a manner as is prescribed by the new Schedule of Fees in the attached schedule.
13. Should any part of this by-law, including any part of Schedule A or B, be determined by a court of competent jurisdiction to be invalid or of no force and effect, it is the stated intention of Council that such invalid part of the by-law shall be severable and that the remainder of this by-law including the remainder of Schedule A and B, as applicable, shall continue to operate and to be in force and effect.

PASSED this 23<sup>rd</sup> day of November, 2004

Wm. L. Strauss  
Mayor

Christine Broughton  
Clerk

**SCHEDULE "A"**

BUILDING DEPARTMENT	FEE
<p>Building by classification, <b>per square foot:</b></p> <p>a) Group A: Divisions 1, 2, 3 and 4</p> <p>b) Group B: Divisions 1 and 2</p> <p>c) Group C:</p> <p>d) Group D:</p> <p>e) Group E:</p> <p>f) Group F: Divisions 1, 2 and 3</p>	<p>\$0.60</p> <p>\$0.60</p> <p>\$0.68</p> <p>\$0.45</p> <p>\$0.45</p> <p>\$0.40</p>
<p>Interior finishing to previously unfinished area (e.g., residential basements and major renovations), per square foot:</p>	<p>\$0.20</p>
<p>Alterations and renovations to existing finished areas, replacement of existing roof structures, per square foot:</p>	<p>\$0.10</p>
<p>Manufactured structures:</p> <p>a) air supported, per square foot:</p> <p>b) designated structure, fixed fee:</p> <p>c) greenhouse, per square foot:</p> <p>d) hoop house, per square foot:</p> <p>e) mobile home, per square foot:</p> <p>f) portable facility, fixed fee:</p> <p>g) tent/seasonal structure, fixed fee:</p>	<p>\$0.15</p> <p>\$100.00</p> <p>\$0.05</p> <p>\$0.02</p> <p>\$0.30</p> <p>\$100.00</p> <p>\$60.00</p>
<p>Other structures:</p> <p>a) accessory buildings (e.g. detached garage, shed), per square foot:</p> <p>b) attached garage, per square foot:</p> <p>c) decks/porch/gazebo, fixed fee:</p> <p>d) demolition, per square foot:</p> <p>e) farm building, per square foot:</p>	<p>\$0.20</p> <p>\$0.25</p> <p>\$60.00</p> <p>\$0.01 (\$70.00 min.)</p> <p>\$0.10</p>

f) fireplace/wood stove/chimney, fixed fee:	\$60.00
g) grain bins/corn cribs, fixed fee:	\$60.00
h) manure tank/manure yard, fixed fee:	\$125.00
i) swimming pool, fixed fee:	\$60.00
j) tower silo/trench silo, fixed fee:	\$125.00
All other structures – a building permit rate of \$10.00 per \$1,000.00 of declared value will apply to all constructions not contained in the above schedule	
Plumbing, per fixture:	\$8.00
A minimum fee of \$60.00 applies to all building permits	
Locating/Researching/Preparing Documents (e.g., production of site plan or drawings as permit documentation):	
a) for the first hour or any part thereof;	\$40.00
b) for each additional one-half or part thereof	\$20.00
Inspection to determine occupancy load for a liquor license:	\$60.00
Transfer permit to new owner	\$100.00

## SCHEDULE "B"

Pursuant to section 7 of this by-law, the portion of the total calculated permit fee that may be refunded shall be a percentage of the total fees payable under this by-law, calculated as follows in regard to functions undertaken by the municipality:

REBATE AMOUNT	CRITERIA
85%	If administrative functions only have been performed.
75%	If administrative and zoning or building code permit application review functions only have been performed.
55%	If administrative, zoning and building code permit application review functions have been performed.
45%	<p>If the permit has been issued and no field inspections have been performed subsequent to permit issuance.</p> <p>5% shall additionally be deducted for each field inspection that has been performed subsequent to permit issuance.</p>
0%	After a period of not less than three (3) years from the date of application being received, if the application has not been cancelled, or the permit has not been issued, or an issued permit has not been acted upon.