

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2026-40

BEING A BY-LAW RESPECTING CONSTRUCTION, DEMOLITION AND CHANGE OF USE PERMITS AND INSPECTIONS

WHEREAS Section 7 of the Building Code Act 1992 S.O. 1992, c 23 as amended empowers Council to pass by-laws respecting construction, demolition, occupancy, change of use, and conditional permits and respecting inspections and the charging of permit fees and other related matters;

AND WHEREAS Section 3. (1) of the Building Code Act, S.O. 1992 c.23 as amended, provides that the council of each municipality is responsible for the enforcement of the Building Code Act, 1992 as amended, in the municipality;

AND WHEREAS the Limitations Act as amended allows building permit files to be determined to be dormant after a file has not been reviewed within the Ultimate Limitation Period of 15 years;

AND WHEREAS Section 36 of the Building Code Act 1992, c 23 provides for penalties upon conviction of an offence in contravention of a by-law passed under Section 7 of the Building Code Act 1992, c 23;

NOW THEREFORE the Council of the Corporation of the Municipality of French River enacts as follows:

1. SHORT TITLE

1.1 This By-Law shall be known as the “Building By-Law”.

2. DEFINITIONS

2.1 “Act” means the Building Code Act, 1992 S.O. 1992 c. 23 as amended;

2.2 “Alternative Solutions” means a substitute for an acceptable solution as set out in the Ontario Building Code;

2.3 “Applicable Law” means the list of laws in the Ontario Building Code that must be complied with in all building permit applications;

2.4 “Applicant” means the owner of a building or property or the authorized agent of the owner of a building or property who applies for a permit as required under Section 8(1) of the Act, or any person empowered by statute to cause the construction, demolition or renovation of a building, buildings or sewage system and anyone acting under the authority of that person.

- 2.5 “Application” means the filing of a pre-approved review or an application for a building permit, conditional permit, certified model, or alternative solution, including all required forms, documents and drawings, submitted in person or electronically through procedures approved by the Chief Building Official.
- 2.6 “Authorized Agent” means a person who has been authorized in writing to act on the owner’s behalf for matters relating to an application for a building permit.
- 2.7 “Architect” means a holder of a license, a certificate of practice or a temporary license under the Architects Act as amended.
- 2.8 “As Constructed Plans” means construction plans and specifications that show a building or part of a building and the location of the building or part thereof on the property as the building has been constructed.
- 2.9 “BCIN” means Building Code Identification Number.
- 2.10 “Building” has the same definition as defined in Section 1(1) of the Act.
- 2.11 “Building Code” means the regulations made under Section 34 of the Act.
- 2.12 “Building Inspector (Inspector)” means a building inspector appointed by council under Subsection 3(2) of the Act for the purposes of enforcement of the Ontario Building Code and Act;
- 2.13 “Building Official” refers to both a building inspector and the Chief Building Official (CBO);
- 2.14 “Chief Building Official (CBO)” means the person appointed by council under Subsection 3(2) of the Act for the purpose of enforcement of the Ontario Building Code and Act.
- 2.15 “Construct” means construct as defined in Section 1(1) of the Act and “construction” has a corresponding meaning.
- 2.16 “Construction Cost” means the cost of construction including materials, labour, equipment, overhead and professional and related services but does not include the cost of land.
- 2.17 “Council” means the elected council of the Municipality of French River.
- 2.18 “Demolish” means demolish as defined in Section 1(1) of the act and “demolition” has a corresponding meaning.
- 2.19 “Designer” means a design professional with a valid BCIN other than a professional engineer or architect who engages in design activities.

- 2.20 “Dormant” A building permit file may be deemed “dormant” where construction activity has ceased and no inspections, requests for inspection, permit revisions, correspondence, or other substantive activity related to the permit has occurred for a continuous period of fifteen (15) years or more.
- 2.21 “Drainage Superintendent” means the individual appointed by the municipality under the Drainage Act as amended.
- 2.22 “Inspection” means the activity undertaken by a building official to ensure compliance with provisions of the OBC, the Act and any other applicable law.
- 2.23 “Material Change” means any change undertaken on a permitted construction that may alter the cost of construction or may impact the CBO’s assessment of the safety of a construction or assessment of the construction’s compliance with the OBC.
- 2.24 “Municipality” means the Corporation of the Municipality of French River.
- 2.25 “OBC” means the Ontario Building Code as amended.
- 2.26 “Permit” means the written permission or the written authorization from the CBO in either written or electronic form to perform work regulated by applicable law, and the Act and the OBC, or to change the use of a building or part of a building or of a building or parts thereof as regulated by the Act and the OBC or to occupy a building or part thereof prior to its completion as regulated by the act and the OBC.
- 2.27 “Permit Holder” means the person to whom the permit has been issued and shall be the person who assumes the primary responsibility for the compliance of the Act and the OBC; this responsibility does not negate the ultimate responsibility of the property owner for compliance with the Act.
- 2.28 “Plumbing” means plumbing as defined by Section 1(1) of the Act.
- 2.29 “Professional Engineer” and “engineer” will have a similar meaning and shall mean a person who holds a license or temporary license under the Professional Engineer’s Act as amended.
- 2.30 “Registered Code Agency” means a registered code agency (RCA) as defined in the Act.
- 2.31 “Remote Access” means a property that cannot be accessed reasonably by a vehicle. This could include water access only properties and properties that do not have direct frontage on a maintained roadway.
- 2.32 “Renovation” means the extension, alteration, repair or the change of use of an existing building, sewage system or part thereof.
- 2.33 “Repair requiring permit” with respect to a septic system means the replacement of a treatment unit or the replacement or alteration of materials in a leaching bed or any component contained therein.

- 2.34 “Sewage system” means sewage system as defined in Section 1(1) of the Act.
- 2.35 “Sewage system permit” means a permit as defined in Section 8(1) of the Act.
- 2.36 “Treatment unit” in relation to sewage systems means a device that, when designed, installed and operated in accordance with its design specifications, provides a specific degree of sanitary sewage treatment to reduce the contaminant load from that of sanitary sewage to a given effluent quality.
- 2.37 “Work” means any construction or demolition of a building or part thereof including changes of use as regulated by the OBC.
- 2.38 Terms not defined in the by-law shall have the meanings ascribed to them in the act or the OBC.

3. PERMITS REQUIRED

- 3.1 No person shall undertake any work unless a permit has been issued by the CBO.
- 3.2 Classes of permits with respect to the construction, demolition and change of use of buildings and permit fees shall follow the provisions of this by-law.

4. REQUIREMENTS FOR AN APPLICATION FOR A PERMIT

- 4.1 An applicant wishing to obtain a permit shall file an application in the prescribed form in writing either in person or electronically as set out in the OBC
- 4.2 Every application shall be submitted to the CBO for review.
- 4.3 Every application shall:
- a. Identify and describe in detail the work to be covered by the permit for which the application is made;
 - b. Identify the proposed use of each building or part thereof relating to the permit.
 - c. Provide a site plan as described in Schedule B which describes the land on which the work is to be done, including a description that will readily identify the location of the building relating to the permit;
 - d. Include complete plans and specifications as required by this by-law (Schedule B) and other applicable laws;
 - e. State the name(s), address(es), telephone number(s) and email address(es) of the property owner, architect, engineer, designers and builders where applicable;
 - f. If the applicant is not the property owner, be accompanied by written authorization granting permission to the applicant to apply for a permit on the property owner’s behalf;
 - g. When required, be accompanied by a written commitment certificate in the prescribed form, signed by a retained architect or professional engineer that will carry out field review of the construction where required by the OBC;
 - h. State the cost of construction of the proposed work;

- i. Be signed by the owner or their authorized agent, certifying the truth of the contents of the application.
 - j. Be accompanied by any other plans, documents or information that the CBO requires to confirm compliance with applicable law.
- 4.4 In addition to the requirements of Section 4.3, applications made for a **demolition** permit issued under subsection 8(1) of the Act may be required to include plans to fence the demolition site and may be required to be accompanied by proof, satisfactory to the CBO, that arrangements have been made with the proper authorities for the termination and capping of appropriate utilities and for the removal and disposal of the sewage system components.
- 4.5 In addition to the requirements of Section 4.3, applications made for a **change of use** permit issued under subsection 10(1) of the Act shall:
- a. Describe the building in which the occupancy is to be changed by a description that will readily identify the location of the building; and
 - b. Include complete plans and specifications showing the current and proposed use of all parts of the building containing sufficient information to establish compliance with all requirements of the OBC which may include as constructed plans.
- 4.6 In addition to the requirements of Section 4.3 and as outlined in Section 5, applications made for a **conditional** permit issued under subsection 8(3) of the Act shall:
- a. State in writing the reasons why the applicant believes unreasonable delays in construction would occur if a conditional permit was not granted;
 - b. State in writing the necessary approvals which must be obtained with respect to the proposed building and the time in which such approvals will be obtained;
 - c. State in writing the time in which plans and specifications of the complete building will be filed with the CBO;
 - d. The applicant shall complete and sign a conditional permit agreement; and
 - e. pay the fee outlined in Schedule A.
- 4.7 In addition to the requirements of Section 4.3, applications made for an **alternative solution** on a plan, specification, document or other information to use an equivalent material, system or building design for which authorization under the act is required, shall:
- a. use the prescribed application form “Application for use of an Alternative Solution”;
 - b. shall contain a description of the proposed material, system or building design for which the authorization is requested, any applicable provisions of the OBC and evidence that the proposed material, system or building design will provide the level of performance required by the OBC; and
 - c. Pay the fee outlined in Schedule A.
- 4.8 The CBO may require a current survey of the land the proposed building or sewage system is located on, certified by a registered Ontario Land Surveyor.
- 4.9 An application shall not be deemed to be complete before all required documents are submitted and the required fee has been paid in full.

- 4.10 A completed application will be reviewed, and a permit will either be issued or refused within the timelines set out within the Act.

5. CONDITIONAL PERMITS

- 5.1 Applications for conditional permits shall be made in accordance with Section 5 of this By-Law and the Act.
- 5.2 The CBO may, at their discretion, issue a conditional permit.
- 5.3 The CBO may impose any conditions that they deem appropriate on conditional permits.
- 5.4 Where a conditional permit is issued, it shall not be construed to authorize construction beyond the plans for which the conditional permit was given, nor will that approval necessarily be granted for the entire building or project.

6. ISSUANCE OF A PERMIT

- 6.1 No permit shall be issued unless all required documents have been provided with the application and, in the opinion of the CBO, the application is complete.

7. PAYMENT OF PERMIT FEES

- 7.1 The required fee for a permit shall be calculated in accordance with Schedule A of this by-law.
- a. Where the required fee is calculated based on floor area, the entire floor space of all storeys measured as the horizontal distance between exterior walls shall be calculated.
 - b. Where the floor area cannot be calculated or due to the nature of the work proposed, fees shall be calculated using cost of construction.
 - c. Where both calculations based on floor area and cost of construction is provided, the calculation resulting in the higher fee shall be used to determine the permit fee.
- 7.2 The CBO may place their own valuation on the cost of the proposed work for the purpose of calculating required permit fees.
- 7.3 Where the CBO's valuation on the cost of construction is disputed by the applicant, the applicant shall pay the required fee as determined by the CBO and, in writing, shall indicate their intention of submitting an audited statement of the actual costs within 6 months of the completion of the project. Where the audited costs are determined to be less than the valuation, the CBO shall issue a refund for the difference between the valued cost of construction calculated fee and the audited cost of construction permit fee.
- 7.4 Where a material change of plans would result in an increase of permit fees owing, the additional fees shall be calculated in accordance with Schedule A and the difference shall be paid before the next inspection occurs.

- 7.5 Additional fees may be charged in accordance with Schedule A.
- 7.6 No permit shall be issued before all permit fees have been paid in full.
- 7.7 Refunds of fees may be issued in circumstances and in amounts prescribed in Schedule A of this By-Law and as determined by the CBO.

8. MATERIAL CHANGES TO A PERMIT

- 8.1 After the issuance of a permit, notice of a material change to a plan, document or other information on the basis of which the permit was issued must be given in writing to the CBO, together with the details of the change.
- 8.2 Any work in relation to proposed changes shall not be commenced until written authorization from the CBO approving the change has been obtained.
- 8.3 Where a material change of plans would result in a change of permit fees owing, the CBO will determine if such change results in an increase in permit fee or a refund of permit fee as per Schedule A of this by-law.

9. TRANSFER OF PERMITS

- 9.1 In instances where a property with an open building permit; excepting permits deemed as dormant, is sold and a new owner takes possession of the property; the open permit shall not be transferred to the new owner. When the CBO becomes aware of such a change in ownership, all open permits issued to the old owners of the property shall become revoked and new permits will be required to complete any required work.

10. REVOCATION OF PERMITS

- 10.1 Building permits may be revoked in accordance with Section 8(10) of the Act.

11. ABANDONED APPLICATIONS

- 11.1 An application for a permit is considered to have been abandoned by the applicant where:
- a. the application is incomplete and remains incomplete for a period of 12 months after it was submitted;
 - b. the application is complete and the permit is available to be issued, and a period of 12 months have elapsed from the date which the Municipality made notification of the permit availability to the applicant.

12. DORMANT FILES

- 12.1 The CBO may determine that a permit file is dormant based on departmental records and any other information deemed relevant. A dormant file shall not be considered an active permit for the purposes of administration or enforcement under the Act.

- 12.2 Where a permit file has been determined to be dormant, the Municipality may elect not to undertake further enforcement, inspection, or compliance actions under the Building Code Act, 1992 in relation to the permit or the construction associated with the permit.
- 12.3 The property owner shall remain solely responsible for the condition, safety, structural integrity, and compliance of any building or structure associated with a dormant permit file. The Municipality makes no representation or warranty regarding the suitability, safety, or compliance of the building or structure.
- 12.4 Where construction is proposed to recommence on a property associated with a dormant permit file, the Chief Building Official may require the submission of a new building permit application, updated plans, compliance reports, or other documentation necessary to demonstrate compliance with the applicable law and the Ontario Building Code in force at the time of application.

13. BUILDING WITHOUT A PERMIT

- 13.1 Where the owner of a property undertakes or allows the undertaking of work without a permit required under this by-law, they shall pay an additional administration fee equal to twice the value of the fee applicable under Schedule A or \$250, whichever is greater.

14. AS CONSTRUCTED PLANS

- 14.1 The CBO may require that as constructed plans be filed with the Building Department as prescribed by the OBC or in cases where it is deemed necessary by the CBO to determine compliance with applicable law.

15. LOT GRADING

- 15.1 Upon application for a permit and at the discretion of the CBO, the applicant may be required to provide a plan for directing any surface and sub-surface drainage that may be affected by the work as directed by the OBC.
- 15.2 The CBO may order an impact report from the Municipalities Drainage Superintendent where it is determined that the proposed work may affect a Municipal Drain.
- 15.3 The cost of any lot grading plan or impact report shall be borne by the applicant.
- 15.4 Schedule C of this By-Law shall be the Lot Grading Policy.

16. NOTICE OF READINESS FOR INSPECTION

- 16.1 A person to whom a permit is issued is required to give notice of readiness for inspection to the building department at the different stages of construction as required by the Act.
- 16.2 Construction is not permitted to progress beyond any stage of construction without first passing an inspection for said stage of construction.

17. INSPECTION

- 17.1 Following the notice of readiness for inspection, a building official shall undertake a site inspection within the time prescribed by the OBC.
- 17.2 Inspections may be conducted virtually, or photos may be supplied in place of an in-person inspection if it is approved to do so by the CBO.
- 17.3 Photos supplied in lieu of an in-person inspection do not constitute a passed inspection. Additional photos may be requested by a building official if required. An in-person inspection may still be required if photos supplied are insufficient to pass the inspection.
- 17.4 If a required inspection fails and a subsequent reinspection is required, a reinspection fee may be charged as laid out in Schedule A and shall be paid in full before any further inspections take place.
- 17.5 If a work site is considered to be remote access, the owner or permit holder shall provide the building official with safe and adequate transportation to the site at their own expense for all required inspections. If the permit holder is unable to provide said safe and adequate transportation, they will be responsible for any and all additional costs required for the building official to provide their own transportation.

18. OCCUPANCY

- 18.1 Occupancy shall be granted in accordance with Division C of the Act.
- 18.2 No part of a building, in whole or in part shall be occupied before occupancy is granted.

19. RESPONSIBILITY CLOSURE OF PERMITS

- 19.1 While the Building Department shall make all reasonable efforts to facilitate the timely completion and closure of building permits, and regardless of whether the property owner is the applicant, the ultimate responsibility for ensuring that all required inspections are requested and completed, and that any issued permit is properly closed, rests with the property owner.

20. CODE OF CONDUCT

- 20.1 The Municipality maintains a Code of Conduct for Building Officials in accordance with the provisions of the Act. Building officials undertake building review and inspection functions that ensure the safety of buildings. Building officials are exposed to potential conflicts of interest because of the special powers conferred on them. The conduct and behavior of the Municipality's building officials reflect the Municipality's commitment to the highest standards of professionalism, technical competence, skill, honesty, fairness and independence. Building officials observe both the letter and spirit of this code of conduct as it pertains to situations that bear on their responsibilities. This code is outlined in Schedule D.

21. VALIDITY

- 21.1 If an article of this By-Law is for any reason held to be invalid, the remaining articles shall remain in effect until repealed.
- 21.2 Where a provision of this By-Law conflicts with the provision of another By-Law in force within the Municipality, the provisions that establish the higher standard to protect the health, safety and welfare of the general public shall prevail.

22. ENACTMENT

- 22.1 This By-Law comes into force and effect on the date of its passing and enactment.
- 22.2 Repeal past bylaws here.
- 22.3 The attached Schedules A, B, C and D shall form part of this By-Law.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 8th DAY OF JULY 2026.**

**SCHEDULE “A”
BUILDING BY-LAW 2026-40
MUNICIPALITY OF FRENCH RIVER**

FEES AND REFUNDS

CALCULATION OF PERMIT FEES

Construction cost (CC) shall be calculated by the formula or flat rate specified in Table A Column 2 for the respective building classification in Table A Column 1. Each pertinent building classification required for a permit will have the individual CC calculated.

Total Cost of Construction (TCC) shall be calculated as the total of all CCs calculated for the proposed permit.

The permit fee shall then be calculated with the following formula:

$$((TCC/1000) \times \text{Rate}) + \text{Administrative Fee} = \text{Permit Fee}$$

TCC = Total Cost of Construction

Rate = \$10.00

Additional Fees may be added to the Permit Fee for the Items Specified in Table B Column 1 and in the respective amounts specified in Table B Column 2.

TABLE A

Column 1 Building Classification	Column 2 Service Index
1.0 New Construction	
Group A (Assemblies)	
All	(Estimated Cost of Construction)/1000) x \$10
Group B (Detention and Care)	
All	(Estimated Cost of Construction)/1000) x \$10
Group C (Residential)	
One Storey Dwelling	Area x \$120
Extra Storeys and Additions	Area x \$75
Sleep Cabins/ Hunt Cabins	Area x \$80
Seasonal Dwellings	Area x \$100
Finished Basements	Area x \$30
Plumbing	Area (of all stories containing plumbing) X \$20
Detached garages/ Boathouse/ Covered Porch	Area x \$30
Decks, balconies, sheds/ carports	Area x \$25
Sunrooms	Area x \$70
Attached Garages	Area x \$40
Swimming Pools	\$120
Solar Panels	\$120

Weeping tile (no foundation work) If foundation work is required cost is based on Renovation	\$240
Siding (no insulation) If insulation is being installed, cost is based on Renovation	\$120
Wood Stoves	\$ 50
Group D (Offices)	
All	(Estimated Cost of Construction)/1000) x 10
Group E (Mercantile)	
All	(Estimated Cost of Construction)/1000) x 10
Group F (Industrial)	
All	(Estimated Cost of Construction)/1000) x 10
Group G (Farm Buildings)	
All	(Estimated Cost of Construction)/1000) x 10
Part 7 Sewage System Applications	
Class 2 (Leaching Pit)	\$ 714
Class 3 (Cesspool)	\$ 714
Class 4 (Septic tank and Leaching Bed)	\$ 1377
Class 4 (Leaching Bed Only)	\$ 842
Class 4 (Septic Tank Only)	\$ 536
Class 5 (Holding Tank)	\$ 1275
Other Structures	
Temporary Stage	\$ 240
Temporary Building, no Occupancy	\$ 120
Temporary Building, Occupancy	\$ 240
Solar Panels, Non-Group C	\$ 400
Wood Stoves, Non-Group C	\$ 100
2.0 Renovation	
All	(Estimated Cost of Construction)/1000) x 10
3.0 Change of Use	
All applications	(Estimated Cost of Construction)/1000) x 10 or \$400 if no construction is required.
4.0 Demolition	
<=538 sq. ft.	\$ 80
> 538 sq. ft	\$ 150
Engineer required	\$ 700
5.0 Additional Charges	
Extra site inspection or reinspection fee	\$ 120
Material changes to plans, reinspection required	\$ 120 or (Estimated Cost of Construction of the material change)/1000) x 10 whichever is higher
Consent Applications	\$ 120
6.0 Administration Fee (added to all applications)	\$ 120

REFUND OF FEES

Refunds for fees already paid may be made in the circumstances detailed in Column 1 of Table B in the amount specified in Column 2 of Table B.

Notwithstanding the above:

- 1) If a refund as specified in Table B is less than \$50.00, no refund shall be provided.
- 2) No refund shall be provided if not approved by the CBO.
- 3) In the event that a permit is revoked, a file is dormant or if the building permit file is closed, no refund shall be provided.

Table B

Column 1 Circumstances for Refund	Column 2 Amount
Work has been cancelled on a permit that has been issued and no inspections have been done.	75% of permit fee, not including additional fees
An application has been filed, and the permit fee has been paid but the application has become abandoned.	No refund
Material change in plans resulting in a reduction of the Total Construction Cost	The difference between the paid permit fee and the newly calculated permit fee using Table A, minus the administrative fee.

SCHEDULE “B”
BUILDING BY-LAW 2026-40
MUNICIPALITY OF FRENCH RIVER
REQUIRED PLANS

Site Plan

Site Plans shall be made in reference to an up-to-date survey information. A copy of the an up to date survey may be required CBO to determine if the proposed work conforms with applicable law.

A complete site plan shall show, where applicable:

- 1) Lot size and dimensions of property lines.
- 2) Setbacks between the proposed building and any:
 - a) Existing buildings, including those on adjacent properties if those buildings are within 30M
 - b) Existing sewage systems, including those on adjacent properties if those buildings are within 30M
 - c) Existing wells, including those on adjacent properties if those buildings are within 30M
 - d) Property lines
 - e) Lakes, rivers, streams, reservoirs, ponds, water drainage courses and municipal drains
- 3) Use of proposed building.
- 4) Use of any existing building on the property.
- 5) Existing and finished ground levels or grades as they relate to the proposed building.
- 6) The location of any unsuitable, disturbed or compacted areas of ground.
- 7) Drains and Drainage patterns.
- 8) Existing rights of way and easements.
- 9) Proposed fire access routes and existing fire hydrant locations.
- 10) The location of all utilities (phone cables, hydro cables, gas pipelines, etc.)
- 11) Required parking.
- 12) Proposed access routes for parking areas and any proposed sewage system, wells or other utilities.
- 13) Signature and date declaring responsibility for the information provided.

Required Plans

Each application shall be accompanied by two complete sets of building plans and specifications unless otherwise specified by the CBO. Where applicable, these plans shall include the following:

- 1) Site Plan
- 2) Energy Efficiency Design Summary

- 3) Floor Plan
- 4) Foundation Plan
- 5) Framing Plan
- 6) Roof Plan
- 7) Reflected Ceiling Plan
- 8) Cross Sections with details
- 9) Building Elevations
- 10) Heating, Ventilation and Air Conditioning (HVAC) Plans
- 11) Heat Loss Calculations
- 12) Plumbing Plan
- 13) Radon Mitigation Plan
- 14) Fire Alarm and Sprinkler Plan
- 15) Drainage and Lot Grading Plan
- 16) Depth of existing soils to Bedrock
- 17) Depth of existing soils to groundwater table
- 18) Soil properties, including percolation test results and/or permeability as determined by grain size analysis.
- 19) Soil Conditions, including potential for flooding
- 20) Soil profiles as determined by test pits excavated in the area
- 21) Backfill requirements including the area to be filled and the fill properties.
- 22) Contour mapping, including existing and finished ground elevations

Sufficient information and detail shall be submitted with each application for a permit to enable the building officials to determine if the proposed work will conform to the Act, OBC and any other applicable law. The CBO may waive requirements for some of the documents specified above or request additional detail or documents as required.

Building plans shall be legible and drawn on paper, cloth or other durable material. Architectural or engineered drawings shall show appropriate stamps and those produced by a designer shall include their personal and/or firms BCIN.

SCHEDULE “C”
BUILDING BY-LAW 2026-40
MUNICIPALITY OF FRENCH RIVER
LOT GRADING POLICY

- 1. Request for Building Permit:** Upon request for a building permit, the property owner(s) may be required to provide a plan for dealing with the surface and sub-surface drainage. The CBO may order an Impact Report from its Drainage Superintendent (appointed under the *Drainage Act* as amended) at the expense of the property owner(s) except where:

 - a) the total area (footprint) to be occupied by the buildings and paved areas does not exceed 10% of the area of the property for which the building permit is to be issued unless requested by the CBO, or;
 - b) at the discretion of the CBO it is determined that the changes proposed by the building activity would have limited to no impact on neighbouring lands.
- 2. Deposits:** The Municipality will require one or more deposits from the property owner for estimated costs to the Municipality of the Drainage Superintendents’ Report and anticipated legal or other professional costs pertaining to the processing of the request and implementing the permission if applicable.
- 3. Utility Lines:** For all requests, it will be the responsibility of the property owner to obtain the location of and approval from all utilities (phone cables, hydro cables, gas pipelines, etc.)
- 4.** If the Drainage Superintendent believes that the flow of drainage water from the outlet will not cause water problems for Municipal property or property of other private property owners, the permission will be given subject to the following conditions:

 - a) if the water outlets onto adjacent lands, the property owner(s), at the property owner(s) expense, must enter into a mutual drain agreement with the affected landowner(s) and the Municipality under Section 2 of the Drainage Act in a form and on terms satisfactory to the Municipality, which must be registered on Title;
 - b) the agreement will provide that the outlet must be installed by and at the expense of the property owner(s) to the satisfaction of the Municipality;
 - c) the agreement must require that the property owner(s) be responsible for the costs of all future maintenance on the outlet should the property owner believe that clean out maintenance is required for the satisfactory functioning of the outlet going forward. Any maintenance must be done in a manner and by parties approved by the Municipality. For clarity, the Municipality will not pay out public funds for the satisfactory operation of the private drain outlets;

- d) the property owner(s) will be responsible for the expense of maintenance in the event that the Municipality determines in its discretion that maintenance work on an outlet ditch is necessary due to silt or other material deposits as a result of the outlet.
5. If the Drainage Superintendent is of the opinion that the flow of water from the outlet may cause water problems for Municipal property but not another third party private property, the permission will be given if the problems can, in the opinion of the Municipality, be reasonably overcome at the expense of the property owner and as described and provided for in an agreement between the Municipality and the property owners(s) satisfactory to the Municipality which will also include terms similar to the agreement described in paragraph 4.
 6. If the Drainage Superintendent is of the opinion that the flow of water from the outlet may cause water problems for the Municipality and/or private property owners, or that several downstream property owners may be affected, the permission will be given only if;
 - a) the property owner(s) proceed to petition for an outlet under Section 4 of the Drainage Act as amended, or;
 - b) in the event that the outlet involves a road crossing by the private drainage system to an outlet onto private or other property, the Municipality may also petition under Section 4 of the Drainage Act as amended.
 7. **Vacant Lots:** All changes in ground elevation of vacant lots must be approved by the Drainage Superintendent or the Chief Building Official. Failure to do so may result in denial of building permits.

SCHEDULE “D”
BUILDING BY-LAW 2026-40
MUNICIPALITY OF FRENCH RIVER
CODE OF CONDUCT

The purpose of this code of conduct is:

- 1) To promote appropriate standards of behaviour by building officials in the exercise of their powers and performance of their duties;
- 2) To prevent practices which may constitute an abuse of power, and
- 3) To promote appropriate standards of honesty and integrity.

The Municipality’s building officials shall undertake at all times to:

1. Act in the public interest, particularly with regards to the safety of building works and structures;
2. Maintain their knowledge and understanding of the best current building practice, the building laws and regulations relevant to their building certifying functions;
3. Commit themselves to a process of continuous education to constantly be aware of developments in building design, practice and the law relevant to their duties;
4. Comply with the provisions of the Act, OBC and any other Act of Law that regulates or governs building officials or their functions;
5. Avoid situations where there may be, or where there may reasonably appear to be, a conflict between their duties to their clients, their profession, their peers and the public at large and their personal interests;
6. Not act beyond their level of competence or outside their area of expertise;
7. Apply all relevant building laws, regulations and standards strictly and without favor and independent of the influence of interested parties;
8. Perform their inspections and certifying duties impartially and in accordance with the highest professional standards;
9. Not divulge any confidential or sensitive information or material, that they become privy to in the performance of their duties, except in accordance with laws governing freedom of information and protection of privacy;
10. To avoid any conduct that could bring building officials or the Municipality into disrepute;
11. Extend professional courtesy to all;
12. Accept responsibility for the conduct of their subordinate employees;

13. Maintain current accreditation to perform the functions assigned to them;
14. Take all reasonable steps to ascertain and document all available facts relevant to the performance of their duties; and
15. Exemplify compliance with all regulations and standards that govern building construction, health and safety or other matters related to their status as a building official.

Guideline for responding to Misconduct Allegations:

The Act provides that the performance of building officials will be measured against this code of conduct. In response to any allegation of a breach of this code, the CBO shall direct an investigation and where appropriate, recommend disciplinary action against any building official who fails to comply with the code of conduct.

Where the allegation is against the CBO, the Chief Administrative Officer (CAO) of that Municipality, or the CAO of the lead Municipality in the event that the Building Services are a part of a Shared Service Agreement, will direct the investigation and make such recommendations as are reasonable.

In determining the appropriate discipline, the CBO or CAO will have to regard the relevance of the conduct to the officials' powers and responsibilities as well as the severity of any misconduct.

Disciplinary action arising from violation of this code of conduct is the responsibility of the Municipality's administration and is subject to relevant collective agreements, employment laws and standards.