

SAUGEEN FIRST NATION RESIDENTIAL CONSTRUCTION BY-LAW

By-Law No. 2011 _____

Being a By-Law for the purpose of prescribing minimum standards for the construction and repair, rehabilitation, improvement or conversion of all residential accommodation within Saugeen First Nation.

WHEREAS the Chief and Council of Saugeen First Nation find it desirable and in the best interest of the members of Saugeen First Nation and the future of residential construction and repair, rehabilitation, improvement or conversion of residential accommodation on Saugeen First Nation to enact standards for the construction, repair, rehabilitation, improvement or conversion of buildings on the First Nation for residential accommodation;

AND WHEREAS subsections 81(1) (h), (p.1), (q), (r) of the Indian Act R.S.C. 1985, C.1-5 empower the Chief and Council of Saugeen First Nation to make By-Laws for the regulation of the construction, repair and use of buildings, whether owned by the Saugeen First Nation or individual members of the Saugeen First Nation; the residence of First Nation members and any other persons residing on the First Nation; with respect to any matter arising out of or ancillary to the exercise of powers under this section; and the imposition on summary conviction of a fine not exceeding one thousand dollars (\$1,000.00) or imprisonment for a term not exceeding thirty (30) days, or both, for violation of a By-Law made under this section:

NOW THEREFORE the Chief and Council of the Saugeen First Nation hereby enact a By-Law as follows:

SHORT TITLE

This By-Law may cited as the Saugeen First Nation Residential Construction By-Law.

INTERPRETATION

1. In this By-Law,
 - a) **"Building"** means a structure or any part thereof occupying an area greater than 100 square feet consisting of one or more walls, a roof and a floor, or any one or more of them, and including all the works, fixtures and service systems appurtenant thereto;

- b) **"Canadian Electrical Code"** means the Canadian Electrical Code, Part 1, published by the Canadian Standards Association, as revised from time to time;
- c) **"Code"** means any standard for construction design, materials, fabrication methods, techniques, practices and procedures prescribed by this By-Law;
- d) **"Building Inspector"** means a person who has completed the requirements of Inspector Certification Level 1 training, as certified by the Ontario First Nations Technical Services Corporation or any accredited institution;
- e) **"National Building Code of Canada"** means The National Building Code of Canada, 1985 published by the Associate Committee on the National Building Code of the National Research Council of Canada, as amended from time to time;
- f) **"Ontario First Nations Illustrated Housing Code"** means the Ontario First Nations Illustrated Housing Code 1998 published by or under the auspices of Ontario First Nations Technical Services Corporation, as revised from time to time;
- g) **"First Nation"** means any lands set aside by Her Majesty for the use and benefit of the Saugeen and Chiefs Point First Nation;
- h) **"Residential Accommodations"** means the use of a building as a residence, temporary, seasonal or permanent.

2. Words or phrases not expressly defined in this By-Law which are expressly defined in the Indian Act shall have the meaning ascribed to them in that Act.
3. Buildings, designs, materials, fabrication methods, techniques, practices and procedures shall be deemed in conformity with a code if they meet or exceed the minimum standards prescribed therein.
4. No person shall construct, repair, rehabilitate, improve or convert a building without first obtaining a Schedule "B" – Building Permit issued by the Saugeen First Nation.

To obtain a permit, the owner shall submit a Schedule "A" – Application for Building Permit in writing on forms prescribed by the Saugeen First Nation and supply any other information relating to the application, as required by the Saugeen First Nation.

CONSTRUCTION TO CONFORM TO CODES

5. No person shall construct, repair, rehabilitate, improve or convert a building with the reserve for residential accommodation except in conformity with the standards for

construction design, materials, fabrication methods, techniques, practices and procedures prescribed by:

- a) The Ontario First Nation Illustrated Housing Code or, where nothing is therein provided, the National Building Code Part 9 – The House;
- b) National Building Code Part 3 – Fire Protection, Occupant Safety and Accessibility;
- c) Canadian Electrical Code, Part 1; and
- d) “Sewage Disposal Guidelines” published by Health Canada Medical Services Branch.

INSPECTIONS

6. All inspections required to be carried out pursuant to a code shall be carried out by accredited inspectors, and in the case of the Ontario First Nations Illustrated Housing Code, by an Infrastructure Specialist who holds, as a minimum, a Designate Inspector Level 1 Certificate.
7. Every owner and every residential occupant of a building shall, upon written demand of the Chief and Council, provide satisfactory evidence that the construction, repair, rehabilitation improvement or conversion of the building has been inspected and approved in conformity with the codes made applicable by this By-Law.

PROHIBITION AGAINST OCCUPATION

8. No person shall reside in building which has been constructed, repaired, rehabilitated, improved or converted to residential accommodation after the effective date hereof unless such building was constructed, repaired, rehabilitated or converted in conformity with this By-Law.

WARNING

9. Nothing in the By-Law shall operate as a representation or assurance to any party that any building constructed, repaired, rehabilitated, improved or converted to residential accommodation after the effective date hereof conformed to the codes made applicable by this By-Law.

SCHEDULES

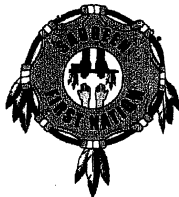
10. The Following Schedules form part of the By-Law

Schedule "A" – Application for Building Permit

Schedule "B" – Building Permit

PENALTY

11. A person who contravenes any provision of this By-Law is guilty of an offence punishable on summary conviction and shall be liable on conviction to a fine not exceeding ONE THOUSAND (\$1,000.00) DOLLARS or imprisonment for a term not exceeding thirty (30) days, or both fine and imprisonment.



SCHEDULE "A"
SAUGEEN LAND MANAGEMENT & LEASING

P.O. Box 640, Southampton ON, N0H 2L0, Ph: 519-797-3039 Fax: 519-797-3452

APPLICATION FOR BUILDING PERMIT

LANDS SECTION - OFFICE USE ONLY

Date Received	
Recreational Lease	
Commercial Lease	
Locatee or Band	

(PERMITTEE SECTION)

LOT INFO

Legal Description			
Plan No.	RSO #	CLSR#	
Civic Address			

PERMITTEE GENERAL INFO

Permittee/Lessee			
Mailing Address			
Phone	Home:() -	Cell:() -	
Email:			

BRIEF JOB DESCRIPTION

Start Date:	Finish Date:
Type of construction:	

I/We hereby apply for a Building Permit as described above:

Signature of Applicant

Signature of Applicant

Date

Date



SCHEDULE "B" SAUGEEN LANDS MANAGEMENT BUILDING PERMIT

Permit Number: E5643-

Date Received:

This Permit or a copy thereof shall be posted at all times during Construction and Demolition or Alteration.

SAUGEEN FIRST NATION PERMIT ISSUED TO:-

Permittee:

Home Address:-

Legal Description:

Civic Address:-

WORK DESCRIPTION: _____

SKETCH and BLUEPRINTS ATTACHED _____ YES _____ NO. _____ BOTH. – SEWAGE SYSTEM PERMIT ATTACHED _____ YES _____ NO.

Septic systems, leach beds, water source, existing buildings and property lines must be included in the sketch attached.

The person to whom this permit is issued shall notify the Saugeen First Nation Land Management Office or a Building Inspector of any changes in advance.

Full compliance is required with all the provisions of the Ontario First Nation Illustrated Housing Code, or, where nothing is therein, The National Building Code Part 9- The House; the Electrical Safety Code made under the Power corporation Act; and any By-Laws of the Saugeen First Nation, which in whole or in part regulates structural requirements, erection, alterations, location, use etc. of buildings.

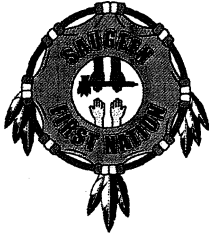
This Permit is subject to revocation in accordance with the above-cited authorities.

NOTED: _____

LANDS OFFICER or INSPECTOR

ISSUED DATE

DEVELOPMENT PLAN FOR LOT _____



- (1) Please indicate what dimensions are on the sketch above. Have these boundaries been verified? The Lessee/Contractor must Clearly define all visible markers, the Lessee/Contractor can erect wooden stakes spray painted for ease of visibility.
- (2) Please indicate the following on your Plan: North Arrow, Property Dimensions. *(You may need to request for assistance to have your property dimensions located)*
- (3) Also indicate locations of all existing buildings, septic & wells. If this is a developmental plan for new construction, please indicate where the above will be located.
- (4) The above plan must be reviewed and approved by a building inspector, or Lands Official before any work can begin. Have the inspector of lands Official place the "Approval Stamp" on the drawing. If reviewed by building inspector, have the inspector sign where indicated.
- (5) Please indicate on the plan where trees will be removed. Please indicate the number of trees to be removed _____.

Large empty rectangular box for drawing the development plan.

DATE: _____

APPLICANT: _____

THIS BY-LAW IS HEREBY MADE at a duly convened meeting of the Chief and Council of the Saugeen First Nation on this 11th day of February, 2011.


Chief


Head Councilor

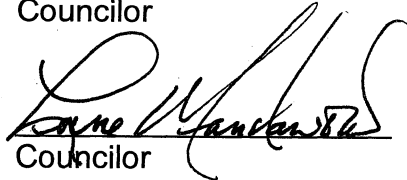
Councilor

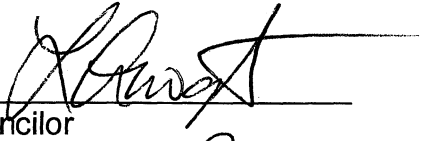
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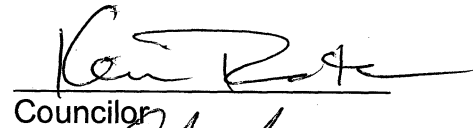
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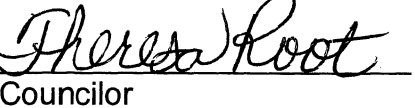
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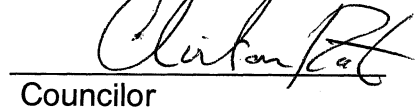
Councilor


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Councilor

Being the majority of those members of the Council of Saugeen First Nation present at the aforesaid meeting of Council.

The quorum of the Chief and Council is five members (note five is indicated as it is believed that the support of the majority of all members of Council is required)

Number of Councilors present at this meeting 6

I, RANDALL KAHLEE Chief / Councilor of the Saugeen First Nation do hereby certify that a true copy of the foregoing By-Law was mailed to the Minister of Indian Affairs and Northern Development at the District office pursuant to Subsection 82 (1) of the Indian Act, this 11th day of February, 2011.