

The Building By-law # 2015 - 02

Pursuant to Section 171 and 172 of the Municipal Government Act, BE IT ENACTED by the Council of the Town of Digby as follows:

[1] This By-law shall be known as the Building By-law. It shall apply to all buildings within the Town of Digby.

[2] **In this by-law;**

1. **“building inspector”** means the building inspector for the Town of Digby.
2. **“building”** means any structure whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals, material or equipment. Any awning, bin, bunker, or platform, vessel or vehicle used for any of the said purposes shall be deemed a building.
3. **“development officer”** means the development officer for the Town of Digby.
4. **“structure”** means anything that is erected, built, or constructed of parts joined together or any such section fixed to or supported by the soil or by any other structure. A structure shall include buildings, walls and signs and also fences exceeding six (6) feet in height.

[3] **Development Permit**

No person shall use any land or erect, alter or use any building or structure or otherwise undertake any development unless a Development Permit has been issued by the Development Officer.

[4] **Building Permit**

A building permit shall be obtained from the Building Inspector by the owner or his authorized agent for the excavation, alteration, re-construction of any building or part of any building which it is proposed to construct and for any addition or alteration to a building.

[5] The National Building Code of Canada, 2010, as published by the National Research Council, but excluding Part I, are annexed to this By-Law as Appendix "A" is hereby made a part of this By-Law.

[6] The Nova Scotia Building Code Act and Regulations is annexed to this By-Law as Appendix "B" is hereby made a part of this By-Law.

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- [7] The Town of Digby Land Use By-law is annexed to this By-Law as Appendix "C" is hereby made a part of this By-Law.
- [8] The Town of Digby Municipal Planning Strategy is annexed to this By-Law as Appendix "D" is hereby made a part of this By-Law.
- [9] Where a provision of this By-law conflicts with the provision of another By-law in force within the Town, the provision that establishes the higher standards to protect the health, safety, and welfare of the general public shall prevail.

[10] Penalties

Failure to comply with the National Building Code; Nova Scotia Building Code Act or Regulations; the town of Digby Building By-law may, upon summary conviction, result in a fine of not less than \$100.00 or more than \$1,000.00 per day for every day which an offence continues.

[11] Repeal

All previous Town of Digby Building By-laws are hereby repealed and replaced by this By-Law.

Clerk's Annotation for Official Bylaw Book

Date of First Reading: 08 September 2015

Date of Advertisement of Notice of Intent to Consider: 15 October 2015

Date of Second Reading: 02 November 2015

***Date of Advertisement of Passage of Bylaw:** 12 November 2015

Date of mailing to Minister a Certified copy of bylaw: 12 November 2015

I certify that this Town of Digby Building Bylaw # 2015-02 was adopted by Council and published as indicated above.

Edwin T. Ossinger
Edwin T. Ossinger, CAO. Clerk

Date: 12 November 2015

* Effective date of the bylaw unless otherwise specified in the text of the Bylaw.