

Minutes from the November 12, 2024 Regular Meeting of the Village of Elbow Council, held at Council Chambers, 201 Saskatchewan St, Elbow, SK.

PRESENT:

Mayor: Glen Gardner
Councillors: Russ Stevenson
 Brian Ford
 Joanne Brochu (by phone to 2:50 pm)
Village Staff: CAO, Brandy Losie
 Recreation Manager, Marnie Forsberg

REGRETS:

Public Works Foreman, Brad Talson

QUORUM

Having a quorum present, Mayor Gardner called the regular meeting to order at 1:04 pm.

AGENDA

320/2024 FORD: THAT the amended agenda be approved. Carried

CONFLICT OF INTEREST

Russ Stevenson declared a conflict with item 11.4.

MINUTES

321/2024 STEVENSON: THAT the minutes of October 3, 2024 are approved as amended. Carried

DELEGATIONS

Rod Cafferata re: Tufts Bay Campground electrical

FINANCIAL STATEMENTS

322/2024 FORD: THAT the Financial Statement for the month ending October 31, 2024 is accepted as presented. Carried

ACCOUNTS PAYABLE

323/2024 STEVENSON: THAT Council acknowledge and approve the list of payments; cheques #14857-14917 inclusive, in the amount of \$88,730.86, direct payments totaling \$73,437.71 and credit card charges totaling \$1,474.29. Carried

REPORTS

The following reports were previously sent to council and any questions were answered by the appropriate department at the meeting:

- CAO
- Administrative Assistant
- Public Works
- Recreation Director
- Elbow Parks & Rec Committee
- Water Security Agency
- Facilities Committee
- Central Area Transportation

HGCC MAINTENANCE ACCESS

324/2024 FORD: THAT we purchase a coded door lock for the maintenance room at the Harbor Golf Community Center due to loss of inventory and tampering with equipment. Carried

BUSINESS ARISING FROM A PREVIOUS MEETING**TUFTS BAY CAMPGROUND**

325/2024 GARDNER: THAT based on the Willms Engineering Tufts Bay Campground electrical report, that we rescind motion #310-2024. Carried

326/2024 GARDNER: THAT Brandy discuss the Willms Engineering Tufts Bay Campground electrical report with SaskPower to plan for the upgrade of sites 1-7. Carried

327/2024 GARDNER: THAT we look into options for replacing the 2 existing free standing outdoor lights at the Tufts Bay Campground for spring 2025. Carried

328/2024 GARDNER: THAT Brandy make the noted changes/additions to the Tufts Bay Campground lease agreement and bring back for approval to the next regular meeting of Council. Carried

HEALTH COMMITTEE

329/2024 BROCHU: THAT Council review the proposed terms of reference and provide feedback before the Health Committee meeting on December 11th. Carried

GOVERNANCE TRAINING

330/2024 GARDNER: THAT the following be registered to attend the George Cuff presentation in Outlook on December 4 & 5: Brian Ford, Glen Gardner, Brandy Losie and that new councillors be offered once oaths taken. Carried

CORRESPONDENCE

none

Recess 2:42 to 2:49 pm.

NEW BUSINESS**VILLAGE INSURANCE**

331/2024 STEVENSON: THAT the changes noted on the Statement of Values and Schedule of Equipment are approved as presented. Carried

ORCHARD LIGHTING

332/2024 GARDNER: THAT we look into options to replace the 4 free standing lights at the Orchard for spring 2025. Carried

ELECTION

333/2024 STEVENSON: THAT we pay the poll clerks as per the Election Saskatchewan schedule and reimburse all including DRO for their meals. Carried

The discussion re: truck tires has been tabled as Councillor Stevenson has a conflict and stepping away will cause a loss of quorum.

ART SOCIETY

334/2024 FORD: THAT the rent for the upstairs of the Village Office by the Art Society be changed to an annual amount of \$1800. Carried

BYLAWS AND POLICIES**REZONING APPLICATION**

335/2024 FORD: THAT the Village accepts the rezoning request for Block 4, Lots 6-10, Plan Q7107 and will plan a public hearing accordingly. Carried

BUILDING BYLAW

336/2024 STEVENSON: THAT Bylaw #16-2024 a Bylaw respecting Buildings in the Village of Elbow be read a first time. Carried

337/2024 FORD: THAT Bylaw #16-2024 is read a second time. Carried

338/2024 GARDNER: THAT Bylaw #16-2024 is able to read a third time at this meeting. Carried Unanimously

339/2024 STEVENSON: THAT Bylaw #16-2024 having been read a third time, is adopted. Carried

FIRE AGREEMENT BYLAW

340/2024 FORD: THAT Bylaw #15-2024 a Bylaw to provide for entering into Mutual Aid Agreements for Fire Services is read a first time. Carried

341/2024 STEVENSON: THAT Bylaw #15-2024 is read a second time. Carried

342/2024 GARDNER: THAT Bylaw #15-2024 is able to be read a third time at this meeting. Carried Unanimously

343/2024 STEVENSON: THAT Bylaw #15-2024 having been read a third time, is adopted. Carried

COMMITTEE BYLAW

344/2024 STEVENSON: THAT Bylaw #17-2024 a Bylaw to Amend Bylaw 14-05 being a Committee Bylaw is read a first time. Carried

345/2024 FORD: THAT Bylaw #17-2024 is read a second time. Carried

346/2024 GARDNER: THAT Bylaw #17-2024 is able to be read a third time at this meeting. Carried Unanimously

347/2024 STEVENSON: THAT Bylaw #17-2024 having been read a third time, is adopted. Carried

IN-CAMERA

348/2024 GARDNER: THAT the Village of Elbow move in-camera at 3:37 pm. as per section 54 of Bylaw No. 2-2022 Council Procedures Bylaw, and Part III of *The Local Authority Freedom of Information and Protection of Privacy Act* to discuss human resources. Carried

OUT OF CAMERA

349/2024 GARDNER: THAT Council exits the in-camera session at 4:12 pm. Carried

PUBLIC WORKS

350/2024 GARDNER: THAT pay raises were given to Brad Talson, Karen Joel and Marnie Forsberg as per the agreed upon schedule. Carried

351/2024 FORD: THAT a bonus of \$250 each is paid to Brandy Losie, Brad Talson, Karen Joel and Marnie Forsberg (4 regular employees). Carried

352/2024 STEVENSON: THAT we agree to contract Edward Stenko as needed to help out Brad for \$23/hour. Carried

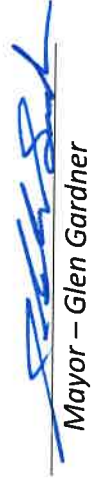
ADJOURNMENT

GARDNER: THAT this meeting be adjourned at 4:15 pm. Carried.

Correspondence

none





Mayor – Glen Gardner



CAO – Brandy Losie

**A BYLAW OF THE VILLAGE OF ELBOW TO PROVIDE FOR
ENTERING INTO AN AGREEMENT RESPECTING THE PROVISION
OF FIRE PROTECTION SERVICES**

The Council of the Village of Elbow, in the Province of Saskatchewan, enacts as follows:

1. The Village of Elbow is hereby authorized to enter into the agreements attached hereto and forming part of this bylaw, and identified as Schedules 1, 2, 3, 4, 5, and 6 with the Rural Municipality of Loreburn No. 254, Rural Municipality of Maple Bush No. 224, Rural Municipality of Huron No. 223, Rural Municipality of Willner No. 253, Douglas Provincial Park c/o Ministry of Parks, Culture and Sport, and the Resort Village of Mistusinne, for the purpose of providing and/or receiving fire protection services.
2. The Mayor and Administrator of the Village of Elbow are hereby authorized to sign and execute the attached agreements identified as Schedules 1, 2, 3, 4, 5, and 6.
3. The Village agrees to provide fire protection services within the areas designated on the attached map, identified as Appendix A.
4. This Bylaw shall come into force and take effect January 1, 2025.
3. Bylaw numbers 18-02 and 1-2024 are hereby repealed.



Nov 12/24

VILLAGE OF ELBOW

BYLAW NO.16-2024

A BYLAW RESPECTING BUILDINGS

The Council of the VILLAGE of ELBOW in the Province of Saskatchewan enacts as follows:

SHORT TITLE

- 1 This bylaw may be cited as the Building Bylaw.

PURPOSE OF THE BUILDING BYLAW

- 2 The purpose of this bylaw is to provide for the administration and enforcement of the Act, the regulations, the National Building Code of Canada, the National Energy Code of Canada for Buildings, ministerial interpretations and Saskatchewan Construction Standards Appeal Board orders and building official orders within the local authority.

INTERPRETATION/LEGISLATION

- 3 Definitions contained in *The Construction Codes Act*, *The Building Code Regulations* and *The Energy Code Regulations* shall apply in this building bylaw.

"Act" means The Construction Codes Act.

"building official" means a person who holds a building official license.

"certificate of occupancy" means a written document issued by the local authority giving the owner of the building permission to occupy the building for its intended use;

"competent person" means a person who is recognized by the local authority as having:

- (a) a degree, certificate or professional designation; or
- (b) the knowledge, experience and training; necessary to design or review the design of a building.

"local authority" means the Village of Elbow.

"fabric covered building" means a structure with a flexible or rigid sheathing material such as fabric, canvas, rubber, plastic, wood, metal or glass used as a workspace or for the enclosure and/or storage of property, vehicles or animals and not intended as a dwelling.

"NBC" means the edition and provisions of the National Building Code of Canada, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and the regulations.

"NECB" means the edition and provisions of the National Energy Code of Canada for Buildings, including revisions, errata and amendments to it, declared to be in force pursuant to the Act and the regulations.

"owner" means:

- (a) any person who has any right, title, estate or interest in land, improvements or premises other than that of a mere occupant, tenant or mortgagee;
- (b) any person, firm or corporation that controls the property under consideration; or
- (c) if the building is owned separately from the land on which the building is located, the owner of the building.

"owner's representative" means any person, company, employee or contractor who has authority to act on behalf of an owner.

"permit" means written authorization issued by the local authority or its building official in the form of a building permit.

"plan review" means the examination of building drawings and related documents by a building official to ascertain whether those drawings and documents meet the requirements of the Act and the regulations.

"regulations" means *The Building Code Regulations* and *The Energy Code Regulations*.

"**SAMA fee**" means a fee charged to the local authority by the Saskatchewan Assessment Management Agency with respect to the work.

"**value of construction**" means the total costs to the owner for the building construction in its completed form and includes the cost of all building work, materials of construction, building systems, labour and overhead, and profit of the contractor and subcontractors.

"**work**" means any construction, addition, erection, placement, alteration, repair, renovation, demolition, relocation, removal, use, occupancy or change of occupancy of a building.

SCOPE OF THE BYLAW

- 4 This building bylaw applies to all work undertaken or to be undertaken within the geographical jurisdiction of the local authority.

GENERAL

- 5(1) It is the duty of every owner or the owner's representative of a building in Saskatchewan to ensure that the building and work is in accordance with the Act, the regulations, any associated codes, interpretations and orders and any bylaws adopted by the local authority with which the building is associated.
- (2) It shall be the responsibility of the owner or the owner's representative to arrange for all permits, inspections and certificates required by any other applicable bylaws, Acts and regulations.
- (3) A building or part of a building for which a permit has been granted shall not be occupied before the issuance of a certificate of occupancy by the local authority or the building official pursuant to clause 16(11)(h) of the Act.
- (4) The provisions of this building bylaw apply to buildings greater than 10m² (107.6 ft²) in building area except as otherwise exempted by the Act or the regulations.

PERMIT - ISSUANCE

- 6(1) Every application for a building permit for work shall be on the form provided by the local authority, and shall be accompanied by a valid development permit issued by the local authority as well as a minimum of two sets of plans and specifications of the proposed building and work.
- (2) Every permit application shall be reviewed and approved by the building official including plan review and approval.
- (3) If the work described in an application for a permit, to the best of the knowledge of the local authority or the building official, complies with the requirements of this building bylaw, the Act, or the regulations, the local authority or the building official shall, on receipt of the required fee, issue a permit on the form provided by the local authority. In addition, one set of the approved plans and specifications will be returned to the owner or the owner's representative with the permit.
- (4) A permit issued pursuant to this building bylaw must include:
 - (a) the name of the person, or company to whom the permit is issued;
 - (b) the period for which the permit is valid;
 - (c) a statement of all fees, deposits or bonds charged for the permit;
 - (d) the scope of work authorized by the permit;
 - (e) the municipal address or legal description of the property on which the work described in the permit is located;
 - (f) the buildings or portion of buildings to which the permit applies;
 - (g) the stages of construction at which a permit holder must inform a local authority of completion;
 - (h) any conditions that the permit holder is required to comply with; and
 - (i) any information required by this building bylaw.
- (5) No person, or company to whom a permit is issued pursuant to the Act shall fail to comply with the terms and conditions of the permit.
- (6) Work must not commence before a permit is issued.
- (7) The permit fee shall be calculated according to the sum of the following:
 - (a) a permit administration fee listed in a fee bylaw for the processing, handling and issuance of a permit;

- (b) the fees for plan review, field inspection of construction and enforcement in accordance with a fee bylaw or the agreement between the provider of building official services and the local authority;
 - (c) the fees charged by the Saskatchewan Assessment Management Agency; and
 - (d) a deposit, if required, in an amount determined by the local authority.
- (8) If a deposit is collected it shall, on request by the owner or owner's representative, be refundable on satisfactory completion of the work or on approval of use or occupancy of the building by the local authority or the building official.
- (9) All permit fees and deposits will be collected before the permit is issued and subject to any applicable taxes.
- (10) The local authority or the building official may establish the value of construction for the work described in an application for a permit, for the purpose of calculating a permit fee, based on established current construction costs, the owner's or the owner's representative statement of costs or constructor's contract values, or similar methods selected by the local authority or the building official.
- (11) It is the responsibility of the owner or the owner's representative to ensure that all notifications required by section 7 of the Act and this building bylaw are given to the local authority and that all inspections are scheduled and completed. Failure to do so may result in additional fees for follow up inspections.
- (12) The owner or the owner's representative will be invoiced by the local authority for additional inspection fees and payment of the inspection fees will be due on receipt of an invoice. Unpaid inspection fees will be considered a debt due to the local authority and may be recovered from the owner of the land or premises in or on which the work was carried out as per the Act.
- (13) The local authority may, at its discretion, rebate a portion of a permit fee or deposit where work is reduced in scope or discontinued, or where other exceptional circumstances occur.

PERMITS - REFUSAL TO ISSUE

- 7(1) The local authority may refuse to issue a permit if:
- (a) the proposed work described on the permit application would contravene:
 - (i) the Act;
 - (ii) the regulations;
 - (iii) an order of the appeal board;
 - (iv) a written interpretation of the minister pursuant to section 8 of the Act; or
 - (v) the local authority's building bylaw;
 - (b) the person who designed or reviewed the design of a proposed building that is within the scope of Part 9 of the NBC is not a competent person;
 - (c) the person who designed or completed a design review of a proposed building that is within the scope of the NECB is not an architect or engineer;
 - (d) the application for a permit is incomplete;
 - (e) any fees, deposits or bonds required pursuant to the local authority's building bylaw for the issuance of a permit have not been paid; or
 - (f) the proposed work described on the permit application would contravene any other Act, regulations or bylaw that applies to the proposed work.
- (2) Where the local authority refuses to issue a permit pursuant to subsection (1), the local authority shall:
- (a) provide written notice to the applicant as to the reasons for the local authority's refusal to issue a permit; and
 - (b) refund any fee or deposit paid as part of the permit application for work pursuant to the Act, less any fees paid for:
 - (i) plan review; and
 - (ii) permit application or administration.

PERMITS - REVOCATION

- 8(1)** The local authority may revoke a permit issued pursuant to the Act:
- (a) if the holder of the permit requests in writing that it be revoked;
 - (b) if the permit was issued on mistaken, false or incorrect information;
 - (c) if the permit was issued in error;
 - (d) subject to subsection (2), if, after 6 months after the permit's issuance, the work for which the permit was issued has not, in the opinion of the local authority's building official, been seriously commenced and no written agreement for the delay has been given by the local authority; or
 - (e) subject to subsection (2), if the work for which the permit was issued is, in the opinion of the local authority's building official, substantially suspended or discontinued for a period of more than 6 months after the permit's issuance and no written agreement for the delay has been given by the local authority.
- (2) If the local authority revokes a permit pursuant to subsection (1) it shall provide written notice to the permit holder as to the reasons for the revocation.

PERMITS - EXPIRY

- 9(1)** The expiry of a permit does not relieve the owner or the owner's representative from the obligation to complete the work approved in the permit.
- (2) All permits issued pursuant to this building bylaw shall expire on the date stated in the permit, or if no date is stated:
- (a) twenty-four months from date of issue;
 - (b) six months from date of issue if work is not commenced within that period;
 - (c) on the date specified by the local authority if work has not seriously commenced and is suspended for a period of six months; or
 - (d) on the date specified by the local authority if work has been suspended with written permission by the local authority or building official and the agreed upon period has been exceeded.
- (3) An owner or the owner's representative that does not complete all the work listed on a permit before the permit expires shall apply to the local authority that issued the permit to do one of the following:
- (a) revoke the permit;
 - (b) extend the term of the permit;
 - (c) vary the condition of the permit.
- (4) The local authority may revoke, extend or vary the conditions of a permit on written application of the permit holder and subject to any condition or fees listed in the bylaw.

ENFORCEMENT

- 10** The local authority or the building official may take any measures as permitted by section 24, 25 or 26 of the Act and sections 13 and 14 of *The Building Code Regulations* for the purpose of ensuring compliance with this building bylaw.

SUPPLEMENTAL BUILDING STANDARDS

- 11** The Village of Elbow falls within the Restricted Building Area of the Lake Diefenbaker Reservoir Development Area (RDA), and as such, the Reservoir Development Area Regulations administered under *The Saskatchewan Watershed Authority Act* remain in effect and the developments shall comply with the provisions of the Regulations.

FABRIC COVERED BUILDINGS

- 12 (1)** Air-, Cable-, Frame-supported membrane structures are regulated by Section 4.4. Design Requirements for Special Structures in the National Building Code of Canada (NBC).

- (2) Subsection 15(2) of the BC Regulations requires the services of either an architect or an engineer to complete the design inspection and reviews required by the NBC.

NOTIFICATION

- 13(1)** The owner or the owner's representative of a building to be constructed shall ensure that the local authority is notified of:
- (a) when excavation is to be commenced;

- (b) when the foundation is to be placed;
 - (c) when a superstructure is to be placed on the foundation;
 - (d) any other event at the time required by the permit under which work has been undertaken; and
 - (e) any other specified event at the specified time.
- (2) Before commencing work at a building site, the owner or the owner's representative shall give notice to the local authority of:
- (a) the date on which the owner or the owner's representative intends to commence the work; and
 - (b) subject to subsection (8), the name, address and telephone number of:
 - (i) the constructor or other person in charge of the work;
 - (ii) the designer of the work;
 - (iii) the person or firm that is to review the work to determine whether or not the construction conforms to the design; and
 - (iv) any inspection or testing agency that is engaged to monitor the work.
- (3) During the course of construction, the owner or the owner's representative shall give notice to the local authority of:
- (a) subject to subsection (8), any change in, or termination of, the employment of a person or firm mentioned in clause (2)(b);
 - (b) the owner's or owner's representative intent to do any work that has been ordered by a building official or local authority to be inspected during construction;
 - (c) the owner's or owner's representative intent to enclose work that has been ordered by a building official or local authority to be inspected before enclosure;
 - (d) subject to subsection (8), any proposed deviation from the plans approved and permitted by the local authority;
 - (e) subject to subsection (8), any construction undertaken that deviates from the plans approved and permitted by the local authority; and
 - (f) the completion of work.
- (4) Subject to subsection (8), the owner or the owner's representative of a building under construction shall give notice to the local authority of:
- (a) any change in ownership or change in address of the owner or the owner's representative that occurs before the issuance of a certificate of occupancy as soon as the change occurs; and
 - (b) the owner's or owner's representative intention to occupy a portion of the building if the building is to be occupied in stages.
- (5) The owner of a building or the owner's agents, contractors, employees, successors or assigns or the registered owner of the land on which the building is situated shall submit a written report to the local authority of the occurrence of the following that causes or has the potential to cause serious injury or loss of life:
- (a) structural failure of the building or part of the building;
 - (b) failure of any equipment, device or appliance that is regulated by the Act or the regulations.
- (6) A report submitted pursuant to subsection (5) must:
- (a) contain:
 - (i) the name and address of the owner;
 - (ii) the address or location of the building involved in the failure;
 - (iii) the name and address of the constructor of the building; and
 - (iv) the nature of the failure; and
 - (b) be submitted to the local authority within 15 days after the occurrence of the failure mentioned in clause (5)(a) or (b).
- (7) On receipt of the report pursuant to subsection (5), the local authority may require an owner to do the following:

- (a) provide any other information that the building official or local authority may consider necessary;
 - (b) complete any additional work that is necessary to ensure compliance.
- (8) Notice given pursuant to clause (2)(b), (3)(a), (3)(d), (3)(e) or subsection (4) is to be in writing.

SPECIAL CONDITIONS

14(1) An owner or the owner's representative that undertakes to construct or have constructed a building that is within the scope of Parts 3, 5, 6 and 7 of the NBC shall have an architect or engineer complete the design or design review of:

- (a) the building; and
 - (b) all building systems.
- (2) An owner or the owner's representative that undertakes to construct or have constructed a building with a structure that is within the scope of Part 4 of the NBC shall have an architect or engineer complete:
- (a) the design or design review of the structure;
 - (b) an inspection of construction of the structure to ensure compliance with the design; and
 - (c) the reviews required by the NBC.
- (3) An owner or the owner's representative that undertakes to construct or have constructed a building with a structure within the scope of the NECB shall have an architect or engineer complete:
- (a) the design or design review of the structure;
 - (b) the inspection of construction of the structure to ensure compliance with the design; and
 - (c) the reviews required by the NECB.

(4) In addition to the requirements of subsection (1), (2) or (3), the local authority or building official shall require that an engineer or architect provide:

- (a) a Commitment for Field Review letter as part of the permit application for work; and
 - (b) an Assurance of Field Review and Compliance letter, on completion of the work, providing assurance that the work conforms to the engineer's or architect's design.
- (5) An owner or the owner's representative that undertakes to construct or have constructed a building that is within the scope of Part 9 of the NBC shall ensure that a competent person has designed or reviewed the design of the building.
- (6) An owner or the owner's representative shall ensure that copies of any inspection or review reports made pursuant to this section are made available to a building official or the local authority on the request of the building official or local authority, as the case may be.
- (7) No owner of a building or an owner's representative shall cause or allow the ground elevations of a building to be changed so as to place in contravention of the NBC:
- (a) the building or part of the building; or
 - (b) an adjacent building.

(8) If the property boundaries of a building lot are changed so as to place a building or part of a building in contravention of the NBC, the owner or the owner's representative shall immediately alter the building or part of the building to bring it into compliance with the NBC.

PENALTY

15(1) Any person who contravenes any of the provisions of this building bylaw may be subject to the penalties provided in Part 8 of the Act.

(2) Conviction of a person or corporation for breach of any provision of this building bylaw shall not relieve the person or corporation from compliance with the Act and regulations.

REPEAL OF BYLAW(S)

16 On enactment of this building bylaw, all previous building bylaws, including building bylaw amendments, are repealed.

Enactment pursuant to Section 17 of *The Construction Codes Act*.

**A BYLAW OF THE VILLAGE OF ELBOW TO AMEND BYLAW NO.14-05
BEING A BYLAW TO ESTABLISH COMMITTEES OF
THE VILLAGE OF ELBOW**

The Council of the Village of Elbow, in the Province of Saskatchewan,
amends the following:

1. To add to the Appendix of Bylaw 14-05

Healthcare Committee



November 12, 2024