

**NEEPAWA & AREA PLANNING DISTRICT
BY-LAW No. 123
FEES**

Being a By-law of the Neepawa & Area Planning District Board to establish fees and charges for development application, planning applications, building permits and related matters.

WHEREAS Section 21(3), 142(1) and 142(2) of *The Planning Act*, as amended, provides as follows:

21(3) The board of a planning district may adopt

- (a) A by-law establishing the fees and charges to be paid for services provided by the district, including licenses, permits, certificates and other approvals and documents issued by the district; and
- (b) Other by-laws, not inconsistent with this Act, that may be necessary to carry out and exercise its duties and powers under this Act.

142(1) A board or council may, by by-law, set fees and charges to be paid by applicants.

142(2) Fees and charges may relate to technical, administrative, professional, consultative or other services required by the municipality or planning district to examine and approve a subdivision application.

AND WHEREAS the Neepawa & Area Planning District Board deems it expedient, and in the public interest to pass a by-law to establish fees in respect of services rendered by an officer or employee of the Neepawa & Area Planning District;

NOW THEREFORE, the Neepawa & Area Planning District Board in session duly assembled enacts as follows:

APPLICATION:

1. All development undertaken within the limits of the Neepawa & Area Planning District shall be subject to the fees as set out in the Appendix A and B, and said Appendix A and B shall be used to determine and regulate fees and charges as administered by the Development Officer and payable to the Board.

DEFINITIONS:

1. **“Animal Confinement Facilities”** means an outdoor non-grazing area where livestock are confined by fences or other structures, and includes feedlot, paddock, corral, exercise yard, and holding area.
2. **“Board”** means the Neepawa & Area Planning District Board.
3. **“Building”** Means any structure used or intended for supporting or sheltering any use or occupancy and without restricting the generality of the foregoing, includes agricultural, residential, commercial and industrial structures, includes a well, pipe line, conduit, cut, excavation, fill, transmission line and any structure or erection, and part of any of those things and includes an addition or extension of any building and any type of chattel attached or installed to a building.

4. **“Building Permit”** means a permit issued by the designated officer and employee of the Neepawa & Area Planning District (namely, the Development Officer or Building Official) authorizing the construction or alteration of all or part of any building or structure, in accordance with the applicable Codes and Standards.

5. **“Code”** means the building construction code or standard adopted under the *Buildings and Mobile Homes Act*, as amended. (All building requiring “Building Permits” fall under the classification of either Part 3 or Part 9 of the Manitoba Building Code. Typically buildings and structures classed as *Farm Buildings* are not regulated by the Manitoba Building Code.)

6. **“Designated Officer”** means an officer of a planning district who is designated to carry out a power or responsibility in accordance with the *Planning Act* or any other Act where designated, and is hereby named as the Development Officer of the Neepawa & Area Planning District.

7. **“Development Officer”** means an employee of the Board, who may also serve as the Chief Building Official for the Neepawa & Area Planning District, responsible for issuing permits, administering and enforcing the Building Code and applicable District and member municipal by-laws under authority of *The Planning Act*.

8. **“Development Permit”** means a permit issued by the authority of a member jurisdiction’s zoning by-law, authorizing development, and may include a building permit.

9. **“Farm Building/Structures”** means a building or structure which does not contain a residential occupancy and which is (a) associated with and located on land devoted to the practice of farming and (b) used essentially for the housing of equipment or livestock, or the production, storage or processing of agricultural and horticultural produce or feeds, such as barns, produce storage or processing of agricultural and horticultural produce or feeds, such as barns, produce storage buildings, milking centres, piggeries, poultry houses, grain bins, silos, machinery sheds, farm workshops, feed preparation centres, manure storages, greenhouses and garages not attached to a farm residence and (c) has Low Human Occupancy (as applying to farm buildings) means an occupancy having an occupant load of not more than one person per 40 square metres during normal use.

10. **“Home Occupation”**-means an occupation, trade, profession or craft such as but not limited to a hair salon, bed and breakfast operation, tea room, home day care operator, lawyer or accountant and similar uses which are carried on in or from a dwelling unit or its accessory building for consideration and which is clearly incidental or accessory to the principal use of the property.

11. **“Interim Occupancy Permit”** means authorization in writing to occupy any building or part thereof prior to full completion.

12. **“Occupancy Permit”** means authorization issued in writing pursuant to the applicable zoning regulations, to occupy or part thereof, in the District.

13. **“Private Pool”** means an artificially constructed basin, lined with concrete, fiberglass, vinyl or like material that is capable of containing a water depth greater than 60 cm (24 inches).

DEVELOPMENT APPLICATIONS

Calculations of fees for development applications and permits payable for the construction, erection, placement, alteration, reconstruction, demolition, removal, relocation, repair, or renovation of a building, structure or sign, occupancy of new buildings, occupancy and change of occupancy of existing buildings, shall be based in the following tables. Where applicable, value is determined by including costs of all materials, equipment, devices and labour to do the work to the completion of the project.

APPENDIX "A"

A.1 BUILDING PERMIT FEES:

- (a) For all items noted within this document as "Estimated Value", the issuance of a Building Permit for the construction, erection, placement, alteration, repair or renovation of a building shall be calculated as applying a base fee of \$75.00 plus \$8 per \$1000 of the total construction value.
- (b) Examination of plans and specifications: for the construction, erection, placement, alteration, repair or renovation of a building, other than a temporary building shall be \$.40 per \$1,000 of total valuation.
***Plan examination fees are not required for valuations less than \$120,000.00

A.2 AUXILLARY:

- | | |
|---|---|
| (a) Demolition, or removal, of any building (including auxiliary buildings) | \$75.00 |
| (b) Temporary Building Placement per month | \$15.00 |
| (c) Mobile Homes – Includes plumbing permit | \$325.00 |
| (d) Relocation of RTM and Auxiliary Buildings
Plus required permits for site work (Foundation, Decks, Plumbing) | \$325.00 |
| (e) Swimming Pools | \$150.00 |
| (f) Basement Finishing | \$100.00 |
| (g) Lot Grading Permit (Town of Neepawa) | \$75.00 |
| (h) Sign: Attached to buildings, freestanding, mobile
Commercial billboards | \$75.00
\$200.00 |
| (i) Establishment of a home based business
(Plus Zoning and Building permits as required) | \$75.00 |
| (j) All farm buildings (except residences and garages)
(Structures up to 600 M2 Require a development permit only) | \$150.00 |
| Structure up to 600 M2 | |
| Structures greater than 600 M2 | Based on construction value @ 1% of first
\$1,000,000 & .6% on value of work
greater than \$1,000,000 |

A.3 READY TO MOVE HOMES/BUILDINGS (RTM)

- (a) RTM buildings from outside the Planning District shall be inspected by the authority having jurisdiction for that District and a copy of the Inspection report and permit application shall be provided. Permit application fees will be required for work done on the permanent site;
- (b) Where there is no such authority, the inspection shall be carried out by the Neepawa & Area Planning District Development Officer. The Inspection fees plus mileage shall be at the expense of the purchaser in accordance with Section A.6.

A.4 PLUMBING PERMIT FEES

- (a) Minimum permit fee (up to 3 fixtures) or connection to sewer or main building drain, installation of a sump, grinder pump, back water valve, grease interceptor or similar device \$45.00
- (b) Each Rough in and installed fixture over the first 3 \$15.00 per Fixture
- (c) Each installation of a floor drain \$15.00 per fixture

A.5 INTERIM OCCUPANCY/OCCUPANCY

- (a) Subject to part A.6, where the nature of the occupancy is changed and where no other permit is required, the fee for an occupancy/interim occupancy permit shall be \$75.00
- (b) Interim as per the building by-law \$75.00
- (c) Occupancy as per the building by-law \$75.00

A.6 INSPECTION FEES

- (a) Where an inspection of a building, structure, or plumbing system etc., other than an inspection following the issuance of a permit, is requested and conducted during regular office hours, the fee shall be \$75.00 per hour or fraction thereof, plus travel expenses;
- (b) Where the inspection referred to in this section is conducted outside the Planning District, the fee shall be \$90.00 per hour or fraction thereof, plus travel expenses.
- (c) Travel expenses for item listed above: as per current mileage and meal charges set by the Neepawa & Area Planning District Board.

A.7 PERMIT REFUND

Whenever a permit is revoked or surrendered for cancellation within six months of obtaining the permit, a refund of the fees paid shall be made after deducting the first 20% of the initial permit fee plus \$75.00 for each inspection made.

A.8 PENALTY FEES

- 8.1 When notification has been issued where a Development/Building Permit has not been obtained prior to the commencement of the actual work, through neglect or for some other reason, a surcharge of \$75.00 shall be collected to cover additional administrative costs.
- 8.2 Where there is no compliance with the notice given under section 8.1 and where a Building Permit has not been obtained prior to the commencement of the actual work, through neglect, or for some other reason the **FEES SHALL BE DOUBLE THE NORMAL RATE**, and an additional surcharge of \$200.00 shall be collected to cover the additional administrative costs.
- 8.3 Where there is no compliance with the notice given under Section 8.2 and where Failure to obtain a permit results in prosecution, a restitution fee of up to \$1000.00 shall be collected.
- 8.4 When an inspection has been requested and the site work is not complete to either the satisfaction of the Building Official, or the progress is not satisfactory, or due to improper repairs and when an additional inspection is required, additional fees for the inspection as follows may be applied at the discretion of the Building Official:
 - Minimum fee of \$75.00
 - \$75.00 per hour or fraction thereof, plus travel expenses at the current rate prescribed by the Neepawa & Area Planning District Board depending on location of inspection
- 8.5 In all cases the required penalty fees shall be attempted to be collected by either adding the required penalties to the Building/Development permit fee or by directly billing the property owner. In the event that no permit is issued and penalty fees are not recovered within 120 days through direct billing, the total amounts owing the NAPD will be billed to the subsequent Town/Municipality to be recouped through property taxes, and shall be made payable to the Neepawa & Area Planning District within 30 days.

APPENDIX B - OCCUPANCY VALUATION SCHEDULE

B.1 RESIDENTIAL OCCUPANCY CLASS “C” MANITOBA BUILDING CODE

(a) Residential Dwellings		
I.	Main floor Including Foundation	\$75.00 base fee plus \$0.65 per sq.ft
	Additional Floors	\$0.30 per sq.ft
II.	Foundation only: Basements, crawlspaces, Structural slab, Grade Beam, Pier Type and similar foundations:	\$75.00 base fee plus \$0.35 per sq.ft
(b) Accessory Building and Structures		
I.	Residential Garages, carports over 108 Sq.ft (Attached or Detached)	\$75.00 base fee plus \$0.35 per sq.ft
II.	All other accessory buildings/structures over 108 sq.ft	\$75.00
III.	Location/Relocation of an existing building	\$0.30 per sq.ft
IV.	Structural /Non Structural Renovations & Repairs over \$5000.00	Estimated Value
V.	Decks or porches (Closed)	Estimated Value
VI.	Decks (open)	\$75.00
VII.	Solid Fuel Burning Appliances	\$100.00
VIII.	Mechanical heating Systems – New or Replaced	\$100.00
IX.	Solar System attached	Estimated Value
X.	Solar System Freestanding	Dev. Permit fee

B.2 BUSINESS & PERSONAL SERVICES, MERCANTILE & INDUSTRIAL OCCUPANCY CLASS D, E, F2, F3, and ALL PART 3 BUILDINGS AS IN N.B.C

(a) All B.2 occupancies	\$75.00 Base Fee & 1% of first \$1,000,000 & .6% on value of work greater than \$1,000,000
(b) Structural renovations/Repairs	Estimated Value
(c) Structural other than a, b	Estimated Value
(d) Electric Vehicle Charging Station	Dev. Permit Fee

APPENDIX C – MISCELLANEOUS FEES/CHARGES

C.1	Development Plan Amendment	\$800.00 plus advertising
C.2	Zoning Amendment	\$500.00 plus advertising
C.3	Zoning Amendment Appeal (Planning Board)	\$300.00
C.4	Appeal of an order to the Planning Board (by appellant)	\$50.00
C.5	Development Permit	\$150.00
C.6	Variation Order	\$350.00
C.7	Conditional Use Order	\$350.00
C.8	Conditional Use Order/Variation Order - Where are required for a single related development or land use application on the same site or parcel of land and where the hearing is combined the fee shall be:	\$450.00
C.9	Conditional Use – Intensive Livestock Operation	\$2000.00
C.10	Variation Order - Shelter Belts	\$50.00
C.11	Variation Order – (Minor variation) Development Officer	\$75.00
C.12	Zoning Memorandum	\$75.00
C.13	Zoning Confirmation letter	\$75.00
C.14	Fees for services - \$75.00 per hour or fraction thereof, plus travel expenses, for the Inspection and the writing of the report and any subsequent time spent on the Administration of the file until completion or closing of the file.	

3% charge on all accounts over 30 days.

*** These are supported by member municipalities


That this By-law hereby repeals By-law No.119

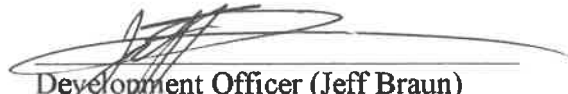
DONE AND PASSED by the Board of the Neepawa & Area Planning District in open session assembled in the Town of Neepawa in the Province of Manitoba this 20th day of March 2023

Received First Reading on this 27th day of February A.D. 2023

Received Second Reading on this 20th day of March A.D. 2022

Received Third Reading on this 20th day of March A.D. 2023


Chairperson


Development Officer (Jeff Braun)