

**BY-LAW NO. 2050-11
OF
THE CITY OF WINKLER**

Being a By-Law of the City of Winkler to provide for the requirement of building permits for construction within the City of Winkler and for the enforcement of The Manitoba Building Code, to be known as the "Building Permit By-Law".

WHEREAS The City of Winkler is empowered by The Buildings and Mobile Homes Act, RSM 1987, c.B93 to, by by-law, adopt The Manitoba Building Code;

AND WHEREAS it is deemed expedient and in the public interest to adopt the said Code and establish such standards;

AND WHEREAS the City of Winkler must ensure that all construction does comply with building safety and property standards.

NOW THEREFORE the Municipal Council of the City of Winkler, in meeting duly assembled, enacts as follows:

1. That no person shall work or authorize or allow work to proceed on a project for which a permit is required unless a valid permit exists for the work to be done.
2. The building permit must be posted in a conspicuous location at the building site.
3. No permit shall be issued until the Authority having jurisdiction is satisfied that it has received all necessary information to justify the issuance of such permit.
4. All work being carried out under a permit issued prior to the effective date of the Code shall be completed in accordance with the previous Code requirements and any special conditions described on the permit and approved plans. If work does not proceed at a satisfactory rate, in the opinion of the Authority having jurisdiction, the permit may be cancelled.
5. No person shall deviate from the approved plans and specifications forming a part of the permit, or omit or fail to complete, prior to occupancy, work required by the said approved plans and specifications without first having obtained written permission from the Authority having jurisdiction to do so.
6. A building permit is **not** required for the construction of accessory buildings ten square meters or less in size or for yard fences.
7. Any person who contravenes, disobeys, refuses or neglects to obey any provision of the Code or this by-law or any provisions of any other by-law that, by this by-law, is made applicable to the

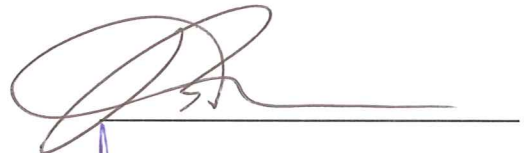
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municipality is guilty of an offense and liable, on summary conviction, to a fine of \$200.00 and, if not paid within seven days, will double to \$400.00.

8. The prior stated fine is applicable separately to both the property owner authorizing the construction without a building permit and the builder or contractor.
9. In addition to the prior stated fine(s), any work completed without first obtaining a required building permit will result in a doubling of the applicable building permit fee.
10. In the event of a second contravention of this by-law by an individual or business, whether the property owner of the construction location or a builder or contractor, the previous stated fine would increase to an initial fine of \$1,000.00 and, if not paid within the stated seven days, would then result in a \$200.00 late penalty for a total of \$1,200.00.
11. Any fine levied that is not paid to the City of Winkler within two months from the date of issue, will be added to the resident's property taxes.
12. In the event of a third contravention of this by-law by an individual or business, City Council retains the right to cancel or suspend the offender's business license for operations within the City of Winkler.
13. City Council retains the right to require and order the removal of a construction project that is in contravention of this or other City By-Laws or requirements.
14. This by-law shall come into full force and take effect upon the passage thereof.

DONE AND PASSED in Council assembled in Council Chambers, in Winkler, Manitoba,

this 27th day of SEPTEMBER A.D. 2011.



Mayor



City Manager

READ A FIRST TIME this 13th day of September A.D. 2011

READ A SECOND TIME this 27th day of SEPTEMBER A.D. 2011

READ A THIRD TIME this 27th day of SEPTEMBER A.D. 2011