

BYLAW NO. 3014

CONSOLIDATION OF A BYLAW OF THE CITY OF MEDICINE HAT concerning the issuance of permits for gasfitting work carried out in the City of Medicine Hat.

WHEREAS the City is an accredited municipality under the *Safety Codes Act* R.S.A. 1980 Chapter S-0.5 authorized to administer the Act with respect to the gas discipline;

AND WHEREAS Section 62 of the Act authorizes an accredited municipality to make bylaws

- (a) respecting fees for anything issued or any material or service provided pursuant to the Act, and
- (b) respecting the carrying out of its powers and duties as an accredited municipality;

NOW THEREFORE THE MUNICIPAL CORPORATION OF THE CITY OF MEDICINE HAT, IN COUNCIL ASSEMBLED, ENACTS AS FOLLOWS:

1. TITLE

This Bylaw may be referred to as the Gas Permit Bylaw.

2. DEFINITIONS

- (1) In this Bylaw:
 - (a) "Act" means the *Safety Codes Act* R.S.A. 1980, Chapter S-0.5 and all regulations made thereunder;
 - (b) "authorized person" means a Safety Codes Officer or any other person authorized to issue permits under this Bylaw by the Safety Codes Council established under the Act;
 - (c) "business day" means any weekday, Monday to Friday from 8:30 a.m. to 4:30 p.m., excluding any statutory holidays, civic holidays or other days on which the City's offices are closed;

- (d) "City" means the municipal corporation of the City of Medicine Hat, or the area contained within the boundary thereof, according to the context in which the word is used;
 - (e) "gasfitter" means an individual holding a valid and subsisting renewable certificate of proficiency issued under the Gasfitter's Certification Regulation (Alta. Reg. 149/79);
 - (f) "gasfitting work" means the installation, alteration, repair or maintenance of or addition to a gas system or any portion thereof;
 - (g) "Manager" means the Manager of the Planning, Building and Engineering Services Department or any other person authorized in writing by the Manager to perform a function, power or duty of the Manager under this Bylaw;
 - (h) "plant gasfitter" means a gasfitter who performs gasfitting work exclusively on the premises of his employer;
 - (i) "Quality Management Plan" means the quality management plan approved by the Safety Codes Council for accreditation of the City in the gas discipline;
 - (j) "single family detached dwelling" means a single family detached dwelling as defined in the City of Medicine Hat Land Use Bylaw, Bylaw No. 2823;
 - (k) "work" means the construction, control or operation of a thing or the supervision, operation or undertaking of a process or activity.
- (2) Definitions in the Act apply to words used in this Bylaw that are not defined in this section.

3. REQUIREMENT FOR PERMIT

- (1) Subject to subsections (2) and (3), no person may carry out any gasfitting work in the City without first obtaining a permit to do so under this Bylaw.
- (2) No permit is required under this Bylaw for the following gasfitting work:

- (a) gasfitting work carried out by or on behalf of the City's Gas Utility Department;
 - (b) gasfitting work carried out in the manufacturing of mobile homes that are manufactured on a repetitive assembly line and that are subject to a quality assurance program acceptable to an Administrator;
 - (c) replacement of a gas dryer or gas range if there is no design change made to the gas piping or venting system; and
 - (d) connection of a replacement residential water heater or a residential heating appliance.
- (3) A person may carry out gasfitting work required in an emergency before obtaining a permit.
- (4) A person carrying out gasfitting work under subsection (3) must apply for a permit for the gasfitting work no later than the next business day after the work is completed.
- (5) Notwithstanding the provisions of clause (2)(b), no person may connect a mobile home to a gas supply without first obtaining a permit to do so under this Bylaw.

4. QUALIFICATION FOR PERMIT

A permit to carry out gasfitting work may be issued to the following persons:

- (a) a gasfitter;
- (b) the owner of a business employing a gasfitter;
- (c) a plant gasfitter for gasfitting work to be carried out exclusively on the premises of his employer;
- (d) an individual for the purpose of carrying out gasfitting work in a single family detached dwelling that the individual owns and lives in, or will live in, in the case of a single family detached dwelling that is under construction; or
- (e) a person who owns and operates a farm, for the purpose of carrying out gasfitting work on the farm.

5. APPLICATION FOR PERMIT

An application for a permit to carry out gasfitting work:

- (a) shall be made in writing on a form provided by the City;
- (b) shall be signed by the applicant or a person authorized in writing by the applicant to sign applications for permits on his behalf;
- (c) shall set forth:
 - (i) the address of the property where the gasfitting work is to be carried out;
 - (ii) the name of the owner of the property;
 - (iii) the name, address, phone number and telefax number of the applicant;
 - (iv) the qualifications of the applicant under Section 4;
 - (v) the existing use of the property and any proposed change in the use of the property upon completion of the gasfitting work; and
 - (vi) such other information required by an authorized person;
- (d) shall include such plans and specifications required by an authorized person; and
- (e) shall include the fees prescribed in Schedule "A" to this Bylaw, fees levied under the Act and any taxes that are required by law to be paid.

6. ISSUANCE OF PERMITS

- (1) A permit to carry out gasfitting work may be issued by an authorized person.
- (2) An authorized person may refuse to issue a permit if he is aware that:
 - (a) the gasfitting work will not comply with the Act;
 - (b) in the case of an addition or alteration, an existing gas system in or on the building or premises does not comply with the Act;
 - (c) incorrect information was submitted in or with the application for the permit;
 - (d) information submitted in or with the application is inadequate to determine whether the gasfitting work will comply with the Act;

- (e) previous gasfitting work carried out by or on behalf of the applicant is of a consistently poor standard and may result in unsafe conditions; or
 - (f) gasfitting work performed under a previous permit did not comply with the Act and the applicant has not corrected the work.
- (3) An authorized person may impose conditions on a permit that are intended to ensure that the gasfitting work complies with the Act.
 - (4) No person to whom a permit is issued may interfere in any manner with a gas system under the control of the City's Gas Utility Department.

7. ANNUAL MAINTENANCE PERMITS

- (1) An annual maintenance permit may be issued by an authorized person to a plant gasfitter.
- (2) An annual maintenance permit entitles a plant gasfitter to carry out gasfitting work on his employer's premises consisting of routine maintenance, minor repairs or minor alterations.
- (3) A plant gasfitter holding an annual maintenance permit shall maintain a log of all minor repairs and minor alterations carried out pursuant to the annual maintenance permit and shall make the log available for inspection by a Safety Codes Officer at all reasonable times.

8. GENERAL PROVISIONS

- (1) A permit issued under this Bylaw is not transferable without the written consent of the Manager.
- (2) A permit issued under this Bylaw expires:
 - (a) if the gasfitting work is not commenced within 180 days of the issuance of the permit; or
 - (b) if no work is carried out under the permit for a period of 180 consecutive days.

- (3) Upon written application made prior to the expiry of a permit, the Manager may extend a time period referred to in subsection (2) for one additional 180 day period.
- (4) A person holding a permit other than an annual maintenance permit may apply to the Manager for a refund of the repayable portion of the permit fees if:
 - (a) no work has been carried out under the permit; and
 - (b) the application for a refund is made within 90 days of the date of issuance of the permit.
- (5) For purposes of subsection (4), the repayable portion of the permit fees shall be the amount of the fees prescribed in Schedule "A", less 20 per cent or the minimum fee payable under Schedule "A", whichever is greater.
- (6) A Safety Codes Officer may, by written notice sent or delivered to the applicant at the address or telefax number on the application, cancel or suspend a permit if he is aware that:
 - (a) in the case of an addition or alteration, an existing gas system in or on the building or premises does not comply with the Act;
 - (b) incorrect information was submitted in or with the application for the permit;
 - (c) information submitted with the application is inadequate to determine whether the gasfitting work complies or will comply with the Act;
 - (d) the gasfitting work for which the permit was issued does not or will not comply with the Act or the permit or any condition thereof; or
 - (e) the permit was issued in error.
- (7) A person holding a permit shall ensure that a copy of the permit and all plans and specifications with respect to the gasfitting work are:
 - (a) kept in or on the building or premises where the work is to be carried out; and
 - (b) made available for inspection by a Safety Codes Officer at all reasonable times.

- (8) No person may deviate or authorize a deviation from any plans or specifications submitted in or with an application for a permit without first obtaining the written permission of a Safety Codes Officer.
- (9) An authorized person may require a person applying for a permit to provide information reasonably required to substantiate the fees payable pursuant to Schedule "A" to this Bylaw.
- (10) A permit holder shall notify the Department when the gasfitting work is at a stage where an inspection is required under the Quality Management Plan.
- (11) Fees prescribed for services provided by the City in addition to the issuance of permits are set out in Schedule "A" to this Bylaw.
- (12) Neither the issuance of a permit nor the inspection and approval of gasfitting work by the City shall relieve the applicant or any other person who is at law responsible for the gasfitting work from his responsibility to carry out the work or ensure that the work is carried out in compliance with the Act.

9. OFFENCES

A person who does any act or thing in contravention of a provision of this Bylaw or who omits to do any act or thing that he is required to do by a provision of this Bylaw is guilty of an offence and liable upon summary conviction to pay a fine of not less than one hundred dollars or to be imprisoned for a period of not less than three consecutive days in default of payment of the fine.

10. TRANSITIONAL

This Bylaw does not apply to any permits issued by the Province prior to the coming into force of this Bylaw.

11. COUNCIL'S INTENTION

It is the intention of the Council of the City that if any provision of this Bylaw is declared invalid by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

12. COMING INTO FORCE

This Bylaw shall come into force at the beginning of the day that it is signed and passed.

READ A FIRST TIME in open Council on December 4, 1995.

READ A SECOND TIME in open Council on December 18, 1995.

READ A THIRD TIME in open Council on January 8, 1996.

SIGNED AND PASSED on April 15, 1996.

I HEREBY CERTIFY THAT this is a true and correct copy of Bylaw No. 3014 consolidated pursuant to section 69 of the *Municipal Government Act* RSA 2000 c. M-26 to incorporate all subsequent amendments thereto, printed under the authority vested in me by the said section 69 and by City of Medicine Hat Bylaw No. 1957.

CERTIFIED THIS _____ DAY OF _____, 20____.

LARRY P. GODIN, MMC
MUNICIPAL SECRETARY AND CITY CLERK
CITY OF MEDICINE HAT

SCHEDULE "A"
AS AMENDED BY BYLAW #3880
FEBRUARY 18, 2009

	Effective February 19 2009	Effective January 1 2010	Effective January 1 2011
GAS PERMITS			
Residential service connection (single family or duplex)- two outlets or less requiring a meter	\$50.00	\$52.50	\$55.00
Each additional fixture	\$29.00	\$30.00	\$31.00
Temporary installation	\$50.00	\$52.50	\$55.00
Appliance replacement	\$50.00	\$52.50	\$55.00
Extra Inspection	\$60.00	\$70.00	\$80.00
Minimum permit cost	\$50.00	\$52.50	\$55.00
Manufactured home connection	\$50.00	\$52.50	\$55.00
Gas fireplace - other than new home construction	\$50.00	\$52.50	\$55.00
Residential service connections over two dwelling units, commercial and industrial			
Less than 100,000 BTU	\$60.00	\$67.50	\$75.00
100,001 to 200,000 BTU	\$100.00	\$105.00	\$110.00
200,001 to 400,000 BTU	\$130.00	\$135.00	\$140.00
400,001 to 1,000,000 BTU	\$180.00	\$185.00	\$190.00
1,000,001 to 2,000,000 BTU	\$260.00	\$265.00	\$270.00
\$100.00 for each 1,000,000 BTU or portion thereof	\$100.00	\$105.00	\$110.00
Commercial or industrial appliance replacement			
Re-inspection fee	\$55.00	\$65.00	\$70.00
	\$60.00	\$70.00	\$80.00
Propane tanks			
300 litres or more	\$50.00	\$52.50	\$55.00
Temporary propane connection	\$50.00	\$52.50	\$55.00
Propane filling plant	\$105.00	\$105.00	\$105.00
Extra inspection	\$60.00	\$70.00	\$80.00
Replace metal chimney or liner	\$50.00	\$52.50	\$55.00
Gas system piping repair	\$50.00	\$52.50	\$55.00
Extra inspection	\$60.00	\$70.00	\$80.00

NOTE: FEES ARE DOUBLED IF WORK COMMENCES WITHOUT A PERMIT

PERMIT RENEWALS - the cost of renewing a permit is one half of the original permit cost, but not less than minimum permit value

There is a 3.5% Safety Codes fee added to the cost of each permit (minimum \$4.00 - maximum \$500.00)