

Town of Portugal Cove-St. Philip's

Policy on Occupancy Permits

Pursuant to the authority conferred by sections 407 and 414 of the Municipalities Act, 1999 the Town Council of Portugal Cove-St. Philip's has adopted the following policy and regulations on the 11th day of January, 2005.

1. Title

This document will be known and cited as the *Policy on Occupancy Permits*.

2. Application

This policy shall apply to all requests for occupancy permits relating to properties within the Town of Portugal Cove-St. Philip's.

3. General

3.1 Council has adopted the National Building and Fire Codes of Canada and requires that all building construction comply with these codes. However, due to lack of resources building inspections are not carried out, prior to the issuance of an occupancy permit.

3.2 The occupancy permit generally indicates that the new building is now completed. To ensure compliance to the adopted codes, the Town requires the following:

- Signed Electrical Certificate of Release;
- Signed Plumbing Certificate of Release;
- Signed National Building and Fire Code Certificates of Release;
- Certificate of Approval from Government Services (if applicable); and
- Final Approval Certificate from Government Services (if applicable).

3.3 The Planning Department undertakes the review and issuance of the Town's Occupancy Permit.

3.4 An occupancy permit shall include a reference to a disclaimer clause. The disclaimer clause shall be included within the revised building and development application form. The applicant and property owner shall sign the disclaimer.

3.5 Declaration Statement

In the province of Newfoundland and Labrador, do solemnly declare that the statements herein contained in this application are true and made with a full knowledge of the circumstances connected with the same that the location survey and plot plan submitted correctly sets out the location of the development described in the said application. I agree to comply with all the Town Regulations, agree to develop in accordance with the plans approved by the Town, and not to commence development without the applicable written approval and/or permit from the Town.

I also hereby submit this application and confirm that I have read the “DECLARATION” herein and that I clearly understand that any Compliance Letter and/or Occupancy Permit issued by the Town of Portugal Cove-St. Philip’s for the subject property above noted will be carried out by or for Council at the time of construction or any time thereafter. Furthermore, I understand that the responsibility of the original applicant or owner permit holder or any subsequent purchaser of the subject property. I also fully understand that the Town of Portugal Cove-St. Philip’s does not necessarily have fully up to date information respecting the subject property and no inspection of the subject property has been made as a result of a request for a compliance letter and/or occupancy permit.

4.0 Policy Procedure

4.1 The Planning Department receives a request for an Occupancy Permit. The request shall be accompanied by the following information;

- Electrical Certificate of Release;
- Plumbing Certificate of Release;
- National Building Code Certificate of Release;
- Certificate of Approval from Government Services;
- Final Approval Certificate from Government Services; and,
- Name and civic address of current registered property owner

4.2 The Planning Department reviews the information to determine if all documentation has been obtained.

4.3 Once all documentation has been received, the Planning Department undertakes the following review:

- Reviews the building and development processing check list;
- Check for the signing and dating of all required documentation;
- Review Government Services Final Certificates for any written directions to the property owner and/or the municipality.
- Review Municipal Administration Information System (MAIS) to determine the registered owner and civic address for the subject property.

4.4 Once all necessary documentation has been obtained and reviewed the occupancy permit shall be issued to the property owner.

4.5 The Town of Portugal Cove-St. Philip’s designates the Town Planner and the Development Control Officer as the Municipal Officials responsible for processing of Occupancy Permits.

4.6 The Occupancy Permit is signed by the Town Planner, or in absence of the Town Planner, the Development Control Officer.

4.7 The Occupancy Permit fee, as adopted by Council, shall be paid at the time the building and Development Permit is issued. The applicant/owner shall be reimbursed a portion of the paid fee upon return of all pertinent documentation as required by the Town.

5. Date Effective

January 11th, 2005, Motion # 05-006

6. Penalties

If the dwelling is occupied without an occupancy permit the Town shall not reimburse any moneys. Furthermore, the Town prior to an Occupancy Permit being issued will still require all necessary documentation.

7. Repeals

This policy rescinds all previous policies on this subject matter.