

# *The Building and Accessibility Standards Administration Regulations*

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Chapter U-1.2 Reg 6 (effective May 16, 1997) as amended by Saskatchewan Regulations [93/98](#), [11/2001](#), [29/2001](#), [70/2001](#), [109/2002](#), [118/2004](#), [18/2005](#), [54/2005](#), [104/2005](#), [26/2007](#), [13/2009](#) and [40/2010](#).

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## CHAPTER U-1.2 REG 6

### *The Uniform Building and Accessibility Standards Act*

#### **Title**

**1** These regulations may be cited as *The Building and Accessibility Standards Administration Regulations*.

#### **Interpretation**

**2(1)** In these regulations:

- (a) **“Act”** means *The Uniform Building and Accessibility Standards Act*;
- (b) **“Building Code Training for Canadians”** means the program of home study courses developed as a partnership program of the Saskatchewan Building Officials Association Inc. and the Southeast Regional College;
- (c) **“Code”** means the edition and provisions of the National Building Code of Canada, including revisions, variations and modifications to it, declared to be in force pursuant to the Act and *The Uniform Building and Accessibility Standards Regulations*;
- (d) **“inspection”** means:
  - (i) the inspection of ongoing or incomplete building construction, materials of construction or building systems; or
  - (ii) the inspection of completed or existing building construction, materials of construction or building systems;

to ascertain whether the Act and *The Uniform Building and Accessibility Standards Regulations* have been or are being complied with;

(e) **“plan review”** means the examination of building drawings and related documents to ascertain whether they meet the requirements of the Act and *The Uniform Building and Accessibility Standards Regulations*.

**(2)** Subject to the Act, *The Uniform Building and Accessibility Standards Regulations* and these regulations, words, symbols and abbreviations defined in the Code apply to these regulations.

30 May 97 cU-1.2 Reg 6 s2.

## LICENSING OF BUILDING OFFICIALS

#### **Classes of licence**

**3** The following classes of licence are established:

- (a) Building Official Class 1, which entitles the holder to:
  - (i) complete plan reviews and inspections respecting residential buildings that contain one or two dwelling units; and

- (ii) take any action that a building official is authorized by the Act to take, respecting residential buildings that contain one or two dwelling units;
- (b) Building Official Class 2, which entitles the holder to:
  - (i) complete plan reviews and inspections respecting buildings that are within the scope of Part 9 of the Code; and
  - (ii) take any action that a building official is authorized by the Act to take, respecting buildings that are within the scope of Part 9 of the Code;
- (c) Building Official Class 3, which entitles the holder to:
  - (i) complete plan reviews and inspections respecting buildings that are within the scope of the Code; and
  - (ii) take any action that a building official is authorized by the Act to take, respecting buildings that are within the scope of the Code;
- (d) Building Official Temporary and Building Official Restricted, which entitle the holder to take any actions stipulated by the chief building official in the licence, but no others.

30 May 97 cU-1.2 Reg 6 s3.

**Application for licence**

4(1) Subject to subsections 9(2) and (3), a person who wishes to obtain a licence shall:

- (a) apply in writing to the chief building official on a form supplied by the department;
  - (b) provide evidence of qualification for candidacy, including information regarding education, training and employment required pursuant to section 5;
  - (c) provide evidence of having passed the appropriate examination described in section 6; and
  - (d) pay the appropriate fee set out in Table 1 of the Appendix.
- (2) Where any false or misleading statement is made in an application or evidence of qualification mentioned in subsection (1), the chief building official may disqualify the candidate from holding or applying for a licence for a period of one year from the date of disqualification.

30 May 97 cU-1.2 Reg 6 s4.

**Qualifications of candidates**

5(1) A person may be accepted as a candidate for a Building Official Class 1 licence if he or she has completed a minimum of two years of full-time work, or equivalent, in a related occupation and:

- (a) holds a diploma of technology in architecture, engineering, or a related program;

- (b) holds a Journeyman Certificate of Qualification in a designated trade, within the meaning of *The Apprenticeship and Trade Certification Act* and the regulations made pursuant to that Act, that is related to building construction;
  - (c) is an engineer or is eligible for registration as an engineer;
  - (d) is an architect or is eligible for registration as an architect;
  - (e) has a minimum of five years' experience as an inspector appointed pursuant to the Act before the coming into force of these regulations; or
  - (f) has completed the Building Code Training for Canadians Series I course.
- (2) The chief building official may accept a candidate for a Building Official Class 1 licence who does not meet the requirements of subsection (1) if satisfied, on the basis of an application submitted in writing, that the candidate has qualifications equivalent to those set out in subsection (1).
- (3) Any person who holds a valid Building Official Class 1 licence may be accepted as a candidate for a Building Official Class 2 licence.
- (4) Any person who holds a valid Building Official Class 2 licence may be accepted as a candidate for a Building Official Class 3 licence.

30 May 97 cU-1.2 Reg 6 s5.

#### **Examinations**

- 6(1) The examination for a Building Official Class 1 licence is to consist of questions relating to the Act, regulations pursuant to the Act, and provisions of the Code respecting residential buildings that contain one or two dwelling units.
- (2) The examination for a Building Official Class 2 licence is to consist of questions relating to the Act, regulations pursuant to the Act, and provisions of the Code respecting buildings that are within the scope of Part 9 of the Code, with the focus on buildings within the scope of Part 9 of the Code other than buildings that contain one or two dwelling units.
- (3) The examination for a Building Official Class 3 licence is to consist of questions relating to the Act, regulations pursuant to the Act, and provisions of the Code respecting buildings that are within the scope of the Code, with the focus on buildings within the scope of Part 3 of the Code.
- (4) Every examination is to be a written examination.
- (5) Subject to subsection 8(2), a candidate for an examination shall pay the appropriate fee set out in Table 1 of the Appendix.

30 May 97 cU-1.2 Reg 6 s6.

#### **Passing grade**

- 7(1) To qualify for a licence, a candidate must receive not less than 80% of the total marks allotted for an examination.
- (2) An examination may be re-marked if the candidate requests a re-marking and, subject to subsection 8(2), pays the appropriate fee set out in Table 1 of the Appendix.

(3) A candidate who fails to receive 80% or more of the total marks allotted for an examination is not entitled to be examined again within three months after the date of writing the examination.

30 May 97 cU-1.2 Reg 6 s7.

**Examinations conducted other than by department**

8(1) On the recommendation of the chief building official, the department may arrange for examinations to be prepared, scheduled, held, marked and otherwise administered by an educational institution acceptable to the department, in lieu of having examinations administered by the department.

(2) When an educational institution administers examinations pursuant to subsection (1), no examination or re-marking fee is payable to the department, but the candidate is liable to pay any fee charged by the educational institution.

(3) The chief building official may accept successful completion of a Building Code Training for Canadians course as being the equivalent of successful completion of an examination pursuant to these regulations.

30 May 97 cU-1.2 Reg 6 s8.

**Issuance of licence**

9(1) The chief building official may issue a licence to a candidate who has complied with the requirements set out in these regulations.

(2) Notwithstanding any other provision of these regulations, the chief building official may issue a licence of an appropriate class to a person who was appointed by a local authority as an inspector pursuant to the Act before these regulations came into force, on receipt of:

- (a) a written request from the local authority that made the appointment;
- (b) satisfactory evidence of appointment and identity; and
- (c) payment of the appropriate fee set out in Table 1 of the Appendix.

(3) The chief building official may issue a licence of the appropriate class to a person who is a resident of another province or territory of Canada and who has not otherwise complied with these regulations if:

- (a) the minister has arranged with the appropriate authority of the province or territory for the granting of licences to its residents, and the province or territory will grant licences, certification or accreditation equivalent to a licence issued pursuant to these regulations to a resident of Saskatchewan;
- (b) the person possesses a licence, certification or accreditation in his or her territory that is equivalent to a licence issued pursuant to these regulations; and
- (c) the person has paid the appropriate fee set out in Table 1 of the Appendix.

30 May 97 cU-1.2 Reg 6 s9.

**Period, renewal and expiry of licences**

10(1) Except as otherwise provided in this section, a licence expires five years from the date of issuance of the licence unless it is renewed according to these regulations.

- (2) Where the holder of a valid licence has not paid the fee for the full five years of the term of the licence and does not, on or before December 31 in any year, pay the annual fee for the licence for the following year, the licence ceases to be valid on January 1 of the following year.
- (3) A Building Official Temporary licence expires on the date determined by the chief building official.
- (4) A licence issued pursuant to subsection 9(2) expires and becomes non-renewable on January 1, 2002.
- (5) Any person who wishes to renew a licence shall:
- (a) apply in writing to the chief building official on a form supplied by the department at least 15 days before the expiration of the licence;
  - (b) provide evidence of qualification for renewal required pursuant to subsection (7); and
  - (c) pay the appropriate fee set out in Table 1 of the Appendix.
- (6) Where any false or misleading statement is made in an application or evidence of qualification mentioned in subsection (5), the chief building official may reject the application.
- (7) To qualify for renewal of a licence, a candidate must hold a valid licence pursuant to these regulations, and:
- (a) provide evidence acceptable to the chief building official that the person has, during the period of the licence that is to be renewed:
    - (i) completed related training courses acceptable to the chief building official;
    - (ii) attended information sessions acceptable to the chief building official on changes to the Code;
    - (iii) been a member of a Code development committee acceptable to the chief building official; or
    - (iv) participated in other related activities that are acceptable to the chief building official; or
  - (b) provide peer and client references acceptable to the chief building official and relating to services performed during the period of the licence that is to be renewed.

30 May 97 cU-1.2 Reg 6 s10.

**Cancellation or suspension of licence**

11(1) Subject to subsection (2), the chief building official may cancel or suspend any licence issued pursuant to these regulations if satisfied that the licence holder:

- (a) made any false or misleading statement in an application or in presenting evidence of qualifications;
- (b) cheated on an examination or removed from the examination room any question or copy of a question given in an examination;
- (c) undertook to complete or completed work outside of the authorized scope of his or her licence;

- (d) has been convicted of an offence in connection with work performed under the licence; or
  - (e) performed any other action in connection with work performed under the licence that, in the opinion of the chief building official, is negligent or malicious.
- (2) The chief building official shall not cancel or suspend a licence until:
- (a) the licence holder has been notified in writing by registered mail of the chief building official's intent to cancel or suspend the licence;
  - (b) the licence holder has been given the opportunity to be heard by the chief building official regarding the cancellation or suspension; and
  - (c) 30 days have elapsed from the date of service of the notice issued pursuant to clause (a).
- (3) A notice issued pursuant to clause (2)(a) is deemed to have been served on the fifth day after it is mailed.

30 May 97 cU-1.2 Reg 6 s11.

**Advisory committees**

- 12(1)** The chief building official may establish advisory committees to:
- (a) assist in the development and revision of the program for licensing building officials;
  - (b) provide guidelines for the evaluation of candidates' experience and training;
  - (c) assist in the assessment of a candidate's past experience and training;
  - (d) assist in the development and revision of examinations;
  - (e) assist in the assessment of a candidate's activities to support renewal of a licence;
  - (f) assist in the assessment of educational institutions for the purpose of section 8;
  - (g) make recommendations respecting amendments to these regulations and new regulations; and
  - (h) make recommendations respecting any matter relating to the administration of these regulations.
- (2) The advisory committees must include:
- (a) at least one representative of the department;
  - (b) at least one representative of building officials;
  - (c) at least one representative of municipalities;
  - (d) at least one representative of the construction industry; and
  - (e) any other persons considered necessary by the chief building official.
- (3) A representative of the department is to be the chairperson of an advisory committee.

30 May 97 cU-1.2 Reg 6 s12.

**Fees**

**13(1)** The fee payable to the department for an examination, the re-marking of an examination, a licence or a duplicate of a licence is set out in Table 1 of the Appendix.

(2) The fee payable to the department for a Building Official Class 1 licence, a Building Official Class 2 licence or a Building Official Class 3 licence to be issued or renewed may be paid:

- (a) on an annual basis; or
- (b) for the full five-year term of the licence.

(3) The licence fee is payable in addition to any other fees provided for in any Act or regulation.

30 May 97 cU-1.2 Reg 6 s13.

## RESOLUTIONS OF RURAL MUNICIPALITIES

**Building standards applied**

**14(1)** The building standards prescribed pursuant to section 8 of the Act apply to all residences designed, constructed, erected, placed, altered, repaired, renovated, demolished, relocated, removed, used or occupied within the following rural municipalities on and after the dates specified:

- (a) The Rural Municipality of Edenwold No. 158 - March 7, 1990;
- (b) The Rural Municipality of Sherwood No. 159 - September 4, 1991;
- (c) The Rural Municipality of Wilton No. 472 - March 8, 1994;
- (d) The Rural Municipality of Corman Park No. 344 - May 1, 2001;
- (e) The Rural Municipality of South Qu'Appelle No. 157 - June 1, 2001;
- (f) The Rural Municipality of Paddockwood No. 520 - October 1, 2001;
- (g) The Rural Municipality of Buckland No. 491 - January 1, 2003;
- (h) The Rural Municipality of Prince Albert No. 461 - January 1, 2003;
- (i) The Rural Municipality of Blucher No. 343 - January 1, 2005;
- (j) The Rural Municipality of Estevan No. 5 - April 1, 2005;
- (k) The Rural Municipality of Moose Jaw No. 161 - July 1, 2005;
- (l) The Rural Municipality of Big River No. 555 - October 1, 2005;
- (m) The Rural Municipality of Canwood No. 494 - October 1, 2005;
- (n) The Rural Municipality of Rosthern No. 403 - February 15, 2007;
- (o) The Rural Municipality of Aberdeen No. 373 - February 16, 2009;
- (p) The Rural Municipality of Laird No. 404 - February 16, 2009;
- (q) The Rural Municipality of Loon Lake No. 561 - April 15, 2010;
- (r) The Rural Municipality of Meadow Lake No. 588 - April 15, 2010.

(2) On and after January 1, 1999, the building standards prescribed pursuant to section 8 of the Act apply to all residences, workshops, garages, machine sheds and barns designed, constructed, erected, placed, altered, repaired, renovated, demolished, relocated, removed, used or occupied within The Rural Municipality of Vanscoy No. 345.

(3) On and after February 15, 2007, the building standards prescribed pursuant to section 8 of the Act apply to all residential buildings and all workshops, garages, machine sheds and barns not used in the practice of farming that are designed, constructed, erected, placed, altered, repaired, renovated, demolished, relocated, removed, used or occupied within The Rural Municipality of Weyburn No. 67.

30 May 97 cU-1.2 Reg 6 s14; 24 Dec 98 SR 93/98 s2; 16 Mar 2001 SR 11/2001 s2; 25 May 2001 SR 29/2001; 5 Oct 2001 SR 70/2001 s2; 6 Dec 2002 SR 109/2002 s3; 17 Dec 2004 SR 118/2004 s2; 11 Mar 2005 SR 18/2005 s2; 10 Jne 2005 SR 54/2005 s2; 30 Sep 2005 SR 104/2005 s2; 27 Apr 2007 SR 26/2007 s2; 20 Feb 2009 SR 13/2009 s2; 16 Apr 2010 SR 40/2010 s2.

#### REPEAL AND COMING INTO FORCE

**R.R.S. c.U-1.2 Reg 3 repealed**

**15** *The Rural Municipalities Building Standards Resolution Regulations* are repealed.

30 May 97 cU-1.2 Reg 6 s15.

**R.R.S. c.U-1.2 Reg 4 repealed**

**16** *The Building and Accessibility Standards Enforcement Assistance Fees Regulations* are repealed.

30 May 97 cU-1.2 Reg 6 s16.

**Appendix****(Table 1)**

[Section 13]

**Examination and Licence Fees**

<i>Item</i>	<i>Fee</i>
Building Official Class 1, 2 or 3 examination .....	\$ 200
Building Official Class 1, 2 or 3 re-marking of examination ....	50
Building Official Class 1 licence .....	25 for one year, 75 for five years
.....	
Building Official Class 2 licence .....	25 for one year, 75 for five years
.....	
Building Official Class 3 licence .....	25 for one year, 75 for five years
.....	
Building Official Temporary licence .....	25
Building Official Restricted licence .....	25 per year
Duplicate licence .....	10

30 May 97 cU-1.2 Reg 6.

