

Municipality of Thorne

- Construction By-law -

No. 2002-005



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**CHAPTER 1 **DECLARATORY AND INTERPRETATIVE
DISPOSITIONS****

1.1 *TITLE OF THE BY-LAW*

The present By-law is the Construction By-law No. 2002-005. The interpretation and administrative rules of the Planning By-laws regulating the present By-law are found in By-law No. 2002-002.

1.2 *OBJECTIVES*

This By-law specifies the construction standards that are applicable and regulated by the Municipality within the boundaries of its territory

1.3 *SUBJECTED TERRITORY*

The present By-law, of which the provisions are imposed to individuals as well as to legal persons of public right or of private right, applies to the entire territory under the jurisdiction of the Municipality of Thorne.

1.4 *REPLACED BY-LAW*

The By-law stated hereafter and including its amendments are abrogated and replaced by the present By-law:

Construction By-law of the Municipality of Thorne number 90-004 and its amendments;

Are also abrogated, all other regulatory provisions incompatible with the present By-law;

Such replacements do not however affect procedures instituted under the authority of the By-laws hereby replaced, of which will proceed under the authority of the said replaced By-laws until final judgment and execution. Also, they do not affect the permits delivered under the authority of the By-laws hereby replaced.

1.5 *AMENDMENTS*

The provisions of this By-law cannot be adopted, modified or abrogated except by an approved By-law, in accordance with the applicable provisions of the Provincial Planning Act.

CHAPTER 2 ADMINISTRATIVE DISPOSITIONS

2.1 FIELD OF APPLICATION

The present By-law is **applicable**:

- To every construction, to every building and part of building.
- To every building damaged by fire, by an earthquake or any other factor for which work is required and to the reconstruction of the damaged areas of the building;
- To every building for which a dangerous condition exists within or in proximity and for which work is required to suppress this dangerous condition;

The present By-law is **not applicable**:

- To public work performed in a roadway;
- To poles and pylons owned by the Public Utility Service, to self-supporting structures or television transmission antennas, radio or other means of public utility telecommunication;
- To dams and hydroelectric constructions or flow regulators including mechanical equipment or others not mentioned specifically in this present By-law;
- In the case of seasonal dwellings, all of the requirements of the present By-law concerning permanent residences must be respected, **except** for thermal insulation standards and standards relating to foundations. Pillars supporting the buildings could be tolerated on the condition that these pillars are constructed in a manner as to withstand the effects of frost. As well, these exceptions must be detailed on the construction plan.

2.2 RESPONSIBILITIES OF THE OWNER

The owner is fully responsible to perform or to have performed all of the construction work in accordance with the Laws, standards or By-laws Federal, Provincial and Municipal.

CHAPTER 3 ARCHITECTURE

3.1 *EXTERIOR COVERING MATERIALS PROHIBITED ON A MAIN BUILDING*

The following exterior covering materials are prohibited on main buildings:

- Tar or mineralized paper or other similar papers;
- Asphalt shingles as a wall covering;
- Paper imitating or attempting to imitate stone, brick or other natural materials, in bundles, rolls, cardboard sheets or others;
- Rigid or thermal insulation materials or others;
- Plywood and sheets of pressed wood;
- Non architectural metallic panel

3.2 *EXTERIOR COVERING*

The exterior covering of every proposed building as shown on the construction plan submitted for approval, must be installed before the expiry of the building permit or of its renewal, if applicable.

3.3 *FORM OF BUILDINGS*

The transformation of a road vehicle into a building, including camper trailers, is not permitted on all of the territory of the Municipality. This also includes transportation vehicles of which certain parts have been removed, such as wheels, motor or others.

3.4 BUILDING IN THE FORM OF A HALF-CYLINDER

Is prohibited in all of the Municipality, having the general form of a horizontal half cylinder, defined as the walls and the roof forming a whole and of which the transversal cut is a continuous line, more or less circular or elliptic.

Farm buildings constructed on exploited agricultural land **are excluded** from this rule, but they must be built in accordance with trade practices.

3.5 BUILDINGS WITH COMBINED USES

In a building where we find a residential use combined to a use in the commercial category, each of the two uses must have a separate entrance (door). However, this rule is not applicable to a complementary residential use where the access to the housing unit and that of the commercial use, can be the same.

3.6 PROHIBITED INSTALLATIONS OR CONSTRUCTIONS

The use of railway cars, tramways, buses or any other disused vehicle of any nature is not permitted for any means.

3.7 TEMPORARY CONSTRUCTION OR INSTALLATION ON A CONSTRUCTION SITE

On a construction work site for which a building permit was issued and is valid, it is permitted to install, for the period of validity of the construction permit, a camper trailer, a commercial vehicle or a trailer.

3.8 ACCESS TO THE HOUSING UNIT

Each of the housing units must be accessible without having to go through another housing unit.

CHAPTER 4 SPECIAL DISPOSITIONS

4.1 OBSTRUCTION OF THE SIDEWALK OR OF THE PUBLIC ROADWAY

No door or gate, by opening, will obstruct in any manner either the sidewalk or the public roadway.

The Municipality can have removed at the owner's expense, stoops, stairs, porches, balustrades, decks, buildings or other constructions that encroach on the alignment of the road or obstructs the public roadway.

4.2 RETAINING WALL

In all cases deemed necessary by the designated officer, during the construction of a retaining wall having a height of one (1) meter or more at any given point, a plan prepared by an engineer or an architect can be requested. This plan must show, in a non restrictive manner, the topography of the existing ground, the modified ground, the elevation, the plan and a section of the proposed wall.

The use of tires is prohibited in the construction of retaining walls.

A safety fence must be installed at the summit of any part of a retaining wall giving onto a public roadway and exceeding a continuous height of two (2) meters, measured on the opposite side of the ground being retained.

When the designated officer deems that a retaining wall presents risks to public safety, he can request an engineer's certificate attesting to the stability of the retaining wall or request its demolition.

4.3 SNOW AND ICE

Every owner or occupant will be obligated to remove snow and ice from the roof of houses or other buildings constructed bordering a public road if this snow and this ice constitute a danger to the public.

4.4 DANGEROUS OR DETERIORATED CONSTRUCTION

When a construction is in a state such as to endanger the safety of persons, the required work to ensure the safety of the persons must be performed or the construction rendered inaccessible, upon observation of the dangerous state. All measures to protect public safety must be taken by the owner, at his costs; such measures can include the installation of barricades, intermittent lights, supports or guards.

Notwithstanding the application of temporary measures provided for in the second paragraph, a dangerous or deteriorated construction must be returned to its original state or demolished no later than ninety (90) days following the observation of the dangerous state.

4.5 DANGEROUS EXCAVATION

A fence of at least two (2) meters in height must be erected around the dangerous excavations or dangerous construction sites in order to prevent access by the public.

4.6 UNOCCUPIED, INCOMPLETE OR ABANDONED CONSTRUCTION

All unoccupied, incomplete or abandoned construction must be appropriately closed or barricaded as to prevent any accidents. In the case where work would be stopped, all incomplete construction must be appropriately closed or barricaded within thirty (30) days following this work stoppage.

4.7 MAINTENANCE OF THE BUILDINGS

Main buildings including their annexes must be kept in good order, repaired and painted when necessary.

4.8 PROHIBITED CONSTRUCTION

The use of railway cars, tramways, busses or any other disused vehicle or any of the same nature is prohibited for all purposes. Only trailers and motorized commercial vehicles manufactured for housing persons are permitted, but only on construction sites

CHAPTER 5 ABROGATIVE DISPOSITIONS

The present By-law abrogates all regulatory provisions of same and more specifically By-law No. 90-004 and its amendments.

CHAPTER 6 EFFECTIVE DATE

The present By-law will come into force following the accomplishment of all formalities provided by the Law.

GIVEN AT THORNE, QUÉBEC this 4th day of February 2003.

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Ross Vowles,
Mayor

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Robert Charette,
Secretary-Treasurer

Date of adoption of draft By-Law : July 9, 2002
Date of adoption of By-Law : February 4, 2003
Reception date of conformity certificate: September 2,2004