

**MUNICIPALITY OF CROWSNEST PASS**  
**BYLAW NO. 1150, 2023**  
**SAFETY CODES PERMIT BYLAW AMENDMENT – NUISANCE GROUNDS**

**BEING** a bylaw of the Municipality of Crowsnest Pass in the Province of Alberta, to amend Bylaw No. 946, 2016, being the municipal Safety Codes Permit Bylaw, in accordance with and pursuant to the provisions of the Safety Codes Act of Alberta, as amended, relative to the bylaw making powers of a municipality to regulate the form, content and costs of permits for the use, occupancy, relocation, construction or demolition of buildings as well as for the cost of permits for electrical, gas, plumbing and private sewage disposal system installations.

**WHEREAS** the Legislature of the Province of Alberta has passed the Safety Codes Act, Chapter S-1, Revised Statutes of Alberta 2000, as amended;

**AND WHEREAS** the Municipality of the Crowsnest Pass is an accredited Municipality with the Safety Codes Council;

**AND WHEREAS** pursuant to section 66 of the Safety Codes Act, the Municipality of the Crowsnest Pass as an accredited municipality may make Bylaws:

- (a) respecting minimum maintenance standards for buildings and structures, and
- (b) respecting the carrying out of its powers and duties as an accredited municipality.

**AND WHEREAS** the Council of the Municipality of Crowsnest Pass determines it prudent to establish standards and best practices for the construction of a residence within 300 metres of former nuisance grounds (Area of Potential Environmental Concern), it wishes to amend the Safety Codes Permit Bylaw accordingly.

**NOW THEREFORE**, under the authority of and/or subject and pursuant to the provisions of the Safety Codes Act, Chapter S-1 and the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended, the Council of the Municipality of Crowsnest Pass in the Province of Alberta duly assembled does hereby enact the following bylaw amendments:

1. Under “15 BUILDING PERMITS”, add new sections 15.13, 15.13.1 and 15.13.2 as follows:

“15.13 The Municipality’s Land Use Bylaw identifies an Overlay District that establishes standards and best practices for the development of a residence, school or hospital within 300 metres of existing nuisance grounds as identified in an environmental overview report. Pursuant to Section 66(2)(a) of the Safety Codes Act the Municipality hereby requires the following:

- 15.13.1 In reviewing plans and making a decision on a Safety Codes Permit application for the construction of an addition with a basement to an existing residence, or the construction of a new residence with a basement, or the construction of a school or hospital, on land that is located within the areas identified in the Land Use Bylaw “Areas of Potential Environmental Concern Overlay District”, the Safety Codes Officer shall ensure that the plans submitted for the building permit application comply with the measures or construction specifications that may be recommended in a Phase II Environmental Site Assessment relative to the mitigation or prevention of contaminants or offsite gas migration (e.g. soil vapour barriers applied to the basement walls), subject to and in accordance with any applicable provisions and standards in the National Building Code – 2019 Alberta Edition.
- 15.13.2 This section does not apply to:
- 15.13.2.1 a building or structure that is deemed to not be a residence, school or hospital.
  - 15.13.2.2 an accessory structure associated with a residence, such as an outdoor space, an uncovered deck, a shed, or a garage.
  - 15.13.2.3 an addition without a basement to an existing residence or the construction of a new residence without a basement.”

2. Bylaw No. 946, 2016 is hereby amended.

3. Bylaw No. 1150, 2023 shall come into effect upon third and final reading hereof.

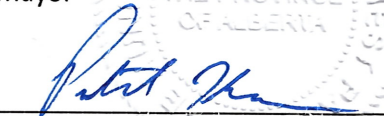
READ a **first** time in council this 16th day of May 2023.

READ a **second** time in council this 6th day of June 2023.

READ a **third and final** time in council this 6th day of June 2023.



Blair Painter  
Mayor



Patrick Thomas  
Chief Administrative Officer