

HALIFAX REGIONAL MUNICIPALITY

BY-LAW P-400

RESPECTING REGULATING THE INSTALLATION OF PLUMBING SYSTEMS

BE IT ENACTED by the Council of the Halifax Regional Municipality under the Authority of Section 7 of the Building Code Act, 1963, being Chapter 46 of the Revised Statutes of Nova Scotia, 1986, as follows:

- Short Title 1.1 This By-law shall be known as By-Law P-400 and may be cited as the “Plumbing By-law”.
- Scope 1.2 This By-law shall apply to the area of the former Halifax County Municipality and the Town of Bedford.
- Definition 1.3 In this By-law
- (a) “Canadian Plumbing Code” means the 7th edition of the Canadian Plumbing Code, 1995, issued by the Associate Committee on the National Building Code of the National Research Council of Canada being also described as NRCC No. 23176;
 - (b) “Inspector” means the Plumbing Inspector of the Municipality designated as the authority having jurisdiction under the National Building Code.
 - (c) “Municipality” means the Halifax Regional Municipality;
 - (d) “National Building Code” means the 11th edition of the National Building Code of Canada, 1995, issued by the Associate Committee on the National Building Code of the National Research Council of Canada, being also described as NRCC No. 23174 and its Supplement being described as NRCC No. 23178;
 - (da) “non-profit organization” means:
 - (i) a society incorporated pursuant to the *Societies Act*, R.S.N.S.1989 c.435, as amended,
 - (ii) a non-profit association incorporated pursuant to *the Co-operative Associations Act*, R.S.N.S.1989 c. 98, as amended,

(iii) a non-profit association to which the *Co-operative Associations Act* applies,

(iv) a not-for-profit corporation incorporated pursuant to the *Canada Not-for-profit Corporations Act*, S.C. 2009, c. 23, and

(v) a non-profit organization otherwise incorporated pursuant to an Act of the Nova Scotia Legislature;

(e) “Owner” or “Property Owner” includes a person who is assessed for a property on the assessment roll for the Municipality;

(f) “Person” includes firm, co-partnership and incorporated company;

(g) “Plumbing System” means a drainage system, a venting system and a water system or parts thereof.

(ga) “registered Canadian charitable organization” means a charitable organization registered pursuant to the *Income Tax Act* (Canada) and the regulations made pursuant to that Act.

(h) “Stormwater” means the water from precipitation of all kinds and includes water from the melting of snow and ice, ground water discharge and surface water.

(i) "Stormwater system" means any method or means of carrying stormwater, including ditches, swales, pipes, sewers, drains, canals, ravines, gullies, retention ponds, streams, watercourses, floodplains, ponds, springs, creeks and, conduits;

Permit 1.4.1 (a) Subject to clause (b) of this Section, a person shall not construct, extend, alter, renew or repair any plumbing system without having first obtained a permit to do so from the Inspector.

(b) (i) A permit is not required when a fixture, valve or faucet is repaired or replaced, a stoppage cleared or a leak repaired, if no change to the piping is required.

(ii) A permit is not required by the Halifax Regional Water Commission for installing or laying water services in the Municipality. Such work by the Commission shall not require an inspection.

Application for a Permit 1.4.2 (a) An application for a permit shall be made on the form provided by the Office of the Plumbing Inspector.

(b) The application shall be signed by the owner of the premises on which it is proposed to do such plumbing work or by the authorized agent of the owner.

1.4.3 The application shall be accompanied by

(a) the proper fee; and,

(b) a specification or abstract of the proposed work, when requested by the Inspector; and,

(c) where the installation consists of more than five fixtures, and when requested by the Inspector:

(i) a plan that shows the location and size of each building drain and of each trap clean out or inspection piece that is on the building drain; and,

(ii) a section drawing that shows the size and location of each soil or waste pipe, trap and vent pipe.

Issuance of Permit 1.4.4 Where

(a) proper application under this By-law for a plumbing permit has been made; and

(b) the proposed work set out in the application conforms with this By-law and all other applicable laws; and,

(c) in the case where an application for a building permit is required, the building permit has been issued,

the Inspector shall issue a permit for which application is made.

1.4.5 Where a permit has been issued, no departure shall be made from the specification, abstract, plan or sectional drawing unless written permission has been obtained from the Inspector.

1.4.6 A permit, once issued, shall not be transferable.

Fees for
Permits

1.4.7 The fee for permits and inspections shall be as follows:

Permits

New Residential Construction to contain four units or less	\$50 per unit
Other multiple unit residential buildings	\$25 per unit
Additions or renovations to residential buildings (no new units)	\$25
Non-residential buildings	
-5 or less fixtures	\$25
-6 or more fixtures	\$50

1.4.7A. The fees set out in subsection 1.4.7 may be waived for residential developments undertaken by a non-profit organization or registered Canadian charitable organizations, providing all the following are satisfied:

- (a) on the date the complete application is received by the Municipality, the applicant must have been registered as a non-profit organization or a registered Canadian charitable organization for a period of least 1 year;
- (b) the provision of affordable housing must be included in either the mandate, or programs and activities, of the non-profit organization or a registered Canadian charitable organization;
- (c) a minimum of 60% of the total gross floor area the development must be for a residential use;
- (d) the property that is the subject of the application must be solely owned by one, or a combination of, the following:
 - (i) the non-profit organization or the registered Canadian charitable organization,
 - (ii) the Municipality,
 - (iii) the Province of Nova Scotia,
 - (iv) the Government of Canada, or
 - (v) an agent of the Province of Nova Scotia or Government of Canada, including a Crown corporation; and

(e) on the date the complete application is received by the Municipality, the non-profit organization or registered Canadian charitable organization must have fully paid all taxes or all installments or all interim payments due to the Municipality.

1.4.8 Every permit is issued on:

- (a) the condition that the work is to be started within six months from the date of issuing of the permit;
- (b) the condition that the work is not to be discontinued or suspended for a period of more than one year; and,
- (c) such other conditions as the Inspector may deem advisable.

1.4.9 The Inspector may revoke permit where there is violation of

- (a) any condition under which the permit was issued, or
- (b) any provision of this By-law.

1.4.10 The property owner or authorized agent may request that the Inspector cancel a permit by written request to the Inspector.

1.4.11 Seventy-five percent of the permit fees shall be refunded upon cancellation of a permit, provided such cancellation occurs within twelve (12) months of the date of issue of such permit and work on the job has not started.

Fixtures 1.4.12 For the purpose of this Section, fixtures shall be those listed in Table 4.9.3 of the Canadian Plumbing Code, 1995.

Drainage 1.5.1 Subject to the other provisions of this Section, the owner of a building required by law to have plumbing system shall provide that the sanitary sewage plumbing system empty into a public sewer.

1.5.2 By permission of the Department of Environment (Health Services) and subject to the Land Use Bylaw, the owner may provide sanitary sewage plumbing system emptying into a private sewage disposal system, where a public sewer is not available.

1.5.3 The owner of a building shall provide a stormwater plumbing system separate from the sanitary sewage plumbing system to drain into an approved stormwater system.

1.5.4 The owner of a building shall provide the building with a drainage system to conduct

- (a) stormwater from the roof of a building, and
- (b) stormwater that enters the plumbing system to an approved stormwater system subject to AAn Act to Incorporate the Halifax Regional Municipality@ .

Access to 1.6.1 The Inspector may, at any reasonable time of the day, enter into any Inspect building, or premises for the purpose of inspecting, re-inspecting, testing or re-testing any part of the plumbing system in such building or premises or for otherwise performing his duty under this By-law, and any person refusing him admission into any building or part thereof, or into any premises, or obstructing him in the discharge of his duty therein, shall, for each such offense, be liable to a penalty not exceeding one hundred dollars per day and, in default of payment, to imprisonment for a period not exceeding seven (7) days.

Inspection 1.7.1 When it is reasonable, the applicant or the person performing the work on the plumbing system, shall be present on the job when the inspector is making an inspection.

Testing 1.7.1.1 Where a permit is required as described in Subsection 1.4, the system shall not be put into use until it has been inspected and tested to the satisfaction of the Inspector.

1.7.1.2 A piping system that has been fabricated off the site and that has been approved need not be retested except as may be required by Sentence 1.7.2.1 of this By-law, and Sentence 3.6.1.3, Sentence 3.7.1.3. and Table 4.9.3 of the Canadian Plumbing Code, 1995.

1.7.1.3 The owner or the owner=s agent shall notify the Inspector when the work is complete and ready to be inspected or tested at the following stages of construction:

- (a) Underground services before the basement floor is poured;
- (b) Rough-in of all plumbing systems before the installation of drywall or other framing covering;
- (c) Prior to occupancy of the structure.

1.7.1.4 The owner shall furnish any equipment, material, power or labour that is

necessary for inspection or testing.

1.7.1.5 If any part of a plumbing system is covered before it has been inspected and approved, it shall be uncovered in whole or in part as the Inspector so directs.

1.7.1.6 If any part of a plumbing system is not approved after it has been inspected or tested, the owner shall make any alteration or replacement that is necessary and the work shall be subjected to further inspection or testing.

1.7.2.1 The Inspector may inspect an existing plumbing system, and where there is reason to suspect that the system is not satisfactory, order it to be tested.

1.7.2.2 If any part of the system has become or is in a condition that it may become dangerous or injurious to health, the owner shall make any alteration or replacement ordered in writing by the Inspector.

Exhibits 1.7.3 No tests or inspections shall be required where the plumbing system or part thereof is set up solely for exhibition purposes.

Compliance 1.8.1 The issuing of a permit to do plumbing work in the Municipality, the approval of any accompanying plans and descriptions, and any inspection or inspections made by the plumbing inspectors, does not release the owner from the obligation to have the plumbing work done in full compliance with this By-law.

NBC 1.9.1 Parts 1 and 7 of the National Building Code shall be a part of this By-law.

Done and passed by Council this 27th day of May, A.D. 1997.

SIGNED

MAYOR

SIGNED

MUNICIPAL CLERK

BY-LAW P-400

Notice of Motion:	March 4, 1997
First Reading:	March 18, 1997
ANotice of Intent@ Publication:	April 19, 1997
Second Reading:	May 20, 1997
Third Reading:	May 27, 1997
Approval of Minister of Housing & Municipal Affairs:	N/A
Effective Date:	May 31, 1997

Amendment # 1 (V-101)
Section 1.10.1 repealed

Notice of Motion:	August 19, 2003
First Reading:	August 26, 2003
ANotice of Public Hearing@ Publication:	September 6, 2003
Second Reading:	September 23, 2003
Approval of Service Nova Scotia and Municipal Relations	N/A
Effective Date:	September 27, 2003

Amendment # 2 (P-401)
- Added 1.3 (da), (ga), and 1.4.7A

Notice of Motion	September 22, 2020
First Reading:	September 30, 2020
Notice of Second Reading Publication:	October 24, 2020
Second Reading:	November 10, 2020
Approval by Minister of Municipal Affairs and Housing:	N/A
Effective Date:	November 14, 2020