



TOWN OF NIVERVILLE-DEVELOPMENT

POLICY NO. D5-15:	<u>SECURITY DEPOSIT POLICY</u>	
EFFECTIVE DATE:	<u>December 15, 2015</u>	RESOLUTION# <u>358-15</u>
REVISION DATE:	<u>July 19, 2016</u>	RESOLUTION# <u>201-16</u>
REVISION DATE:	<u>November 6, 2018</u>	RESOLUTION # <u>349-18</u>
REVISION DATE:	<u>February 15, 2022</u>	RESOLUTION # <u>43-22</u>
REVISION DATE:	<u>September 20, 2022</u>	RESOLUTION # <u>258-22</u>

A refundable security deposit fee will be charged on all new building permit applications (except accessory and renovation permits where staff discretion for requirement will apply) and other instances where a refundable security deposit is required for work in or near municipal infrastructure. Staff will consider factors including residency, service requirements and/or impact on property drainage. Any eligible security deposit will be refunded to the building permit applicant or agreement holder upon a satisfactory release being provided by the designated Niverville Engineering or Operations Department representative and the Niverville Building Inspector, subject to compliance within the required deadlines. Contractors or property owners need to apply to the Town in advance for permission to use public property for access/egress purposes.

Time Limit on Refund – The security deposit is forfeited when construction including all required inspections (both internal and external) are not satisfactorily completed by October 31st of the year specified on the Town of Niverville Security Deposit Form. Two one-year extensions are available at a cost of \$ 500.00 per year and must be applied for by October 15th (or first day following if a statutory holiday or weekend) of the year of expiration (only one extension is granted at a time). **No further time extensions will be considered and is not appealable to Council. It is the permit holder’s responsibility to allow enough time for correcting potential deficiencies when planning for their final inspections, to ensure that they are able to satisfactorily complete all required inspections before their permit deadline.**

This policy is applicable to all security deposits received by the Town.

Inspections by

- A. Engineer or Operations Department include (but not limited to):
 - a. assessing possible damages caused to the curbs, drainage ditches and street;
 - b. utility inspections;
 - c. lot and building elevations confirmed with engineered design (see Schedule “A” for list of required inspections); and
 - d. final landscaping and/or restoration requirements as per applicable agreement.

Due to seasonal weather challenges, **final inspections** by Operations & Engineering personnel **will only** be conducted between **May 1 and October 31**. Final inspections arrangements must be

made a **minimum** of 7 business days prior to October 31st. Building permit applicants (or contracting party) need to keep this in mind when working through the deadlines for receiving a refund for the Security Deposit.

The permit applicant (or contracting party) is the party who is responsible to arrange for final inspections with Operations/Engineering personnel and the Building Inspector, and this responsibility cannot be transferred to a third party.

Damages to municipal infrastructure will be repaired with cost being deducted from the security deposit. A statement outlining damages and repairs will be provided to the permit applicant. In the event the contractor desires to carry out the repairs to municipal infrastructure, arrangements with Engineering or Operations personnel will need to be made in advance of any work commencing. Engineering or Operations personnel will advise if a Town approved contractor must be used for the repairs. Repairs must be completed to the satisfaction of Engineering or Operations staff in their sole opinion.

In the event damages to municipal infrastructure amount to any dollar value greater than the security deposit, an invoice will be sent by the Town to the titleholder for additional fees plus an administration fee. This invoice must be paid within thirty (30) days of the invoice date otherwise it will be placed upon the property taxes of the property(s) in question. If the security deposit is forfeited by the applicant, the cost to remedy the outstanding deficiencies may be collected by the Town by adding them to the property(s) taxes of the property in question, and the titleholder and its successors in title will not object to the said addition.

Re-inspections - If a re-inspection is required due to: (1) non-compliance, (2) not ready for agreed inspection time or, (3) no-show by the builder/homeowner/permit or contract holder, the cost of the supplementary inspection will be charged as per the rates currently in effect with the fee being deducted from any eligible security deposit.

Missed inspections will be charged as per the rates currently in effect with the fee being deducted from any eligible security deposit.

Inspections by

- B. Building Inspector include:
 - a. inspections outlined on Schedule “C” (General); and
 - b. inspections outlined on Schedule “D” (Final).

Inspections must be satisfactorily completed within the required deadlines to be considered eligible for any refund of the security deposit. Occupancy permits will only be issued upon request.

All structure(s) must comply with the Manitoba Building Code and applicable municipal regulations.

Arrangements for final inspections by the Building Inspector must be made a minimum of 7 business days prior to the expiry of the building permit.

The permit applicant (or contracting party) is the party who is responsible to arrange for final inspections with Engineering or Operations personnel and the Building Inspector, and this responsibility cannot be transferred to a third party.

Re-inspections - If a re-inspection is required due to: (1) non-compliance, (2) not ready for agreed inspection time or, (3) no-show by the builder/homeowner, the cost of the supplementary inspection will be charged as per the rates currently in effect with the fee being deducted from any eligible security deposit.

Missed inspections – when work has been covered and the inspector is unable to perform or complete the required inspection as per the conditions of the issued permit, inspection fee will be charged as per the rates currently in effect with the fee being deducted from any eligible security deposit.

SCHEDULE A – Building Permit Security Deposit

NIVERVILLE OPERATIONS FINAL INSPECTION CHECKLIST

(initial)	(m/d/y)		
_____	_____	A	Sewer Inspection – grade slope 0.40% (2 inches over 5 feet)
_____	_____	B	Curb stop valve operational / set to final finish grade / accessible
_____	_____	C	Garage Pad Elevation – PRIOR to pouring of concrete in garage
_____	_____	D	Water meter successfully installed
_____	_____	E	Damages to road in front of residence have been repaired and mud removed (and on side for corner lots)
_____	_____	F	Damages to curbs have been repaired
_____	_____	G	All damages to public drain have been repaired.
_____	_____	H	Driveway – doweling into concrete curb with epoxy dowels
_____	_____	I	Driveway – width within Town allowances
_____	_____	J	Driveway – location of curb stop
_____	_____	K	Elevations – Final Grade landscaping (topsoil/sod)
_____	_____	L	Any damages to municipal infrastructure

_____ # of re-inspections, amount of time spent: _____ Date(s): _____

Invoice # _____

Date of Final Inspection _____

Inspector: _____

Legal Address _____

Civic Address: _____

Roll # _____ Permit # _____ Date Pulled _____

Applicant Name _____ Phone Number _____

Company Name _____ Deposit Amount \$ _____

SCHEDULE B – Building Permit Security Deposit

Inspections by Niverville Operations personnel relating to Building Permits as noted below require a minimum of 5 business days advance notice or as otherwise noted. Water meter installations and water service connections require a minimum of 3 business days advance notice.

All building permit applicants are required to contact Operations personnel for the following inspections:

- i. Sewer inspection to confirm line grade and proper sand backfill around the main connection prior to trench infill
- ii. Initial garage pad elevation grade – garage pad elevation will be marked on basement wall in the middle of the garage
- iii. Second garage pad elevation inspection – completed once foundation has been formed but prior to pouring of concrete.
- iv. Water meter installation & water service activation*** *Billing starts as soon as meter is installed****
- v. Prior to hard surfacing of driveway
- vi. Final lot grade elevations as per diagram provided at time building permit was obtained.

Due to seasonal challenges, final inspections by Niverville Operations personnel will only be conducted between **May 1** and **October 31**. Arrangements for all final inspections must be made a **minimum** of 7 business days prior to October 31st. Contact the Town @ 204-388-4600 ext. 1107 or email reception@whereyoubelong.ca during business hours (8:00 a.m. to 5:00 p.m. Monday through Friday) to arrange for your inspections from Operations personnel.

NOTE: Cost of additional inspections required due to (1) non-compliance, (2) not ready for agreed inspection time or, (3) no-show by the builder/homeowner/permit or contract holder, will be charged as per current rates in effect, with the fee(s) being deducted from the eligible Security Deposit. Missed inspections will be charged as per the rates currently in effect with the fee being deducted from any eligible Security Deposit. Damages to municipal infrastructure will have the cost for repair fee deducted from the Security Deposit unless the contractor has made arrangements to correct the damage as approved by Operations staff and completed said repairs to the satisfaction of Operations staff in their sole opinion. Damages in excess of the Security Deposit will be invoiced to titleholder and if outstanding after 30 days, invoice will be added to the property tax account. It is the building permit applicant’s responsibility to ensure that all required inspections are satisfactorily completed within the deadlines as noted in the Building Permit Security Deposit policy D5-15, or the deposit will be forfeited. A copy of Niverville’s Security Deposit Policy D5-15 is available upon request.

I, _____ as applicant for permit# _____ acknowledge

(please print)

that I have been provided the opportunity to read a copy of the Security Deposit Policy D5-15 and agree to be bound by those terms and conditions.

_____ Date _____
(Permit Applicant Signature)

SCHEDULE C

INSPECTION REQUIREMENTS

24 HOUR NOTICE (except for Final/Occupancy inspection,
which requires a minimum of 7 business days advance notice)

	1	2	3	4	5	6	7	8	9	10
HOUSES & DUPLEXES	•	•	•	•	•	•	•	•	•	•
ATTACHED GARAGE		•	•				•	•		•
DETACHED GARAGE			•				•	•		•
ACCESSORY BUILDINGS							•			
ADDITIONS	•	•		•		•	•	•	•	•
RENOVATIONS							•			•
BASEMENT DEVELOPMENT							•			
READY TO MOVE						•	•	•		•
REPAIRS										•
REPAIR GARAGES/WORKSHOPS	•	•	•			•	•	•		•
WAREHOUSE		•	•			•	•	•		•

1. **Foundation** – prior to pouring concrete and all steel in place.
2. **Grade Beam** – prior to pouring and all steel in place.
3. **Garage Floor** – prior to pouring and all steel in place.
4. **Basement Floor** – drain pipe installed, base prepared and poly in place.
5. **Plumbing in Basement** – underground plumbing complete prior to covering up pipes.
6. **Plumbing on Main Floor** – prior to insulating.
7. **Framing** – when framing is complete and prior to insulating.
8. **Insulating and Poly** – insulation installed and poly caulked prior to covering walls
9. **Back Fill Inspection.**
10. **Final/Occupancy** – inspection requires a minimum of 7 business days advance notice – when all work is complete prior to occupancy.

Please contact the Building Inspector if discrepancies are found in the elevation information.
Any change in elevation requires prior approval from the Building Inspector.

**BUILDING INSPECTOR
BEN FUNK
204-371-6636 (cell)
funkben@gmail.com**

