

Building Matters

SETTING-UP A BUSINESS IN YOUR HOME – PART 2

What you should know about home-based businesses

Sherry Sparks

So you're ready to start your own business and consider your home to be the ideal spot? Whether you're already operating a business from home or are thinking about it, you need to be sure that you're meeting all safety, zoning and building code requirements.

This column on Home Occupations is the second part of a two-part column: the 1st part was published in February and outlined basic information with respect to proper zoning, permits, types of businesses, the general approvals process, etc. This second part deals with more specific issues regarding home occupations, such as: building requirements, building codes, fines, etc.

AM I MEETING THE PROPER BUILDING REQUIREMENTS?

If part of your plan involves some reconstruction to your existing property, you will need to meet the requirements outlined in the latest adopted edition of the National Building Code of Canada (NBCC).

For more information, we suggest you order a copy at the following address:

http://www.nationalcodes.ca/nbc/index_e.shtml, consult with a draftsman or contact the Building Inspection Office with specific inquiries

WHAT IF I NEED TO CONSTRUCT STAIRS TO ALLOW ACCESS TO MY HOME BUSINESS? ARE HANDRAILS NECESSARY?

If the homeowner requires a stair to be constructed for the operation of their home-based business, the stairs, including the handrail, guards and landings must be completed in accordance to the latest adopted edition of the NBCC. A Building Permit will be required and the permit value is \$7.50 per \$1000 worth of construction.

WHEN INSTALLING NEW PLUMBING FIXTURES, DO I NEED A BACKFLOW PREVENTION DEVICE?

Backflow prevention devices are required wherever cross-connection may occur or when your operation may have waste or potable water contamination considerations, when new plumbing fixtures are installed. (e.g. sink, toilet)

DO I NEED TO WORRY ABOUT FIRE SEPARATION BETWEEN FLOORS? WHAT ABOUT A BARRIER FOR NOISE?

A home occupation does not require that specific fire or sound separations be met, as it would if this was a full commercial application.

I HAVE A WASHROOM FOR CLIENTS' USE; DOES IT NEED TO BE EQUIPPED WITH BARRIER-FREE ACCESS?

In a normal application of commercial intent, barrier-free access and washrooms is always an important requirement but, again, as this is an allowance for you to operate in your own home, this is not a requirement that you will need to consider.

WHAT ARE THE BASIC BUILDING CONSTRUCTION VALUES?

Building construction fees will change effective April 1st, 2009 and they are as follows:

2009 Construction Value Increase:

- a) New Home construction - Main floor (from \$65 to \$85/sq ft)
- b) New Home construction - Second floor (from \$50 to \$55/sq ft)
- c) Basement (Exterior Walls Only)(\$10 /sq ft)
- d) Finished Basement including Interior partitions, flooring, ceiling, electrical) (from \$20 to \$25/sq ft)
- e) Addition - One flat rate of \$75 sq ft
- f) Garage – (from \$20 to \$25/sq ft)

UNDER WHAT CIRCUMSTANCES WILL THE BUILDING INSPECTION DEPARTMENT ISSUE AN ORDER? HOW WILL I BE NOTIFIED?

An order to comply is issued when it is confirmed that there is a violation of the City of Moncton Zoning By-Law (In the case of a home occupation violation). In most situations, an order is not issued right away. We have a procedure that we follow and the owner is approached first and/or a courtesy letter is sent. The order is only served to an owner as a last resort when compliance cannot be obtained.

ARE THERE EXTRA FEES OR FINES I SHOULD BE AWARE OF?

The fee for doing work without a building permit application is three times the normal fee of the building permit, after you have applied for your permit and the normal cost is assessed.

The fine for doing work without an approved building permit or completing the work not in compliance with the latest adopted edition of the National Building Code varies from \$140 to \$320. The owner is responsible to complete work in accordance to the latest adopted version of the National Building Code of Canada and to correct the violation.

This article has been published to provide you with some key information when it comes to setting-up a business in your home. By being well informed at an early stage, you'll be better equipped when it comes to meeting all safety, zoning and building requirements.

In last month's column, we informed readers that home-based businesses needed to apply for a Development zoning permit (PC) and a Building permit (BI). There are however specific exceptions that fall into a category of their own and as such, these home-based businesses need to meet additional regulatory requirements. Daycares and private schools fall into such a category and therefore, the topic of next month's column will focus specifically on daycares and private schools. The three types of "child care services" will be discussed as well as the Family Services Act that governs them.

The City of Moncton's Building Inspection department is responsible for safeguarding life, property, and public welfare by ensuring compliance to property and zoning by-laws, whether it is in the area of design, construction, or alteration of buildings.

Sherry Sparks is the director of Building Inspection for the City of Moncton. She holds a diploma in Civil Engineering Technology and a Bachelor of Science in Civil Engineering. Sherry has been working in the field for 27 years, is currently President of the New Brunswick Building Officials Association and became a fellow of Engineers Canada in 2008. For more information on building guidelines and permits, visit the Housing and Building section of our website (moncton.ca), e-mail questions to info@moncton.ca, or call 856-4375.