

# A Synopsis of Canon 4.6

June 2014

## Overview

This document outlines the necessary processes involved in building changes which are contemplated on real estate held by a parish church or the Diocese of Niagara. It is intended to support parishes in negotiating the necessary requirements of municipal and provincial law, as well as diocesan requirements, to protect the best interest of both the local parish and the Diocese of Niagara.

Canon 4.6 is the diocesan ecclesial law that governs when and how permission must be sought and obtained to erect, alter, make repairs, replacements or additions to a church-owned building. All church buildings and land are either the property of the diocese or are held in trust on behalf of the diocese.

The details of Canon 4.6 are specified in the next subsection, followed by guidelines that outline the process of obtaining approval to proceed with a building project, in both text (Section B) and flow charts (Section C). Parishes must follow these guidelines when they alter an existing building; construct a new building; make any kind of addition to an existing building (even a memorial); make capital repairs, replacements, emergency repairs; or undertake a project that does not require a building permit, but involves substantial cost or work. Please note that should a project require a building permit, exceed an estimated cost of \$15,000 or involve an encumbrance, then the project must involve full permission from the Episcopal Office.

*NB: This overview does not constitute all of the information necessary to complete a project.*

## Canon 4.6

"No church building shall be erected or altered, and no new work commenced on any real estate belonging to or held by the parish church or diocese without the written permission of the Diocesan Bishop. Municipal building permits will not be applied for until this permission is received.

Specific regulations related to procedures for approval of parish building projects and financing shall be set by the Bishop and Synod Council in consultation with those named in the regulations.

It shall be the duty of the Incumbent and Church Wardens to seek out, review and comply with current civil and ecclesiastical regulations governing the erection or alteration of church buildings, as well as complying with conditions contained within the Bishop's approval.

Any memorial gifts or donations of a permanent nature that affect the fixtures or fittings, fabric or structure of the church are considered to be alterations and will be subject to this Canon."

## The Bishop's Role

Canon 4.6 requires any parish planning new construction or any alteration, addition, or renovation of a building to obtain the Bishop's written approval before hiring an architect, planner, or contractor, and before applying for a municipal building permit. Before granting approval, the Bishop will consult with his/her advisors, including the regional Archdeacon, Finance Advisory Committee (FAC) and the Bishop's Advisory Committee on Church Buildings (BACCB). Further, the parish must have had a decennial inspection within the previous five years.

NOTE: The Bishop's words of encouragement do not constitute Episcopal approval for the work. Only the Bishop's written approval constitutes permission to proceed with any work.