

THE CORPORATION OF THE TOWNSHIP OF SABLES-SPANISH RIVERS

BYLAW NUMBER 2013 - 16

Being a Bylaw to Adopt a Code of Conduct  
for the Chief Building Official And Building Inspectors  
for the Township of Sables-Spanish Rivers

WHEREAS Section 7.1 (1) of the Building Code Act, 1992, as amended, requires municipalities to establish and enforce a Code of Conduct for chief building officials and inspectors;

AND WHEREAS the Council of the Corporation of the Township of Sables-Spanish Rivers considers it desirable and expedient to adopt a Code of Conduct;

AND WHEREAS the Code of Conduct will be available for public viewing on the Township's website or by attending the Municipal Office and requesting a copy of the Code of Conduct;

THEREFORE The Council of The Corporation of the Township of Sables-Spanish Rivers ENACTS AS FOLLOWS:

1. THAT the attached Code of Conduct for the Building Official and Inspectors is hereby adopted and shall form part of this Bylaw as Appendix 'A';
2. AND THAT this Bylaw shall come into full force and take effect on the day of the final passing thereof.

READ A FIRST AND SECOND TIME THIS 6th DAY OF May, 2013

  
MAYOR - L. GAMBLE

  
CLERK - K. SLOSS

READ A THIRD AND FINAL TIME AND PASSED IN OPEN COUNCIL THIS 6th

DAY OF May, 2013

  
MAYOR - L. GAMBLE

  
CLERK - K. SLOSS

## CODE OF CONDUCT FOR BUILDING OFFICIAL AND INSPECTORS

### 1. DEFINITIONS

- 1.1 "Act" shall mean the *Building Code Act, 1992, c.23*, as amended.
- 1.2 "Building Code" shall mean the Ontario Building Code, as amended.
- 1.3 "CBO" means the Chief Building Official and shall include any inspector appointed.
- 1.4 "Code" shall mean the Code of Conduct for the Chief Building Official.
- 1.5 "Council" means the Council of the Corporation of the Township of Sables-Spanish Rivers.
- 1.6 "Municipality" means The Corporation of the Township of Sables-Spanish Rivers.

### 2. INTRODUCTION

The Township of Sables-Spanish Rivers maintains this code of Conduct in accordance with the provisions of *The Building Code Act*. Building Officials undertake building certification functions that ensure the quality, structural integrity and safety of buildings. Building Officials are exposed to potential conflicts of interest because of the special powers conferred on them. The conduct and behaviour of The Township of Sables-Spanish Rivers Building Official reflects on the Building Department's commitment to the highest standards of professionalism, technical competence, skill, honesty, fairness and independence. Building Officials observe both the letter and the spirit of this Code of Conduct, as it pertains to situations that bear on their responsibilities.

### 3. PURPOSE

The purpose of this Code of Conduct is:

- 3.1 To promote appropriate standards of behaviour and enforcement actions by the Chief Building Official and Inspectors, in the exercise of a power or the performance of a duty under the *Act* or *Building Code*;
- 3.2 To prevent practices which may constitute an abuse of power, including unethical or illegal practices, by the Chief Building Official and Inspectors in the exercise of a power or the performance of a duty under the *Act* or the *Building Code*;
- 3.3 To promote appropriate standards of honesty and integrity in the exercise of a power or the performance of a duty under the *Act* or the *Building Code*, by the Chief Building Official and Inspectors.

### 4. STANDARDS OF CONDUCT AND PROFESSIONALISM

The Township of Sables-Spanish Rivers Chief Building Official shall undertake at all times to:

- 4.1 Act in the public interest, particularly with regard to the safety of building works and structures;
- 4.2 Maintain their knowledge and understanding of the best current building practice, the building laws and regulations relevant to their building certifying functions;
- 4.3 Act Commit themselves to a process of continuous education so as to constantly be aware of developments in building design, practices, and the law relevant to their building certifying functions;
- 4.4 Comply with the provisions of the *Building Code Act*, the Building Code and any other Act or Law that regulates or governs Building Officials or their functions;

- 4.5 Act in a professional manner to avoid situations where there may be, or where there may reasonably appear to be, a conflict between their duties to their clients, their profession, their peers and the public at large and their personal interests;
- 4.6 Not act beyond their level of competence or outside their area of expertise;
- 4.7 Apply all relevant building laws, regulations and standards impartially;
- 4.8 Not divulge any confidential or sensitive information or material, except in accordance with laws governing freedom of information and protection of privacy;
- 4.9 To, at all times, abide by the highest moral and ethical standards and avoid any conduct which could bring or tend to bring Building Officials into disrepute;
- 4.10 Extend professional courtesy to all;
- 4.11 Not act outside their level of competence or outside their area of expertise;
- 4.12 Exemplify compliance with all regulations and standards that govern building construction, health & safety or other matters related to their status as a building official.

## **5 GUIDELINE FOR RESPONDING TO MISCONDUCT ALLEGATIONS**

- 5.1 The *Building Code Act* provides that the performance of Building Officials will be measured against this Code of Conduct.
- 5.2 Contraventions of the Code are a serious matter. In response to any written allegation of a breach of this Code, the Council (or designate) will direct the investigation and make such recommendations as are reasonable.
- 5.3 In determining the appropriate discipline, the Council will have regard to the relevance of the conduct to the Chief Building Official's powers and responsibilities as well as the severity of any misconduct.
- 5.4 Disciplinary Action arising from violations of this Code of Conduct, is the responsibility of the Council (or designate) of the Township of Sables-Spanish Rivers and is subject to the Corporation of The Township of Sables-Spanish Rivers Working Conditions Policy By-Law 2009-33 and the employment laws and standards of Ontario.

## **6 PUBLIC NOTICE**

This Code of Conduct shall be brought to the attention of the public in the following manner:

- 6.1 Posting on the Township of Sables-Spanish Rivers website;
- 6.2 Public viewing by attending at the Township Office and requesting a copy.