

THE CORPORATION OF THE TOWNSHIP OF DRUMMOND/NORTH ELMSLEY

BY-LAW NO. 2019-016 Building By-law

BEING a by-law of the Corporation of the Township of Drummond/North Elmsley respecting the administration and enforcement of the Ontario Building Code Act respecting the construction, renovation or any change of use of buildings and designated structures.

WHEREAS Section 7 of the Building Code Act, 1992, S.O. 1992, Chapter 23, as amended, empowers Council to pass certain by-laws respecting construction, demolition and change of use permits and inspections;

AND WHEREAS under Section 3 (1) of the Building Code Act, 1992, S.O. 1992, Chapter 23, Councils of local municipalities are responsible for the enforcement of the Act, excepted where otherwise provided by the Act;

AND WHEREAS from time to time, the Chief Building Official and Inspectors for the Corporation of the Township of Drummond/North Elmsley have been appointed by by-law pursuant to Section 3 (2) of the Building Code Act, 1992, S.O. 1992, Chapter 23, as amended;

NOW THEREFORE the Council of the Corporation of the Township of Drummond/North Elmsley enacts as follows:

1.0 SHORT TITLE

1.1 This By-law may be cited as the Building By-law.

2.0 DEFINITIONS

2.1 In this By-law:

- a) "Act" means the *Building Code Act*, S.O. 1992, Chapter 23, including amendments thereto;
- b) "Applicable Law" as defined in Division A Section 1.4.1.3. of the Building Code.
- c) "Architect" means holder of a license, a certificate or practice, or temporary license under the Architects Act as defined in the Building Code
- d) "As Constructed Plans" means as constructed plans as defined in the Building Code;
- e) "Authorized Agent" means the applicant submitting the application on behalf of the Owner;
- f) "Builder" means a person as described in Section 1(1) of the *Act*.
- g) "Building" means a building as defined in Section 1(1) of the *Act*;

- h) "Building Code" means the regulations made under Section 34 of the Act;
- i) "Chief Building Official" means the Chief Building Official (CBO) appointed by the Corporation of the Township of Drummond / North Elmsley for the purposes of the enforcement of the Act;
- j) "Conditional Permit" means a permit issued under clause 8. (3)(c) of the Act where all conditions have not been met but where unreasonable delays in construction may occur if a permit is not granted;
- k) "Construct" means to do anything in the erection, installation, extension or material alteration or repair of a building, and includes the installation of a building unit fabricated or moved from elsewhere and "Construction" has a corresponding meaning;
- l) "Corporation" means the Corporation of the Township of Drummond / North Elmsley;
- m) "Demolish" means to do anything in the removal of a building or any material part thereof and "Demolition" has a corresponding meaning;
- n) "Designer" means a person as described in Section 1(1) of the Act. (see Qualified Designer)
- o) "Farm Building" means a farm building as defined in the building code;
- p) "Fixture" means a "fixture" as defined in Division A, Section 1.4.1.2. of the Building Code;
- q) "Material Alteration" means the substitution, changing, or altering of materials used in buildings, such as insulation, structural components, heating systems, plumbing, sewage systems and other building components and systems as described and regulated under the Building Code;
- r) "Township" means the Corporation of the Township of Drummond / North Elmsley;
- s) "Occupancy" means the use or intended use of a building or part of a building for the shelter or support of persons, animals or property.
- t) "Owner" means any person, firm or corporation having control over any portion of the building or property under consideration and includes the persons in the building or property;
- u) "Permit" means permission or authorization, in writing, from the Chief Building Official to perform work regulated by this By-law and the Act and, in the case of an occupancy permit, to occupy any building or part thereof;
- v) "Permit Holder" means an owner to whom a permit has been issued or where a permit has been transferred, the new owner to whom the permit has been transferred.
- w) "Plumbing" means plumbing as defined in Section 1. (1) of the Act;

- x) "Professional Engineer" means a person who holds a license or a temporary license under the Professional Engineers Act;
- y) "Project" means a planned undertaking which includes activities that have been reviewed and approved by the Chief Building Official;
- z) "Qualified Designer" means a competent person with the qualifications and insurance in accordance with Division C – Part 3 of the Building Code;
- aa) "Value of Work" means the value of the proposed work including labour, equipment, materials, and design services;
- bb) "Work" means anything in the construction or demolition or change of use or plumbing work for a building which is regulated by the Act;

2.2 Terms not defined in this by-law shall have the meaning ascribed to them in the Act or the Building Code.

3.0 CLASS OF PERMITS

3.1 Permit Types

The following Class of permits are hereby established:

- a) Building Permit;
- b) Change of Use Permit;
- c) Conditional Permit;
- d) Demolition Permit;
- e) Occupancy Permit;
- f) Transfer of Permit;
- g) Plumbing Permit;
- h) Solid Fuel Burning Appliance Permit

4.0 PERMIT APPLICATION AND ISSUANCE

4.1 Permit Application

The Owner or Authorized Agent shall file an application in writing for any class of Permit to the Chief Building Official by completing all applicable fields of the prescribed Provincial and Municipal forms and supply all information with the application as deemed necessary by the Chief Building Official.

4.2 Detail in Application for All Permits

Every Building Permit application submitted to the Chief Building Official shall contain the following items:

- a) Identify and describe in detail the proposed *project* and the intended use of the

- b) identify and describe in detail the existing uses and the proposed use(s) for which the premises are intended;
- c) identify the site on which the *work* covered by the *permit* is to occur. (e.g. civic address, legal description and lot measurements);
- d) be accompanied by the applicable fees as described in the most current Tariff of Fees By-law and deposit, if applicable;
- e) state the name, address, telephone number, facsimile and email of the *Owner*, *Architect*, *Authorized Agent*, *Professional Engineer*, *Builder* and *Designer and/or Qualified Designer* that are retained to perform *work* on the project;
- f) include, where applicable, the registration number of the builder or vendor as provided for in the Ontario New Home Warranties Act (Tarion);
- g) state the estimated *Value of Work* as described in the definition;
- h) be signed by the applicant or authorized agent; who shall certify the truth of the contents of the application
- i) include any documents establishing compliance with applicable law as set out in article 1.4.1.3 of Division A Part 1 of the Building Code;
- j) that the applicant confirms that any work will be in accordance with the requirements of the Health and Safety Act
- k) application is accompanied with all supporting documentation

4.3 Detail in Application for Demolition Permits

In addition to the requirements of Section 4.3 of this by-law, every application for a Demolition Permit under Subsection 8.(1) of the Act, may at the discretion of the Chief Building Official require:

- a) documentation that arrangements have been made with the proper authorities for the cutting off and decommissioning of all water wells, septic system, gas, electric, telephone or other utilities and services; (Ontario One-Call 1-800-400-2255)
- b) where deemed necessary, the applicant will fence the demolition site to the satisfaction of the Chief Building Official as described in Section 9 of this by-law;
- c) that in circumstances where section 1.2 of Division C Part 1 of the Building Code applies, be accompanied by a "Commitment to General Review by Architects of Engineers" form as set out in Schedule "C" of this by-law;
- d) that the applicant clearly indicates methods of removal and disposal of materials that are following applicable laws; and
- e) where a demolition project involves disturbing a 'designated substance', as described by Ontario Regulation 278/05 and, which applies to all buildings constructed before 1985; the 'project' must adhere to these regulations and a 'Material Substance Report', if required, will be provided to the CBO.

4.4 Detail in Application for Conditional Building Permits

Where application is made for a Conditional permit under Subsection 8(3) of the Act, the application shall contain;

- a) a written statement from the Applicant explaining the reasons why the

Applicant believes that unreasonable delays in construction would occur if a Conditional Permit is not granted;

- b) a written acknowledgement from the Applicant of the necessary approvals which must be obtained in respect of the proposed construction and the time-period in which such approvals are proposed to be obtained by the Applicant; and,
- c) a written agreement, in the form provided by the Chief Building Official, executed by the Applicant, the Owner and all other persons that the Chief Building Official considers appropriate for the purposes set out in clause 8.(3)(c) of the Act.

4.5 Detail in Application for a Change of Use Permit

Where application is made for a Change of Use Permit issued under Section 10 of the Building Code, the application shall;

- a) describe the building in which the occupancy is to be changed by a description that will readily identify and locate the building;
- b) identify and describe, in detail the current and proposed occupancies of the building or part thereof for which the application is made;
- c) include plans and specifications which show the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the Building Code, including: floor plans, details of wall, ceiling and roof assemblies, identifying required fire resistance ratings and load bearing capacities;
- d) state the name, address, e-mail (if available) and telephone number of the owner and any *authorized agent*; and,
- e) be signed by the owner or *authorized agent* who shall certify the truth of the contents of the application.

4.6 Detail in Application for a Renewable Energy Permit

Where application is made for Renewable Energy Approvals, the application shall ensure the following;

- a) That any structure supporting a wind turbine shall have a name plate capacity of more than 3kW (smaller turbines do not require a building permit);
- b) That a building-mounted solar collector shall have a face area equal to or greater than 5.0 m²; and
- c) meet the standards of Ontario Reg. 359/09.

4.7 Detail in Application for a Plumbing Permit

In addition to the requirements of Section 4.3 of this by-law, the Chief Building Official may request the following:

- a) plans to show the location of all drain, waste, and vents of proposed plumbing;
- b) that the permit only be granted to a licensed plumbing contractor, or his/her authorized agent or, an owner of a single-family dwelling who undertakes the

plumbing work on the premises in which he or she resides providing it is accompanied by a detailed drawing acceptable to the CBO describing the detailed design of the proposed system or proposed changes.

- c) Notwithstanding paragraphs a and b, no plumbing permit shall be required for:
 - i. repairing or the replacement of a valve faucet or fixture;
 - ii. repairing a leak or forcing out a stoppage; or
 - iii. the replacement of a hot water tank.

4.8 Contents of Agreement

The Chief Building Official may require financial securities be provided to the Corporation as a condition for issuance of a Conditional Permit

4.9 Registration of the Agreement

Where deemed necessary by the Chief Building Official, the agreement referred to in Section 4.5(c) of this by-law may be registered on title to the lands upon which the building or part thereof is located or will be located for which the application for Permit has been made. All registration costs are the responsibility of the Owner of the property where the Work will be taking place.

4.10 No Implied Future Permits

The Chief Building Official shall not, due to the issuance of a Conditional Permit or Partial Permit be under any obligation to grant any further Permits.

4.11 Material Changes after Permit Issued

Should a Permit Holder wish to make any material change to any plan, specification, document or other information on the basis upon which the Permit was issued, the Permit Holder must file an application for revision to the Permit.

4.12 Incomplete Applications

All Permit applications must contain the information required pursuant to this By-law. In addition, an application is incomplete where the Chief Building Official determines within 5 working days, not including day of submission, that the proposed work or change of use will not comply with the Act, the Building Code, or any other applicable law. The Chief Building Official may refuse an application if anything required by this Section or Section 5.1 is omitted or submitted in an incomplete or unsatisfactory state at the time of application and a written statement of reasons for the refusal must be provided.

4.13 Abandoned Applications

An application for a Permit is considered to have been abandoned by the Applicant where:

- a) the application is incomplete and remains incomplete six (6) months after it

- was submitted;
- b) the application is complete, a Permit is available to be issued, and six (6) or more months have elapsed from the date upon which the Corporation notified the applicant of the availability of the Permit.

4.14 Transfer of Permits

Where a property, which is the subject matter of an open Permit is sold, the new Owner shall obtain a transfer of the Permit into his or her name and, shall complete a Permit application and, shall pay the administrative transfer fee prescribed in the most current Tariff of Fees By-law. A new building permit will be issued, and the previous permit closed. The new Owner shall then be the Permit Holder for the purposes of this By-law, the Act and the Building Code.

4.15 Revocation of Permits

The Chief Building Official, subject to provisions outlined in subsection 8.(10) of the Act has the authority to revoke a permit issued under the Act.

4.16 Permit Renewals

Permits to be renewed after an initial period of two (2) years of inactivity but shall not be renewed for a period of longer than two (2) years, for every renewal period after the initial period.

5.0 PLANS AND SPECIFICATIONS

5.1 Submission

Every applicant shall submit two (2) sets of plans, specifications, documents and other information drawn using a straight edge/ruler on material that would enable the Chief Building Official to determine whether the proposed construction, demolition, or change of use conforms to the Act, the Building Code, including but not limited to plans as listed on Schedule "A" and any other applicable law.

5.2 Site Plans

Site plans shall be referenced to an up-to-date survey when available and, when required to demonstrate compliance with the Act, the Building Code or other applicable law. A copy of the survey shall be submitted to the Chief Building Official.

Site plans shall show:

- a) Lot size, dimensions of the property, setbacks to property lines for any existing or proposed buildings. All drawings are to be drawn to scale with the scale clearly identified and using a straight edge tool;
- b) The dimensioned location of any other existing building(s), pools, decks, wells, septic, hydro lines on the property;
- c) Existing right-of-ways, and easements;

- d) Location of any new proposed driveway from a public road. (A new driveway will require approval from the public works department).

5.3 Grading plans

Grading Plans shall be referenced to an up-to-date survey when available and, when required to demonstrate compliance with the Act, the Building Code or other applicable law. A copy of the survey shall be submitted to the Chief Building Official and include:

- a) Accurate geodetic survey elevations when possible;
- b) A permanent bench mark for reference;
- c) Footing elevations, where step footings indicate elevations of all steps, elevations of footings on frost walls;
- d) Top of foundation wall where step foundations show all elevations;
- e) Average grade around foundation and spot elevations;
- f) Garage floor, basement floor, 1st and 2nd floor elevations, peak roof elevation, sump hole elevation and elevations of building heights where height of buildings are critical;
- g) Driveway, walkways, decks, retaining walls, walkout elevations, parking yards, turnarounds;
- h) Slopes of yards, driveways, terracing or berming;
- i) Swales, grade elevations, outlet elevations and inlet elevations.
- j) Drainage plan showing the location of termination of sump discharge line and/or any other appliance that discharges water to the exterior including downspouts, pools, and surface drainage.

5.4 Essential Information

In lieu of separate specifications, the Chief Building Official may allow the essential information to be shown on the plans, but in no case shall such terms as "in accordance with the Act", "legal", or similar terms be used as substitutes for specific information.

5.5 Legibility

All plans submitted must be legible and drawn to scale upon paper or other suitable and durable material or electronic media approved by the Corporation.

5.6 "As Constructed" Drawings

On completion of the construction of a building, or part of a building, the Chief Building Official may require a set of "as constructed" plans, including a plan of survey showing the location and confirming the elevation of the building.

5.7 Corporation Property

Plans and specifications furnished in accordance with this by-law or otherwise required by the Act become the property of the Corporation and will be disposed of or retained in accordance with relevant legislation.

5.8 Alternative Solutions

Where an application for a permit or for authorization to make a material change to a plan, specification, document or other information based on which a permit was issued contains an alternative solution, the following information shall be provided to the Chief Building Official:

- a) identify an applicable objective, functional statement and acceptable solutions;
- b) describe a basis for past performance, established tests of the solutions or other evaluation of the solution.

6.0 FEES AND REFUNDS

6.1 Payment Required

The Chief Building Official shall calculate the required fees for the work proposed in accordance with Schedule F of the Township's most current Tariff of Fees By-law and the owner shall pay such fees upon submission of the application for a permit. No Permit shall be issued until the fees have been paid in full. Administrative fees imposed after issuance of a Permit are due at the time the service is requested or required. The building permit fees for farm buildings as set out in Schedule F of the Township's most current Tariff of Fees By-law shall only apply to a farm business holding a valid farm business registration number issued pursuant to the provisions of the Farm Registration and Farm Organizations Funding Act, 1993, S.O. 1993, chap. 21, as amended.

6.2. Changing Permit Fees

The Corporation, prior to passing a by-law under clause 7 (c) of the Act to introduce or change a fee imposed for applications for permits or for the issuance of permits, shall in accordance with sentence 1.9.1.2. of the Building Code do the following:

- a) hold at least one public meeting at which any person who attends has an opportunity to make representations with respect to the matter;
- b) ensure that a minimum of 21 days' notice of the public meeting is given to every person and organization that has, within five (5) days before the day of the meeting, requested such notice; and
- c) ensure that the notice include an estimate of the costs for administering and enforcing the Act, the amount of the fee or any change to the existing fee and the rationale for imposing or changing the fee.

6.3 Refunds

In the case of withdrawal or abandonment of an application, or the refusal or revocation of a permit, upon written request, the Chief Building Official shall determine the amount of fees, if any, that may be refunded, in accordance with Schedule "B" to this by-law.

6.4 Where Refunds Not Available

No refund of any portion of the Permit fee paid shall be made in the following

circumstances:

- a) where the calculation in accordance with Section 6.3 of this by-law yields a payment of less than fifty (\$50.00) dollars;
- b) where a Permit was revoked (except where the revocation is due to an error by the Corporation); and
- c) in circumstances where the application has been deemed to have been abandoned in accordance with Section 4.14 of this By-law, and the applicant has not contacted the Corporation for a period longer than six (6) months.

6.5 Deposit Fees

At the discretion of the Chief Building Official, deposit fees may be required at the time of permit issuance.

6.6 Building without a Permit

Where an owner commences with construction, demolition, building, or material alteration prior to the issuance of the required building permit the owner may be required to pay an administrative fee in the amount set forth in the current Tariff of Fees By-Law.

7.0 NOTICE REQUIREMENTS FOR INSPECTIONS

7.1 Notices Under Subsection 1.3.5. Division C Part 1 of the Ontario Building Code:

- a) The Permit Holder or authorized agent shall notify the Chief Building Official of readiness for inspection at least two (2) business days (not including the day of notification) in advance of each stage of construction for which notice in advance is mandatory under article 1.3.5.1., Division C. Part 1 of the Building Code. After the mandatory notice has been given, an inspector shall undertake a site inspection not later than two (2) days after the notice is given unless other arrangements have been made.
- b) The Permit Holder or authorized agent shall notify the Chief Building Official of completion as prescribed by Section 11 of the Act or where occupancy is required prior to completion and shall notify the Chief Building Official of readiness for inspection to ensure that the requirements of Section 11 of the Act and subsection 1.3.5.1, Division C Part 1 of the Building Code are complied with.
- c) A notice pursuant to this section is not effective until written or oral notice is received by the Chief Building Official or his designate.
- d) Occupancy inspections are required for all projects that involve the occupancy of any new building or addition.
- e) Final inspections are required for all projects.

7.2 Required Inspections

The following inspections are required under this By-Law.

- a) Underside of footing, excavation
- b) Forms for footing, foundation, piers, posts or other point loads
- c) Insulated Concrete Forms (ICF)
- d) Prior to Backfill of foundation includes damp proofing, water proofing, drainage layer, drainage tile, granular layer
- e) Plumbing - underground
- f) Framing I – all buildings, decks, accessory structures
- g) Mechanical components
- h) Hydronic Heating Systems
- i) Plumbing Rough-in includes air/water tests, ball tests and design components of all drains, waste and vents
- j) Air Barrier/2nd plain of protection – if applicable
- k) Insulation/Vapour/Air Barrier
- l) Framing II – Subsequent framing of decks, or other areas not included in main inspection
- m) Insulation final – final including ceiling, documentation.
- n) Grading – rough grading away from building
- o) Occupancy – includes required framing, plumbing, mechanical, insulation, HVAC completion
- p) Final interior – all interior areas completed
- q) Final exterior – all grading, decks, guards, and landscaping completed

8.0 PRESCRIBED FORMS

8.1 The forms prescribed for use as applications for permits, orders and inspection reports shall be as set out in Schedule “C” to this By-law.

9.0 CONSTRUCTION DEMOLITION FENCING

9.1 Fencing Requirements

Where in the opinion of the Chief Building Official, a construction or demolition site presents a hazard to the public, the Chief Building Official may, under clauses 7(1) and 7(2) of the Act, require the erection of such fencing as he or she deems necessary to abate the hazard.

9.2 Fencing Openings

The fence may provide openings sufficient to accommodate access to the site provided these openings are closed off when work at the site has ended for the day.

10.0 CODE OF CONDUCT

The Chief Building Official and Inspectors shall be required to conform to the Code of Conduct as detailed in Schedule “D” in this By-Law in accordance with Section 7.1 (1) of the Act.

11.0 ALLEGED BREACH OF CONDUCT IF UNRESOLVED AND DISPUTE RESOLUTION

OF NON-TECHNICAL NATURE

11.1 Where it is the opinion of persons that a breach of conduct or non-technical disputes may have occurred, the following procedure shall be followed:

- a) A letter shall be delivered to the Clerk / Administrator in confidence.
- b) The letter shall clearly explain the perceived violation of conduct, the date the violation occurred and who was affected
- c) The Clerk Administrator, upon receiving this notice will, depending on the nature of the violation, discuss the matter with the perceived offender and obtain a written submission from the accused as to the detail
- d) The Clerk Administrator shall arrange a meeting between the parties to attempt to resolve the issue.
- e) A written declaration of the Clerk Administrator's action on the matter will be sent to all affected parties.

12.0 APPOINTMENTS AND CONTRACT AGREEMENTS

Staff and principal authorities shall be appointed by a By-law for specific duties based on qualifications and registration as set out in the Ontario Building Code. Appropriate appointments shall be registered with the Ministry of Municipal Affairs and Housing.

13.0 DISPUTE RESOLUTIONS, REVIEWS & APPEALS (Section 24 of the Act)

13.1 Section 24(1) of the Act outlines area of dispute.

13.2 Where a dispute occurs, all parties shall attempt to resolve the issue in an amicable manner.

- a) Issues of process and of a non-technical nature shall follow a similar process as outlined in Section 11 of this By-law.
- b) Issues of a technical nature or of direct interpretation of the Building Code Act or the Building Code shall be made through an application to the Building Code Commission for a hearing in accordance with Section 24(1) of the Act.
- c) The decision of the Building Code Commission shall be final.

14.0 PENALTIES AND OFFENCES

Any person who contravenes any provision of this By-law is guilty of an offence as provided for in Section 36 of the Ontario Building Code Act.

15.0 SCHEDULES "A", "B", "C", & "D"

Schedules "A", "B", "C", & "D" hereto form part of this by-law.

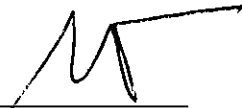
16.0 REPEAL

By-law No. 17-029 and any other by-laws inconsistent with this By-law shall be and are hereby repealed.


17.0 ENACTMENT

This By-law shall come into full force and take effect on the passing thereof.

BY-LAW READ, passed, signed and sealed in open Council this 12th day of March, 2019.



Stephen Fournier, Reeve



Cindy Halcrow, Clerk Administrator

SCHEDULE "A" TO BY-LAW 2019-016

LIST OF WORKING PLANS AND DRAWINGS REQUIRED FOR PERMIT

Unless otherwise noted, two (2) sets of the following plans must be submitted

- Site/Drainage Plan
- Framing Plans
- Reflected Ceiling Plans
- Building Elevations
- Heat Loss Gain Plan
- Energy Efficiency Design
- Duct Design
- Heating, Ventilation and Air Conditioning Drawings
- Plumbing drawings
- Fire Alarm and Sprinkler Plan
- Fire Separations and/or STC

Note: The Chief Building Official may specify that not all the above-mentioned plans are required to accompany an application for a permit.

SCHEDULE "B" TO BY-LAW 2019-016

REFUND PERCENTAGES

- a) Ninety percent (90%) if application is filed and no processing or review functions have been performed;
- b) Eighty percent (80%) if administrative and zoning functions only have been performed;
- c) Sixty percent (60%) if administrative, zoning, and plan examination functions have been performed;
- d) Fifty percent (50%) if the permit has been issued and no field inspections have been performed after permit issuance; and,
- e) Ten percent (10%) shall additionally be deducted for each field inspection that has been performed after the permit has been issued.

SCHEDULE "C" TO BY-LAW 2019-016

PRESCRIBED MINISTRY OF HOUSING AND ONTARIO
BUILDING CODE FORMS

- | | |
|--------|--|
| Form 1 | Application for a Permit to Construct or Demolish, incorporates Application for Conditional Permit |
| Form 2 | Application for Change of Use Permit |
| Form 3 | Commitment to General Reviews by Architect and Engineers |
| Form 4 | Order Requiring Tests and Samples under Section 18(1) of the Building Code Act, 1992 |
| Form 5 | Order to uncover under Section 13(6) of the Building Code Act, 1992 |
| Form 6 | Order Not to Cover or Enclose under Section 13(1) of the Building Code Act, 1992 |
| Form 7 | Order to Comply under Section 12(2) of the Building Code Act, 1992 |
| Form 8 | Stop Work Order under Section 14(1) of the Building Code Act, 1992 |

SCHEDULE "D" TO BY-LAW 2019-016

TOWNSHIP OF DRUMMOND/NORTH ELMSLEY

CODE OF CONDUCT FOR BUILDING OFFICIALS

Preamble

The Code of Conduct applies to the Chief Building Official and inspectors appointed under the Building Code Act in the exercise of a power or the performance of a duty under the Building Code Act or the Building Code. The purpose of this Code is to promote appropriate standards of behaviour and enforcement actions to ensure building officials apply standards of honesty and integrity and to prevent practises constituting an abuse of power including unethical or illegal practices.

Standards of Conduct

Building Officials undertake to:

1. Always act in the public interest, particularly with regard to safety of building works and structures.
2. Not to act where there may be or where there may reasonably appear to be a conflict between their duties to their employer, their profession, their peers and the public at large and their personal interests.
3. Apply all relevant building by-laws, codes and standards appropriately and without favour.
4. Perform their inspections and plan examination duties impartially and in accordance with the highest professional standards.
5. At all times abide by the highest moral and ethical standards and avoiding any conduct, which could bring or tend to bring Building Officials into disrepute.
6. Comply with the provisions of the Building Code Act, the Ontario Building Code and other Acts or Laws which regulate or govern Building Officials or their functions.
7. Not to act beyond their personal level of competence or outside their area of expertise.
8. Maintain current accreditation to act as an Ontario Building Official.
9. Maintain their knowledge and understanding of the best current building practises, the building laws and Code relevant to their inspection and plan examination function.

10. Extend professional courtesy to all.

Breaches of the Code of Conduct

The Ontario Building Code Act provides that the performance of Building Officials will be measured against this Code of Conduct. The Municipal administration will review any allegations brought forward that the Code of Conduct has been breached in accordance with the Township's Employment By-Law. Disciplinary action arising from violations of this Code of Conduct is the responsibility of the Municipal employer and will be based on the severity and frequency of the violation in accordance with relevant employment standards.