

THE CORPORATION OF THE TOWNSHIP OF SOUTH STORMONT

BY-LAW No. 2012-063

BEING a by-law to adopt a Code of Conduct Policy for Building Officials.

WHEREAS the *Municipal Act, 2001*, c. 25 s. 5 (1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the *Municipal Act, 2001*, c. 25 s. 5 (3) provides that the powers of every council are to be exercised by by-law;

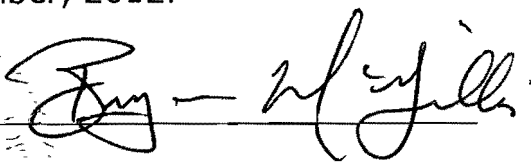
AND WHEREAS the *Building Code Act, 1992*, s. 7.1 provides for the establishment and enforcement of a code of conduct for the chief building official and inspectors in a municipality;

AND WHEREAS Council of the Township of South Stormont desires to adopt a Code of Conduct Policy for Building Officials.

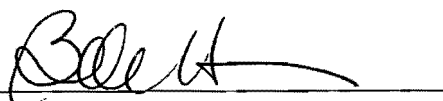
NOW THEREFORE Council of the Corporation of the Township of South Stormont enacts as follows:

1. That the Code of Conduct Policy for Building Officials, attached hereto as Schedule "A", be adopted effective September 26, 2012.
2. Any other by-laws inconsistent with this by-law are hereby repealed.

READ AND PASSED in open Council, signed and sealed this 26th day of September, 2012.



Mayor



Clerk

THE TOWNSHIP OF SOUTH STORMONT

Schedule "A" to By-law No. 2012-063	Effective Date: September, 2012
Title: Code of Conduct Policy for Building Officials	Department: Building & Development

A. Coverage

All full-time, part-time and contract employees as appointed under the *Building Code Act, 1992*.

B. Policy Statement

Council of the Township of South Stormont enacts this policy and its standards of conduct and professionalism as its Code of Conduct for its Building Officials and Inspectors. 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 Ontario Building Code. The purpose of this Code of Conduct is to promote appropriate standards of behavior and enforcement actions to ensure building officials apply standards of honesty and integrity and to prevent practices constituting an abuse of power including unethical or illegal practices.

C. Procedure

Standards of Conduct for Building Officials

Building Officials shall undertake at all times to:

1. Act in the public interest, particularly with regard to the safety of buildings and designated structures and their occupants;
2. Maintain their knowledge and understanding of the best current building practice, the building laws and regulations relevant to their building certifying functions;
3. Commit themselves to a process of continuous education so as to constantly be aware of development in building design, practice and the law relevant to their duties;
4. Comply with the provisions of the *Building Code Act*, the Building Code and any other Act or applicable law that regulates or governs building officials and their functions;

5. 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;
6. Not to act beyond their level of competence or outside their area of expertise;
7. Apply all relevant building laws, regulations and standards strictly and without favour and independent of the influence of interested parties or members of Municipal Council;
8. Perform their inspections and certifying duties impartially and in accordance with the highest professional standards;
9. Not divulge any confidential or sensitive information or material, that they became privy to in the performance of their duties, except in accordance with laws governing Freedom of Information and Protection of Privacy;
10. Extend professional courtesy to all;
11. Not act officiously or permit personal feelings, prejudices, animosities or friendships to influence decisions;
12. Recognize the appointment under the *Building Code Act* as a symbol of public faith;
13. Maintain current accreditation to perform the functions assigned to them;
14. Take all reasonable steps to ascertain and document all available facts relevant to the performance of their duties; and
15. Exemplify compliance with all regulations and standards that govern building construction, health and safety or other matters related to their status as a building official.

D. Guideline for Responding to Misconduct Allegations

1. The *Building Code Act* provides that the performance of building officials will be measured against this Code of Conduct. In response to any allegation of a breach of this Code by an inspector, the chief building official shall direct an investigation and where appropriate, recommend disciplinary action against any inspector who fails to comply with this Code of Conduct to the Chief Administrative Officer. Where the allegation is against the Chief Building Official, the Chief Administrative Officer shall direct the investigation

and take such disciplinary action as is reasonable in the circumstances and report such action to the Council.

In determining the appropriate discipline, the Chief Building Official or Chief Administrative Officer will have regard to the relevance of the conduct to the building official's powers and responsibilities as well as the severity of any misconduct. All disciplinary action will be in accordance with the Township's Personnel Policy.

E. Public Notification Practice

This Code of Conduct will be posted, including the Township's website and will be made available upon request, to ensure that the Code of Conduct has been brought to the attention of the public.

For further information, contact:

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Long Sault ON K0C 1P0
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