



**THE CORPORATION OF THE TOWN OF ERIN**

**By-Law # 19 – 34**

**Being a By-law to establish a Code of Conduct for the Chief Building Official and Town of Erin Building Inspectors.**

**Whereas** the Building Code Statute Amendment Act, 2002 amended the Building Code Act, 1992 to include a provision requiring that municipalities establish and enforce a Code of Conduct for Chief Building Officials and Town of Erin Building Inspectors;

**Therefore be it resolved that the Council of the Corporation of the Town of Erin Enacts as follows:**

1. That the Code of Conduct for the Chief Building Official and Town of Erin Building Inspectors attached hereto form part of this By-law;
2. That this Code of Conduct apply to the Chief Building Official and Town of Erin Inspectors appointed under the *Building Code Act, 2002* in the exercise of a power of the performance of a duty under the *Building Code Act, 2002* or the Ontario Building Code;
3. That pursuant to Section 7.1(1) of the *Building Code Act, 2002* 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.
4. That this By-law shall come into force and take effect upon the day of its passing.

**Passed in Open Council on July 22<sup>nd</sup>, 2019**

**Mayor, Allan Ails**

**Clerk, Lisa Campion**

## SCHEDULE A

### Code of Conduct for the Chief Building Official and Town of Erin Inspectors

#### 1.0 Definitions

'Building Officials' shall mean the Town of Erin Chief Building Official and the Town of Erin Building Inspectors.

#### 2.0 Introduction

The Corporation of the Town of Erin has created this Code of Conduct in accordance with the provisions of the *Building Code Act*. The Code of Conduct of the Town of Erin's Building Officials reflects the Town of Erin 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.

#### 3.0 Purpose

Pursuant to section 7.1 (2) of the *Building Code Act, 2002*, the purposes of this Code of Conduct are to:

- promote appropriate standards of behavior by Building Official's in the exercise of their powers and performance of their duties;
- prevent practices which may constitute an abuse of power, and
- promote appropriate standards of honesty and integrity

#### 4.0 Standards of Conduct and Professionalism

The Town of Erin 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;
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 developments 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 they may be 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 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 building officials.

#### **5.0 Guideline for Responding to Misconduct Allegations**

Pursuant to Section 7.1(3) of the *Building Code Act, 2002* the following steps will be followed when responding to allegations that the Code has been breached and disciplinary actions that may be taken if the Code is breached.

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. If a situation arises where the Chief Building Official has allegedly breached this Code then the Chief Administrative Officer will direct the investigation. In both circumstances the Chief Administrative Officer shall direct disciplinary action as is reasonable in the circumstance and report such action to Council.

#### **6.0 Disciplinary Action**

In determining the appropriate discipline, the 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.