



## THE CORPORATION OF THE TOWNSHIP OF AUGUSTA

### BY-LAW NUMBER 2782

#### A BY-LAW TO ESTABLISH A CODE OF CONDUCT FOR BUILDING OFFICIALS

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**WHEREAS** the Building Code Statute Law 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 inspectors.

**NOW THEREFORE** the Council of the Township of Augusta enacts this policy and its standards of conduct and professionalism as its Code of Conduct for Building Officials. 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 or behaviour 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.

#### **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 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 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 favor 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.

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

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.

### **Public Notification Practice**

This Code of Conduct will be posted on the Municipality's website and made available at the Municipal office to ensure that the Code of Conduct has been brought to the attention of the public.

This by-law shall come into force and take effect on the date of its passing.

**READ** a first and second time this 10<sup>th</sup> day of August 2009.

**READ** a third time and passed this 10<sup>th</sup> day of August 2009.

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REEVE

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CLERK