

CORPORATION OF THE MUNICIPALITY OF MEAFORD

BY-LAW NO. 73- 2005

Being a By-law to Adopt a Code of Conduct for the Chief Building Official and all Building Officials for the Municipality of Meaford.

WHEREAS Clause 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 other Building Officials;

AND WHEREAS the Council of the Corporation of the Municipality of Meaford considers it desirable and expedient to adapt a Code of Conduct;

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

NOW THEREFORE the Council of the Corporation of the Municipality of Meaford enacts as follows;

1. The Council hereby adopts the Code of Conduct for the Chief Building Official and other Building Officials attached hereto as Schedule 'A' and forming part of this By-law.
2. This By-law shall come into force and takes effect on the day of the final passing thereof.

READ A FIRST AND SECOND TIME this _____ day of June, 2005.

READ A THIRD TIME AND FINALLY PASSED this _____ day of June, 2005

Wally Reif, Mayor

Richard Holland, Clerk-Administrator

CORPORATION OF THE MUNICIPALITY OF MEAFORD

SCHEDULE 'A' TO BY-LAW 73- 2005

1.0 Introduction

1.1 Authority to establish and enforce a Code of Conduct:

The Ontario Building Code 1997 containing the Building Code Act and O. Reg.403/97 states:

7.1-(1) Code of Conduct. A principal authority shall establish and enforce a code of conduct for the chief building official and inspectors. 2002, c9, s.12

2.0 Purposes

The following are the purposes of this code of conduct:

- (a) 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 Building Code Act or the Building Code.
- (b) 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 Building Code Act or the Building Code.
- (c) To promote appropriate standards of honesty and integrity in the exercise of a power or the performance of a duty under the Building Code Act or the Building Code by the chief building official and inspectors.

3.0 Contents

This code of conduct will provide for its enforcement and include policies or guidelines to be used when responding to allegations that the code has been breached and disciplinary actions that may be taken if the code is breached.

4.0 Public Notice

The Municipality of Meaford shall ensure that this code of conduct is brought to the attention of the public.

5.0 Standards of Conduct and Professionalism

In addition to any Policy with respect to any "Code of Ethics and Conduct" applying to all municipal staff for the Municipality of Meaford, the Chief Building Official along with all Building Officials shall undertake at all times to:

1. Act in the public interest, particularly with regard to the safety of building works and 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 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 Law that regulates or governs Building Officials or 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 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.
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. To avoid any conduct that could bring Building Officials or the Municipality of Meaford into disrepute.
11. Extend professional courtesy to all.
12. Accept responsibility for the conduct of their subordinate employees.
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.
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.

6.0 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, the Chief Building Official shall direct an investigation and where appropriate, recommend disciplinary action against any Building Official who fails to comply with this Code of Conduct.

Where the allegation is against the Chief Building Official, Council will direct the investigation and make recommendations as are reasonable.

In determining the appropriate discipline, the Chief Building Official or Council will have regard to the relevance of the conduct to the official's powers and responsibilities as well as the severity of any misconduct. Disciplinary Action arising from violations of this Code of Conduct is the responsibility of the Council of the Municipality of Meaford and is subject to relevant employment laws and standards.