

THE CORPORATION OF THE MUNICIPALITY OF SOUTH DUNDAS

BY-LAW NO. 2016-92

A BY-LAW to adopt Policy No. 2-11 - Code of Conduct for the Chief Building Official and Building Officials.

WHEREAS *the Municipal Act, 2001*, as amended, states that a municipality and a local board shall adopt policies with respect to certain matters;

AND WHEREAS *the Building Code Act, 1992*, as amended, requires municipalities to establish and enforce a Code of Conduct for Chief Building Officials and Building Officials;

AND WHEREAS the Council of the Municipality of South Dundas deems it desirable to adopt a Code of Conduct Policy for Building Officials;

NOW THEREFORE the Council of the Corporation of the Municipality of South Dundas enacts as follows:

1. That Policy No. 2-11 – Code of Conduct for Building Officials be approved in accordance with Schedule “A” as attached to this By-law.
2. That this By-law shall come into force and effect on the date of passing.

READ and passed in Open Council, signed and sealed this 17th day of January, 2017.

MAYOR

CLERK

Schedule "A"
to By-Law No. 2016-92

POLICY MANUAL	Policy No. 2-11
For Municipality of South Dundas	Effective Date: January 17, 2017
Subject: Code of Conduct for Building Officials	Department: Planning & Enforcement

Introduction:

The Municipality of South Dundas maintains this Code of Conduct in accordance with the provisions of The Building Code Act. Building Officials undertake building certification functions that ensure the quality, structural integrity, and safety of buildings. Building Officials are exposed to potential conflicts of interest because of the special powers conferred on them. The conduct and behaviour of the Building Department reflects a 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.

Purpose:

The purposes of this Code of Conduct are:

- To promote appropriate standards of behaviour by building officials in the exercise of their power and performance of their duties;
- To prevent practices which may constitute an abuse of power; and,
- To promote appropriate standards of honesty and integrity.

Standards of Conduct and Professionalism:

Building Officials shall undertake at all times to:

1. Act in the public interest;
2. Maintain their knowledge and understanding of the best current building practices, the building laws and regulations relevant to their building certification 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 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. Apply all relevant building laws, regulations and standards strictly and without favour and independent of the influence of interested parties;
7. Perform their inspections and certifying duties impartially;
8. Not divulge any confidential or sensitive information or material that they become privy to in the performance of their duties, except in accordance with laws governing Freedom of Information and Protection of Privacy;
9. Avoid any conduct that could bring Building Officials or the Municipality of South Dundas into disrepute; and,
10. Extend professional courtesy to all.

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, The Chief Administrative Officer will direct the investigation and take such disciplinary action as is reasonable in the circumstances and report such action to 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 official's powers and responsibility as well as the severity of any misconduct. All disciplinary action will be in accordance with the Municipality's Personnel Policy.