Policy: Code of Conduct for Chief Building Official and Inspectors

Policy Number: CP-A-5.5

Effective Date: December 13, 2021

Revised Date: N/A

INTRODUCTION:

The Corporation of the Municipality of Thames Centre maintains this Code of Conduct in accordance with the Building Code Act. All Building Officials undertake building plans review and inspection functions that ensure the quality, structural integrity and safety of buildings. The conduct and behavior of Thames Centre's Chief Building Official and Inspectors reflects Thames Centre's Building Division's commitment to the highest standards of professionalism, technical competence, skill, honesty, fairness and independence. The Chief Building Official and Inspectors observe both the letter and the spirit of this Code of Conduct as it pertains to situations that have bearing on their responsibilities.

PURPOSE:

Section 7.1 of the Ontario Building Code Act requires that Council shall establish and enforce a Code of Conduct for the Chief Building Official and Inspectors for the following purposes:

- To promote appropriate standards of behavior and enforcement actions by the Chief Building Official and Inspectors in the exercise of their powers and performance of their duty under this Act or the Building Code;
- 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 this Act or the Building Code; and
- To promote appropriate standards of honesty and integrity in the exercise of a power or the performance of a duty under this Act or the Building Code by the Chief Building Official and Inspectors.

POLICY:

STANDARDS OF CONDUCT AND PROFESIONALISM

In addition to Thames Centre's Code of Conduct applicable to all municipal staff, the Chief Building Official and Inspectors undertake at all times to:

- act in the public interest, particularly with regard to the safety of building works and structures;

- maintain their knowledge and understanding of the best current building practice, the building laws and regulations relevant to their functions;
- commit themselves to a process of continuous education so as to be aware of developments in building design, practice and the law relevant to their duties;
- comply with the provisions of the Building Code Act, the building code and any other Act or Law that regulates or governs the Chief Building Official and Inspectors or their functions;
- 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;
- not act beyond their their area of qualification or;
- apply all relevant building laws, regulations and standards appropriately and without favour and independent of the influence of interested parties;
- perform their inspections and other duties impartially and in accordance with the highest professional standards;
- 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;
- to avoid any conduct that could bring the Chief Building Official or Inspectors or the municipality into disrepute;
- extend professional courtesy to all;
- maintain current qualifications to perform the functions assigned to them;
- take all reasonable steps to ascertain and document all available facts relevant to the performance of their duties;
- exemplify compliance with all regulations and standards that govern building construction, health & safety or other matters related to their status as a Chief Building Official or Inspector; and
- comply with the policies of Thames Centre.

GUIDELINES FOR HANDLING ALLEGATIONS OF BREACHES OF THE CODE OF CONDUCT

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 to be applied in the case of an Inspector who fails to comply with this Code of Conduct. Where the allegation is against the Chief Building Official, the Chief Administration Official to whom the Chief Building Official reports will direct the investigation and recommend appropriate disciplinary action.

Complaints or inquiries concerning the conduct of the Chief Building Official or Inspector shall be made in writing setting out the nature of the complaint and belief that there has been an alleged contravention of the Code of Conduct. To the extent possible, the complaint shall include supporting information or evidence.

Any member of the public, municipal employee or Council member may make a complaint and all complaints or inquires shall be treated as strictly confidential. The complainants name shall remain confidential.

In situations where there may be, or where there may reasonably appear to be, a disagreement or conflict between individual inspectors, one or both inspectors will immediately bring the matter to the attention of the Chief Building Official to review and decide the matter in accordance with applicable legislation, bylaws and policies.

A copy or summary of any complaint shall be sent immediately to the subject Chief Building Official or Inspector with a request for a written response to be returned within 15 days.

In the case of the Chief Building Official, the Chief Administration Official, or in the case of an Inspector, the Chief Building Official, shall determine if there has been a breach of the Code of Conduct and if so, any action to be taken.

ENFORCEMENT ACTION FOR BREACHES OF THE CODE OF CONDUCT

In determining the appropriate discipline, the Chief Building Official or Chief Administration Official will have regard to the relevance of the conduct to the powers and responsibilities of the Chief Building Official or Inspectors as well as the severity of any misconduct. Disciplinary action arising from violations of this Code of Conduct is the responsibility of Thames Centre's administration and is subject to all relevant policies, collective agreements, employment laws and standards.

The Chief Building Official or the Chief Administration Official will notify, in writing, all parties involved about the decision and nature of actions taken.

PUBLIC NOTICE

The Building Code Act requires that this Code of Conduct shall be brought to the attention of the public. The Building Division will ensure this Code of Conduct is posted on the Thames Centre website and copies will be available at each Thames Centre customer service location where building permits are administered.