

SCHEDULE “C” to BY-LAW NO. 80-2014

The Corporation of the Town of Fort Erie Code of Conduct for Building Officials

1.0 Introduction

For the purposes of this Code of Conduct, “Building Officials” means the Chief Building Official and the Inspector or Inspectors appointed by the Municipal Council of The Corporation of the Town of Fort Erie for the purposes of enforcement of the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended or replaced from time to time, (the “*Act*”), the Building Code regulation thereto, and the By-law to which this Schedule is attached.

This Code of Conduct is maintained in accordance with the provisions of the *Act*. Building Officials appointed pursuant to the *Act* undertake building certification functions that ensure the quality, structural integrity and safety of buildings.

The conduct of Building Officials will reflect the highest standards of professionalism, technical competence, skill, honesty, integrity, fairness and independence in the exercise of their powers and duties under the *Act* and the Building Code.

2.0 Standards of Conduct and Professionalism

Building Officials employed by The Corporation of the Town of Fort Erie shall:

1. Act in the public interest, particularly with regard to the safety of building works and structures, and not act beyond their level of competence or area of expertise;
2. Comply with the provisions of the *Act*, the Building Code and any other statute, regulation or by-law that regulates or governs Building Officials or their functions;
3. Perform their inspections and certifying duties impartially and in accordance with the highest professional standards;
4. Maintain their knowledge and understanding of current building and design best practice, building statutes and regulations, and municipal by-laws relevant to their building certification functions;
5. Avoid situations where there may reasonably appear to be a conflict between (a) their personal interests and (b) their duties and

- obligations to their employer, clients, their profession, peers, and the public at large;
6. Apply all relevant building laws, regulations and standards, and without favour, independent of the influence of interested parties;
 7. Not divulge any confidential or sensitive information or material which they become privy to in the performance of their duties except in accordance with laws governing freedom of information and protection of privacy;
 8. Avoid and refrain from any conduct that may damage the reputation of Building Officials or The Corporation of the Town of Fort Erie;
 9. Extend professional courtesy to all;
 10. Accept responsibility for the conduct of subordinate Building Officials;
 11. Maintain current accreditation to perform the functions assigned to them;
 12. Take reasonable steps to ascertain and document all available facts relevant to the performance of their duties.

3.0 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 of Conduct, the Chief Building Official shall direct an investigation and where appropriate, recommend disciplinary action against any Inspector in accordance with the Town's Policy of Progressive Discipline. Where the allegation is against the Chief Building Official, the Chief Administrative Officer shall direct the investigation and discipline will be commensurate with the Town's Policy of Progressive Discipline. A violation of this Code of Conduct may result in discipline measures, which may include a verbal warning, suspension or termination of employment. In determining the appropriate discipline, the Chief Building Official or Chief Administrative Officer, as the case may be, shall have regard to the conduct, the Building Official's powers and responsibilities, the severity of any breach and relevant collective agreements, employment laws and standards.

4.0 Conflict with the Town of Fort Erie Employee Guide to Ethical Conduct

In the event of a conflict between this Code of Conduct and the Town of Fort Erie Employee Guide to Ethical Conduct in place from time to time, the said Town of Fort Erie Employee Guide to Ethical Conduct shall prevail.

5.0 Public Notification Practice

This Code of Conduct will be posted on the Town's website and made available to the public at the Community Development Services Department upon request.