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## **BUILDING OFFICIAL'S CODE OF CONDUCT**

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### **1. PURPOSE**

The Municipality of Mississippi Mills has created this Code of Conduct in accordance with the provisions of The Building Code Act.

Building Officials conduct 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 granted to them. The conduct and behaviour of the Municipality of Mississippi Mills Building Officials reflect the Municipality of Mississippi Mills Building Department's 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.

This Code of Conduct shall not be construed to replace the Code of Conduct for the Corporation of the Municipality of Mississippi Mills, rather, it is a supplemental Code of Conduct for the Chief Building Official and Building Inspectors. Compliance with this Code of Conduct shall constitute a condition of employment as the Chief Building Official or a Building Inspector appointed under the Building Code Act.

The purpose of this Code of Conduct is threefold:

- 1.1 To promote appropriate standards of behaviour and enforcement actions by the Chief Building Official and Building Inspectors in the exercise of a power or the performance of a duty under the Building Code Act or the Ontario Building Code.
- 1.2 To prevent practices which may constitute an abuse of power, including unethical or illegal practices, by the Chief Building Official and Building Inspectors in the exercise of power or the performance of duty under the Building Code Act or the Ontario Building Code.
- 1.3 To promote appropriate standards of honesty and integrity in the exercise of power or the performance of duty under the Building Code Act or the Ontario Building Code by the Chief Building Official and Building Inspectors.

### **2. RESPONSIBILITIES**

#### **2.1 Standards of Behaviour**

To ensure appropriate standards of behaviour, the Chief Building Official and Building

Inspectors **shall**:

- 2.1.1 Strive to behave in a professional, courteous, and objective manner when dealing with all persons.
- 2.1.2 Treat all people with respect, integrity, and honesty.
- 2.1.3 Treat all people in a fair manner regardless of past interactions, personal feelings, or opinions.
- 2.1.4 Always attempt to resolve any violation of the Ontario Building Code in a co-operative manner.
- 2.1.5 Process complete permit applications in an efficient and effective manner whenever possible, which typically includes the order in which they were received.
- 2.1.6 Manage confidential and sensitive information according to the Municipality's guidelines and relevant legislation, and ensure that no information that is collected, produced, or obtained in the course of their duties, regardless of the method of which it is collected, produced, or obtained, is disclosed without proper approval.
- 2.1.7 Declare in writing, any construction work on their own property subject to the Ontario Building Code, if located within the Municipality.

**2.2 Standards of Enforcement**

To ensure appropriate standards of enforcement the Chief Building Official and Building

Inspectors **shall**:

- 2.2.1 Always act in the interest of the health and safety of the public.
- 2.2.2 Be committed to continuous learning including keeping up to date with any changes to the Ontario Building Code and completing any training required by the Ministry of Municipal Affairs and Housing.
- 2.2.3 Only conduct application reviews/inspections for which they are qualified to do so, unless otherwise approved by the Chief Building Official.
- 2.2.4 Hold all persons to the same set of standards as outlined in the Ontario Building Code.
- 2.2.5 **Not** ignore a violation of the Ontario Building Code and shall act to enforce compliance.
- 2.2.6 Consult with the Chief Building Official before issuing any orders against any projects.

**2.3 Prevention of Unethical/Illegal Practices**

To prevent unethical/illegal practices the Chief Building Official and Building Inspectors

**shall not**:

- 2.3.1 Accept any gifts, favours, hospitality, or entertainment from any persons and avoid all circumstances that could compromise professional integrity.

- 2.3.2 Perform any service or employment, paid or otherwise, for a local builder, contractor or developer operating within the Municipality, which may be construed as creating a conflict of interest. If any doubt does exist regarding conflict-of-interest, approval from the Chief Building Official or Director of Development Services and Engineering must be granted in writing before performing the service.
- 2.3.3 Perform any construction work, for profit or for which a building permit is required within the Municipality. Notwithstanding this provision, this does not prohibit an employee for volunteering their time with a not-for-profit organization or agency as long as the employee has declared this with their supervisor in writing.

### **3. BREACH OF CODE OF CONDUCT**

#### **3.1 Allegations**

In the event of an allegation of breach of the Code of Conduct:

- 3.1.1 The party making the allegation, shall do so in writing, including identifying the component of the Code of Conduct that has been breached, the individual who allegedly made the breach and sufficient information for the allegation to be investigated.
- 3.1.2 The written allegation shall be submitted to:
  - i. the Chief Building Official and Clerk in the event the allegation is against a Building Inspector, or
  - ii. to the Director of Development Services and Engineering and Clerk in the event the allegation is against the Chief Building Official.
- 3.1.3 All allegations shall be investigated thoroughly by an investigating official identified as follows:
  - i. If the allegation is against a Building Inspector, the Chief Building Official shall investigate.
  - ii. If the allegation is against the Chief Building Official, the Director of Development Services and Engineering and Clerk shall investigate.
- 3.1.4 For clarity, refusal to issue a building permit for any of the reasons identified in Division C – Administrative Provisions of the Ontario Building Code does not constitute a breach of this Code of Conduct.

#### **3.2 Investigations**

During the investigation of alleged breach of the Code of Conduct:

- 3.2.1 The party making the allegation shall be given the opportunity to present their interpretation of events.
- 3.2.2 The party being investigated shall be given the opportunity to review all documents submitted by the party making the allegation.
- 3.2.3 The party being investigated shall be given the opportunity to present their interpretation of events.
- 3.2.4 The investigating official may seek input from any relevant third party.

- 3.2.5 The investigating official shall take into account the employment record of the alleged offending party.

### **3.3 Disciplinary Action**

If a breach of the Code of Conduct has occurred, the party found to be in breach may be subjected to any of the following disciplinary action, as per the Municipality's Disciplinary Policy:

- 3.3.1 Verbal and written reprimand
- 3.3.2 Suspension with or without pay; or
- 3.3.3 Termination of employment

Any complaints received under this Code of Conduct shall be reported by the Clerk to Council in the same manner as other formal complaints are reported to Council.

## **4. PUBLICATION OF CODE**

This Code of Conduct shall be brought to the attention of the public in the following manner:

- 4.1 Posting on the municipal website.
- 4.2 Posting at the customer service counter for the Building Department.