

**MUNICIPALITY OF CENTRAL MANITOULIN**

**BY-LAW 2008-22**

**BEING A BY-LAW TO ESTABLISH A CODE OF CONDUCT FOR THE CHIEF BUILDING OFFICIAL AND BUILDING INSPECTOR OF THE MUNICIPALITY OF CENTRAL MANITOULIN PURSUANT TO SECTION 223.1 OF THE MUNICIPAL ACT, 2001, AS AMENDED**

**WHEREAS** Section 11 of the Municipal Act, S.O. 2001, as amended, authorizes municipalities to enact by-laws regarding Accountability and Transparency of the municipality and its operations;

**AND WHEREAS** section 223.1 section (b) of the Municipal Act, S.O. 2001, as amended, authorizes municipalities to establish a code of conduct for the officers and employees of a municipality;

**AND WHEREAS** THE Council of the Municipality of Central Manitoulin deems it inexpedient to establish a code of conduct for Chief Building Official and Building Inspector;

**NOW THEREFORE** the Council of the Municipality of Central Manitoulin enacts as follows:

1. THAT Council does hereby adopt a code of conduct as set forth in Schedule "A" attached hereto and forming part of this by-law.
2. THAT this by-law shall come into force and effect on the date it is passed by the Council of the Municipality of Central Manitoulin

**THIS BY-LAW READ A FIRST, SECOND AND FINAL TIME THIS 14<sup>th</sup> DAY OF AUGUST 2008.**

\_\_\_\_\_  
Reeve-Richard Stephens

\_\_\_\_\_  
Ruth Frawley-Clerk

I, \_\_\_\_\_, Clerk of the Municipality of Central Manitoulin, do hereby certify that this is a true copy of By-law 2008-22 as passed in open Council the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Clerk

## SCHEDULE "A"



### **Guidelines for Handling Allegations of Breaches of the Code of Conduct:**

The Building Code Act prescribes that the conduct of the CBO and the Inspectors will be measured against this Code. Contravention of this Code is a serious matter to the Building Department and the public, and will be treated as such.

Where the allegations are against the CBO/Inspectors, the Municipality's Clerk will evaluate and investigate the allegations, where necessary, and make recommendations to Council for appropriate action.

### **Disciplinary Action:**

Disciplinary action arising from violations of the Code is the responsibility of the Municipality of Central Manitoulin and the Clerk, and will be based on the severity and frequency of the violation in accordance with employment laws and standards, and any relevant agreements in force at that time.

### **Public Notice for the Code of Conduct:**

The Building Code Act states that the Code must be brought to the attention of the public.

1. The Municipality will advertise the Code on an ongoing basis via:
  - a) The Municipal website.
  - b) Post on the public notice bulletin board in the municipal office foyer.

## SCHEDULE "A"



### **Guidelines for Interpretation of the Code of Conduct**

- 1. Promote the safety of buildings with reference to public health, fire protection, structural sufficiency and environmental integrity, and barrier-free accessibility.**

The Ontario Building Code states that:

“ The Code is essentially a set of minimum provisions respecting the safety of buildings with reference to public health, fire protection, structural sufficiency, conservation and environmental integrity, and barrier-free accessibility. Its primary purpose is the promotion of public safety through the application of appropriate uniform building standards.”

The CBO and any Inspectors the municipality may hire are expected to:

- a) act in the public interest with respect to health and safety issues related to buildings, and
- b) take all reasonable precautions to ensure the safety of the public, municipal staff and themselves.

- 2. Apply the Building Code Act and the Building Code impartially, without influence and in accordance with all applicable legislation.**

The CBO and Inspectors are expected to perform duties:

- a) in a manner that maintains and promotes public safety at all times,
- b) with integrity, objectivity and impartiality,
- c) without any influence from anyone,
- d) in a fair and consistent manner, and
- e) efficiently and in a timely manner.

- 3. Act within the area of qualification obtained under the Building Code Act.**

The CBO and the Inspectors are expected to:

- a) act within the area of qualification obtained under the Building Code Act,
- b) seek assistance when required, and
- c) participate in training as required by the Occupational Health and Safety Act, the Building Code Act and any other legislation that may apply.

- 4. Perform duties with due diligence, honesty and integrity.**

The CBO and Inspectors are expected to:

- a) conduct themselves with the highest degree of ethical behavior and integrity,
- b) ensure public confidence and trust are maintained at all times,
- c) protect and promote the best interest of the Municipality,
- d) ensure the protection and appropriate use of the Municipality's resources and assets, and
- e) perform duties without misleading the public.

**5. Extend courtesy to everyone.**

The CBO and Inspectors are expected to:

- a) be ambassadors and reflect a professional image at all times,
- b) treat the public and each other with respect at all times,
- c) be reasonable and fair in their expectations of each other,
- d) resolve conflict(s) in a professional manner,
- e) be courteous and considerate to all through language and actions,
- f) recognize the barriers of discrimination and disadvantage faced by human rights protected groups, and
- g) recognize the dignity of all people by equitable treatment of communities and employees.

**6. Keep up to date on current building practices through continuous education.**

The CBO and the Inspectors are expected to:

- a) qualifications are required to be appointed and to remain appointed under the Building Code Act,
- b) maintain qualifications as requirements evolve and/or change,
- c) keep current on construction practices and standards through continuous education and training, and

**7. Comply with the Municipality's Policies.**

The CBO and Inspectors are expected to abide with all Municipal policies.

**8. Manage confidential and sensitive information according to the Municipality's guidelines and relevant legislation.**

The CBO and Inspectors are expected to:

- a) maintain confidentiality regarding Municipal business,
- b) disclose information in compliance with the Municipal Freedom of Information and Protection of Privacy Act "MFIPPA".
- c) ensure that no information collected, produced or obtained in the course of duties, whether reports, memos, verbal/written/electronic communication is disclosed without proper approval.

SCHEDULE "A"



**Code of Conduct**

**For**

**Chief Building Official and Inspectors**

- 1. Promote the safety of buildings with reference to public health, fire protection, structural sufficiency, conservation and environmental integrity, and barrier free accessibility;**
- 2. Apply the Building Code Act and the Building Code impartially, without influence and in accordance with all applicable legislation;**
- 3. Act within the area of qualification obtained under the Building Code Act;**
- 4. Perform duties with due diligence, honesty and integrity;**
- 5. Extend courtesy to everyone;**
- 6. Keep abreast of current building practices through continuous education;**
- 7. Comply with the Municipality's Conflict of Interest Policy, and**
- 8. Manage confidential and sensitive information according to the municipality's guidelines and relevant legislation.**