

SCHEDULE J

CODE OF CONDUCT FOR BUILDING OFFICIALS

PURPOSE

The following are the purposes of this Code of Conduct:

1. To promote appropriate standards of behaviour and enforcement actions by the Chief Building Official (such reference to include the Deputy Chief Building Official) and Inspectors in the exercise of a power or the performance of a duty under the Building Code Act or the Building Code.
2. 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 the Building Code Act or the Building Code.
3. To promote appropriate standards of honesty and integrity in the exercise of a power or the performance of a duty under the Building Code Act or the Building Code by the Chief Building Official and Inspectors.

ENFORCEMENT GUIDELINES

Compliance with this Code of Conduct shall constitute a condition of employment as a Chief Building Official or Inspector appointed under the Building Code Act. Any appointed Chief Building Official or Inspector who fails to act in accordance with the provisions of this Code may be subject to disciplinary action appropriate to the seriousness of the breach. All allegations concerning a breach of this Code shall be made in writing.

Any person who has reason to believe that this Code of Conduct has been breached may bring the matter to the attention of the Chief Building Official. Where the allegation concerns the actions of the Chief Building Official, the matter may be brought to the attention of the City Solicitor to whom the Chief Building Official reports.

Any Chief Building Official or senior staff person who receives information in writing concerning a significant breach of this Code shall investigate the matter, and where appropriate shall commence disciplinary action in accordance with the employment standards of the place of work. All communications received by the Chief Building Official or senior staff person concerning a breach of this Code shall be held in confidence. The Chief Building Official or senior staff person shall advise the City Solicitor in writing about the particulars of the alleged breach, its investigation and the final disposition of the matter upon its conclusion.

Where there is any conflict between the provisions of this Code of Conduct and the City of Windsor Code of Ethics and Conflict of Interest Policy, the more stringent of the two documents shall apply.

CODE OF CONDUCT

In exercising powers and performing duties under the Building Code Act, the Chief Building Official and Inspectors shall:

1. Exercise powers in accordance with the provisions of the Building Code Act, the Ontario Building Code and other applicable law that governs the authorization, construction, occupancy and safety of buildings and designated structures, and the actions, duties and qualifications of the Chief Building Official and Inspectors;
2. Act to identify and enforce compliance where significant contraventions of the Act or regulations are known to exist;
3. Apply all relevant building bylaws, regulations, statutes and standards in a consistent and fair manner, independent of any influence by interested parties;
4. Not to accept any personal benefit, financial or otherwise which may create a conflict with their duties or perform duties where a personal interest may create a conflict;
5. Obtain the counsel of persons with expertise where the Chief Building Official or Inspector does not possess sufficient knowledge to make an informed judgment; and
6. Act honestly, reasonably and professionally in the discharge of their duties.