

# THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

## STAFF REPORT

**DATE:** April 23, 2024

**TO:** Committee of the Whole

**FROM:** Jon Wilson, CBO  
Robert Lamarre, Deputy CBO

**SUBJECT:** New Building Officials Code of Conduct

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### RECOMMENDATION:

**THAT Committee of the Whole recommend to Council that the Building Officials Code of Conduct to be included as Appendix D to the 2024 Building By-law be approved, similar in effect to Attachment A.**

### BACKGROUND:

Section 7.1 of the Building Code Act prescribes that “A principal authority shall establish a code of conduct for the chief building official and inspectors”. The Act broadly prescribes what is to be included in the Code of Conduct. The purpose of a code of conduct is to promote appropriate standards of behaviour and enforcement actions, to prevent practices which may constitute an abuse of power and promote standards of honesty and integrity amongst Building staff. In addition to describing the purpose of the document, the Act also prescribes that the document is to provide for its enforcement and include policies and guidelines to be used when responding to allegations of breaches of the code of conduct.

The current version of the Code of Conduct is from 2018 and is part of the 2018 Building By-law. Staff have also rewritten the current Building By-law to account for changes to the underlying legislation and the construction industry since its passage in 2018. The report and proposed new Building By-law are also contained on the April 23, 2024, Committee of the Whole agenda. The development of a new Building By-law provides an opportunity to improve the Code of Conduct to better reflect current trends, best practices and meet legislated requirements.

Since each “principal authority” (typically municipalities) is required to establish a code of conduct, there is a wealth of existing examples from which to draw inspiration and comparison. Staff reviewed existing codes of conduct from Beckwith, Carleton Place, Loyalist, North Bay, North Grenville, South Frontenac as well as results from key-word web searches. The best pieces of each have been combined in a document for Council’s consideration, which includes the most appropriate policies and processes which provide the best framework for accountability and transparency for Mississippi Mills.

The proposed Building Official's Code of Conduct is a comprehensive document that clearly outlines standards of behaviour for Department staff, provides comprehensive standards of enforcement and policies intended to prevent unethical and illegal practices. In addition, the document outlines a process for the public to bring forward allegations of breaches of the Code of Conduct and outlines the process of managing any allegations of breaches of the Code which includes how investigations are to be conducted.

The proposed document meets the purpose and intent of the Building Code Act legislation.

### **OPTIONS:**

Option 1 – Approve the recommendation. Staff recommend this option to provide an updated Building Official's Code of Conduct which will be in place prior to the start of the summer construction season.

Option 2 – Deny the recommendation. If denied, the 2018 version of the Building Official's Code of Conduct will remain in place.

Option 3 – Refer back to staff for modifications.

### **FINANCIAL IMPLICATIONS:**

The Building Official's Code of Conduct is not appealable under the Act and so there are no anticipated financial impacts to adopting the proposed Code of Conduct.

### **STRATEGIC PLAN**

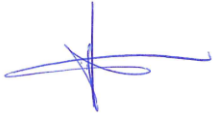


The proposed Code of Conduct is related to the following strategic plan initiatives:

- 1) Modern Efficient and Effective Municipal Operations
- 2) Accountable and Transparent Governance

The proposed Code of Conduct provides Building staff with a very detailed description of the Municipality's expectations related to their conduct and provides the industry and public with a detailed process to address complaints related to the provision of Building Department services.

### **SUMMARY**

In summary, the proposed Building Official's Code of Conduct will provide an up-to-date framework which addresses key issues and changes to the Building Department since the previous Code of Conduct was passed in 2018. The proposed Code of Conduct provides the entire Department with clear and concise direction to carry out their day-to-day duties.

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| Respectfully submitted by:  | Respectfully reviewed by:  |
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| Robert Lamarre MAATO, CBCO<br>Deputy Chief Building Official                      | Jon Wilson<br>Chief Building Official  |
| Respectfully reviewed by:   |  |
|  |  |
| Melanie Knight MCIP, RPP<br>Director of Development Services and<br>Engineering   |  |

## ATTACHMENTS

1. Attachment A - Building Official's Code of Conduct