CONSOLIDATED

THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS

BY-LAW 24-027, as amended by Bylaw 25-014, 26-031

BEING A BY-LAW TO REGULATE THE CONSTRUCTION, DEMOLITION AND CHANGE OF USE OF BUILDINGS AND DESIGNATED STRUCTURES WITHIN THE MUNICIPALITY OF MISSISSIPPI MILLS.

WHEREAS Section 7 of the Building Code Act, 1992 (S.O. 1992, C.23), as amended, authorizes a Municipal Council to pass a By-Law with classes of permits with respect to construction, demolition, change of use, inspections, fees, and other matters;

AND WHEREAS Subsection 1.1(6) of the Building Code Act, 1992 (S.O. 1992, C.23), as amended, authorizes a Chief Building Official to establish operational policies for the enforcement of this Act and the Building Code;

AND WHEREAS Subsection 23.1(1) of the Municipal Act, 2001 (S.O. 2001, C.25), as amended, authorizes a Municipality to delegate its powers and duties to a person or body;

AND WHEREAS Section 391 of the Municipal Act, 2001, S. O. 2001, c. 25, as amended, authorizes a municipality by by-law to impose fees or charges on persons for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property; Bylaw 25-014

NOW THEREFORE, the Council of the Corporation of the Municipality of Mississippi Mills enacts as follows:

1. SHORT TITLE

1.1. This By-Law may be cited as and referred to as the "Building By-Law".

2. DEFINITIONS

2.1. In this By-Law, words and terms shall be assigned the following definitions listed in this section. Words and terms not defined within this By-Law shall have the meaning defined in the Act or the Code. Words and terms defined in this By-law that are not defined in the Act or the Code but used in the Act or the Code shall have the meaning as defined in this By-law. Words or terms not defined in the Act, the Code, or this By-law, shall have the meaning defined by the Oxford Dictionary, considering the context in which they are used in this By-Law.

2.1.1. **“Act”** means the Building Code Act, 1992, (S.O. 1992, C.23), as amended.

2.1.2. **“Applicable Law”** means an applicable law listed in Division A, Article 1.4.1.3. of the Code.

2.1.3. **“Applicant”** means the Owner, or the person authorized by the Owner, who submits an application to the Chief Building Official.

2.1.4. **“Application”** means an application for a permit made to the Chief Building Official under Sections 8 or 10 of the Act.

2.1.5. **“Architect”** means the holder of a license, certificate of practice, or a temporary license issued under the Architects Act, (R.S.O. 1990, c. A.26).

2.1.6. **“As Constructed Plans”** means plans and drawings and other documents detailing how a building has been constructed.

2.1.7. **“Builder”** means any person who undertakes a project for an owner and includes an owner who undertakes all or part of a project by himself or by more than one employer and shall be held to the role of the Builder in the Act.

2.1.8. **“Building Staff”** means any person employed by the Municipality and working within the Building Department, including but not limited to a Building Clerk, a Building Inspector, a Deputy Chief Building Official/Plans Examiner, and the Chief Building Official.

2.1.9. **“Business Day”** means a day, and hours of the day, when the offices of the Municipality are open for the transaction of business with the public, and shall not include weekends, holidays, or other days as determined by the Municipality.

2.1.10. **"Change of Use Permit”** means a permit issued in accordance with Section 10 of the Act where no construction is proposed.

2.1.11. **“Chief Building Official”** means the person appointed by the Municipality under Subsection 3(2) of the Act.

2.1.12. **“Code”** means the in-effect version of the Ontario Building Code Regulation made under the Act, including all applicable amendments.

2.1.13. **“Conditional Permit”** means a permit issued under an agreement in accordance with Subsection 8(3) of the Act.

2.1.14. **“Digital Signature”** means cryptographically protected information in which the veracity of the certificate details is certified by a recognized digital signature certificate authority.

2.1.15. **“E-Permitting System”** means a software system for the electronic management of permit applications, issuance of permits, and building permit documents that has been implemented and deemed in use by the Chief Building Official.

2.1.16. **“Engineer”** means a person who holds a license or temporary license under the Professional Engineers Act, (R.S.O. 1990, c. P.28).

2.1.17. **“Fees and Charges By-Law”** means the current in effect fees and charges by-law passed by the Council of the Municipality prescribing the amount of fees under Clauses 7(c), 7(c.1), and 7(d) of the Act.

2.1.18. **“House”** means a detached house, semi-detached house, or rowhouse, that contains not more than three dwelling units, where the dwelling units may share means of egress, common rooms and areas, and service rooms; contains only residential occupancies, or home-based business; does not exceed three storeys in building height; is vertically separated by a party wall from an adjacent house; and does not share any interior spaces with another house. Bylaw 25-014

2.1.19. **“Minister”** means the Minister of Municipal Affairs and Housing.

2.1.20. “**Modular Homes**” means homes to which Article 9.1.1.9. of Division B of the Code applies.

2.1.21. **“Municipality”** means the Corporation of the Municipality of Mississippi Mills.

2.1.22. **“Occupancy Permit”** means permission or authorization from the Chief Building Official issued in accordance with Section 11 of the Act and Division C of the Code authorizing occupancy of a building or part of it.

2.1.23. **“OLMCBO Construction Value guide”** means the most recent version of the Ontario Large Municipalities Chief Building Officials Private Sector Price Construction Value guide or a successor of that document.

2.1.24. **“Owner”** means, in respect of the property in which the construction or demolition will take place, the registered owner of the property, or a lessee or mortgagee who is in possession of the property.

2.1.25. **“OLS”** means a professional member of the Association of Ontario Land Surveyors.

2.1.26. **“Permit”** means permission or authorization from the Chief Building Official issued in accordance with Section 8 of the Act to perform any work or action regulated by the Act and the Code, including all supporting documents & drawings, and “Building Permit” shall have the same meaning.

2.1.27. **“Project Value”** means the value of all materials, design work and labour, at reasonable industry rates, regardless of whether or not the items were actually paid for.

2.1.28. **“Property”** means a parcel of land within the Municipality capable of being conveyed in accordance with applicable land conveyancing laws.

2.1.29. **“Seriously Commenced”** means where the proposed construction involves the construction of a foundation, the footings shall be constructed. Where the proposed construction does not include a foundation, the first inspection relative to the project scope of work has been deemed complete or substantially complete. Bylaw 25-014

2.1.30. **“Substantially Discontinued”** means the construction has been discontinued such that more than one year has elapsed since the last inspection has been deemed complete or substantially complete.

2.1.31. **“Substantially Suspended”** means the construction has been suspended such that more than one year has elapsed since the last inspection has been deemed complete or substantially complete.

2.1.32. **“Zoning By-law”** means the in-effect version of the Zoning By-law of the Municipality and any amendments thereto.

3. PERMIT APPLICATIONS

3.1. Classes of Permits

3.1.1. Permits shall be classified as either a Building Permit, Demolition Permit, or combination of them, Conditional Permit, Occupancy Permit, or a Change of Use Permit.

3.1.2. Building Permits for signs shall be limited to signs that are classified as designated structures per Division A. of the Code and constructed

on a permanent foundation. All other signs shall be regulated per the in-effect version of the Municipality's sign by-law.

3.2. **Methods for Submitting an Application**

3.2.1. Permit applications, and the associated documents and forms, shall be submitted to the Chief Building Official by one or more of the following methods:

3.2.1.1. Digital submission by upload to an E-Permitting System if such system is implemented by the Chief Building Official.

3.2.1.2. Digital submission by e-mail to the Building Clerk at building@mississippimills.ca.

3.2.1.3. Digital submission by uploading to a secure and recognized online file sharing system or website, with access granted to Building Staff with prior approval by the Chief Building Official.

3.2.1.4. Subject to Subsection 3.2.3. of this By-Law, hard copy submission hand delivered or mailed to the attention of the Building Clerk at 14 Bridge Street, Mississippi Mills ON, K0A 1A0.

3.2.2. The Chief Building Official may refuse a digital submission if, after consultation with the Director of Corporate Services, the digital safety and security of the Municipality may be compromised by the submission.

3.2.3. The Chief Building Official may require that hard copy applications be accompanied by the same submission in digital format that meets the standards for digital submission and digital documents as specified by this By-Law.

3.3. **Separate Permit Applications**

3.3.1. Where parts of the construction or demolition proposed in an application are to take place in separate phases, stages, different portions of a building or time frames, the Chief Building Official may require the Applicant to submit separate applications for each phase, stage, portion of building or time frame of the proposed project.

3.3.2. Where the construction or demolition proposed in an application contains multiple freehold units or multiple civic addresses for one

building, the Chief Building Official may require the Applicant to submit separate applications for each freehold unit or civic address.

3.4. **Documents and Forms Required for Permit Applications**

3.4.1. Applications for all classes of permits shall be submitted with the following minimum documents, as it relates to the proposed project:

3.4.1.1. An "Application for a Permit to Construct or Demolish" form, as prescribed by the Minister, or the same information on that form entered into the E-Permitting System;

3.4.1.2. Where the Applicant is not the Owner, a "Letter of Authorization" signed by the Owner authorizing the Applicant to apply for and obtain a permit with respect to their Property. The letter shall contain the Owner's name, email address, and phone number, the Applicant's name, the Property civic address, and the description of the proposed project;

3.4.1.3. Where the Owner is a corporation, proof of signing authority that binds the corporation for the individual that is completing the Application or "Letter of Authorization";

3.4.1.4. A "Schedule 1: Designer Information" form, as prescribed by the Minister, for each individual who reviews and takes responsibility for design activities, unless the individual is an Engineer or Architect;

3.4.1.5. Where the project is of a type that requires general review in accordance with Division C, Subsection 1.2.2. of the Code, a "Commitment to General Review" form, as prescribed by the Ontario Association of Architects and the Professional Engineers of Ontario, for each Architect and Engineer who is to be retained to undertake the general review;

3.4.1.6. Plans, including but not limited to plan views, cross-sections, elevations, enlarged details, and schedules, containing sufficient notes, dimensions, details, and other relevant information as necessary to describe and illustrate the proposed project, and to demonstrate compliance with the Act and the Code, to the satisfaction of the Chief Building Official;

3.4.1.7. Where the proposed project will require evaluation of the site plan specific requirements of the Code or an Applicable Law, a site plan drawing containing sufficient information as deemed relevant by the Chief Building Official, including but not limited to the locations of existing buildings and structures, proposed buildings and structures, overhead electrical conductors, registered property lines and easements, property line setbacks, bodies of water, sewage system beds and tanks, wells, driveways, fire access routes, fire hydrants, water and sewer pipes below grade, and any other significant site features;

3.4.1.8. Site plans submitted shall be referenced to a current plan of survey certified by a registered Ontario Land Surveyor and a copy of such a survey shall be filed with and retained by the Municipality. This requirement may be waived by the Chief Building Official in a circumstance where without a current plan of survey, the Chief Building Official is able to determine that the proposed work conforms to the Act, the Building Code, and any other applicable law. Bylaw 25-014

3.4.1.9. Notwithstanding 3.4.1.8, where the proposed project is on a Property that is waterfront or has identifiable environmental hazards, including but not limited to wetlands, flood plain, erosion, or slope stability concerns, the site plan shall be supported with the submission of a surveyor's real property report completed by an OLS identifying such hazards, including topographic elevations. Bylaw 25-014

3.4.1.10. Plans for any proposed construction, alteration, and demolition of a plumbing system, except that for Part 9 buildings not requiring general review, the Chief Building Official may accept the license number of a qualified plumber in lieu of plumbing system plans;

3.4.1.11. Plans for any proposed construction, alteration, and demolition of a Heating Ventilation and Air Conditioning (HVAC) system, except that for Part 9 buildings not requiring general review, the Chief Building Official may accept an HRAI license number of a qualified HVAC contractor in lieu of HVAC system plans;

3.4.1.12. A building code matrix, providing all the information as prescribed by a “Building Code Matrix” form from the Ontario Association of Architects, for any project that is not a house, a building ancillary to a house, or a basic renovation under Division B, Article 11.3.3.1.;

3.4.1.13. Where the proposed project includes a renovation of a building, that has been in existence for at least five years, an evaluation of the requirements of Part 11 of the Code;

3.4.1.14. Where the design proposes using an alternative solution, any documentation that the Chief Building Official deems relevant in determining whether the proposed alternative solution will achieve the same level of performance that would be required by the applicable acceptable solution in Division B of the Code, including but not limited to the documentation listed in Division C, Section 2.1. of the Code;

3.4.1.15. All documents shall include the civic number for the property. Where a new civic number(s) is(are) required, documentation from Public Works confirming the new civic number(s) shall be provided and all documents associated with the application shall reflect the new civic number(s). Bylaw 25-014

3.4.1.16. Any document that demonstrates to the Chief Building Official that the proposed project will comply with an Applicable Law;

3.4.1.17. Any documents and forms that demonstrate to the Chief Building Official compliance with Part 12 of the Code and the standards referenced in that Part; and,

3.4.1.18. Notwithstanding the above, the Chief Building Official may require any other plans, documents, or information, and may prescribe any other form that they deem necessary in determining whether the proposed project will comply with the Act or the Code.

3.4.2. Notwithstanding Subsection 3.4.1. of this By-Law, a Change of Use permit application shall be accompanied by as-constructed plans of the existing building or the part of the building where Change of Use is proposed, as well as an analysis of the requirements of Part 10 of the Code.

3.4.3. Notwithstanding Subsection 3.4.1. of this By-Law, a Demolition permit application shall be accompanied by an as-constructed site plan of the property identifying the building or part of the building that is proposed to be demolished, and the site plan shall include the location of the registered property lines, the location of all buildings, including buildings not being demolished, and shall indicate with dimensions the location of the building(s) relative to the property lines.

3.4.4. Where the scope of the project includes, or may include, disturbance of any designated substance regulated by the Occupational Health and Safety Act, R.S.O. 1990, C1, or amendments thereof, and require Building Staff to be on-site prior to the completion of the project, the Chief Building Official may require one of the following documents to be provided prior to any site visits or inspections being conducted. For clarity, this generally applies to any renovation or demolition of buildings that existed prior to 1990: Bylaw 25-014

3.4.4.1. Prior to construction commencing, a designated substance report from a suitably qualified agency confirming that designated substances are not present, or

3.4.4.2. After construction commences, an air quality report from a suitably qualified agency confirming that there are no designated substances present that could pose a health or safety risk to Building Staff.

3.4.5. Where the Applicant is requesting that the Chief Building Official issue a Conditional Permit, the Applicant shall provide in writing all the reasons, including how the construction would be unreasonably delayed if the conditional permit were not granted, to the satisfaction of the Chief Building Official, that they are requesting the Conditional Permit.

3.4.6. Forms prescribed by this By-Law shall be made available to the public by Building Staff, either in the Building Department office, on the Municipality's website, or within the E-Permitting System.

3.4.7. All documents submitted to the Chief Building Official shall include on the document a date, such as a date of issuance or date of revision.

3.4.8. A document submitted to the Chief Building Official shall only contain the information that is relevant to the proposed construction or demolition in the application, and any information that is not relevant shall be clearly identified on the document as such or be removed from the document prior to submission to the Chief Building Official.

3.4.9. Any document submitted to the Chief Building Official that is not required by this By-Law to be submitted with an application, and that has been deemed by the Chief Building Official as not relevant in the review of the application, shall be deemed to not form part of the application or the permit issuance.

3.4.10. A document or plan that specifies options or optional work shall clearly identify which option is being proposed in the application.

3.4.11. A document or plan that forms part of the design of a building submitted to the Chief Building Official shall, in the case of an Architect or Engineer who takes responsibility for the design, be stamped with the seal of the Architect or Engineer and signed by that person, and in the case of any other person required to be a registered designer in accordance with Division C, Section 3.2. of the Code, contain the information prescribed by Division C, Articles 3.2.4.7. and 3.2.5.6. of the Code and be signed by that person.

3.4.12. On completion of the construction of a building, or part of a building, the Chief Building Official may require a set of As Constructed Plans, including a plan of survey showing the location and confirming the elevation of the building.

3.5. **Document Standards and Formats**

3.5.1. All wording, linework, details, notes, dimensions, and other information contained on or within a document shall be legible and clear.

3.5.2. All drawings shall be to scale.

3.5.3. All wording contained on or within a document shall be in English and legible.

3.5.4. Digital documents shall be separated into individual files for each document type, such as plans, application form, and Schedule 1, and each file shall be named and labelled accordingly to describe its contents.

3.5.5. Individual digital documents shall be provided in any combination of .PDF, .JPG, .DOCX, or .XLSX file format, shall have a document size not less than 8.5”x11” and not exceeding 36”x48”, and any individual electronic file size shall not exceed 100 megabytes.

3.5.6. Combined files in a .ZIP folder shall be in compliance with the requirements of this By-Law.

3.5.7. The Chief Building Official may require digital documents to be provided by an Applicant with optical character recognition (OCR) and saved in a searchable format for Building Staff review.

3.5.8. Where a document is a scanned copy or photographed copy, the document shall be formatted to be centered, aligned, and cropped to only display relevant information.

3.5.9. Hard copy documents shall be provided on paper stock, shall have a document size not less than 8.5”x11” and not exceeding 11”x17”. Any hard copy documents exceeding this size may be accepted only where the documents are accompanied by a submission of the same document in digital format that meets the standards for digital documents specified by this By-Law.

3.5.10. Where a form, document, or plan is required by this By-Law to be signed by a person, in the case of a digital document, the signature shall be a digital signature, and in the case of a hard copy document, the signature shall be the original wet ink signature.

4. APPLICATION COMPLETENESS AND REVIEW

4.1. Payment of Fees

4.1.1. An application shall be accompanied by the full payment of permit fees prescribed by the Fees and Charges By-Law, calculated on the date the application is made except as otherwise permitted by Subsection 4.1.8. Bylaw 25-014

4.1.2. Where the permit fee is based on the value of construction, the fee shall be based on the higher of the “Project value est. $” from the application form or the most applicable average value as reported in the most recent version of the OLMCBO Construction Value guide.

4.1.3. The OLMCBO Construction Value guide shall be made available on the municipal website.

4.1.4. Where a building contains multiple dwelling units, the fees shall be based on a per-unit price.

4.1.5. Where the scope of the proposed construction is such that the inspections applicable to the project exceed the permit cost when calculating each of the inspections at the rate of additional inspections as per the Fees and Charges By-Law, the Chief Building Official may add additional inspection fees as applicable.

4.1.5.1. For the purposes of Subsection 4.1.5., the combination of administrative functions and the plans review shall be considered as one required inspection.

4.1.6. The fees for Modular Homes are applicable to situations where there are reduced inspections required due to typically on-grade foundation and the building above the foundation being delivered to the site in a predominantly finished condition. Required inspections for these types of buildings are simplified with only service connections and occupancy of the supported structure and limited other required inspections. Accordingly, only the following components & inspections are included in the reduced price:

4.1.6.1. Readiness to construct footings

4.1.6.2. Substantial completion of footings and foundations prior to commencement of backfilling

4.1.6.3. Readiness for inspection and testing of building sewers, building drains, water service pipes, and drainage systems

4.1.6.4. Substantial completion of framing (foundation skirting and one entry stair/landing only)

4.1.6.5. Occupancy

4.1.7. Construction exceeding Subsection 4.1.6. will be evaluated by the Chief Building Official and may be subject to additional fees or classified as a Detached Dwelling if the scope of the project warrants as such.

4.1.8. Where the permit fee for an application exceeds $10,000, the Chief Building Official may permit a deposit to be paid of not less than 35% of the estimated value of the permit. The final permit value shall be based on the applicable fees at the time of permit issuance. The balance shall be due at permit issuance less any deposit amounts paid.

4.1.9. Notwithstanding anything in this Subsection, if the Chief Building Official determines that additional fees are required, the applicant shall be notified, and no permit shall be issued until the total fee has been paid.

4.1.10. For renovation and repair projects that do not result in an increase in the floor area of a building, where a dispute arises between the Applicant and the Chief Building Official regarding the difference between the Project Value declared in the application and the construction value determined under subsection 4.1.2, the Applicant may elect to follow the procedure set out below to request a partial refund of the permit fees paid. Bylaw 26-031

4.1.10.1. This fee dispute process shall be considered an alternative solution with respect to the Building Permit fees established in the Municipality's Fees and Charges By-law, as amended.

4.1.10.2. The applicant shall pay the full amount as calculated by subsection 4.1.2. or as otherwise required by this by-law, at permit issuance.

4.1.10.3. Prior to permit issuance, the Applicant shall submit a letter confirming that there is a dispute with the permit fee and are requesting a review.

4.1.10.4. The construction shall be completed within 3 years of permit issuance

4.1.10.5. Within ninety (90) days of a Building Inspector deeming the project to be complete or substantially complete as applicable, the Applicant shall submit in writing, to the Chief Building Official, an audited statement of the costs and value of the project and payment of alternative solution fees as per the Fees and Charges By-Law, as amended. The audited statement shall be prepared by an Architect, Professional Engineer, or Certified Public Accountant (CPA) with sufficient evidence to demonstrate their experience with similar construction.

4.1.10.6. The audited statement shall detail all costs at fair and reasonable value, associated with the project. This statement shall include, without limitation, all expenses for design, consulting, and professional services, as well as all labour, equipment and materials, irrespective of whether such services, labour, or materials were directly incurred by the applicant or paid to third parties such as contractors or tradespersons.

4.1.10.7. Prior to acceptance of the audited statement, the Chief Building Official will review the audited statement for completeness and at their sole discretion, may engage a third-party to review the submitted audited statement. Any fees for such third-party review shall be the responsibility of the Municipality.

4.1.10.8. In the event there is a discrepancy between the submitted audited statement and any third-party review, the values shall be averaged and considered the final as-constructed value.

4.1.10.9. Where the final as-constructed value determined in accordance with this subsection is equal to or less than ninety percent (90%) of the value established under subsection 4.1.2, the Chief Building Official shall refund any overpayment of permit fees. Notwithstanding the foregoing, in no circumstance shall the portion of fees retained by the Municipality be less than that calculated by subsection 4.1.5.

4.1.10.10. Where the final as-constructed value determined in accordance with this subsection is between ninety percent (90%) and one hundred and ten percent (110%) of the

value established under subsection 4.1.2, the permit fee shall remain as originally calculated.

4.1.10.11. Where the final as-constructed value determined in accordance with this subsection is equal to or greater than one hundred and ten percent (110%) of the value established under subsection 4.1.2, the Applicant shall be responsible for payment of any additional fees in accordance with this By-law.

4.1.10.12. Notwithstanding any other provision in this by-law, this fee dispute process is not applicable to any project where construction has commenced prior to the issuance of a building permit or any project where issuance of an order is required at any time in the course of the construction to obtain compliance with the Act or Code.

4.2. **Complete Application**

4.2.1. For an application to be deemed a complete application, the application shall meet the requirements of Division C, Sentence 1.3.1.3.(5) of the Code.

4.2.2. For the purposes of Division C, Clause 1.3.1.3.(5)(c) of the Code the minimum required fields on the application form and schedules shall be the highlighted fields in *“Appendix A – Required Application Fields” and “Appendix B – Required Schedule 1 Fields”*.

4.2.3. Where an application has been deemed complete, and the Chief Building Official has provided notice to the Applicant of any reason that a permit cannot be issued, including but not limited to a request for further documents, plans, or other information, or that part of the design does not appear to comply with the Act, the Code, or an Applicable Law, the notice shall be deemed as refusal to issue a permit in accordance with Division C, Clause 1.3.1.3.(1)(b) of the Code.

4.2.4. Where there are substantial changes to the design of the project, during the review process, that are not otherwise necessary for addressing any of the reasons that a permit cannot be issued, additional fees may be applied at the discretion of the Chief Building Official in accordance with the Fees and Charges By-Law.

4.3. **Incomplete Application**

4.3.1. An application that is not deemed a complete application, shall be deemed an incomplete application.

4.3.2. Where an Applicant is notified that an application is incomplete, the notice shall be deemed as a refusal to issue a permit in accordance with Division C, Clause 1.3.1.3.(1)(b) of the Code.

4.4. **Time Periods for Applications**

4.4.1. Where a notice of refusal to issue a permit in accordance with Subsections 4.2.4. or 4.3.2. of this By-Law has been provided to an Applicant, the time periods prescribed by the Code do not recommence unless the Applicant submits a new application.

4.5. **Cancelled Applications**

4.5.1. If an incomplete application remains in an incomplete state for longer than the time period prescribed in Table 4.5. in this By-Law, from the date the application is made, the application may be cancelled.

4.5.2. Where an application has been deemed complete, notice of refusal to issue permit in accordance with Division C, Clause 1.3.1.3.(1)(b) of the Code has been provided to the Applicant, and all reasons for refusal have not been appropriately addressed by the Applicant that would otherwise allow the Chief Building Official to issue a permit, the application may be cancelled if the time period prescribed in Table 4.5. in this By-Law has lapsed from the date the original notice of refusal was provided.

4.5.3. Where an application meets all the requirements that allow the Chief Building Official to issue the permit, but where the total amount of fees required by the Fees and Charges By-Law for the issuance of the permit, including any applicable development charges, have not been paid by the Applicant, the application may be cancelled if the time period prescribed in Table 4.5. in this By-Law has lapsed from the date the Applicant was notified of the amount of unpaid fees.

Table 4.5. – Time Period for Cancellation of Application Bylaw 25-014

Column 1 **Building Type**	Column 2 **Time Period for Cancellation of Application.**
Houses, buildings accessory to a house, tents, signs, and designated structures	20 business days
Part 9 buildings other than described above, farm buildings <600m2	30 business days
Part 3 buildings other than described above, retirement homes, farm buildings >600m2	40 business days
Post disaster buildings, high buildings, and buildings with an interconnected floor space	60 business days

4.5.4. Where more than one time period is applicable in Table 4.5, the greater time period shall apply.

4.5.5. Prior to cancelling an application, the Chief Building Official shall serve notice to the Applicant, either by personal service or email service to the address or email declared on the application form, that the Application will be cancelled.

4.5.6. Where notice is served by email, the Applicant shall be conclusively deemed for all purposes to have been served.

4.5.7. An Applicant may, within five (5) business days from the date served of a notice of application cancellation, request in writing that the Chief Building Official defer the cancellation by stating reasons why the application should not be cancelled.

4.5.8. The Chief Building Official, having regard to any changes to the Act, the Code, or an Applicable Law, may defer the cancellation request under Subsection 4.5.7. for a time period of not more than ten (10) business days from the original time period as determined by Table 4.5.

4.5.9. An Applicant may, by written notice to the Chief Building Official, request cancellation of the application at any time.

4.5.10. An Owner who has authorized an Applicant to apply for a permit for their property may, by written notice to the Chief Building Official, withdraw their authorization of the application at any time prior to the permit being issued, and upon receipt of the notice, the Chief Building Official shall cancel the application in accordance with Subsection 4.5.5. of this By-Law.

5. PERMIT ISSUANCE, TRANSFER, AND DOCUMENT RETENTION

5.1. Permit Issuance

5.1.1. Notwithstanding any other provision of this By-Law, all permits issued shall be issued in the name of the legal owner of the property.

5.1.2. If an E-Permitting System is in use in the Municipality, all permits shall be provided through the system to the Applicant, the Owner, and if known at the time of the application, the Builder.

5.1.3. If an E-Permitting System is not in use in the Municipality, the permit and all documents that form part of the permit will be emailed to the Applicant, the Owner, and if known at the time of application, the Builder.

5.1.4. Every person to whom a permit has been provided shall be responsible to download from the E-Permitting System, or email as applicable, the permit and all documents that form the permit, and shall retain a copy on the site of the construction.

5.1.5. Only the documents that have been certified by the Chief Building Official or Building Staff shall be deemed as the documents that form the permit.

5.1.6. Notwithstanding any request made under Subsection 3.4.5., there is no obligation on the Chief Building Official to issue a Conditional Permit. The decision of the Chief Building Official to issue or refuse a Conditional Permit is final and not appealable.

5.2. Transfer of Permit

5.2.1. When land ownership changes, a permit may be transferred to another person after the permit has been issued by submitting the following information and documents to the Chief Building Official:

5.2.1.1. Proof of ownership, such as land transfer or title documents;

5.2.1.2. The documents identified in Subsections 3.4.1.1. to 3.4.1.5. of this By-Law.

5.2.1.3. Payment of the permit transfer fee prescribed by the Fees and Charges By-Law.

5.2.2. When a permit is transferred, a new file shall be created, a new permit issued, including a new permit number, and the original permit file closed. Both the new and original files shall contain a reference to the other file.

5.2.3. The transfer of a permit does not constitute a reason for refunding of fees previously paid by the original permit Applicant.

5.2.4. The transfer of a permit does not absolve the new permit holder from compliance with the Act or the Code or correction of any deficiencies related to the project prior to their ownership.

5.3. **Material Changes**

5.3.1. Where there are material changes to the proposed construction after the permit has been issued, the designer shall submit revised designs, sufficient to determine compliance with the Code, to the Chief Building Official for review and authorization of the material change. Additional fees may be applicable at the discretion of the Chief Building Official in accordance with the Fees and Charges By-Law.

5.4. **Revoking of Permits**

5.4.1. Permits may be revoked by the Chief Building Official in accordance with Section 8(10) of the Act.

5.4.2. In the event a Permit is revoked, refund fees shall be applicable as per Subsection 6.2., except if a permit is revoked due to being issued on false information provided by the Applicant, in such event, no refund shall be issued. Bylaw 25-014

5.5. Occupancy Permits

5.5.1. Where the project requires an occupancy permit, the fee for the occupancy permit is deemed to be included with the original permit fee except as per this Subsection.

5.5.2. Where the occupancy permit is requested prior to completion of the project such that occupancy may be granted but there are items remaining that require further inspections, a fee for the occupancy permit equal to the minimum permit fee shall be paid prior to issuance of the occupancy permit.

5.5.3. Where a project is scheduled such that there are multiple partial occupancies requested prior to completion of the project, a fee equal to the to the minimum permit fee shall be paid for each occupancy permit prior to issuance of the respective occupancy permit.

5.5.4. Where the occupancy permit is requested and it is determined at the time of inspection by the Building Inspector that occupancy has already taken place, a fee for the occupancy permit equal to double the minimum permit fee shall be paid prior to issuance of the occupancy permit.

6. THIRD-PARTY REVIEWS AND REFUNDS, OTHER FEES

6.1. Third-Party Review

6.1.1. Where an Applicant or designer proposes an alternative solution, or the use of innovative materials, systems or building designs that are not approved through a ruling by the Minister, or where the proposed design cannot reasonably be determined by the Chief Building Official as compliant with the Act or the Code, the Chief Building Official may utilize a third party review by a person possessing special or expert knowledge with respect to the proposed design or part of the design that is in question.

6.1.2. All fees and costs associated with a third-party review shall be paid by the Applicant in accordance with the Fees and Charges By-Law.

6.2. **Refunds**

6.2.1. Refunds of application and permit fees, where applicable, shall be made in accordance with Appendix C of this By-Law.

6.2.2. Any third-party review fees incurred related to a project and administrative fees are not applicable for refund. Bylaw 25-014

6.2.3. No refund shall be made where the amount of refund payable is less than one hundred dollars ($100) or where the permit fee is the minimum permit fee. Bylaw 25-014

6.2.4. No refund shall be made for any permit that exceeds three (3) years old from the date of issuance except for permits which are subject to an active permit fee review process as per subsection 4.1.10. Bylaw 26-031

6.3. **Other Fees Bylaw 25-014**

6.3.1. Where work or action is required by the Chief Building Official to a building or property to remediate an unsafe condition and any third-party costs are incurred, all such costs may have administrative fees added at the discretion of the Chief Building Official as though they are third-party evaluation fees as per the Fees and Charges By-law. Bylaw 25-014

6.3.2. Administrative or other fees may be added as per the Fees and Charges By-law to a project and collected in the same manner as permit fees. All fees shall be paid by the applicant prior to the issuance of any permit or final inspection report. Bylaw 25-014

6.3.3. Where Staff time is required for any action not otherwise prescribed in this By-law or the Fees and Charges By-law, an hourly rate may be applied at the discretion of the Chief Building Official as calculated per the following and shall be paid by the applicant. Bylaw 25-014

6.3.3.1. For the Building Inspectors and Building Clerk at an hourly rate equivalent to the extra inspection fee. Bylaw 25-014

6.3.3.2. For the Chief Building Official and Deputy Chief Building Official at an hourly rate of 125% of the extra inspection fee. Bylaw 25-014

6.3.4. If any fee or charge under this by-law remains unpaid for more than 60 calendar days from the date the fee was due or the date of the invoice, the Chief Building Official may request to the Clerk or

Treasurer of the Municipality as applicable, to add the unpaid amount to the property tax roll, including any administrative fees, in accordance with the Fees and Charges By-law. Bylaw 25-014

7. PERMIT RENEWALS

7.1. Conditions for Renewal

7.1.1. Permits are considered valid for one calendar year from the date of issuance.

7.1.2. Permits where the proposed construction has not been Seriously Commenced, has been Substantially Discontinued or Substantially Suspended, may be renewed with the approval of the Chief Building Official.

7.1.3. Permits may be renewed by the original applicant or owner for periods not exceeding one year per renewal. The renewal date shall coincide with the original date of Permit issuance.

7.1.4. Where the Applicant initiates the renewal of the Permit, they shall make the request in writing, including providing a projected timeline for completion of the project.

7.1.5. Where a Permit is renewed and there have been changes to the Code or Act since the original date of Permit issuance, the Code or Act in effect at the time of issuance shall prevail, subject to any transitional rules within the Act or Code.

7.1.6. Where a Permit is renewed, all components of this By-Law shall be applicable to the renewed Permit, except for Sections 3 and 4.

7.2. **Renewal Fees**

7.2.1. Permit renewal fees shall be in accordance with the Fees and Charges By-Law.

7.2.2. Where the applicant initiates the renewal of the Permit the renewal fees shall be according to the Fees and Charges By-Law.

7.2.3. Where the applicant does not initiate the renewal of the Permit prior to its expiry and the Permit is required to remain valid due to incomplete construction, the renewal fees may be increased by an additional 25%.

7.2.4. The Chief Building Official may, with regard to staff involvement for the completion of a project, reduce or waive renewal fees at their discretion.

8. DOCUMENTATION

8.1. **Document Retention**

8.1.1. Except as required in this By-Law, documents related to applications and permits shall be retained in accordance with the records management and document retention by-laws and policies enacted by the Municipality.

8.1.2. All hard copy documents shall be scanned and converted to digital documents to be retained by the Municipality, the hard copy documents shall be destroyed thereafter, and the digital version of the documents shall be deemed to be true copies of the original for all purposes.

8.1.3. All permits that have been issued by the Chief Building Official, and all documents that form the permit, shall be retained by the Municipality permanently in digital format.

8.1.4. Where an application has been cancelled, permit refused, or otherwise and no permit has been issued, documents and forms submitted with the application shall be retained by the Municipality, in accordance with this section as a record of the cancelled application or refused permit.

8.1.5. Any documents deemed to be not part of the application as per Subsection 3.4.8., shall not be retained and shall be destroyed or deleted.

9. INSPECTIONS

9.1. Prescribed and Additional Inspection Notices

9.1.1. All prescribed inspection notices listed in Division C, Article 1.3.5.1. of the Code shall be required with respect to the construction proposed in the permit.

9.1.2. The Chief Building Official may require any of the additional inspection notices listed in Division C, Article 1.3.5.2. of the Code where the Chief Building Official has communicated to the person(s) to whom a permit has been provided that the additional inspection notice is required.

9.1.3. The required prescribed and additional inspection notices that relate to the type of construction proposed in the permit shall be noted on the permit.

9.1.4. Notwithstanding Subsection 9.1.3. of this By-Law, inspection notices noted on the permit shall be deemed for convenience only, and it shall be the responsibility of the person(s) to whom the permit has been provided to ensure that all inspection notices that relate to the construction are provided as required by the Act and the Code.

9.2. Request for Inspection

9.2.1. The person(s) to whom the permit has been issued shall provide notice to the Chief Building Official for each required prescribed and additional inspection notice by one of the following methods:

9.2.1.1. E-Permitting System inspection request process, if such system exists;

9.2.1.2. Phone call or voicemail to the Building Clerk at (613)-256-2064 ext 508; or,

9.2.1.3. Email to the Building Clerk at building@mississippimills.ca.

9.2.1.4. On a case-by-case basis, the Chief Building Official may approve other methods of booking inspections.

9.2.2. The person providing the inspection notice to the Chief Building Official shall ensure that the construction relevant to the requested inspection is ready for such inspection and that all required documentation to conduct the inspection is available on site.

9.2.3. Every inspection notice shall contain the following information:

9.2.3.1. The name of the prescribed or additional inspection notice and stage of construction that the inspection relates to;

9.2.3.2. The permit number or civic address that relates to the project; and,

9.2.3.3. Contact information for the individual making the request.

9.2.4. A notice or request for inspection that does not meet the criteria of Subsections 9.2.1. and 9.2.2. of this By-Law may be deemed invalid.

9.2.5. Where an inspector has deemed that a stage of construction does not meet the criteria for the prescribed or additional inspection notice, as it is described in Division C, Articles 1.3.5.1. and 1.3.5.2. of the Code, the permit holder shall provide a new notice for inspection when the criteria for that stage of construction has been met and shall not cover any portion of the work that will require inspection for that stage of construction.

9.2.6. In the event that re-inspection is required for any stage of construction, additional inspection fees may be added as per the Fees and Charges By-law.

9.2.7. If additional site visits, beyond the inspection stages outlined in Section 9.1, are required by Building Department staff to discuss or evaluate challenges imposed by site conditions, those site visits shall only be conducted with the prior approval of the Chief Building Official and additional inspection fees may be added as per the Fees and Charges By-law.

9.2.8. Inspections shall be conducted within two (2) business days of the date of making the request with the first day being the day after the request was made unless agreed to otherwise by the person making the request and the Chief Building Official.

9.3. **Inspection Policy**

9.3.1. Matters related to inspections, including but not limited to requirements for notice, readiness, condition of the construction site, access for inspector, and results of the inspection, shall comply with any Inspection Policy that has been established by the Chief Building Official.

10. DELEGATION OF AUTHORITY

10.1. Conditional Permit Agreements

10.1.1. The Chief Building Official is hereby delegated the power to enter into and execute on behalf of the Municipality agreements described in Clause 8(3)(c) of the Act.

10.2. Emergency Appointment Provisions

10.2.1. Upon receiving notice of a declared state of emergency, the Chief Administrative Officer may authorize the Chief Building Official to appoint inspectors under Section 3 of the Act, including the function of revoking such appointments, subject to the following conditions:

10.2.1.1. The Chief Administrative Officer has determined the state of emergency has overwhelmed the Building Department's resources;

10.2.1.2. Prior to appointment, each inspector shall have the qualifications set out in the Code, as it relates to the position and the duties they will perform; and,

10.2.1.3. Any appointments made may be revoked at any time by the Chief Administrative Officer or the Chief Building Official, and all appointments shall be considered automatically revoked when the state of emergency is no longer in effect.

10.3. Delegation to Building Staff

10.3.1. Where notice or action is required by this By-Law by the Chief Building Official, with respect only to Applications, Permits, and Fees, the Chief Building Official may delegate the ability to provide or serve the notice to any Building Staff as they see fit, with the exception of Conditional Permits which may not be delegated

11. OFFICIAL COMPLAINTS

11.1. Complaints related to Building Code matters and enforcement, except for matters related to the Building Official Code of Conduct, shall be submitted to Building Staff by either email, written submission, or through the Municipality's website complaint form, and shall contain the civic address of the alleged contravention, the complainant's name, phone number, home

address, email address, and sufficient information to describe the alleged contravention.

11.2. Complaints that do not contain all the information from Subsection 11.1. may be deemed by the Chief Building Official to not be valid complaints and not investigated.

11.3. Complaints related to refusal to issue a Permit in accordance with Division C of the Code may be deemed by the Chief Building Official to not be valid complaints and not investigated.

11.4. Complaints related to the Building Official Code of Conduct shall be submitted in accordance with the procedures described in that document which is attached as Appendix 'D' to this By-Law.

12. SEVERABILITY

12.1. If a court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this By-law and it is hereby declared that the remainder of this By-law shall be valid and shall remain in force.

13. REPEAL

13.1. By-law No. 18-23 as amended is hereby repealed in its entirety upon the day of passing of this by-law

14. EFFECTIVE DATE

14.1. This By-law shall come into force and take effect on the day of passing of this by-law.

BY-LAW READ, passed, signed, and sealed in open Council this **7th day of May, 2024.**

_____ _____

Christa Lowry, Mayor Jeanne Harfield, Clerk

APPENDIX A to Bylaw 24-027
REQUIRED APPLICATION FIELDS

Application for a Permit to Construct or Demolish

This form is authorized under subsection 8(1.1) of the *Building Code Act, 1992*

For use by Principal Authority	
Application number:	Permit number (if different):
Date received:	Roll number:

Application submitted to: _____
(Name of municipality, upper-tier municipality, board of health or conservation authority)

A. Project information

Building number, street name		Unit number	Lot/con.
Municipality	Postal code	Plan number/other description	
Project value est. $		Area of work (m^2)	

B. Purpose of application

Select the applicable

☐ New construction ☐ Addition to an existing building ☐ Alteration/repair ☐ Demolition ☐ Conditional Permit

Proposed use of building	Current use of building
Description of proposed work	

C. Applicant

Applicant is: ☐ Owner or ☐ Authorized agent of owner

Last name	First name	Corporation or partnership	
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number	Fax		Cell number

D. Owner (if different from applicant)

Last name	First name	Corporation or partnership	
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number	Fax		Cell number

E. Builder (optional)

Last name	First name	Corporation or partnership (if applicable)	
Street address		Unit number	Lot/con.
Municipality	Postal code	Province	E-mail
Telephone number	Fax		Cell number

F. Tarion Warranty Corporation (Ontario New Home Warranty Program)

New Construction ONLY - Developers fill out

i. Is proposed construction for a new home as defined in the *Ontario New Home Warranties Plan Act*? If no, go to section G.	☐ Yes	☐ No
ii. Is registration required under the *Ontario New Home Warranties Plan Act*?	☐ Yes	☐ No

iii. If yes to (ii) provide registration number(s): _____

G. Required Schedules

i) Attach Schedule 1 for each individual who reviews and takes responsibility for design activities.

ii) Attach Schedule 2 where application is to construct on-site, install or repair a sewage system.

H. Completeness and compliance with applicable law

i) This application meets all the requirements of clauses 1.3.1.3 (5) (a) to (d) of Division C of the Building Code (the application is made in the correct form and by the owner or authorized agent, all applicable fields have been completed on the application and required schedules, and all required schedules are submitted).	☐ Yes	☐ No
Payment has been made of all fees that are required, under the applicable by-law, resolution or regulation made under clause 7(1)(c) of the *Building Code Act, 1992*, to be paid when the application is made.	☐ Yes	☐ No
ii) This application is accompanied by the plans and specifications prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the *Building Code Act, 1992.*	☐ Yes	☐ No
iii) This application is accompanied by the information and documents prescribed by the applicable by-law, resolution or regulation made under clause 7(1)(b) of the *Building Code Act, 1992* which enable the chief building official to determine whether the proposed building, construction or demolition will contravene any applicable law.	☐ Yes	☐ No
iv) The proposed building, construction or demolition will not contravene any applicable law.	☐ Yes	☐ No

Select the correct option for each

I. Declaration of applicant

I _____ declare that:
(print name)

1. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge.
2. If the owner is a corporation or partnership, I have the authority to bind the corporation or partnership.

_____ _____
Date Signature of applicant

Personal information contained in this form and schedules is collected under the authority of subsection 8(1.1) of the *Building Code Act, 1992*, and will be used in the administration and enforcement of the *Building Code Act, 1992*. Questions about the collection of personal information may be addressed to: a) the Chief Building Official of the municipality or upper-tier municipality to which this application is being made, or, b) the inspector having the powers and duties of a chief building official in relation to sewage systems or plumbing for an upper-tier municipality, board of health or conservation authority to whom this application is made, or, c) Director, Building and Development Branch, Ministry of Municipal Affairs and Housing 777 Bay St., 2nd Floor. Toronto, M5G 2E5 (416) 585-6666.

APPENDIX B to Bylaw 24-027
REQUIRED SCHEDULE 1 FIELDS

Schedule 1: Designer Information

Use one form for each individual who reviews and takes responsibility for design activities with respect to the project.

A. Project Information

Building number, street name		Unit no.	Lot/con.
Municipality	Postal code	Plan number/ other description	

B. Individual who reviews and takes responsibility for design activities

Name		Firm	
Street address		Unit no.	Lot/con.
Municipality	Postal code / Province	E-mail	
Telephone number	Fax number	Cell number	

C. Design activities undertaken by individual identified in Section B. [Building Code Table 3.5.2.1. of Division C]

Select those that are applicable

☐ House	☐ HVAC – House	☐ Building Structural
☐ Small Buildings	☐ Building Services	☐ Plumbing – House
☐ Large Buildings	☐ Detection, Lighting and Power	☐ Plumbing – All Buildings
☐ Complex Buildings	☐ Fire Protection	☐ On-site Sewage Systems

Description of designer's work — Include a description of the proposed work

D. Declaration of Designer

I _____ declare that (choose one as appropriate):
(print name)

I review and take responsibility for the design work on behalf of a firm registered under subsection 3.2.4.of Division C, of the Building Code. I am qualified, and the firm is registered, in the appropriate classes/categories.

Individual BCIN: _____

Firm BCIN: _____

OR

I review and take responsibility for the design and am qualified in the appropriate category as an "other designer" under subsection 3.2.5.of Division C, of the Building Code.

Individual BCIN: _____

Basis for exemption from registration: _____

OR

The design work is exempt from the registration and qualification requirements of the Building Code.

Basis for exemption from registration and qualification: If you are the homeowner - list homeowner here

I certify that:

1. The information contained in this schedule is true to the best of my knowledge.
2. I have submitted this application with the knowledge and consent of the firm.

_____ Date

_____ Signature of Designer

NOTE:

1. For the purposes of this form, "individual" means the "person" referred to in Clause 3.2.4.7(1) (c).of Division C, Article 3.2.5.1. of Division C, and all other persons who are exempt from qualification under Subsections 3.2.4. and 3.2.5. of Division C.
2. Schedule 1 is not required to be completed by a holder of a license, temporary license, or a certificate of practice, issued by the Ontario Association of Architects. Schedule 1 is also not required to be completed by a holder of a license to practise, a limited license to practise, or a certificate of authorization, issued by the Association of Professional Engineers of Ontario.

APPENDIX C to Bylaw 24-027
REFUND PERCENTAGES

a) Eighty percent (80%) if application is filed, reviewed for completeness and applicable law reviewed but no plans examination functions have been performed;

b) Sixty-five percent (65%) if administrative, applicable law, and plan examination functions have been performed;

c) Fifty percent (50%) if the permit has been issued or made available, and no field inspections have been performed; and

d) No refund if any field inspections have been performed.

APPENDIX D to Bylaw 24-027

BUILDING OFFICIAL'S CODE OF CONDUCT

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 comprise 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 witting, 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.