

THE CORPORATION OF THE TOWN OF KAPUSKASING

BY-LAW NO. 2813

Being a By-law respecting Construction, Demolition, Moving and the Change of Use Permits and Inspections, to prohibit or regulate the erection of signs and other advertising devices and to repeal By-laws Nos. 1195, 1262, 1320, 1341, 1418, 1547, 1560, 1563, 1645, 1781, 1832, 1869, 2074, 2171 and 2184.

WHEREAS the general municipal powers of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides Council with the authority to pass by-laws to enable it to govern its affairs;

AND WHEREAS Section 7 of the Building Code Act, 1992, S.O. 1992, Chapter 23, empowers Council to pass certain by-laws respecting construction, demolition, moving and change of use permits and inspections;

AND WHEREAS Section 1 (1) of the Municipal Act, S.O. 2001, c. 25, as amended, provides that municipalities may pass by-laws respecting matters within spheres of jurisdiction;

AND WHEREAS paragraph 7 of Section 1 (1) of the Municipal Act, S.O. 2001, c.25, as amended provides that fences and signs are included in the spheres of jurisdiction;

AND WHEREAS Section 99 of the Municipal Act, S.O. 2001, as amended, provides rules respecting advertising devices, including signs;

AND WHEREAS Section 99 (1) provides that the Municipality shall give public notice of its intention to pass the by-law and the municipality has undertaken notice of the passing of this by-law by means of newspaper advertising which commenced on March 23, 2005

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF KAPUSKASING enacts as follows:

1. The short title for By-Law No. 2813 shall be *"Building By-Law"*.
2. Schedule "One" as attached, forms part of this by-law and is hereby adopted.
3. Every person who contravenes any provision this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.
4. This By-Law shall come into force and take effect on the date of its final passing.

READ A FIRST AND SECOND TIME THIS 4TH DAY OF APRIL, 2005.

READ A THIRD TIME AND PASSED AS AMENDED THIS 18TH DAY OF APRIL, 2005.

UNDER THE SEAL OF THE CORPORATION OF THE TOWN OF KAPUSKASING.

SCHEDULE "ONE" BUILDING BY-LAW

Part 1 DEFINITIONS

1.1 Definitions

in this by-law:

Act :

"Act" means the *Building Code Act*, 1992, S.O. 1992, c.23 as amended.

Applicant:

"Applicant" means the owner of a building or property who applies for a permit or any person authorized by the owner to apply for a permit on the owner's behalf, or any person or corporation empowered by statute to cause the demolition of a building or buildings and anyone acting under the authority of such person or corporation.

Architect:

"Architect" means for the purposes of the Building Code Act and Building Code, the holder of a licence, a certificate of practice or a temporary licence under the Architect's Act as defined in the Building Code and must possess a Building Code Identification Number.

Building Code:

"Building Code" means the regulations made under Section 34 of the Act.

Building Department Staff:

"Building Department Staff" means the Chief Building Official or his/her designate.

Chief Building Official:

"Chief Building Official" means the Chief Building Official appointed by the by-law of The Corporation of the Town of Kapuskasing for the purposes of enforcement of the Act.

Contractor:

"Contractor" means the person/business who is conducting work under contract/agreement to a structure/dwelling.

Demolish:

"Demolish" means to do anything in the removal of a building or any material part thereof.

Designer:

"Designer" means the person responsible for the design.

Owner:

"Owner" means the registered owner of the property and includes a lessee, mortgagee in possession, and the authorized agent in lawful control of the property.

Permit:

"Permit" means permission or authorization given in writing from the Chief Building Official or his/her designate to perform work, to change the use of a building or part thereof, or to occupy a building or part thereof, as regulated by the Act and Building Code.

Permit Holder:

"Permit holder" means the owner to whom a permit has been issued or where a permit has been transferred, the new owner to whom the permit has been transferred.

Residential Site:

"Residential Site" means a construction or demolition site for a building that is used only for

residential purposes and that is not more than three storeys in building height and not more than one level below grade.

Work:

“Work” means construction, renovation or demolition of a building or part thereof, as the case may be.

Professional Engineer:

“Professional Engineer” or “Engineer” means a licenced professional engineer who holds a certificate of authorization issued by the Association of Professional Engineers of Ontario or who is employed by a partnership or corporation authorized by the Association to offer professional engineering services to the public and who holds a current Building Code Identification number.

1.2 Word - term - not defined - meaning

Any word or term not defined in this by-law shall have the meaning ascribed to it in the Building Code Act, 1992.

**Part 2
CLASSES OF PERMITS**

2.1 Set out - Schedule ‘A’

Classes of permits with respect to the construction and demolition of buildings or structures shall be set out in Schedule ‘A’ to this by-law.

**Part 3
PERMITS**

3.1 Application for permit:

To obtain a permit the applicant shall file an application for permit using the provincial application form to construct or demolish in accordance with the Ontario Building Code with the building department staff and except as otherwise permitted by the Chief Building Official every application shall:

- a) identify and describe in detail the work and occupancy to be covered by the permit for which application is made;
- b) describe the land on which the work is to be done, by a description that will readily identify and locate the site on which the construction, demolition or change of use is to occur;
- c) be accompanied by plans, specifications, documents and other information required by this By-law;
- d) state estimated valuation of the proposed work including materials, labour and related direct costs associated with the work exclusive of the cost of the land;
- e) state the names, addresses and telephone numbers of the owner, contractor, architect or engineer, or other designer or person who will carry out the work;
- f) (i) when section 2.3 of the Building Code applies, be accompanied by a signed acknowledgement of the owner on a form prescribed by the Chief Building Official that the owner has retained an architect or professional engineer or both to carry out the field review of the construction or demolition of the building;

- (ii) when section 2.3 of the Building Code applies, be accompanied a signed statement of the architect or professional engineer, or both, on a form prescribed by the Chief Building Official, undertaking to provide general review of the construction or demolition of the building;
- g) be accompanied by a preliminary estimate of the project costs required by this By-law;
- h)
 - (i) in the case of land in respect of which an accepted area or subdivision grading plan has been filed with the Public Works Director, be accompanied by a lot grading plan bearing the signature and seal of a professional engineer who certifies thereon that the plan generally conforms with the accepted area or subdivision grading plan filed with the Public Works Director;
 - (ii) in the case of land in respect of which no accepted area or subdivision grading plan has been filed with the Public Works Director, be accompanied by a lot grading plan bearing the signature and seal of a professional engineer, a landscape architect or an Ontario Land Surveyor who certifies thereon that the drainage scheme depicted by the plan will be compatible with the existing drainage patterns;
- i) in the case of demolitions, be further accompanied by,
 - (i) proof satisfactory to the Chief Building Official, that arrangements have been made with the proper authorities for the cutting off and plugging of all services;
- j) in the case of conditional permits under subsection 8(3) of the Act, the application shall also,
 - (i) contain such other information, plans and specifications concerning the complete project as the Chief Building Official may require;
 - (ii) state the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted;
 - (iii) state the necessary approvals which must be obtained in respect of the proposed building and the time in which such approvals will be obtained;
 - (iv) state the time in which plans and specifications of the complete building will be filed with the Chief Building Official and;
- k) in the case of a change of use permit issued under subsection 10(1) of the Act, the application shall also,
 - (i) describe the building in which the occupancy is to be changed, by a description that will readily identify and locate the building;
 - (ii) identify and describe in detail the current and proposed occupancies of the building or part of a building for which the application is made;
 - (iii) include plans and specifications which show the current and proposed occupancy of all parts of the building, and which contain sufficient information to establish compliance with the requirements of the Building Code, including floor plans, details of wall, ceiling and roof assemblies identifying required fire resistance ratings and load bearing

capacities;

- l) include where applicable the registration number of the builder or vendor as provided in the Ontario New Home Warranty Plan Act, R.S.O. 1990, c). 31, as may be amended or replaced from time to time;
- m) state, for all proposed temporary buildings, the date of removal of the temporary buildings; and
- n) be signed by the applicant who shall certify the truth of the contents of the application.
- o) permits shall not be required for the following items for a single detached dwelling:
 - kitchen cupboards & counter-tops with no plumbing modifications
 - flooring on existing sub-floors not requiring modification
 - interior trim and doors
 - landscaping
 - driveways (pavement, inter-locking stone, concrete etc..)
 - washroom vanity
- p) permits required from other authorities must be presented prior to permit issuance ex. Electrical Safety Authority, Health Unit etc..

3.2 Partial permit requirements:

When, in order to expedite work, approval of a portion of the building or project is desired prior to the issuance of a permit for the complete building or project,

- a) application shall be made and all applicable fees paid for the complete project; and
- b) complete plans and specifications covering the portion of the work for which immediate approval is desired shall be filed with the Chief Building Official.

3.3 Partial permit limitations:

Where a permit is issued for part of a building or project this shall not be construed to authorize construction beyond the plans for which approval was given nor that approval will necessarily be granted for the entire building or project.

3.4 Inactive Permit Application:

Where an application for a permit remains incomplete or inactive for 1 year after it is made, the application may be deemed by the Chief Building Official to have been abandoned and notice thereof shall be given to the applicant. If an application is deemed to be abandoned, a new application must be filed for the proposed work.

3.5 Revision to Permit:

After the issuance of a permit under the Act, notice of any material change to a plan, specification, document or other information on the basis of which the permit was issued, must be given in writing, to the chief building official together with the details of such change, which is not to be made without his or her written authorization.

3.6 Moving Permit:

- a) Any person desiring to move a building shall first obtain a permit and release form to be completed as per Schedule "D" from the Building Department Staff and if the building is to be taken from one locality to another, or to temporarily encroach upon or occupy a portion of any street or lane, a permit to so encroach upon or occupy such highway or lane must be obtained from the Public Works Director or his designate, and any person acting contrary to this

regulation will render himself liable to the penalties of this by-law.

- b) Every person who proceeds under permit from the Building Department Staff to remove any building shall be responsible to the Municipality for, and shall indemnify the said Municipality against all damage or injuries thereby occasioned to any person or property by the removal of such building. No building shall be moved upon any highway so as to unreasonably block any of the streets of the Town of Kapuskasing to vehicular traffic, or any of the sidewalks to pedestrians, without authority of Council by special resolution, nor until a bond of indemnity against all loss has been filed with the Town Treasurer,

Part 4 PLANS AND SPECIFICATIONS

4.1 Information sufficient to determine conformity:

Sufficient information shall be submitted with each application for a permit to enable the Building Department Staff to determine whether or not the proposed construction, demolition or change of use will conform with the Act, the Building Code and any other applicable law.

4.2 Two complete sets required:

Each application shall, unless otherwise specified by the Chief Building Official, be accompanied by two complete sets of the plans and specifications required under this By-law.

4.3 Plans:

Plans shall be drawn on paper and shall be legible and when possible drawn to scale. Plans must be completed by certified designer, architect or engineer unless the owner is acting as the designer and contractor. The following is a list of plans or working drawings to accompany applications for permit:

- a) Site Plan
- b) Floor Plans
- c) Foundation Plans
- d) Framing Plans
- e) Roof Plans
- f) Reflected Ceiling plans
- g) Sections and Details
- h) Building Elevations
- i) Electrical Drawings
- j) Heating, Ventilation and Air Conditioning Drawings
- k) Plumbing Drawings
- l) Fire Alarms and Sprinkler Plan

4.4 Site plans:

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 unless this requirement is waived in a circumstance where the Chief Building Official is able, without having a current plan of survey, to determine that the proposed work conforms to the Act, the Building Code, and any other applicable law. Site plans shall illustrate:

- a) Lot size and the dimensions of property lines and setbacks to any existing or proposed buildings,
- b) existing and finished ground levels or grades,
- c) existing rights-of-way, easements and municipal services, and
- d) proposed fire access routes and existing fire hydrant locations.

4.5 As constructed plans:

On completion of the construction of a building, the Chief Building Official may require a set of as constructed plans, including a plan of survey showing the location of the building.

4.6 Plans property of municipality:

Plans and specifications furnished according to this By-law or otherwise required by the Act become the property of the municipality and will be disposed of or retained in accordance with relevant legislation.

4.7 Offence:

No person shall construct, demolish or alter or repair a building or structure in a manner contrary to approved plans.

**Part 5
FEES AND REFUNDS**

5.1 Fees payable upon application:

The Building Department shall determine the required fees for the work proposed calculated in accordance with Schedule 'A' of this By-law and the applicant shall pay such fees prior to permit issuance.

5.2 Work without a permit:

No person, contractor or corporation shall commence construction, renovation, demolition or change the use of any building without a permit to do so. (See Schedule 'C' of this By-law).

5.4 Refunds:

In the case of withdrawal of an application, or the abandonment of all or a portion of the work, or refusal of a permit, or the non-commencement of any project, the Chief Building Official shall determine the amount of paid permit fees that may be refunded to the applicant, if any, in accordance to Schedule 'B' of this By-law.

**Part 6
REVOCAION OF PERMITS**

6.1 Notice of Revoke:

Prior to revoking a permit under section 8(10) of the Act, the Chief Building Official will serve a notice by personal service or registered mail at the last known address to the permit holder, following a thirty (30) day period from the date of service the Chief Building Official may revoke the permit if grounds to revoke still exist, without any further notice.

6.2 Deferral of Revocation:

A permit holder may within thirty (30) days from the date of service, request the Chief Building Official to defer the revocation by stating reasons why the permit should not be revoked. The Chief Building Official having regard to any changes to the Act, Building Code or other applicable law may allow the deferral, in writing.

**Part 7
NOTICE REQUIREMENTS and INSPECTIONS**

7.1 36 hours prior to each stage:

The permit holder shall notify the Building Department Staff at least 3 business days prior to each stage of construction for which notice in advance is required under the Building Code.

7.2 Notification of inspections:

The owner or his authorized agent shall notify the Building Department Staff of the following inspections and any other inspections that may be requested:

- a) the commencement of the construction of the building;
- b) the completion of excavation
- c) the completion of all formwork (before pouring concrete)
- d) the completion of footings, foundation, weeping tile, stone cover and damproofing, parging and before backfilling;
- e) the completion of structural framing;
- f) the completion of insulation and vapour barrier;
- g) the completion of duct work and piping for heating and air conditioning systems
- h) upon commencement of masonry fire places and masonry chimneys;
- i) upon commencement of the installation of factory built fire places, stoves and add-on furnaces using solid fuel and allied chimneys;
- j) the substantial completion of all required fire separations and closures and all fire protection systems including standpipe, sprinkler, fire alarm and emergency lighting systems;
- k) the substantial completion of interior finishes;
- l) FINAL INSPECTION prior to occupancy (see Section 2.4.3 of the Building Code).

7.3 Effectiveness of notice:

A notice pursuant to this Part of the by-law is not effective until written or oral notice is actually received by the Chief Building Official.

7.4 Inspection of Buildings:

The Building Department Staff shall have the right to visit, enter or inspect from time to time and all reasonable hours:

- a) Each building which is in course of erection, alteration, reconstruction, or being repaired or demolished.
- b) Any building which he/she has reason to believe is in a dangerous or defective condition in regard to its construction, or through damage by fire or accident.
- c) Any building which he/she has reason to believe is being used for a purpose for which it is not suited by reason of its construction, or which he/she has reason to believe is being altered or reconstructed without a permit having been obtained.

7.5 Building permit to be displayed:

The building permit, once issued, shall be prominently displayed on the site of work. Work at the site shall not be commenced until the permit has been so displayed.

Part 8 FENCES

8.1 Fences:

No person shall erect a fence in the Municipality to a greater height than seven (7) feet (2.1 m). No permit is required but the owner/contractor shall contact the Building Department staff prior to erecting the fence in order to determine height requirements for potential safety hazards.

- (a) Notwithstanding Section 8, Council may authorize the erection of fences to a height not to exceed eight (8) feet (2.4 m) for the purposes of enclosing patios, residential, commercial and industrial sites, private outdoor swimming pools or any other fences of a decorative or protective nature.

Part 9 SIGNS

9.1 Erection of Signs:

All signs shall be of a permanent or a mobile type with suitable support and shall not be constructed of paper or any paper product.

9.2 Signs:

All signs within the municipality shall conform to By-law No. 2518, as amended.

9.3 Approval:

No person shall place a sign or advertising device without approval from the Town of Kapuskasing Planning Department.

Part 9A CHIMNEYS

9A.1 Section 9A shall apply only to chimneys in the urban settlement area:

- a) All chimneys (renovated and new) must be installed a minimum of 2 ft higher than the present standards up to a maximum height to be determined by the Fire Chief or his/her designate.
- b) All existing chimneys, upon inspection by the Fire Chief or his/her designate, which can be proven to be posing a health hazard with smoke disturbing the neighbouring homeowners, will be required to install an extension to the existing chimney to alleviate the health hazard. The height of the additional chimney sections will be determined by the Fire Chief or his/her designate

Part 10 NON-LIABILITY

10.1 Non-liability of the Corporation:

The Town of Kapuskasing or its agents shall not be liable either directly or indirectly for any loss, damage or injury to any persons or property resulting from any failure of any construction on any building or structure erected under this by-law.

Part 11 COMPLIANCE

11.1 Certificate of Compliance:

No person,

- a) who has caused a building or structure to be erected, altered or repaired without having first obtained a permit to do so where such a permit is required; or
- b) who, having obtained a permit has caused a building or structure to be erected, altered or repaired contrary to the approved plans in respect of which the permit was issued, shall use or permit to be used any such building or structure until such time as a certificate of compliance as per Schedule "E" is obtained from the Building Department Staff to the effect that the building or structure complies with the Building By-Law of the Municipality.

11.2 Ontario Building Code Regulations:

The provisions of the Ontario Building Code, as amended, relating to all matters not specifically referred to in this by-law, are hereby adopted and form part of this by-law.

Part 12

10	New residential roof (includes trusses, sheathing and insulation)	\$ 157.00
11	Prefabricated Sheds	\$ 52.00
12	Residential sheds/garages 20' x 20' and under and Gazebos	\$ 84.00
13	Repairs and alterations to existing deck/balcony or new construction under 8' x 8' in size	\$ 52.00
14	New decks, verandahs and balconies larger than 8' x 8'	\$ 105.00
15	Solid fuel masonry fire places	\$ 120.00
16	Solid fuel wood stoves and factory built fireplaces	\$ 73.00
17	HVAC (residential)	\$ 52.00
18	Fire alarm systems	\$ 94.00
19	Demolition permit - Garages and sheds	\$ 52.00
20	Demolition permit - Residential	\$ 84.00
21	Demolition permit - Commercial/Industrial/Institutional 0 - 2000 ft ² 2001 ft ² - 5000 ft ² 5001 ft ² - 10 000 ft ² 10 001 ft ² and over	\$ 84.00 \$ 157.00 \$ 314.00 \$ 523.00
22	Bulk storage tanks - Commercial/Industrial/Institutional	\$ 157.00
23	Tents and mobile homes	\$ 78.50
24	Minor Plumbing Modifications (Changing fixtures - combined with other renovation permits) Plumbing modifications (Residential) Plumbing modifications (Commercial/Industrial/Institutional)	\$ 25.00 \$ 52.00 \$ 157.00
25	Garage slab replacement/repair	\$ 84.00
26	Chimney replacement/removal (residential)	\$ 52.00
27	Minor interior alterations - moving doors, holes in walls, new beam, roof insulation etc.. (any use)	\$ 78.50
28	Moving Permit	\$ 52.00
29	Siding and roofing repairs to sheds < 400 ft ² a) Siding b) Shingles Combined	\$ 42.00 \$ 42.00 \$ 63.00
30	Change of use Permit	\$ 51.00
31	Permit Renewal	\$ 51.00

SPECIAL CASES - REPAIRS AND RENOVATIONS:

Type of Construction		Service Factor \$/ft ²
1	Gas stations and car washes	\$ 0.52
2	Basement finishing, new foundation	\$ 0.22
3	Farm buildings	\$ 0.22
4	Interior alterations (residential)	\$ 0.32
5	Interior alterations (commercial, industrial, institutional)	\$ 0.52
6	Repairs or re-cladding of walls and ceilings per surface of walls and ceilings (All building types)	\$ 0.22
7	Residential accessory garages, sheds, carports greater than 20' x 20' unfinished interior (includes additions)	\$ 0.22
8	Residential accessory garages, sheds, carports greater than 20' x 20' finished interior (includes additions)	\$ 0.32

9	HVAC for existing buildings (all buildings)	\$ 0.12
10	Structural repairs, (new walls, stairs etc) (residential)	\$ 0.22
11	Structural repairs (new walls, stairs etc)(commercial, industrial, institutional)	\$ 0.32
12	Sprinklers (all buildings)	\$ 0.07

13	<u>Farm Buildings</u>	
	a) Pole Barn, Coverall building	
	0 - 5000 ft²	\$ 0.12
	5001 ft² - 10 000 ft²	\$ 0.11
	10 000 - over	\$ 0.10
	b) Other farm buildings (insulated)	\$ 0.22
	c) Other farm buildings (non-insulated)	\$ 0.17

CLASS 'A' ASSEMBLY BUILDINGS:

Theatres, Schools, Arenas, Community Centers etc. (Including all additions)		Service Factor \$/ft ²
1	Group A, Division 1 - Theaters	\$ 1.05
2	Group A, Division 2 - Bowling Alleys, Day cares, Schools etc..	\$ 1.25
3	Group A, Division 3 - Arena, Swimming pools, Libraries etc..	\$ 1.25

CLASS 'B' BUILDINGS:

Detention Centers, Hospitals, Group Homes etc. (Including all additions)		Service Factor \$/ft ²
1	Group B, Division 1, 2 and 3	\$ 1.25

CLASS 'C' BUILDINGS:

Apartments, Hotels, Shelters etc. (Including all additions)		Service Factor \$/ft ²
1	Apartments, Motels, Hotels	\$ 1.05
2	Single detached dwelling, semi-detached, duplex, townhouses	\$ 0.84

CLASS 'D' BUILDINGS:

Banks, Offices, Small Tool and Appliance, etc. (Including all additions)		Service Factor \$/ft ²
1	Offices etc.	\$ 0.94

CLASS 'E' BUILDINGS:

Department Stores, Retail, Plaza's, Big Box Stores, Supermarkets etc. (Including all additions)		Service Factor \$/ft ²
1	Department stores, Retail, Plazas etc.	\$ 0.84
2	Big Box stores (open concept)	\$ 0.74

CLASS 'F' BUILDINGS:

Bulk Warehouses, Dry Cleaners, Repair Garages, etc. (Including all additions)		Service Factor \$/ft ²
1	Open concept type building (Shell only)	\$ 0.52
2	Partitioned type building (Multiple interior compartments)	\$ 0.84

Note: Fee schedule is subject to annual revision.

SCHEDULE “B”

TO BY-LAW NO. 2813

RESPECTING REFUND OF PERMIT FEES

- (a) The fees that may be refunded shall be a percentage of the fees payable under this by-law, as follows:
 - (i) 80 per cent if administrative functions only have been performed;
 - (ii) 70 per cent if administrative and zoning functions only have been performed;
 - (iii) 45 per cent if administrative, zoning and plan examination functions have been performed;
 - (iv) 35 per cent if the permit has been issued and no field inspections have been performed subsequent to permit issuance;
 - (v) 5 per cent shall additionally be deducted for each field inspection that has been performed after the permit has been issued,
- (b) Notwithstanding paragraph (a) above, no refund shall be made of an amount less than \$20.00

SCHEDULE “C”

**TO BY-LAW NO. 2813: Building By-Law
Part 1 Provincial Offences Act**

SET FINE SCHEDULE

Item	Offence Short Form Wording	Provisions creating or defining offence	Set Fine (includes costs)
1	Performing work without a permit	Sch. One (5.2)	\$ 300.00
2	Placing a sign or advertising device without approval	Sch. One (9.3)	\$200.00
3	Causing a building to be altered not in accordance with approved plans	Sch. One (11.1)	\$ 200.00
4	Erecting a fence over 7 feet (2.1 m)	Sch. One (8.1)	\$ 200.00
5	Moving a building without a permit	Sch. One (3.6 (a))	\$ 200.00

****NOTE:** The general penalty section for the offences listed above is By-Law No. 2813 (3).

SCHEDULE 'D'
TO BY-LAW NO. 2813
MOVING PERMIT

SCHEDULE 'E'

TO BY-LAW NO. 2813

CERTIFICATE OF COMPLIANCE



**TOWN OF KAPUSKASING
CERTIFICATE OF COMPLIANCE**

**PLEASE BE ADVISED THAT THE CONSTRUCTION/RENOVATION
COMPLETED AT _____ IS IN
CONFORMANCE WITH BUILDING BY-LAW NO. 2813 and THE
ONTARIO BUILDING CODE.**

Dated this _____ of _____ 20 .

Chief Building Official

SCHEDULE 'F'

TO BY-LAW NO. 2813

PRESCRIBING FORMS

- Form 1 Application for Permit**
- Form 2 Order to Comply**
- Form 3 Order Not to Cover or Enclose**
- Form 4 Order to Uncover**
- Form 5 Stop Work Order**
- Form 6 Order Requiring Tests and Samples**

SCHEDULE 'G'
TO BY-LAW NO. 2813
CODE OF CONDUCT

Purpose

The purposes of this code of conduct are:

- a) To promote appropriate standards of behaviour by building officials in the exercise of their powers and performance of their duties.
- b) To prevent practices that may constitute an abuse of power, and
- c) To promote appropriate standards of honesty and integrity.

Standards of Conduct and Professionalism

The Corporation of the Town of Kapuskasing Building Officials undertake at all times to:

- a) Act in the public interest, particularly with regard to the safety of building works or structures;
- b) Maintain their knowledge and understanding of the best building practice, the building laws and regulations relevant to their building certifying functions;
- c) Commit themselves to a process of continuous education so as to constantly be aware of developments in building design, practice and law relevant to their duties;
- d) Comply with the provisions of Building Code Act, the Building Code and any other Act or Law that regulates or governs Building Officials or their functions;
- e) Avoid situations where there may be, or where there may reasonably appear to be, a conflict between their duties to their clients, their profession, their peers and the public at large and their personal interests;
- f) Not act beyond their level of competence or outside their area of expertise;
- g) Apply all relevant building laws, regulations and standards strictly and without favour and independent of influence of interested parties;
- h) Perform their inspections and certifying duties impartially and in accordance with the highest professional standards;
- i) Not divulge any confidential or sensitive information or material, that they became privy to in the performance of their duties, except in accordance with the laws governing freedom of information and protection of privacy;
- j) To avoid any conduct that could bring Building Officials or the Town of Kapuskasing into disrepute;
- k) Extend professional courtesy to all;
- l) Accept responsibility for the conduct of their subordinate employees;
- m) Maintain current accreditation to perform functions assigned to them;
- n) Take all reasonable steps to ascertain and document all available facts relevant to the performance of their duties;
- o) Exemplify compliance with all regulations and standards that govern building construction, health and safety or other matters related to their

status as a building official.

Guideline for responding to misconduct allegations

The Building Code Act provides that the performance of Building Officials will be measured against this code of conduct. In response to any allegation of a breach of this code, the Chief Building Official shall direct an investigation and where appropriate, recommend disciplinary action against any Building Official who fails to comply with this code of conduct. Where the allegation is against the Chief Building Official, Council will direct the investigation and make such recommendations as are reasonable.

In determining the appropriate discipline, the Chief Building Official or Council will have regard to the relevance of the conduct to the official's powers and responsibilities as well as severity of any misconduct.

Disciplinary Action arising from the violations of this code of conduct is the responsibility of the Town of Kapuskasing administration and is subject to relevant employee agreements, employment law and standards.