

## Code of Conduct for Building Officials

### 1.0 Instruction

The City of Markham maintains this code of conduct in accordance with the provisions of The Building Code Act. Building Officials undertake building certification functions that ensure the quality, structural integrity and safety of building. Building Officials are exposed to potential conflicts of interest because of the special powers conferred on them. The conduct and behaviour of Markham's Building Officials reflects Markham 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.

### 2.0 Purpose

The purposes of this code of conduct are:

- To promote appropriate standards of behavior by Building Officials in the exercise of their powers and performance of their duties.
- To prevent practices which may constitute and abuse of power, and
- To promote appropriate standards of honesty and integrity.

### 3.0 Standards of Conduct and Professionalism

In addition to Policy No. 105 "Code of Ethics and Conduct Applying to all Municipal Staff" Markham Building Officials undertake at all times to:

1. Act in the public interest, particularly with regard to the safety of building works and structures;
2. Maintain their knowledge and understanding of the best current building practice, the building laws and regulations relevant to their building certifying functions;
3. Commit themselves to a process of continuous education so as to constantly be aware of developments in building design, practice and the law relevant to their duties;
4. Comply with the provisions of the *Building Code Act*, the Building Code and any other Act or Law that regulates or governs Building Officials or their functions;
5. 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;
6. Not act beyond their level of competence or outside their area of expertise;

7. Apply all relevant building laws, regulations and standards strictly and without favour and independent of the influence of interested parties;
8. Perform their inspections and certifying duties impartially and in accordance with the highest professional standards
9. Not divulge any confidential or sensitive information or material that they became privy to in the performance of their duties, except in accordance with laws governing freedom of information and protection of privacy;
10. To avoid any conduct that could bring Building Officials or the City of Markham into disrepute;
11. Extend professional courtesy to all;
12. Accept responsibility for the conduct of their subordinate employees;
13. Maintain current accreditation to perform the functions assigned to them; and
14. Take all reasonable steps to ascertain and document all available facts relevant to the performance of their duties
15. Exemplify compliance with all regulations and standards that govern building construction, health & safety or other matters related to their status as a building official.

### 4.0 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 the severity of any misconduct.

Disciplinary Action arising from violations of this code of conduct is the responsibility of Markham's administration and is subject to relevant collective agreements, employment laws and standards.