Code of Conduct: Chief Building Official

Serving the Member Municipalities of the Temiskaming Municipal Services Association (TMSA)

1. Purpose and Statutory Authority

This Code of Conduct is adopted by the Board of Directors of the Temiskaming Municipal Services Association (TMSA) as a governance policy. It is intended to promote the highest standards of professional and ethical behaviour and to support the fair, independent, and objective administration of the *Building Code Act, 1992*. This Code is informed by the duties and authorities set out in the Building Code Act, principles of administrative law, and best practices for shared municipal service delivery.

2. Organizational Framework

The CBO operates within a unique shared-services model designed for efficiency across the region:

- **Administrative Umbrella:** The Chief Building Official is an employee of the Temiskaming Municipal Services Association and is subject to TMSA's employment policies, procedures, and human resources oversight.
- **Direct Appointment:** Notwithstanding this employment relationship, the Chief Building Official is individually and separately appointed by by-law of each member municipality they serve. Authority to act under the Building Code Act arises solely from appointment by the municipal council. Each municipal council retains full discretion to appoint, decline to appoint, or revoke the appointment of a Chief Building Official or inspector.
- **Statutory Duty:** When exercising powers or performing duties under the Building Code Act, the Chief Building Official's primary duty is to the legislation and to the municipality in which the work is being performed. Administrative, operational, or financial interests of the TMSA shall not interfere with or supersede this statutory obligation.

3. Core Principles

The CBO shall adhere to the following principles:

- **Fairness:** Apply the Building Code consistently and impartially to all residents, builders, and applicants.
- **Independence:** Make all statutory decisions (such as permit approvals or orders) independently of political or external influence.
- **Integrity:** Act with honesty and professionalism, maintaining the public's trust in the safety of the built environment.
- **Objectivity:** Ensure that the administrative interests of the TMSA do not supersede the legal requirements of the *Building Code Act*.

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4. Allegations of Breach of Code of Conduct

This section applies only to alleged breaches related to employment conduct or ethical obligations under this Code and does not apply to disagreements with or appeals of statutory decisions made under the Building Code Act.

1. **Submission:** Any allegation of a breach of this Code shall be submitted in writing.
2. **Reporting Path:** The allegation shall be submitted by the Chief Administrative Officer (CAO) or designate of the municipality in which the breach is alleged to have occurred.
3. **Recipient:** The CAO or designate shall submit the written allegation to the Secretary-Treasurer of the Temiskaming Municipal Services Association for administrative intake.
4. **Review and Action:** The TMSA Board shall review the matter solely in its capacity as employer and only for the purpose of determining whether an employment-related breach of this Code may have occurred and whether employment-related action is warranted. Nothing in this Code authorizes the TMSA Board to review, overturn, or direct statutory decisions made under the Building Code Act, nor to discipline a Chief Building Official for the content or outcome of a statutory decision. Nothing in this Code limits the authority of a municipal council to address statutory matters, including the appointment or revocation of appointment of a Chief Building Official, in accordance with the Building Code Act.

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5. Conflict of Interest

The CBO shall avoid any situation where personal, financial, or professional interests conflict with their statutory duties. Any potential conflict must be disclosed immediately to the CAO or designate of the affected municipality and the TMSA Board.

Upon disclosure of a conflict, the Chief Building Official shall take appropriate steps to remove themselves from the matter until the conflict has been appropriately addressed. All disclosures and resolutions shall be documented to protect the integrity of the process and the interests of all parties.

6. Participating Municipalities

This Code of Conduct applies to the Chief Building Official while performing any duties or providing any services on behalf of the Temiskaming Municipal Services Association, including services provided to member municipalities and services provided under contract or agreement.