

**The Corporation of the Municipality of South Huron**

**By-Law 19-2023**

**A By-Law respecting construction, demolition, change of use and inspection.  
The Corporation of the Municipality of South Huron**

**Office Consolidation**

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**By-Law #19-2023**

**Being a By-Law respecting construction, demolition, change of use and inspection.**

Whereas Section 3(1) of the Building Code Act, S.O. 1992, c. 23, as amended provides that the council of each municipality is responsible for the enforcement of this Act in the municipality; and

Whereas Section 3(2) of the Building Code Act, S.O. 1992, c.23, as amended provides that the Council of each municipality shall appoint a Chief Building Official and such inspectors as are necessary for the enforcement of this Act in the areas in which the municipality has jurisdiction; and

Whereas Section 7 of the Building Code Act, S.O. 1992, c. 23, as amended, empowers municipal councils to pass by-laws respecting construction, demolition and change of use permits and inspections; and

Whereas Section 7.1(1) of the Building Code Act, S.O. 1992, c. 23, as amended, requires the principal authority to establish and enforce a code of conduct for the Chief Building Official and inspectors; and

Whereas Section 35 of the Building Code Act, S.O. 1992, c.23, as amended, provides that that Act, and the Building Code supersede all municipal by-laws respecting the construction or demolition of buildings; and

Whereas Section 398 of the Municipal Act, S.O. 2001, c. 25 as amended, provides for the addition of unpaid permit application fees through the tax roll.

Now therefore the Municipal Council of The Corporation of the Municipality of South Huron enacts as follows:

**1. Citations and Definitions**

**1.1 Short Title**

1.1.1 This by-law may be cited as “The Building By-Law”.

**1.2 Definitions**

In this by-law,

1.2.1 “Act” means the Building Code Act, S.O. 1992, C.23, as amended;

1.2.2 “As constructed plans” means as constructed plans as defined in the Building Code, as amended;

1.2.3 “Architect” means a holder of a license, a certificate of practice, or a temporary license under the Architect’s Act as defined in the Building Code, as amended;

1.2.4 “Building” means a building as defined in the Act;

1.2.5 “Building Code,” means regulations made under Section 34 of the Act as amended from time to time“

1.2.6 “Chief Building Official” means the Chief Building Official (CBO) appointed by by-law of The Corporation of the Municipality of South Huron for the purposes of enforcement of the Act;

1.2.7 “Complete” means a building permit application in accordance with Div. C Part 1 Article 1.3.1.2. of the Building Code, as amended, submitted with all required approvals appended in order to comply with the building permit timelines as noted in Div. C Part 1 Article 1.3.1.3. of the Building Code, as amended;

1.2.8 “Corporation” means The Corporation of the Municipality of South Huron;

1.2.9 “Demolish” means demolish as defined in the Act;

1.2.10 “Fees and Charges By-law” means the Municipality’s Comprehensive Fees and Charges By-law then in force;

- 1.2.11 “Final Occupancy” means when all outstanding items on a Partial Occupancy including grading have been completed;
- 1.2.12 “Owner” means the registered owner of the land and includes a lessee, mortgagee in possession and the person in charge of the property, acting as the authorized agent of the owner;
- 1.2.13 “Partial Occupancy” means a permit issued to allow occupancy of a building or part thereof, prior to its completion in accordance with Div. C Part 1 Subsection 1.3.3. of the Building Code, as amended;
- 1.2.14 “Permit” means written permission or written authorization from the Chief Building Official to perform work regulated by this by-law and the Act, or to change the use of a building or part of a building or parts thereof or, in the case of an occupancy permit, to occupy a building or part of a building or parts thereof;
- 1.2.15 “Plumbing” means plumbing as defined in Section 1(1) of the Act;
- 1.2.16 Other terms which may be used in the by-law, and which are defined in the Building Code Act, 1992, include without limitation: “change certificate”; “construct”; “demolish”; “director”; “final certificate”; “inspector”; “Minister”; “municipality”; “officer”; “planning board”; “plans review certificate”; “principal authority”; “registered code agency”; and “regulations”.

## Permits

### **2. Classes of Permits (Building Code Act, Section 7(1)(a))**

- 2.1 Classes of permits shall be as set forth in Schedule “B” appended to and forming part of this by-law.

### **3. Application for Permit (Building Code Act, Section 7(1)(b))**

- 3.1 To obtain a permit, an applicant shall file a complete application for the class of permit required in the applicable form prescribed by the Province of Ontario and the CBO.
- 3.2 Every application shall be submitted electronically using the software as prescribed by the Municipality utilizing the fillable form for the applicable class of permit.
- 3.3 Every application for a permit shall be submitted to the CBO, or their designate and contain the following information:
  - (a) Where application is made for a construction permit under Subsection 8(1) of the Act, the application shall:
    - (i) include plans, specifications, forms, documents and other information as may be required the Building Code, as amended and as prescribed in this by-law or the CBO for the work to be covered by the permit; and
    - (ii) include the proposed or existing occupancy of all parts of the building;
  - (b) Where application is made for a demolition permit under Subsection 8(1) of the Act, the application shall:
    - (i) include plans, specifications, forms, documents and other information as may be required the Building Code, as amended and as prescribed in this by-law or the CBO for the work to be covered by the permit;
    - (ii) include the existing occupancy of all parts of the building; and
    - (iii) be accompanied by satisfactory proof that arrangements have been made with the proper authorities for the cutting off and plugging of all water, sewer, gas, electric, telephone or other

utilities and services.

- (a) Where application is made for a conditional permit under Subsection 8(3) of the Act, the application shall:
  - (i) include plans, specifications, forms, documents and other information as may be required by the Building Code, as amended as required by CBO or as described in this by-law for the work to be covered by the permit;
  - (ii) include the proposed or existing occupancy of all parts of the building;
  - (iii) state the reasons why the applicant believes that unreasonable delays in construction would occur if a conditional permit is not granted;
  - (iv) state the necessary approvals, which must be obtained in respect of the proposed building and the time in which such approvals will be obtained;
  - (v) include an agreement in writing by the applicant and such other persons as the CBO determines appropriate and with the Corporation dealing with the matters required pursuant to Section 8(3)(c) of the Building Code Act;
  - (vi) the agreement must be authorized to be entered into by the principal authority; and
  - (vii) state the time in which plans and specifications of the complete building will be filed with the CBO.
- (b) Where application is made for a Change of Use permit issued under Subsection 10(1) of the Act, the application shall be submitted to the CBO and shall:
  - (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, as required by the CBO, the current and proposed occupancies of the building or part of a building for which the application is made;
  - (iii) include, as may be required by the CBO, 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, as amended, including floor plans, details of walls, ceiling and roof assemblies identifying required fire resistance ratings and load bearing capacities and details of the existing sewage system, if any;
  - (iv) include the required fee as set out by the Municipality of South;
  - (v) state the name, address and telephone number of the owner; and
  - (vi) be signed by the owner or his or her authorized agent who shall certify the truth of the contents of the application.

### 3.3 Fees

An applicant shall submit payment for the required fee as further described in section 5 after the CBO, or their designate has calculated the fee and provided the invoice. The fee shall be paid in full prior to the issuance of the permit

### 3.4 Revision to Permit

After 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 a permit was issued, must be given in writing or submitted electronically via a plans resubmission to the CBO together with the details of such change which is not to be made without the CBO's authorization. Further, the required fee as

set out by the Municipality of South Huron shall be paid as soon as possible after the fee has been calculated and the invoice provided. The fee shall be paid in full prior to the issuance of the revision to the permit.

- 4. Plans and Specifications (Building Code Act, Section 7(1)(b))**
- 4.1 Sufficient information shall be submitted with each application for a permit to enable the CBO to determine whether the proposed construction, demolition, change of use, etc. will conform to the Act, the Building Code and any other applicable law.
- 4.2 Each application shall, unless otherwise specified by the CBO, be accompanied by two complete sets of the plans and specifications required under this by-law when submitting hard copies. Hard copies will only be accepted in lieu of digital submission when permitted by the CBO in writing.
- 4.3 Plans shall be drawn to scale, shall be legible and, without limiting the generality of the foregoing, shall include such working drawings as set out in Schedule “C” to this By-law unless otherwise specified by the CBO.
- 4.4 Documents and other information as set out in Schedule “C”, unless otherwise specified by the CBO, are required to be prepared by a qualified person for the proposed scope of work.
- 4.5 Site plans shall be referenced to an up-to-date survey as prepared by an Ontario Land Surveyor (O.L.S) and when required to demonstrate compliance with the Act, a copy of the survey shall be submitted to the CBO. Regulations pertaining to construction of Residential, Commercial, Industrial and Institutional buildings, are set out in Schedule “D” to this by-law. Site Plans shall show:
- (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, municipal services and fencing; and
  - (d) existing and proposed fire access routes and existing and proposed fire hydrant locations.
- 4.6 The granting of a permit, the review of the drawings and specifications or inspections made by the CBO or an inspector shall not in any way relieve the owner of a building from full responsibility for carrying out the work or having the work carried out in accordance with the requirements of this by-law, the Act and the Building Code, as amended, including ensuring that the occupancy of the building, or any part thereof, is in accordance with the terms of this by-law and the Building Code, as amended.
- The CBO may require that a set of plans of a building or any class of buildings as constructed be filed with the CBO on completion of construction under such conditions as may be prescribed in the Act, Section 7(g).
- 4.7 The CBO may deem an application for a permit to have been abandoned and revoke said application six months after the date of filing, unless such application is being seriously proceeded with. The applicant will be informed with reasons for the revocation.
- 5. Fees (Building Code Act, Section 7(1)(c))**
- 5.1 Fees payable in relation to an application for a permit shall be as set out in the Fees and Charges By-Law, as amended and are due and payable upon submission of an application for a permit, subject to section 3.3.
- 5.2 Where application is made for a conditional permit, a conditional permit application fee shall be payable at the time of application for the conditional permit and in addition to such fee, prior to issuance of the conditional permit, the applicable construction permit fee shall be paid for the complete project.

- 5.3 Where the fees payable in respect of an application issued under Subsections 8(1) or 8(3) of the Act are based on a floor area, floor area shall mean the space on all stories of a building between exterior of the exterior walls and centerline of the required firewalls, including the space occupied by interior walls and partitions, exits, vertical service spaces and their enclosing assemblies. Unfinished basements are not included in the above calculation.
- 5.4 With respect to an application for a change of use permit issued under Subsection 10(1) of the Act the change of use permit fee shall be utilized when no construction is proposed or required. When construction is proposed or required and will result in a change of use, the appropriate construction permit fee shall be utilized.
- 5.5 The CBO shall determine permit fees not described or included in the Fees and Charges By-Law, as amended.
- 5.6 Where the fees payable in respect of an application for a construction or demolition permit issued under subsection 8(1) of the Act or a conditional permit under subsection 8(3) of the Act are based on the cost of valuation of the proposed work, the cost of valuation of the proposed work shall mean the total cost of all work regulated by the permit, including the cost of all material, labour, equipment, overhead and professional and related services. Provided that where application is made for a conditional permit, fees shall be paid for the complete project.
- 5.7 The CBO may place a valuation on the cost of the proposed work for the purposes of establishing the permit fee and where disputed by the applicant, the applicant shall pay the required fee under protest and within six months of completion of the project, shall submit an audited statement of the actual costs, and where the audited costs are determined to be less than the valuation, the CBO shall issue a refund.
- 5.8 When studies, briefs and/or third-party (peer) reviews are required prior to or during plans review, the applicable review fee(s), must be paid in full prior to the permit being issued.
- 5.9 **Increased Fee: Commencing Work without a Permit**  
Any person or corporation who commences construction or demolition or changes the use of a building before obtaining a permit shall be subject to and pay an additional fee in connection with the application for a permit that is intended to cover additional costs incurred by the Municipality in enforcing the Act, and such additional fee shall be equal to 100% of the amount calculated as the regular permit fee up to a maximum amount of five thousand dollars (\$5,000.00).
- 5.10 Unpaid application fees or any other fees/charges imposed under this by-law and/or the Fees and Charges by-law referenced in section 5.1 may be added to the tax roll for the property to which the application fees and/or other fees/charges relate and such amounts constitute a debt to the municipality.
- 6. Refund of Fees (Building Code Act, Section 7(1)(d))**
- 6.1 In the case of withdrawal of an application or the abandonment of all or a portion of the work or the non-commencement of any project, the CBO shall determine the amount of paid permit fees that may be refunded to the applicant, if any, in accordance with Schedule "A" attached to and forming part of this by-law.

**7. Notice Requirements for Inspections (Building Code Act, Section 7(1)(e))**

- 7.1 A person to whom a permit is issued shall give notice of readiness for inspection to the CBO or appointed designate at least 48 hours or two business days prior to a mandatory inspection as required by Div. C Part 1 Subsection 1.3.5. or any other inspection that may be requested by the CBO.

- 7.2 At the sole discretion of the CBO, where the owner or authorized agent gives notice for a specific inspection of any building, lot or parcel of land and:
- a) the inspection cannot be properly carried out due to unfinished work, or
  - b) the inspection is broken down into multiple inspections due to the phasing or complexity of the building, or
  - c) there is an unsafe working condition at the site, or
  - d) more than two inspections have been conducted without correcting all original noted deficiencies, or
  - e) the inspection is requested to be performed outside of the regular office hours of the Corporation, the owner shall be responsible for the Corporation's additional costs, as specified in the Municipality of South Huron's fee structure. Such additional fees shall be termed 're-inspection' and shall be due and payable to the treasurer of the Corporation upon demand.
8. **Prescribed Forms (Building Code Act 7(1)(f))**
- 8.1 Certain forms are prescribed for use by the Province of Ontario while others are required by the CBO. Refer to Schedule "F" of this by-law for a list of forms. Schedule "F" does not form part of this by-law but is included for administrative purposes.
9. **As Constructed Drawings (Building Code Act, Section 7(1)(g))**
- 9.1 The CBO may require that a set of plans of a building or the lot grading for the property or any class of buildings as constructed be filed with the CBO on completion of construction under such conditions as may be prescribed in the Building Code Act, as amended.
10. **Transfer of Permit (Building Code Act, Section 7(1)(h))**
- 10.1 Permits are non-transferable without written consent of the CBO and an "Application for Transfer of Permit to New Owner" being completed, reviewed, and approved by the CBO.
11. **Construction Site Safety (Building Code Act, Section 7(1)(i)(j))**
- 11.1 Fences at Construction and Demolition Sites
- 11.1.1 Where, in the opinion of the Chief Building Official, or Inspector, a construction or Demolition site presents a hazard to the public, the Chief Building Official, or Inspector may require the owner to erect such fences as deems appropriate to the circumstances by the Chief Building Official.
- 11.1.2 In considering the hazard presented by the construction or demolition site, the necessity for fences and the height and characteristics of such fences, the Chief Building Official or Inspector shall have regard for:
- (a) the proximity of the building site to other buildings;
  - (b) the proximity of the construction or demolition site to lands accessible to the public;
  - (c) the hazards presented by the construction or demolition activities and materials;
  - (d) the feasibility and effectiveness of site fences; and the duration of the hazard.
- 11.1.3 Every fence required by this section shall:
- (a) be erected so as to fully enclose all areas of the site which present a hazard;
  - (b) create a continuous barrier and be sufficient to deter unauthorized entry;

(c) have a height not less than 1.2 meters above grade at any point, unless the Chief Building Official or Inspector determines that a greater minimum height is necessary;

(d) if constructed of plastic mesh, snow fencing, or other similar materials, be securely fastened at 200mm on centre to vertical posts not more than 1.2 metres apart, and horizontal members or a minimum 11-gauge cable at the top and bottom; and

(e) be maintained in a vertical plane and in good repair.

**12. Code of Conduct**

12.1 The Code of Conduct applies to the CBO and inspectors under the Building Code Act, Subsection 7.1(1) which forms part of this By-law and is attached hereto as Schedule “E”.

**13. Severability**

13.1 If any section, subsection, clause, paragraph or provision of this by-law is found, by any Board of competent jurisdiction, to be invalid or beyond the powers of the Council to enact, such section, subsection clause, paragraph or provision shall be deemed to be severable from the remainder of this by-law, and all other sections or parts of this by-law shall be deemed to be separate and independent therefrom and are enacted as such.

**14. Penalty Caused**

14.1 Section 36 of the Building Code Act provides that a person is guilty of an offence under the Building Code Act if a person contravenes the Building Code Act, its regulations or this by-law.

14.2 If a person constructs or demolished a building, or commences any type of construction of a building, plumbing or sewage system prior to the issuance of a permit, the relevant application fees as set out in the Municipality of South Huron shall be doubled.

**15. Repeal Cause**

15.1 N/A

Read a first time and second time this 17<sup>th</sup> day of April, 2023.

Read a third time and passed this 17<sup>th</sup> day of April, 2023.

George Finch, Mayor

Rebekah Msuya-Collison, Clerk



**Schedule “A” to By-Law #19-2023**

**Refund of Fees (refer to section 6.1 of the By-law)**

Fees that may be refunded shall be a percentage of the fees payable under this by-law as follows:

A. Construction and Demolition Permit

- i. 80% where the application is withdrawn when only administrative functions have been performed;
- ii. 70% if administrative and zoning review functions have been performed;
- iii. 45% if administrative, applicable law compliance and plans examination functions have been performed;
- iv. 35% if the permit has been issued and the application is withdrawn or construction does not commence, or not field inspections have been carried out;
- v. 5% shall additionally be deducted for each field inspection that has been performed after the permit has been issued.

B. Sewage system permits

- i. 50% if the permit has been issued and no field inspection have been performed subsequent to permit issuance.

C. Plumbing system permits

- i. 50% if the permit has been issued and no field inspection have been performed subsequent to permit issuance.

D. Security performance deposits

- i. 100% upon the completion of the permit and it has been determined that there has been no damage or adverse alterations to any municipal services or infrastructure. The deposit(s) may be used to correct any damage or adverse alterations to the municipal services or infrastructure, plus administration fees, at the Chief Building Officials discretion.
- ii. The deposit shall be returned to the person who paid the deposit with the exception if the permit was transferred, at which case the deposit will be returned to the new permit holder.

Notwithstanding the above, no refund shall be made of an amount less than the minimum amount as described in the Fees and Charges By-law

No refund shall be made unless a written application therefor is made by the owner or their agent.

No refund shall be made after a permit is transferred.

Notwithstanding the above, no refund shall be made where the Chief Building Official has revoked a permit under subsection 8.(10)(a)(b)(c)(d)(f) of the

**Schedule “B” to By-Law #19-2023**

**Classes of permits (refer to section 2.1 of this by-law)**

1. Permits (Building Code Act, Section 8(1)) may be issued for all types of construction governed by the Building Code, as amended and may include signs, structural or framing system, a waterproofing system, a drainage system, an exterior cladding system, a roofing system, a window system, a partition system, a corridor system, a stair system, a fire alarm and detection system, a sprinkler system or a heating, ventilation or air-conditioning system, a foundation system, a standpipe and hose system, a flooring system, a plumbing system, a sewage system or an electrical system.
2. Conditional Permit may be issued by the Chief Building Official in accordance with Section 3.2(c) of this by-law.
3. Change of Use Permit may be issued where a change in use of a building or part of a building would result in an increase in hazard as determined under Section 1.3.1.4  
Division C Part 1, of the Building Code, as amended even though no construction is proposed.
4. Sewage System Permit is required for all Classes of Systems as defined in Section 8.1.2.1(1),(a),(b),(c),(d) and (e), Division B, of the Building Code, Classification of Systems in the regulations.
5. Plumbing Permit is required for all new or alterations to an existing plumbing system.
6. A Demolition Permit is required prior to the demolition of all structures with the exception of the demolition of a building located on a farm pursuant to Div. C Part 1 clause 1.3.1.1.(1)(a).

**Schedule “C” to By-Law #19-2023**

**List of Plans, Specifications, Documents and Other Information to Accompany Applications for Permits (refer to section 4.3 of the by-law)**

Plans

1. Ontario Land Surveyors Plans
2. Site Plan
3. Contour of Grade Plans
4. Drainage (storm water management) Plans
5. Foundation Plans
6. Architectural Plans
7. Structural Plans
8. Mechanical and Electrical Plans
9. Reinforced Concrete Plans
10. Chimney and Fireplace Plans
11. Renovation and Alteration
12. As Constructed Plans
13. Fire Alarms or Evacuation Plans (within buildings)
14. Fire Protection Plans – showing the type of fire assemblies, fire separations, fire compartments, fire resistance ratings and sprinklers system within buildings
15. Schematic Plans – showing the type, location and operation of all building fire emergency systems.
16. On-Site Sewage System Plans

Specifications

1. Specification on entrances to the property with necessary approvals in writing.
2. Specifications on sewer system and water supply whether Municipal or private, with necessary written approvals.
3. Specifications on the proposed occupancies.
4. Specifications on building materials or a method of construction and may require to be submitted by a registered professional engineer.
5. Specifications on soils investigations.
6. Specifications on any other applicable law as set out in Section 8(2)(a) of the Building Code Act, as amended.

Documents

1. Trade Certificates and Certification of Qualification.
2. Functional Servicing Report – required where the proposed scope of work is not regulated by site plan control and the proposal is for more than two dwelling units on one property, unless otherwise specified by the CBO. The scope of the report will include both the private and public services.
3. Stormwater Management Brief and Design – required where site plan control is not required and the proposal is for more than two dwelling units on one property, unless otherwise specified by the CBO.

**NOTE:** The Chief Building Official may specify that not all the above-mentioned plans are required to accompany an application for a permit.

## **Schedule “D” to By-Law #19-2023**

### **Site Plan (Refer to Section 4.4 of By-law)**

#### **Grade and Survey Stakes:**

The owner shall provide and maintain throughout construction, grade and elevation stakes and all survey bars, defining the boundaries of the said building lot in clear view; unless indicated otherwise by the Chief Building Official.

#### **Surface Drawings:**

The owner shall under no circumstances allow surface water to drain unnaturally on to abutting lands, and shall ensure that constant surface and underdrainage is properly maintained both during and after construction of said project. It shall be a condition of every building permit issued with respect to this project, that the owner shall agree that, during the course of construction, the top soil and all excavated material shall be stock piled in such a manner so as to allow natural drainage as existed prior to commencement of the project. It shall be a further condition that existing storm water drainage shall be maintained and if damaged, must be repaired immediately.

#### **Backfilling:**

The owner shall complete backfilling and leveling with respect to utilities, the construction of the building, and the installation of a septic system as soon as possible following the excavation.

#### **Grading Plan:**

Plans and/or profiles, known as a “Grading Plan”, be prepared by a Drainage Engineer or Ontario Land Surveyor showing the existing and proposed final elevation of all the land within the proposed building lot and immediately adjacent, must accompany all applicants for building permits for construction and are subject to approval. And that for a certain lot configurations the Chief building Official may require the Drainage Engineer prepare the lot for grading plan.

The following must be addressed and included as a minimum, in preparing the grading plan:

- a) Existing elevations at lot corners;
- b) Proposed elevations at lot corners;
- c) Proposed elevations for top of footings and top of foundation walls;
- d) All drainage swales, swale slopes, embankments, retaining walls, catch basins and related infrastructure proposed;
- e) Location, disposition and design details pertaining to an on-site sanitary sewage disposal system where required by the Building Code;

- f) Existing elevation of curb and/or street along the frontage of the proposed building lot;
- g) Existing elevation of lot corners on the abutting lots as well as the existing elevation of the finished grades around the structures located on these lots;
- h) An existing approved Subdivision Grading Plan will be accepted for the above list requirements.

All final grading shall be in accordance with the approved subdivision grading and drainage plan and/or the infill lot/block grading and drainage plan unless prior written approval of the Municipality of South Huron is given. The owner, prior to seeding or sodding, must provide a Lot Grading Certificate of Compliance and an As-Constructed drawing(s) prepared by an Ontario Land Surveyor or Engineer, certifying that the final grade of the lot/block conforms to the approved Grading Plan.

**Certificate of Foundation Grade:**

When required by the relative Development Agreement or as requested by the Chief Building Official, no building construction shall proceed beyond completion of the foundation wall until the owner has filed with the Town, a “Surveyor’s Real Property Report” prepared by an Ontario Land Surveyor showing the exact location of the structure to the property boundaries and the grade at top of foundation.

**Drainage (Storm Water Management Brief) Plan:**

Provide a storm water management brief or study and a design indicating the pre and post storm surface water discharge from the property will not change due to the proposed development through good engineering methods and will not adversely affect neighboring properties.

**Schedule “E” to By-Law #19-2023**

**Code of Conduct for Building Officials (refer to Section 12.1 of the By-law)**

**Purpose:**

The Code of Conduct for Building Officials (the “Code”) is enacted in accordance with section 7.1 of the *Building Code Act*, 1992, as amended (the “Act”). The purpose of the Code is as follows:

1. To promote appropriate standards of behaviour and enforcement actions by the Chief Building Official (the “CBO”) and Inspectors in the exercise of a power or the performance of a duty under the Act or the building code;
2. To prevent practices which may constitute an abuse of power, including unethical or illegal practices, by the CBO and Inspectors in the exercise of a power or the performance of a duty under the Act or the building code; and
3. To promote appropriate standards of honesty and integrity in the exercise of a power or the performance of a duty under the Act or the building code by the CBO and Inspectors.

**Application:**

The Code applies to the Municipality of South Huron’s (the “Corporation”) Chief Building Official (CBO) and Inspectors and is in addition to the provisions of the Corporation’s Code of Conduct For Employees Policy and the Workplace Harassment/Discrimination Prevention Policy and Complaint Procedure.

**Expected Standards of Behaviour and Performance of Duties:**

The expected standards of behavior and performance of duties for the CBO and Inspectors are as follows:

1. Promote the safety of buildings with reference to public health, fire protection, structural sufficiency, conservation and environmental integrity, and barrier-free accessibility.
2. Apply the Act and the building code impartially, without influence, and in accordance with all applicable legislation.
3. Perform their duties within their respective area of qualification obtained under the Act.
4. Perform duties with due diligence, honesty and integrity.
5. Extend professional courtesy to all.
6. Keep up-to-date on current building practices through continuous education.

7. Manage confidential and sensitive information in accordance with all relevant legislation and the Corporation’s guidelines and policies.

### **Allegations of Breaches of the Code**

Contraventions of the Code are a serious matter to the Corporation and will be dealt with as such. The CBO will review all allegations made against Inspectors. Allegations made against the CBO will be reviewed by the CBO’s Manager, CAO or both.

Upon review of the allegations, either the CBO (in the case of complaints against Inspectors) or the CBO’s Manager, CAO or both (in the case of complaints against the CBO) may determine an appropriate informal course of action which will effectively resolve the complaint.

If a complaint is not resolved informally or if an informal resolution is not appropriate, the CBO or the CBO’s Manager, CAO or both, as the case may be, will follow the formal complaint procedure guidelines enumerated in the Corporation’s Code of Conduct For Employees Policy it being noted that all references to “supervisor”, “designate”, “Human Resources”, or “Human Resources representative” in the formal complaint procedure guidelines shall be replaced by the “CBO” (in the case of complaints against Inspectors) and the “CBO’s Manager, CAO or both” (in the case of complaints against the CBO.) These formal complaint procedure guidelines shall be followed with respect to the investigation of the complaint, the making of findings, and the communication of those findings to the complainant and the respondent.

### **Corrective Action and/or Disciplinary Action**

If a complaint is substantiated, the CBO (with respect to complaints against Inspectors) or the CBO’s Manager, CAO or both (with respect to complaints against the CBO) will determine the corrective action and/or disciplinary action arising from the contravention of the Code. Corrective action and/or disciplinary action may include, but is not limited to, the following:

- a) an apology
- b) counselling
- c) education/training
- d) warning
- e) suspension/leave without pay
- f) demotion
- g) transfer
- h) termination of employment

**Schedule “F” to By-Law #19-2023**

**Forms (Refer to Section 8.1 of By-law)**

Form 1	Application for a Permit to Construct or Demolish
Form 2	Order to Comply
Form 3	Stop Work Order
Form 4	Order not to Cover or Enclose
Form 5	Order to Uncover
Form 6	Order Requiring Tests and Samples
Form 7	Energy Efficiency Design Summary
Form 8	Plumbing Related Application and Fees
Form 9	Demolition Permit Application Checklist
Form 10	Sewage System Design Information