



BY-LAW 2021-x

Being a by-law to appoint a Chief Building Official, Deputy Chief Building Officials, and Building Inspectors pursuant to the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended

Whereas section 3 of the Ontario *Building Code Act, 1992*, S.O. 1992, c. 23, as amended, provides for the appointment of a Chief Building Official and Inspectors, and subsection 28(o) of the *Interpretation Act*, R.S.O. 1990, c.I.11, provides for the appointment of Deputies;

And Whereas section 23.1 of the Municipal Act authorizes a municipality to delegate its powers and duties;

And Whereas Council deems it necessary to provide for the appointment of a Chief Building Official, of Deputy Chief Building Officials to assist in carrying out the duties of the Chief Building Official, and of Inspectors:

Therefore the Council of The Corporation of the City of Markham enacts as follows:

1. (a) The Chief Building Official for the purposes of the *Building Code Act, 1992* is the person holding the position of Director, Building Standards of the Building Standards Department, and
- (b) The Chief Building Official has all the power and duties of such office assigned by statute and under by-laws of the City of Markham.
2. (a) The persons holding the following positions in the Building Standards Department are appointed Deputy Chief Building Officials and Inspectors for the purposes of the *Building Code Act, 1992*:
 - (i) Manager, Plans Review
 - (ii) Manager, Building Inspections
- (b) As directed by the Chief Building Official or when the Chief Building Official is absent, the Deputies listed in subsection 2.(a)(i-ii) above, may perform and have all the powers and duties of the Chief Building Official.
- (c) Prior to their appointment, each position listed in this section must hold the necessary legislated qualification for the position to which they are to be appointed.
3. The administrative authority to appoint inspectors under section 3 of the *Building Code Act, 1992*, including the authority to revoke the appointment of inspectors, is delegated to the Chief Building Official for the City of Markham, subject to the following conditions:
 - (a) the Chief Building Official must maintain an up to date list of all inspectors appointed under section 3 of the *Building Code Act, 1992* in the City of Markham;
 - (b) prior to their appointment, each candidate for appointment must hold the necessary legislated qualifications for the position to which they are to be appointed.

4. The Clerk of the City of Markham shall issue a certificate of appointment bearing his or her signature or a facsimile thereof to the Chief Building Official, Deputy Chief Building Officials and to each Inspector appointed by the Council of the City of Markham.
5. The City of Markham By-law 2015-163, as amended 2020-143 is hereby repealed.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS
XXth DAY OF MONTH, 2021.

Kimberley Kitteringham
City Clerk

Frank Scarpitti
Mayor