

municipality of the provisions of this Act and the building code related to sewage systems in the municipalities and for charging the municipalities the whole or part of the cost. 2002, c. 17, Sched. C, s. 3(8).

Delegation

(2) A municipality that is not a party to an agreement under subsection (1) may enter into an agreement with a board of health or a conservation authority having jurisdiction in the municipality for the enforcement of the provisions of this Act and the building code related to sewage systems. 2002, c. 9, s. 10.

Inspectors

(3) The council of an upper-tier municipality, board of health or conservation authority may appoint sewage system inspectors for the purposes of this section. 2002, c. 9, s. 10; 2002, c. 17, Sched. C, s. 3(9).

Powers

(4) A sewage system inspector appointed under this section in an area of jurisdiction or, if there is more than one inspector in the area of jurisdiction, the inspector designated by the council of an upper-tier municipality, board of health or conservation authority has the same powers and duties in relation to sewage systems as does the chief building official in respect of buildings. 2002, c. 9, s. 10; 2002, c. 17, Sched. C, s. 3(10).

Responsibility

(5) If sewage system inspectors have been appointed under this section, the chief building official and inspectors appointed under section 3 or 4 shall not exercise their powers under this Act in respect of sewage systems. 2002, c. 9, s. 10.

Application

(6) Subsections 3(8) and (9) and section 7 apply with necessary modifications to the council of an upper-tier municipality, board of health or conservation authority that has assumed responsibility for sewage systems under this section. 2002, c. 9, s. 10; 2002, c. 17, Sched. C, s. 3(11).

By-Laws, Resolutions, Regulations

7(1) The council of a municipality or of an upper-tier municipality that has entered into an agreement under subsection 3(5) or a board of health prescribed for the purposes of section 3.1 may pass by-laws, a planning board prescribed for the purposes of section 3.1 may pass resolutions and a conservation authority prescribed for the purposes of section 3.1 or the Minister may make regulations, applicable to the matters for which and in the area in which the municipality, upper-tier municipality, board of health, planning board, conservation authority or

the Province of Ontario, respectively, has jurisdiction for the enforcement of this Act,

- (a) prescribing classes of permits under this Act, including permits in respect of any stage of construction or demolition;
- (b) providing for applications for permits and requiring the applications to be accompanied by such plans, specifications, documents and other information as is prescribed;
- (b.1) subject to the regulations made under subsection 34(2.1), establishing and governing a program to enforce standards prescribed under clause 34(2)(b), in addition to any programs established under subsection 34(2.2);
- (b.2) subject to the regulations made under subsection 34(2.2), governing a program established under subsection 34(2.2);
- (c) requiring the payment of fees and prescribing the amounts of the fees,
 - (i) on application for and on issuance of permits,
 - (ii) for maintenance inspections,
 - (iii) for providing documentation, records or other information under section 15.10.4, and
 - (iv) for providing information under subsection 15.10.6(2);
- (c.1) requiring the payment of interest and other penalties, including payment of collection costs, when fees are unpaid or are paid after the due date;
- (d) providing for refunds of fees under such circumstances as are prescribed;
- (e) requiring a person specified in the building code to give notice to the chief building official or an inspector or to a registered code agency if one is appointed, of any of the stages of construction specified in the building code, in addition to the stages of construction prescribed under subsection 10.2(1) and prescribing the period of time after such notice is given during which an inspection may be carried out;
- (f) prescribing forms respecting permits and applications for permits and providing for their use;
- (g) enabling the chief building official to require that a set of plans of a building or any class of buildings as constructed be filed with the chief building official on completion of the construction under such conditions as may be prescribed in the building code;
- (h) providing for the transfer of permits when land changes ownership;

- (i) requiring the person to whom a permit is issued to erect and maintain fences to enclose the site of the construction or demolition within such areas of the municipality as may be prescribed;
- (j) prescribing the height and description of the fences required under clause (i). 1992, c. 23, s. 7; 1997, c. 30, Sched. B, s. 6; 1999, c. 12, Sched. M, s. 3; 2002, c. 9, s. 11(1); 2002, c. 17, Sched. F, Table; 2006, c. 19, Sched. O, s. 1(5); 2006, c. 22, s. 112(3-5); 2017, c. 34, Sched. 2, s. 4(1); 2020, c. 18, Sched. 1, s. 2.

Fees

(2) The total amount of the fees authorized under clause (1)(c) must not exceed the anticipated reasonable costs of the principal authority to administer and enforce this Act in its area of jurisdiction. 2002, c. 9, s. 11(2).

Reduction in Fees

(3) A regulation, by-law or resolution establishing fees under subclause (1)(c)(i) must provide for reduced fees to be payable in respect of the construction of a building for which a registered code agency is appointed under section 4.2. 2002, c. 9, s. 11(2); 2017, c. 34, Sched. 2, s. 4(2).

Report on Fees

(4) Every 12 months, each principal authority shall prepare a report that contains such information as may be prescribed about any fees authorized under clause (1)(c) and costs of the principal authority to administer and enforce this Act in its area of jurisdiction. 2002, c. 9, s. 11(2).

Same

(5) The principal authority shall make its report available to the public in the manner required by regulation. 2002, c. 9, s. 11(2).

Change in Fees

(6) If a principal authority proposes to change any fee imposed under clause (1)(c), the principal authority shall,

- (a) give notice of the proposed changes in fees to such persons as may be prescribed; and
- (b) hold a public meeting concerning the proposed changes. 2002, c. 9, s. 11(2); 2006, c. 22, s. 112(6).

Same, Notice

(7) The notice of proposed changes in fees must contain the prescribed information, including information about the public meeting, and must be given in the prescribed manner. 2002, c. 9, s. 11(2).

Same, Public Meeting

(8) The public meeting concerning proposed changes in fees must be held within the period specified by regulation before the regulation, by-law or resolution to implement the proposed changes is made. 2002, c. 9, s. 11(2).

Fees May be Added to Tax Roll

(8.1) Section 398 of the *Municipal Act, 2001* or section 264 of the *City of Toronto Act, 2006*, as the case may be, applies, with necessary modifications, to fees established by a municipality or local board under clause (1)(c) and, with the approval of the treasurer of a local municipality, to fees established under clause (1)(c) by a conservation authority whose area of jurisdiction includes any part of the local municipality. 2006, c. 22, s. 112(7).

Forms

(9) The power to prescribe forms under clause (1)(f) does not include the power to prescribe a form for a particular purpose where there is a form for that purpose prescribed in the building code or approved by the Minister. 2002, c. 9, s. 11(2); 2006, c. 21, Sched. F, s. 104(4).

Code of Conduct

7.1(1) A principal authority shall establish and enforce a code of conduct for the chief building official and inspectors. 2002, c. 9, s. 12.

Purposes

(2) The following are the purposes of a code of conduct:

- 1. To promote appropriate standards of behaviour and enforcement actions by the chief building official and inspectors in the exercise of a power or the performance of a duty under this Act or the building code.
- 2. To prevent practices which may constitute an abuse of power, including unethical or illegal practices, by the chief building official and inspectors in the exercise of a power or the performance of a duty under this Act or the building code.
- 3. To promote appropriate standards of honesty and integrity in the exercise of a power or the performance of a duty under this Act or the building code by the chief building official and inspectors. 2002, c. 9, s. 12.

Contents

(3) A code of conduct must provide for its enforcement and include policies or guidelines to be used when responding to allegations that the code has been breached and disciplinary actions that may be taken if the code is breached. 2002, c. 9, s. 12.