

The Corporation of The City Of Kawartha Lakes

By-Law 2022-

A By-Law to Appoint a Deputy Chief Building Official and Prescribe the Duties and Responsibilities

Recitals

1. The Building Code Act, S.O. 1992, c.C.23, Section 3(2) states that the Council of each municipality shall appoint a Chief Building Official and such Inspectors as are necessary for the purposes of the enforcement of this Act in the areas in which the municipality has jurisdiction.
2. The Council of the Corporation of the City of Kawartha Lakes deems it necessary to appoint a Deputy Chief Building Official to enforce the Building Code Act, the Regulations and by-laws in the absence of the Chief Building Official.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2022-____.

Section 1.00: Definitions and Interpretation

1.01 Definitions: In this by-law:

- (a) **“By-law”** means this by-law, as it may be amended from time to time. The Recitals to, and the Schedules attached to this By-law are considered integral parts of it.
- (b) **“City”** means The Corporation of the City of Kawartha Lakes.
- (c) **“Chief Building Official”** means the person within the administration of the City which fulfils the function of the Chief Building Official as required by the Building Code Act.
- (d) **“Council”** means the municipal council for the City.
- (e) **“Director”** means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

1.02 Interpretation Rules:

- (a) Wherever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.

- (b) References to items in the plural include the singular, as applicable.
 - (c) The word “include” is not to be read as limiting the phrases or descriptions that precede it.
- 1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time, that are applicable within the Province of Ontario.
- 1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Appointment

- 2.01 That Mathew McKinnon is hereby appointed as Deputy Chief Building Official for the Corporation of the City of Kawartha Lakes.

Section 3.00: Duties and Responsibilities

- 3.01 That the Deputy Chief Building Official shall have the same powers and authority for enforcement of the Building Code Act, the Regulations and by-laws as the Chief Building Official.
- 3.02 That the Deputy Chief Building Official is hereby empowered to act, upon notice from the Director of Development Services or the Chief Building Official of the Corporation of the City of Kawartha Lakes, when the Chief Building Official is absent or is unable to perform duties for any of the following occasions or circumstances:
- annual leave or vacation;
 - illness, disability or death;
 - attendance at training courses, seminars or conferences;
 - bereavement leave;
 - attendance at court or legal proceedings;
 - a conflict of interest; or,
 - at any other time as deemed necessary.

Section 4.00: Administration and Effective Date

4.01 **Administration:** The Director of Development Services is responsible for the administration of this by-law.

4.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 22nd day of February, 2022.

Andy Letham, Mayor

Cathie Ritchie, City Clerk