

MEMORANDUM

CL-C 181-2021

Subject: Appointment of Private Sewage System Inspectors under the Building Code Act, 1992

Date: December 16, 2021

To: Regional Council

From: Phill Lambert, Director, Infrastructure Planning & Development Engineering

The purpose of this memorandum is to request approval from Regional Council to update the by-law for the Appointment of Private Sewage System Inspectors. The Building Code Act, 1992, S.O. 1992, c.23, (the "Act") requires municipalities responsible for the enforcement of the Act to appoint a chief building official and inspectors, and to pass by-laws for the regulations and operations of sewage systems as prescribed by the Act.

The Region's Private Sewage System Program carries out the duties and responsibilities associated with Part 8 of the Ontario Building Code through agreements with the Town of Fort Erie, Town of Grimsby, Town of Lincoln, City of Niagara Falls, Town of Niagara-on-the-Lake, Town of Pelham, City of Port Colborne, City of St. Catharines, and City of Thorold. The Township of Wainfleet, City of Welland, and Township of West Lincoln provide the program through their own building departments.

At Niagara Region, there are three full-time Private Sewage System Inspectors, and the Director of Infrastructure Planning and Development Engineering is the Chief Building Official that provides oversight and supervision for this program. There are approximately 400 direct applications annually to this program plus requests for comments on planning applications as well as dealing with complaints and enforcement under the Ontario Building Code.

Pursuant to the Building Code Act (subsection 7.1(1)), the Region is required to establish and enforce a code of conduct for the Chief Building Official and inspectors. In satisfaction of this requirement, all Regional employees, including the Chief Building Official and Inspectors, are subject to Corporate Policy C-A-007 Code of Ethics/Conflict

of Interest which requires employees to perform their duties in a manner that maintains public trust and confidence.

Due to recent staffing changes, it is necessary to update the existing by-law that appoints sewage system inspectors for the Region (being By-law No. 2019-104). The proposed updated by-law is included on the list of bills as Bill 2021-117 (Agenda Item 17.18) being submitted to Council for consideration and approval on December 16, 2021.

Respectfully submitted and signed by

Phill Lambert, P. Eng
Director, Infrastructure Planning & Development Engineering