



THE CORPORATION OF THE TOWNSHIP OF MCGARRY

BY-LAW NO. 2023-38

**BEING A BY-LAW FOR THE APPOINTMENTS OF
CHIEF BUILDING OFFICIAL, INSPECTORS, AND
A FIRE PREVENTION OFFICER.**

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

AND WHEREAS section 3 of the *Building Code Act, 1992* provides for the appointment of a Chief Building Official and Inspectors.

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;

AND WHEREAS the Fire Protection and Prevention Act, also known as the Ontario Fire Code provides that every municipality in discharging its responsibilities shall appoint a community fire safety officer;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of McGarry enacts as follows:

1. **THAT** the following person is appointed Chief Building Official and Inspector for the municipality for purposes of the *Building Code Act, 1992*: David Barton.
2. **THAT** the Chief Building Official has all the power and duties of such office assigned by statute and under by-laws of the municipality.
3. **THAT** the Chief Building Official is authorized to carry out the administrative function of appointing Inspectors, including the function of revoking such appointments, under section 3 of the *Building Code Act, 1992*, subject to the following conditions:
 - a. the Chief Building Official maintains an up-to-date list of Inspectors; and
 - b. prior to their appointment, each candidate for appointment holds the necessary legislated qualifications for an Inspector;
 - c. the Inspectors are endorsed by the TMSA Board; and
 - d. the member municipalities are notified of the appointment as soon as practicable.
4. **THAT** the Chief Building Official be appointed as Fire Prevention Officer for the municipality subject to the following conditions:
 - a. To deal with the enforcement of unsafe buildings in accordance with the Fire Protection and Prevention Act of Ontario, S.O. 1997, c.4 s. 5&19.
5. **THAT** the Mayor and Clerk are hereby authorized to sign this By-Law and to affix the corporate seal thereto.
6. **THAT** all other by-laws and resolutions, or parts thereto, be and the same are hereby repealed.
7. **THAT** the Clerk of the Township of McGarry is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the by-law, where such modifications or

corrections do not alter the intent of the by-law.

8. **THAT** the provisions of this By-law shall come into force and be in effect upon final passage thereof.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 16th DAY OF AUGUST, 2023.**



MAYOR



CLERK-TREASURER