

Authority: Item 2, Planning Committee
Report 22-007 (PED22099)
CM: May 11, 2022
Ward: City Wide
Bill No. 112

**CITY OF HAMILTON
BY-LAW NO. 22-**

**Respecting the Appointments of a Chief Building Official, Deputies and
Inspectors, and to Repeal By-law No. 22-041**

WHEREAS section 3 of the *Building Code Act, 1992*, S.O. 1992, c. 23 (the "*Building Code Act, 1992*") provides for the appointment of a Chief Building Official and Inspectors, and section 77 of the *Legislation Act, 2006*, S.O. 2006, c. 21, Schedule F. (the "*Legislation Act, 2006*") provides for the appointment of Deputies;

AND WHEREAS section 23.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the "*Municipal Act, 2001*") 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, Deputy Chief Building Officials, to assist in carrying out the duties of the Chief Building Official, and Inspectors;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. (a) The following person is appointed Chief Building Official and Inspector for the purposes of the *Building Code Act, 1992*:

Alan Shaw
- (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 Hamilton, including any by-law of the former area municipalities comprising the City that remains in force.
2. (a) The following persons are appointed Deputy Chief Building Officials and Inspectors for the purposes of the *Building Code Act, 1992*:
 - (i) Jorge M. Caetano;
 - (ii) Bob Nuttall;
 - (iii) Dio Ortiz, P. Eng.; and
 - (iv) Wai Shing George Wong
- (b) As directed by the Chief Building Official or when the Chief Building Official is absent, the Deputies listed in subsection (a) may perform and have all the powers and duties of the Chief Building Official.

- (c) For the purposes of this section, “absent” includes when the Chief Building Official is ill or unavailable for any reason, or when the office is vacant.
3. 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 hold the necessary legislated qualifications for an Inspector.
 4. The appointments made under the authority of this by-law shall terminate at the earliest of one of the following dates:
 - (a) the date the person appointed ceases to be an employee of the City of Hamilton;
 - (b) the date this by-law is repealed or amended to delete the person’s name from the by-law; or
 - (c) the date the person’s name is deleted from the list of Inspectors maintained by the Chief Building Official under section 3 of this by-law.
 5. City of Hamilton By-law No. 22-041 is repealed.
 6. This by-law comes into force on May 30, 2022.

PASSED this 11th day of May, 2022.

F. Eisenberger
Mayor

A. Holland
City Clerk