

The Corporation of the Township of Huron-Kinloss



BY-LAW No.

2025 – 09

Being a By-Law to Authorize the Delegation of Authority for Certain Acts - Building Code Act, 1992, S.O. 1992, c.23

WHEREAS Section 3(c) of the Building Code, 1992 as amended, authorizes a chief building official to issue a conditional permit for any stage of construction if the applicant and such other person as the chief building official determines, agree in writing with the municipality, upper-tier municipality, board of health, planning board, conservation authority or the Crown in right of Ontario to,

- (i) Assume all risk in commencing the construction,
- (ii) Obtain all necessary approvals in the time set out in the agreement or, if none, as soon as practicable,
- (iii) File plans and specifications of the complete building in the time set out in the agreement,
- (iv) At the applicant's own expense, remove the building and restore the site in the manner specified in the agreement if approvals are not obtained or plans filed in the time set out in the agreement, and
- (v) Comply with other such conditions as the chief building official considers necessary including the provision of security for compliance with subclause (iv). 1992, c.23, s. 8(3); 1997, c. 30, Sched. B, S. 7(2); 1999, c.12, Sched. M, s. 5(1); 2002, c.17, Sched. F. Table;

AND WHEREAS Section 3.1 of the Building Code, 1992 as amended, authorizes a principal authority to delegate to the chief building official the power to enter into agreements described in clause 3(c) and may impose conditions or restriction with respect to the delegation;

AND WHEREAS it is deemed expedient and appropriate by the Corporation of the Township of Huron-Kinloss that the chief building official exercise the functions of Council under subsection 3.1 of the Building Code for the current year and each year hereafter until repealed;

NOW THEREFORE the Council of The Corporation of the Township of Huron-Kinloss **ENACTS** as follows;

1. That the authority of the Council of The Corporation of the Township of Huron-Kinloss to enter into agreements with respect to conditional building permits pursuant to Section 3.1 of the Building Code Act, 1992, as amended, be delegated to the Chief Building Official for the Township of Huron-Kinloss.
2. That the Chief Building Official and Clerk are hereby authorized to sign on behalf of the Council for The Corporation of the Township of Huron-Kinloss, any contracts and other documents required to authorize the agreement, and to affix the corporate seal of the Township of Huron-Kinloss.
3. That this by-law shall come into full force and effect upon its final passage.
4. That this by-law may be cited as the "Delegation of Authority (Conditional Building Permit Agreements) By-law".

READ a FIRST and SECOND TIME this 13th day of January, 2025.

READ a THIRD TIME and FINALLY PASSED this 13th day of January, 2025

Mayor

Clerk