



P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

Item No. 15.1.2
Halifax Regional Council
January 10, 2023

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed

SUBMITTED BY:

Caroline Blair-Smith, Acting Chief Administrative Officer

DATE: December 22, 2022

SUBJECT: **Appointment of Building Officials**

ORIGIN

Pursuant to the *Nova Scotia Building Code Act*, all Building Officials must be appointed by Regional Council.

LEGISLATIVE AUTHORITY

The *Nova Scotia Building Code Act*, Chapter 46 of the Revised Statutes, 1989 Section 5 states that

5 (1) The council of a municipality is responsible for the administration and enforcement of this Act in the municipality.

(2) A building official or building officials shall be appointed by each council to administer and enforce this Act in the municipality.

The *Nova Scotia Building Code Regulations*, article 1.3.1.3, defines a Building Official

1.3.1.3. Specific Definitions

(1) In these regulations the following definitions apply:

“Building Official” means a person appointed as an inspector pursuant to Section 5 of the Act.

Municipal by-law *B-201 Respecting the Building Code* article 2.4.1.1 sets forth the qualification requirements for Building Officials

2.4.1.1. Appointment

(1) A person appointed or eligible to be appointed by a municipality as a *building official* shall

- (a) hold a valid diploma from the Nova Scotia Building Code Training and Certification Board, and
- (b) be a member in good standing of the Nova Scotia Building Officials Association.

RECOMMENDATION

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It is recommended that Halifax Regional Council appoint Hannah Kelly, Shawn Kennedy, and Liam Swartz as Building Officials, pursuant to Section 5(2) of the *Nova Scotia Building Code Act*. This appointment is effective for the duration of their assignment to the duties of a Building Official with Halifax Regional Municipality.

BACKGROUND/ DISCUSSION

Building Officials in Nova Scotia are required to be Qualified in order to administer and enforce the Nova Scotia Building Code. The requirements for Qualification are consistent with the training requirements of the National Certification Model adopted by the Alliance of Canadian Building Officials Association (ACBOA) and the Nova Scotia Building Officials' Association (NSBOA). The *Nova Scotia Building Code Act* requires that Building Officials be appointed by Regional Council. Building Officials are required to administer and enforce provisions of the *Nova Scotia Building Code Act and Regulations* on behalf of HRM.

Hannah Kelly, Shawn Kennedy, and Liam Swartz have been employed by HRM in the Assistant Building Official position while completing their training and mentorship programs. These individuals have completed their required training, hold diplomas from the Nova Scotia Building Code Training and Certification Board and were successful applicants in recent competitions for vacant Building Official positions. They meet the qualifications of the job descriptions in addition to any Provincial requirements.

Building Officials are primarily responsible for the delivery of two programs: Construction Approvals and Maintenance of Residential Occupancies. Building Officials ensure consistent interpretation and application of various by-laws, administrative orders and the Provincial Building code as they apply to buildings and development in co-ordination with other HRM staff in the development approvals process.

FINANCIAL IMPLICATIONS

There are no budget implications. This is to fill budgeted and vacant positions.

RISK CONSIDERATION

There is no significant risk associated with this recommendation as these are current employees qualified to fill the position to which they are being appointed.

COMMUNITY ENGAGEMENT

No community engagement is required.

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

ALTERNATIVES

No alternatives have been identified. A Council appointment is required for Building Officials to have the necessary authority to enforce compliance to applicable codes, and by-laws.

ATTACHMENTS

None.

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Sergio Grbac Manager, Building Standards 902.476.9210
