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Item No. 15.1.2
Halifax Regional Council
September 3, 2024

TO: Mayor Savage and Members of Halifax Regional Council

FROM: Cathie O'Toole, Chief Administrative Officer

DATE: July 18, 2024

SUBJECT: **Appointment of Building Officials**

ORIGIN

Pursuant to the Nova Scotia *Building Code Act*, R.S.N.S. 1989, all Building Officials must be appointed by Regional Council.

EXECUTIVE SUMMARY

This report relates to a routine process by which Provincial legislation requires new employees in the Building Official role to be appointed by Council.

RECOMMENDATION

It is recommended that Halifax Regional Council appoint Dane Ordway, KC Mangali, and Will Irvine as Building Officials, pursuant to Section 5(2) of the *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

Building Officials in Nova Scotia are required to be Qualified 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 *Building Code Act* requires that Building Officials be appointed by Regional Council. Building Officials are required to administer and enforce provisions of the *Building Code Act* and its Regulations on behalf of HRM.

Dane Ordway, KC Mangali, and Will Irvine 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. These individuals have been previously appointed by Regional Council as Municipal Fire Inspectors pursuant to the *Fire Safety Act*, S.N.S. 2002.

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.

LEGISLATIVE AUTHORITY

Building Code Act, R.S.N.S. 1989 c. 46:

Interpretation

2 In this Act,

[...]

(ca) "building official" means a person appointed as a building official under Section 5

[...]

Administration in municipality

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

Building officials

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

Nova Scotia Building Code Regulations of the Building Code Act, N.S. Reg. 116/2022

Appointment and qualification of building officials

46 A person appointed by a municipality as a building official must meet all of the following qualifications:

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

ATTACHMENTS

None.

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