

TERMS OF REFERENCE

NAME:	General Appeals Committee
REPORTS TO:	Council
STATUS:	Statutory
ESTABLISHED:	November 29, 2022

1. ENABLING LEGISLATION

The General Appeals Committee is a quasi-judicial body that hears appeals made to:

- A Property Standards Order that was issued by a Property Standards Officer of the City of Cambridge
- Orders to Muzzle a Dog issued by an Animal Control Officer of the City of Cambridge

The Committee shall operate under the authority of the *Statutory Powers and Procedure Act* and hold hearings that may confirm, modify or rescind Property Standards and Dog Muzzle Orders or in the case of Property Standards matters, may extend the time for compliance.

The decisions of the General Appeals Committee may be appealed to the Superior Court of Justice.

2. MANDATE

The mandate of the General Appeals Committee is to consider appeals to Property Standards Orders issued by Property Standards Officers and Dog Muzzle Orders issued by Animal Control Officers.

Goal

It is the responsibility of the Clerks' Division to accept all applications for processing upon submission by the appellant.

Alignment with the City's Corporate Strategic Goals

The General Appeals Committee meets the following Corporate Strategic Objective:

WELLBEING – Connect people to services that support individual and community wellbeing.

As a core service, the Committee meets the following criteria:

Program: Governance

Core Service: Council and Citizen Committees

Interpretation

The General Appeals Committee shall adopt Rules of Procedure in accordance with s. 25.1 of the *Statutory Powers Procedure Act* and conduct all hearings in accordance with the provisions of the *Statutory Powers Procedure Act*.

3. COMPOSITION, QUORUM AND FORMAT

The General Appeals Committee is appointed by the Council of the Corporation of the City of Cambridge and will be comprised of five (5) citizen members. Staff representatives support the Committee but do not form part of the Committee.

The Chair of the Committee will be elected at the first business meeting of each calendar year.

Qualifications

Consideration shall be given to inclusion of the following qualifications during the appointment process:

- Persons with legal tribunal governance experience;
- Persons with land use experience;
- Persons with real estate experience;
- Persons with experience relative to the by-laws the committee will hear

Term

Committee members will be appointed for the term of Council.

Quorum

Quorum in a hearing of an appeal will consist of three (3) members in attendance without any conflicts of interest. Where one (1) member declares a pecuniary interest in accordance with the Municipal Conflict of Interest Act, quorum can be two (2) members to proceed with a hearing.

If no quorum, without conflicts of interest, is present within 15 minutes after the time appointed for the commencement of the hearing, the staff representative shall reschedule the hearing.

Format

Hearings may proceed in person, by conference telephone, by video-conference, or some other electronic technology allowing persons to hear one another, or a combination thereof, at the discretion of the City Clerk so long as the manner of hearing does not cause a Party to the hearing significant prejudice.

4. MEETING SCHEDULE

The General Appeals Committee shall meet once a month, as required to hear appeals that have been filed with the City Clerk.

All in person hearings will be held at City Hall, unless special circumstances warrant a temporary change of location.

5. REPORTING REQUIREMENTS AND METHOD

Minutes and Agendas

The staff representative to the Committee will give notice of each meeting to all Committee members, staff representatives and the appellant(s) where there is/are hearings scheduled. Any relevant material will accompany the notice in the form of an agenda. The notice/agenda of all meetings will be sent out by courier, mail or electronically to the address of each member and the appellant(s) and their representative(s).

The decision of the Committee after any hearing will be forwarded to the appellant(s) and the minutes of the hearings will be filed as part of the official record.

The General Appeals Committee's decision on any hearing is the final decision at the City, but it may be appealed to Council by notifying the City Clerk in writing within 14 calendar days after a copy of the Committee's decision has been sent to the appellant(s).

6. BUDGET AND RESOURCES

Committees are not given a budget. It is not anticipated that operating or capital costs will be incurred by the Committee. Staff will provide administrative support to the Committee through taking minutes of meetings, distribution of agenda and general administrative coordination of meetings and hearings.

7. CODE OF CONDUCT

Interactions at the City of Cambridge are guided by the Corporate Core Values and Behaviors of Respect, Integrity, Service and Inclusiveness. All volunteers, delegates and staff will be guided by the City's policies and procedures including the Code of Conduct for Local Boards and Advisory Committees and Code of Conduct for Employees.

Conflict of Interest

A member shall declare a direct or indirect pecuniary interest in accordance with the Municipal Conflict of Interest Act, and

- a. prior to any consideration of the matter at a hearing, shall disclose the interest and the general nature thereof verbally and by filing a written statement of the interest with the Clerk at the hearing or as soon as possible afterwards;
- b. shall not take part in the discussion of, or vote on any motion in respect of the matter at a hearing;
- c. during or after the hearing, shall not attempt in any way to influence the voting on any such matter; and
- d. shall be included in the minutes.

8. WORKPLAN

Not applicable.

9. REMUNERATION

\$80.00 per meeting.

10. COMMITTEE REVIEW/SUNSET DATE

Every four years to coincide with the term of Council or when a change to legislation impacts the obligations and responsibilities of the Committee.