

1. Background

The Appeals Committee is a committee appointed by the City of Burlington Council under the Business Licensing By-law 42-2008, Public Vehicle By-law 20-2009, Short-Term Accommodation By-law 01-2025, and Adult Entertainment By-law 01-2008.

The Appeals Committee is a committee appointed by City of the Burlington Council under section 15.6(1) of the *Building Code Act* and the Property Standards By-Law.

The Appeals Committee will conduct itself in accordance with the *Statutory Powers Procedures Act*, the *Building Code Act*, the *Municipal Act*, the City of Burlington Procedure By-law, Public Appointment Policy, and these Terms of Reference.

2. Mandate

The Appeals Committee is a quasi-judicial body appointed by Burlington City Council to:

Conduct hearings to decide whether to uphold the decision of the Director of By-law Compliance, or designate, with respect to refusal, revoke, suspension, or the addition of terms of conditions of a business license; and

Hear appeals against orders issued by the Municipality under the City's Property Standards By-law, as amended and under subsection 15.2(2) of the *Building Code Act* and decide whether to confirm, modify or rescind the order to demolish or repair, or extend the time for complying with the order.

Committee members have the authority to review the Appeals Committee Rules and Procedures and make amendments, as required. Amendments will be approved by a majority vote.

3. Committee Composition:

The Appeals Committee is comprised of three (3) to five (5) members of the public.

Preference will be given to members of the public with experience in business by-laws, by-law enforcement, public service, community engagement, or governance. Candidates should demonstrate proficiency in legislative interpretation and sound judgment and preferably have had prior experience on a committee or task force, with a sustained commitment to community well-being.

The appointment of all committee members will be consistent with the city's Public Appointment Policy.

4. Term of office

Members of the Appeals Committee will hold office for four years from the date of appointment to coincide with the Council term. Members hold office until their successors are appointed.

Where a member ceases to be a member before the expiration of the term, Council may appoint another eligible person for the remainder of the term.

5. Quorum

Where the Appeals Committee is composed of five members, three members constitute a quorum.

The Appeals Committee shall be composed of not fewer than three (3) members.

6. Meetings

The Appeals Committee meetings will be scheduled once a month. Additional meetings may be added to the regularly scheduled meeting calendar under special circumstances and at the discretion of the Director of Licensing Compliance, in consultation with the Chair.

The Appeals Committee meetings are public and may meet in closed session in accordance with the provisions of section 239 of the *Municipal Act, 2001*.

The Code of Conduct for Local Boards and Committees and the *Municipal Conflict of Interest Act* apply to members of the Appeals Committee.

7. Committee chair and vice chair

The Chair and Vice Chair will be elected by a majority of Committee members for a one-year term at the first meeting of each calendar year. An individual will only act as Chair or Vice-Chair for a maximum of two consecutive years unless the committee determines otherwise with the majority consent of its membership.

The Chair's role and responsibility is to:

- Provide guidance and leadership to the Appeals Committee in the completion of its mandate.
- Act as a liaison between the Clerk and committee members on matters related to policy and city-wide issues.

- Conduct meetings in an efficient and timely manner and ensure that all applications before the Appeals Committee are appropriately dealt with in a manner that is fair, transparent, and consistent.
- Ensure that the actions of any individual, including committee members and staff attending the hearing, are consistent with the quasi-judicial nature of the Committee.
- Ensure that decorum is maintained at each meeting and that the Code of Conduct for Local Boards and Committees is observed.
- Ensure that the minutes of the previous hearing, prior to being adopted, accurately reflect what occurred at the previous meeting.

The Vice Chair's role and responsibility is to:

- Support the Chair at each meeting.
- Act in the Chair's absence by assuming the role and responsibilities of the Chair.

8. Clerk

The Clerk's role and responsibility is to:

- Accept complete applications for processing, upon submission by the applicant.
- Administer all administrative aspects of the Appeals Committee.
- Schedule hearings in a timely manner.
- Issue public notice of hearings.
- Coordinate preparation of the hearing agendas and minutes.
- Issue notices of decision to all persons entitled to receive a copy, in a timely and consistent manner.
- Provide overall procedural advice to the Committee.
- Schedule education and training sessions for Committee members as required.
- Act as a liaison between committee members and staff.

9. Conflict of interest

In accordance with the *Municipal Conflict of Interest Act*, each member will advise the Chair and Clerk of any conflict of interest. The member will declare the general nature of the conflict of interest and will remove themselves from the meeting during the discussion and voting on the matter.

Every declaration of a conflict of interest and the general nature thereof shall be recorded in the minutes of the meeting and recorded in the City's Conflicts of Interest Registry.

10. Budget considerations

The fiscal year of the Appeals Committee will be January 1 to December 31 annually.

Terms of reference approval date: August 2025

Terms of reference review date: November 2026