



Town of Newmarket

TERMS OF REFERENCE

NAME: Appeal Committee

REPORTS TO: Council

STATUS: Statutory

ESTABLISHED: June 23, 1980

ENABLING LEGISLATION/AUTHORIZING BY-LAW

The Appeal Committee is a quasi-judicial body that shall meet and deliberate as required by the legislation pursuant to which the by-laws have been enacted, and when necessary in order to hear appeals pursuant to these by-laws.

The Appeal Committee will also serve as fence-viewers under the authority of the *Line Fences Act, 1990*, as amended.

MANDATE

The Appeal Committee is established for the purpose of hearing appeals pursuant to the following Town of Newmarket by-laws:

- Animal Control By-law 2008-61, as amended
- Fireworks By-law 2015-18
- Refreshment Vehicle Licensing By-law 2014-11, as amended
- Sign By-law 2014-11, as amended
- Taxicab Licensing By-law 2013-28
- Driving Instructor Licensing By-law 2018-39

The Committee will be responsible for the following:

- To hear and determine all applications made, proceedings instituted and matters brought before it and for such purpose to make such orders, give such directions, issue such approvals, deny or vary applications and otherwise do and perform all such acts, matters, deeds and things as may be necessary or incidental to the exercise of the powers conferred upon the Appeal Committee.
- To perform such other functions and duties as are now or hereafter conferred upon or assigned to the Appeal Committee by municipal By-law or under statutory authority.

- To make, give or issue or refuse to make, give or issue any order, directions, regulation, rule, permission, approval, certificate or direction, which it has power to make, give or issue.

Deliverables

The Committee will accomplish its mandate by:

- Conducting hearings as required
- Arbitrating fence disputes between property owners

Strategic Plan Linkages

The Appeal Committee meets the following Corporate Strategic Goals:

- *Living Well:* By focusing on health, safety and the environment to promote activity and enrich lives.
- *Efficiency/financial Management.* By ensuring effective and efficient services.

The Appeal Committee meets the following Council Strategic Priority:

- *Efficiency/financial Management.* By ensuring effective and efficient services.

COMMITTEE COMPOSITION AND STAFF RESOURCES

The Appeal Committee will be composed of:

- Five (5) residents

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.

FREQUENCY OF MEETINGS

Meetings are held on an as required basis monthly.

BUDGET CONSIDERATION

The fiscal year of the Committee shall be from January 1 to December 31. The Committee will work with the assigned staff resource to submit a budget request that reflects their upcoming year's operating and capital needs, in keeping with corporate budget directions and timelines.

WORK PLAN

Not applicable.

REMUNERATION

\$80.00 per member per meeting

TERM OF OFFICE

A Member's term on the Committee shall be concurrent with the Term of Council, unless otherwise indicated in the Committee's Mandate, or until a successor is appointed.

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.