



The Municipal Corporation of the Town of Fort Erie

By-law No. 71-2023

Being a By-law to Adopt Terms of Reference for the Property Standards Committee

Whereas By-law No. 186-08 was passed to prescribe standards for the maintenance and occupancy of property within the Town of Fort Erie and repeal By-law No. 183-98; and

Whereas By-law No. 186-08 establishes a Property Standards Committee as required under the *Building Code Act, 1992*; and

Whereas Report No. COS-03-2023 was considered and approved at the Regular Council Meeting held on March 27, 2023, to update Terms of Reference for Committees of Council; and

Whereas it is deemed desirable to adopt Terms of Reference for the Property Standards Committee;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the Property Standards Committee Terms of Reference attached to and forming part of this by-law as Schedule "A" are adopted approved.
2. **That** the Clerk of the Town is delegated authority to affect administrative modifications to Schedule "A" that facilitate improvement of the Committee's effectiveness.
3. **That** the Clerk of the Town is authorized to affect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 24th day of April, 2023.

Mayor

Clerk

I, _____ Clerk of The Corporation of the Town of Fort Erie, certify the foregoing to be a true copy of By-law No. 71-2023 of the said Town. Given under my hand and the seal of the said Corporation, this _____ day of _____, 20____

Property Standards Committee Terms of Reference

1. Mandate and Objectives

- 1.1. The mandate of the Committee is to operate as a statutory body to hear appeals against orders issued under the Town of Fort Erie’s Property Standards By-law, as amended or replaced from time to time
- 1.2. The objectives of the Committee shall be as follows:
 - a) Abide by the statutes and regulations of the *Building Code Act, 1992, S.O. 1992, c. 23*, and the Town of Fort Erie Property Standards By-law, as amended, or replaced from time to time
 - b) Provide for and conduct a fair hearing by observing the common law principles of natural justice
 - c) Confirm, modify or rescind the order to demolish or repair or extend the time for complying with the order if, in the Committee’s opinion, doing so would maintain the general intent and purpose of the By-law and of the Official Plan

2. Membership

- 2.1. Qualifications
 - a) Members shall have access to a computer and an email address to receive meeting invitations and agenda packages with large files
 - b) A good understanding of the relevant sections of the *Building Code Act, 1992, S.O. 1992, c. 23*, and the Town of Fort Erie Property Standards By-law
- 2.2. Composition
 - a) The Committee shall be comprised of five (5) citizens
- 2.3. Term
 - a) Committee members shall hold office concurrent with the term of Council, and shall continue until a new Council appoints new Committee members following an election
- 2.4. Resignations and Vacancies
 - a) Notices of resignations shall be submitted in writing to the Clerk’s Office and the Staff Liaison
 - b) The Committee shall self solicit to fill vacancies during the Term
 - c) Applications to fill vacancies during the Term shall be forwarded to the Clerk for consideration and appointment by Council

3. Roles and Responsibilities

- 3.1. Committee members shall appoint a Chair for each meeting

3.2. Chair

- a) Maintain decorum and ensure that the Rules of Procedure are observed under By-law No. 36-2016 (Council Rules of Procedure), as amended or replaced
- b) Ensure that all committee members are provided with an opportunity to comment
- c) Provide guidance and leadership to the Committee in the completion of its mandate

3.3. Committee Members

- a) Attend meetings of the Committee (if unable to attend, notification should be sent to the Staff Liaison as soon as possible before the meeting)
- b) Review agendas and materials before the meeting
- c) Contribute time, knowledge, skill and expertise to the fulfillment of the committee mandate

3.4. Staff Liaison

- a) Provide guidance and advice to the Committee in fulfillment of its mandate
- b) Circulate agendas and record and prepare minutes of Committee meetings
- c) Prepare and circulate notices of appeal and decisions of appeal
- d) Keep records of all official business of the Committee

4. Meetings

4.1. Meeting Schedule

- a) The Staff Liaison will schedule Committee meetings when an appeal to an order is received, usually 3 to 5 times a year
- b) The Staff Liaison will poll Committee members for availability and provide reasonable notice
- c) Committee meetings usually occur during regular daytime working hours

4.2. Quorum shall be three (3) members

4.3. Rules of Procedure

- a) The Committee shall follow the Council's Rules of Procedure By-law, as amended or replaced, with modifications as necessary
- b) In the event of a conflict between the Terms of Reference and any by-law of the Town of Fort Erie, the Terms of Reference shall prevail

4.4. Conduct

- a) The Committee shall follow any policies of the municipality governing the ethical behaviour of members, in place from time to time

4.5. Agendas and Minutes

- a) The format of agendas and minutes shall be in a form approved by the Clerk

5. Resources

5.1. The Committee will have access to Town Facilities for meetings

- a) The Staff Liaison is responsible for reserving Town Facilities

6. Remuneration

6.1. Committee members are paid as per the relative By-law(s); for details, please inquire with the Staff Liaison

7. Terms of Reference

7.1. The Committee shall review the Terms of Reference before the end of each term and make recommendations to Council through their minutes, as needed