Citizen Appointments to the Licensing Appeals Committee

Corporate Services Committee
February 12, 2020
Angelo Apfelbaum
Why Citizen Appointments?

• Original objectives of the Business Licensing Transition project included the creation of a Civilian Committee of Adjustment.

• As the project moved forward, it was determined that this committee would be termed a Licensing Appeals Committee.

• Reduces the risk of conflict of interest with elected officials where decisions can be made to impact business license holders.
  • It is an inherent responsibility of an elected official to represent the interests of local businesses.

• Council retains full authority over the Licensing Officer and Business Licensing by-laws.
Eligibility for Appointment

• Background in law, academics, enforcement, and/or industry stakeholder

• Knowledge of the Municipal Act

• Ability to interpret legislation

• Proven analytical and decision making skills

• Experience in working on or with a committee, administrative tribunal, taskforce or similar regulatory hearings body
Reporting Structure for Decisions

Council:
• Approve by-laws containing eligibility and compliance criteria for licenses in Niagara
• Delegate authority to the Licensing Officer
• Only Council can give direction to the Licensing Officer

Licensing Officer:
• Provide industry governance through Council
  Approved by-laws using Council’s delegated authority
• Responsible for defending decisions by providing evidence at the Licensing Appeals Committee
• Reports to Regional Council on the outcomes of all decisions made by the Licensing Appeals Committee
Reporting Structure for Decisions

Licensing Appeals Committee:
- Decide whether to uphold the decisions of the Region’s Licensing Officer to:
  - Refuse to issue a license
  - Suspend a license
  - Revoke a license
  - Add conditions to a business license