

Licensing Appeals Committee

Terms of Reference

1. PREAMBLE

The Licensing Appeals Committee is an all-citizens Committee appointed by Council to conduct hearings of appeals under The Regional Municipality of Niagara Business Licensing By-laws.

2. MANDATE

The Licensing Appeals Committee conducts hearings to decide whether or not to uphold the decision of the Licensing Officer with respect to the refusal, revocation, suspension, or the addition of conditions on a business licence.

3. MEMBERSHIP

3.1 Composition

The Committee shall be composed of a minimum of three (3) and a maximum of seven (7) members with membership preference given to those with backgrounds in law, academics, enforcement and/or industry stakeholders.

In addition, members should have knowledge and understanding of the *Municipal Act* and interpretation of legislation, proven analytical and decision-making skills, and experience working on a committee, administrative tribunal, task force or similar setting.

The Committee shall not include any individual who is a current business licence holder.

When an appeal has been filed only three (3) of the seven (7) members of the Committee shall comprise the Committee for the purposes of reviewing and considering the appeal.

The Clerk shall determine the selection of the three (3) sitting members of the Committee from the pool of members based on availability.

3.2 Term

The term of the Committee shall be concurrent with the term of Council.

3.3 Privacy

The meetings of the Licensing Appeals Committee are public. Members should be aware that their names will be in the public realm and a list of membership may be provided when requested. Member information, other than name or

municipality, will be kept confidential in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.

4. COMMITTEE CHAIR

The Committee members shall select a Chair from amongst its three (3) sitting members at the first meeting.

5. STAFF SUPPORT

Clerk's Office staff will provide administrative support to the Committee.

6. COMPENSATION

Members shall receive an honorarium of \$50.00 for meetings held to consider licence appeal applications. Members will be paid mileage from their place of residence to the meeting location for any other meetings.

7. MEETINGS

The Appeals Committee shall conduct its meetings on an as-required basis and in public.

The Committee shall conduct its meetings in accordance with the Rules of Practice and Procedure for the Licensing Appeals Committee and the *Statutory Powers Procedures Act*, with modifications as deemed necessary.

8. CONFLICTS

Committee members shall comply with the *Municipal Conflict of Interest Act* and shall disclose a pecuniary interest in advance of any meeting, where possible or absent him/herself from meetings for the duration of the consideration of the appeal, discussion and voting with respect to the matter.

In the event a member discloses a pecuniary interest respecting the appeal in advance of the meeting, the Clerk shall select another member to replace him/her on the Committee.

9. PRACTICES AND PROCEDURES

The Clerk shall establish administrative practices and procedures for the Committee.