



Terms of Reference Saskatoon Appeal Board

Authority

City Council – September 27, 2023; City Council – April 24, 2024.

Mandate

The function and mandate of the Saskatoon Appeal Board shall be to:

1. Hear and determine the appeal of any owner or occupant of land, building or structure to whom an Order to Remedy Contravention has been issued by a municipal inspector pursuant to:
 - Bylaw No. 9772, *The Drainage Bylaw, 2021*;
 - Bylaw No. 7990, *The Fire and Protective Services Bylaw, 2001*;
 - Bylaw No. 7981, *The Private Swimming Pools Bylaw, 2000*;
 - Bylaw No. 8175, *The Property Maintenance & Nuisance Abatement Bylaw, 2003*;
 - Bylaw No. 9466, *The Sewer Use Bylaw, 2017*;
 - Bylaw No. 7200, *The Traffic Bylaw*;
 - Bylaw No. 9957, *The Tree Protection Bylaw, 2024*;
 - Bylaw No. 8995, *The Underground Encroachment and Sidewalk Safety Bylaw, 2012*; or
 - Bylaw No. 9844, *The Waste Bylaw, 2022*.
2. Hear and determine the appeal of any person from a decision of the City to deny a licence or permit or a licence or permit renewal, suspend or cancel a licence or permit or impose any term or condition on a licence or permit issued under:
 - Bylaw No. 9011, *The Adult Services Licensing Bylaw, 2012*;
 - Bylaw No. 9746, *The Business Licence Bylaw, 2021*;
 - Bylaw No. 9525, *The Cannabis Business License Bylaw, 2018*;
 - Bylaw No. 9466, *The Sewer Use Bylaw, 2017*;
 - Bylaw No. 9957, *The Tree Protection Bylaw, 2024*; or
 - Bylaw No. 9651, *The Vehicles for Hire Bylaw, 2019*.
3. Hear and determine the appeal of any person whose access to Access Transit Service has been denied or suspended.
4. Hear and determine all requests for the forgiveness of City mortgages arising out of the City's lot allocation process.

Hearings shall be conducted in accordance with *The Saskatoon Appeal Board Bylaw, 2024* and *The Cities Act*.

Composition

- 7 members of the public appointed by City Council through the City Agency Recruitment and Evaluation Committee (CARE).
- The full complement of members shall be comprised of a well-rounded wealth of experience and knowledge possessing the preferred Qualifications. No one member is expected to be competent in all Qualifications.
- Members cannot serve simultaneously on the Saskatoon Appeal Board and the Board of Revision.

Qualifications

Successful candidates will be appointed based on their experience and knowledge related to the following qualifications:

- Experience hearing appeals or working knowledge of quasi-jurisprudence, administrative law or adjudicative processes;
- Knowledge and understanding of City of Saskatoon Bylaws and Policies, including:
 - Bylaw No. 9011, *The Adult Services Licensing Bylaw, 2012*;
 - Bylaw No. 9746, *The Business Licence Bylaw, 2021*;
 - Bylaw No. 9525, *The Cannabis Business License Bylaw, 2018*;
 - Bylaw No. 9772, *The Drainage Bylaw, 2021*;
 - Bylaw No. 7990, *The Fire and Protective Services Bylaw, 2001*;
 - Bylaw No. 7981, *The Private Swimming Pools Bylaw, 2000*;
 - Bylaw No. 8175, *The Property Maintenance & Nuisance Abatement Bylaw, 2003*;
 - Bylaw No. 9972, *The Saskatoon Appeal Board Bylaw, 2024*;
 - Bylaw No. 9466, *The Sewer Use Bylaw, 2017*;
 - Bylaw No. 7200, *The Traffic Bylaw*;
 - Bylaw No. 9957, *The Tree Protection Bylaw, 2024*;
 - Bylaw No. 8995, *The Underground Encroachment and Sidewalk Safety Bylaw, 2012*;
 - Bylaw No. 9651, *The Vehicles for Hire Bylaw, 2019*;
 - Bylaw No. 9844, *The Waste Bylaw, 2022*;
 - Policy No. C09-006, *Residential Lot Sales – General Policy*; and
 - Policy No. C09-011, *Trees on City Property*.
- Knowledge and understanding of:
 - Construction standards;
 - Fire code standards;
 - Public health standards;
 - Barriers to accessibility for elderly persons and persons with a disability; and
 - The collection, handling and disposal of waste;
- Ability to read, understand, interpret and apply City of Saskatoon Bylaws and Policies, standards, codes, laws, regulations and case law;
- Excellent listening skills and ability to analyze complex information and provide rational, objective and reasoned decisions;
- Sound judgment, tact, fairness and decorum;
- Ability to write clearly and concisely;
- Ability to commit the time required.

Appointment and Term

- 2-year staggered terms.
- Maximum of 3 consecutive terms.

Quorum

- Members of the Board shall choose a chairperson at the organizational meeting of the Saskatoon Appeal Board.
- Panels shall be appointed by the chairperson of the Board from among the membership with the most relevant knowledge to the type of appeal being heard. Each panel shall have at least 3 members appointed and not more than 5 members.
- Panel chairs shall be chosen by the chairperson of the Board.
- A majority of the members of the Board constitutes a quorum for the purposes of conducting business of the Board.
- Quorum for the purposes hearing and determining appeals shall be 3 members appointed to the panel.
- A decision of the majority of members of the Board or a panel of the Board is a decision of the Board.

Meetings

- Hearings shall be convened one afternoon biweekly from 1:00 p.m. to 5:00 p.m., dates as determined by the City Clerk's Office.
- Any other meeting dates shall be as determined by the City Clerk's Office.

Meeting Support

The City Clerk's Office shall provide administrative support to each meeting of the Saskatoon Appeal Board.

Compensation

Panel Chairperson	\$150 for up to and including 4 hours per day. \$25 per hour for each additional hour per day as required.
Panel Member	\$100 for up to and including 4 hours per day. \$25 per hour for each additional hour per day as required.

Additional \$50 for the member responsible to write the decision.

Resource Documents

The Cities Act

Bylaw No. 9011, *The Adult Services Licensing Bylaw, 2012*

Bylaw No. 9746, *The Business Licence Bylaw, 2021*

Bylaw No. 9525, *The Cannabis Business License Bylaw, 2018*

Bylaw No. 9772, *The Drainage Bylaw, 2021*

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Bylaw No. 8995, *The Underground Encroachment and Sidewalk Safety Bylaw, 2012*

Bylaw No. 9651, *The Vehicles for Hire Bylaw, 2019*

Bylaw No. 9844, *The Waste Bylaw, 2022*

Policy No. C01-003, *Appointments to Civic Boards, Commissions, Authorities, and Committees*

Policy No. C09-006, *Residential Lot Sales – General Policy*

Policy No. C09-011, *Trees on City Property*

Any other bylaws or policies as required