

Appeals Boards – Appointment of Secretary

ISSUE

City Council shall appoint a Secretary to the following appeals boards in accordance with the applicable Bylaw and/or Act that established them: Saskatoon Appeal Board, Board of Revision, and Development Appeals Board.

RECOMMENDATION

That the Governance and Priorities Committees recommend to Council:

That the City Clerk, or their designate, be appointed as Secretary to the following appeals boards and as outlined in this report:

- The Saskatoon Appeal Board
- The Board of Revision
- The Development Appeals Board

BACKGROUND

The Saskatoon Appeal Board

Section 5 of Bylaw No. 9972, *The Saskatoon Appeal Board Bylaw, 2024* speaks to Board Membership and Organization of the Saskatoon Appeal Board. Subsection 5(1) provides, in part:

5. (1) Council shall:

- (a) appoint a secretary of the Board; ...
- (c) determine the term of office, duties and remuneration and expenses, if any, of the secretary and each member of the Board; and ...

Board of Revision (BOR)

With respect to the BOR, section 193, Secretary, of *The Cities Act* governs. Subsection 193(1) provides:

193(1) The council shall:

- (a) appoint a secretary of the board of revision; and
- (b) prescribe the term of office, the remuneration and duties of the secretary of the board of revision.

Development Appeals Board (DAB)

With respect to the DAB, section 216, Board organization, of *The Planning and Development Act, 2007* governs. *The Zoning Bylaw* does not speak to the appointment of a secretary therefore, subsection 216(3) governs:

216(3) The council shall:

- (a) appoint a secretary of the board; and
- (b) prescribe the term of office, the remuneration, and duties of the secretary of the board.

DISCUSSION/ANALYSIS

The position of Secretary to the appeals boards has historically been a designate of the City Clerk's Office, currently held by a Committee Assistant position and is part of their job description. This arrangement has been successful over the years.

The duties and responsibilities of the Secretary include, but are not limited to the following:

- Facilitate any Board training and Board orientation as required.
- Review received Notices of Appeal for completion. The appeal must be in the prescribed form and contain information as set out in Subsection 220(1) of *The Planning and Development Act, 2007*.
- Serve Notice of Hearing within required timeframe.
- Collect applicable appeal fees.
- Schedule hearings and produce hearing documentation for Board Members.
- Process requests for appeal withdrawal.
- Prepare request for a court reporter for recording of hearings and production of transcript.
- Assist in preparation of decisions.
- Distribute decisions to parties within required timeframe.
- Transmit appealed records to the Saskatchewan Municipal Board, as required.
- Arrange for legal opinions by the Board's legal counsel, as required.
- Update the Board Policy and Procedures, as required.

Having the Secretary be a designate of the City Clerk allows for adequate coverage and cross training among the staff. The remuneration has been built into the City Clerk's annual operating budget and paid as per the appropriate Collective Bargaining Agreement.

FINANCIAL IMPLICATIONS

The position of Secretary has been built into the Committee Assistant position in the City Clerk's Office and budgeted for annually.

OTHER IMPLICATIONS

There are no privacy, legal, social, or environmental implications identified.

Report Approval

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