

## **Schedule 1 to By-Law 2019-XX Code of Conduct for Members of Council, Local Boards and Adjudicative Boards (the “Code”)**

### **Adjudicative Boards**

#### **1. APPLICATION**

- 1.1 This Schedule applies only to the following Adjudicative Boards of the Town of Newmarket:
- (a) Appeal Committee
  - (b) Committee of Adjustment
  - (c) Property Standards Committee

#### **2. COMMUNICATION**

- 2.1 Written communication to an Adjudicative Board shall take place only through the Board administrator, and shall be copied to all parties or their representatives as appropriate.
- 2.2 Oral communications with the Adjudicative Board about a current proceeding shall take place only in the presence of or with the consent of all parties.
- 2.3 Where a party is represented by a representative, all communication between the Adjudicative Board and the party shall be through the representative, with the exception of notices of hearing, which shall be served upon all parties known to the Adjudicative Board as appropriate. The Adjudicative Board shall not be copied on correspondence and documents exchanged by parties, unless the Board administrator has given prior approval to such copying.

#### **3. INDEPENDENT NATURE OF ADJUDICATIVE BOARDS**

- 3.1 The Chairs of Adjudicative Boards should ensure that the actions of any Member and staff attending adjudicative board meetings, are consistent with the arm's-length, quasi-judicial nature of the Adjudicative Board. Any actions compromising this position should be immediately dealt with by the Chair.
- 3.2 Members of Adjudicative Boards should refrain from seeking advice on their roles and responsibilities from Council Members. In clarifying their roles and responsibilities, members of these specific Boards should seek advice from appropriate legal staff or expert staff where such advisors are not otherwise involved in the case.

- 3.3 An Adjudicative Board operates at arm's-length from and independently of Council. Adjudicative Board Members should therefore not request Members of Council to intervene on applications considered by the Adjudicative Board. As per the Council Code of Conduct, Members of Council may communicate to the Adjudicative Board regarding a matter before the Board by a letter addressed to the Secretary of the Board, which will then be made available to all parties.