



# Property Standards Committee Orientation

July 31, 2024



# Agenda

- Welcome and Introductions
- Part I:
  - Overview of Town's Committee related By-laws and policies
- Part II:
  - Overview of Property Standards Related By-laws
  - Review of Hearing Process
  - Select Chair

# Part I



# Procedure By-law

- Procedure By-law governs meetings of Council and its Committees
- Quorum
- Conflict of Interest
- Motions
- Hybrid meeting participation

# Committee Administration Policy



- Purpose
- Absences
- Committee Conduct
- Communications

# Terms of Reference



- Mandate
- Deliverables
- Staff Resources
- Frequency of Meetings

# Code of Conduct

# Application to Local Boards



- As of March 1, 2019, all Local Boards must have a Code of Conduct
- Town of Newmarket Council Code of Conduct has been amended to include all Local Boards



# Principles



- The decision-making process is open, accessible and equitable and respects the Town's governance structure
- Public office is not to be used for the personal financial benefit of any Member
- Town residents should have confidence in the integrity of their local government
- The conduct of each Member is of the highest standard
- The conduct of each Member demonstrates fairness, respect for differences and a duty to work with other Members together for the common good

# Conduct



- Members shall at all times conduct themselves with propriety, decency and respect and with the understanding that all members of the public, other Members and staff are to be treated with dignity, courtesy and empathy.
- Members shall at all times conduct themselves with decorum and in accordance with the Town's Procedure By-law during any meetings and in a manner that demonstrates fairness, respect for individual differences, and an intention to work together for the common good and in furtherance of the public interest.

# Transparency and Openness



- Members conduct duties in an open and transparent manner

# Access to Information and Confidentiality



- Members are entitled to have access to information in the possession of the Town that is relevant to Board
- Members have a continuing obligation to keep information confidential

# Conflict of Interest

- Members must declare conflicts of interest
- Declarations must be made in writing at the meeting or soon after
- Members will not participate, vote or attempt to influence the vote on any item on which they have a declared interest

# Gifts



- Members shall not accept a gift or personal benefit that is connected directly or indirectly with the performance of their duties
- Limited exceptions listed in the Code of Conduct

# Communications and Social Media



- Corporate Communications Department is responsible for Communications
- No Member shall use social media to publish anything that is dishonest, untrue, offensive, disrespectful, constitutes harassment, is defamatory or misleading in any way

# Town of Newmarket Integrity Commissioner



- The Town of Newmarket Integrity Commissioner is responsible for the application of the Code of Conduct and investigation of any complaints
- Members may seek advice from the Integrity Commissioner respecting their obligations under the Code of Conduct or the Municipal Conflict of Interest Act



# Ontarians with Disabilities Act, 2001 (ODA)



## Purpose:

- To improve opportunities for people with disabilities by identifying, and removing barriers
- Applies to the broader public sector
- Requires annual accessibility planning
- Requires municipalities to maintain an Accessibility Advisory Committee

# *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*



## Purpose:

- To achieve a fully accessible Ontario by 2025, through the development of accessibility standards
- Under the AODA there are two provincial regulations, namely:
  - Accessibility Standards for Customer Service
  - Integrated Accessibility Standards

# Integrated Accessibility Standards

Requires:

- Establishment, implementation, maintenance and the documenting of a Multi-year Accessibility Plan
- Incorporation of accessibility criteria and features when procuring or acquiring goods, services or facilities
- Training
- Other specific requirements under the standards

# Health and Safety



- The Corporation of the Town of Newmarket is committed to providing a safe and healthy work environment as provided for in Health & Safety Legislation and will take all reasonable and practical steps to eliminate or reduce workplace hazards which might cause injuries or adverse health effects.
- It is expected all Committee members will conduct themselves in a healthy and safe manner.
- At no time should a Committee member put themselves or anyone else at risk while fulfilling their role on a committee.
- Should a committee identify a potential health or safety hazard it should be reported to staff without delay.

## Next Steps



- Read and sign Confidentiality Agreement and Code of Conduct Attestation

**Questions?**

**End of Part I**

# Part II



# Overview of By-law and Legislation



- Property Standards By-law 2017-62
- *Building Code Act*
- *Statutory Powers Procedure Act*

# Role of the Property Standards Committee



- Committee operates under the authority of the *Building Code Act* and the *Statutory Powers and Procedure Act*.
- Committee members hear appeals from the orders of the Property Standards Officers.
- Committee members make a decision whether to confirm, modify or rescind the order to demolish or repair, and extend time for complying with the order.



# Role of Committee Members



- Prepare for meeting by reviewing relevant materials in advance
- During meeting:
  - Maintain decorum; open to the public, media, etc.
  - Refrain from comments that suggest you've decided before the matter has concluded
- Following the meeting, make decision on the appeal and provide reasons for the same

## Role of Chair

- Role of the Chair
  - Chairs meetings of the Committee
    - Decides order of business
    - Acknowledge motions and announce outcome of votes
  - Ensures rules are followed and decorum maintained
  - Keep parties on track and focused on matter at hand
- Chair controls moving into closed session to discuss procedural issues with Committee, to deliberate any rulings to be made, delivers the decision when the Committee comes out of closed session.

# Process for Chairing Meeting



- Opening
  - Chair opens the meeting and shares the process for what are we here for
  - What is going to happen procedurally
  - Ask if any process questions
  - Consider any preliminary matters prior to starting the formal meeting
    - Is everyone there?
    - Instructions to any support people? Interpreters?
    - Anything parties want to address?
- Role of the clerk (affirming witnesses, tracking exhibits, screen sharing)

## Process (cont'd)

- Order of Events
  - Opening Statements
    - Optional
    - The responding party can wait to do their opening statement when they begin their case
  - Exhibits
    - How are they entered (on consent or through a witness)
      - Joint book
      - Single items
    - Keeping track of them

# Witnesses

- Clerk will affirm witness prior to any testimony given.
- Party calling the witness will be given an opportunity to directly question the witness, with open-ended questions (who, what, when where)
  - Responding party can then cross exam the witness
- Chair needs to be sensitive to the state of the witness
  - Are they having any trouble following questions, materials? Do they need a break? Water?
  - Protect a witness if necessary
  - You may need to control counsel, questioning (Repetitive? Time to move on? Leading questions?)

## Process (cont'd)

- Order of Events
  - Closing Statements
    - Optional
    - Opportunity for each party to summarize their case and confirm what they want you to decide

# Next Steps

- Select Chair
- Questions?

