

Property Standards Committee

Terms of Reference

Mandate

All Committees of Council are required to follow the Committees of Council Administration Policy.

The Property Standards Committee is appointed by Council pursuant to the provisions of the Ontario Building Code Act, S.O. 1992, c.23, to deal with matters related to the Municipality's Property Standard By-laws as supported through the Municipality's Official Plan. The Property Standards By-law (referred to in the Building Code as a By-law for Standards for the Maintenance and Occupancy) regulates items of safety and general upkeep of properties and buildings. The Property Standards Committee is a quasi-judicial body appointed by Council to consider appeals to orders issued by Municipal Property Standards Officers.

Goals and Objectives

The Committee's role to make an informed and impartial decision regarding any appeal of any owner who has been served an Order issued by a Municipal Property Standards Officer pursuant to the Municipality's Property Standards By-law.

The Committee presides over hearings for Owners/occupants upon whom an order has been served by a Municipal Law Enforcement Officer, whom are not satisfied with the terms or conditions of the order.

The Committee in hearing the appeal has all the powers and functions of the By-law Enforcement Officer while the Committee is hearing an appeal to an order and may confirm the order to demolish or repair or may modify or rescind it, or may extend the time for compliance.

The Committee's decision shall uphold the intent and purpose of the Municipality's Property Standards By-law and of the Municipality's Official Plan.

The Committee's decisions may be appealed to the Ontario Court (General Division) by the municipality, or the owner/occupant affected by such decision.

Member Requirements

The Committee shall be composed of five community members. No members of Council will be appointed to the Committee.

Staff support:

- The Chief Building Official or the Deputy Chief Building Official, as required;

- A By-Law Enforcement Officer, as required;
- The Municipal Fire Chief, or designate, as required for matters under the Fire Code;
- A Municipal Planner, as required to provide expert opinion regarding the Municipal Official Plan, if applicable;
- Clerk Department staff for agenda preparation and minute taking.

Member Qualifications:

- be a qualified elector in the Municipality of Brighton pursuant to the Municipal Act;
- bring an understanding of the diverse neighbourhoods and communities across the Municipality;
- have a concern for the health and safety of Municipal residents;
- have an understanding of the Building Code Act; Municipal Code Chapter 629, Property Standards; building practices and tribunal processes;
- have a clear understanding of the role of the Property Standards Committee;
- be available to conduct site inspections of subject properties;
- if possible, have previous experience as a member of a decision-making body;
- and
- be able to read and understand building plans, surveys and reports.

The Committee or its members do not have the authority to make direct representations of the Municipality to Federal or Provincial Governments.

Term

The term of office for the Property Standards Committee will be the term of Council. However, the Committee members shall remain in their position until such time as new Committee members are appointed by a new Council following an election.

Frequency of meetings

The Property Standards Committee shall meet as required, dependant on appeals filed. Meetings shall be governed by The Municipality's Procedural By-law as may be amended from time to time.