



Attachment 1

Licensing Appeal Committee Rules of Practice and Procedure

WHEREAS Council of The Corporation of the City of Stratford has duly enacted a Bed & Breakfast Licensing By-law 180-2004 and an Accommodation Licensing By-law 130-2022 to licence, regulate, and govern bed and breakfast establishments and short term accommodations;

AND WHEREAS By-laws 180-2004 and 130-2022 require the establishment of a Licensing Appeal Committee to be appointed by By-law;

AND WHEREAS on August 11, 2025, Council passed By-law XX-2025, being a By-law to appoint a Licensing Appeals Committee pursuant to By-laws 180-2004 and 130-2022, being the Breakfast Licensing By-law and Accommodation Licensing By-law.

Authority

- a. The Licensing Appeal Committee has been established under The Corporation of the City of Stratford Bed & Breakfast Licensing By-law 180-2004 and Accommodation Licensing By-law 130-2022.
- b. Council enacted By-law XX-2025 establishing the Licence Appeal Committee on August 11, 2025.
- c. The Licensing Appeal Committee shall conduct its meetings in accordance with the Rules of Practice and Procedures for the Licensing Appeals Committee and the *Statutory Powers Procedures Act*, with modifications as deemed necessary.

Name of the Committee

The name of the Appeal Committee shall be the "Licensing Appeal Committee."

Roles, Responsibilities, and Mandate of the Licensing Appeal Committee

The Licensing Appeal Committee:

- a. shall hear and determine all appeals from administrative officials made pursuant to a delegated power or duty, where the following by-laws specifically provides a right of appeal to the Licensing Appeal Committee: the Bed & Breakfast Licensing By-law 180-2004 and Accommodation Licensing By-law 130-2022. The Licensing Appeals Committee does not have the authority or jurisdiction to suspend, revoke, or refuse to issue or renew the Licence as a result of, or related to matters and determinations relating to conformity with applicable Federal and Provincial Law and Regulations or City by-laws, including but not limited to the Property Standards By-law; Building Code Act; the Building Code; the Fire Protection and Prevention Act, 1997; the Fire Code; or, an order of the Medical Health Officer;
- b. shall, applying the criteria established by the by-law applicable to the decision being appealed from, make a decision on the appeal;
- c. may attach any conditions to such decision as it may see fit;
- d. may make, give or issue or refuse to make, give or issue any order, direction, permission, approval, license, permit, certificate that it has the power to make give or issue;
- e. may meet privately to inspect the property, to deliberate, or to write a decision or order; and
- f. shall perform such other functions and duties as are now or hereafter conferred upon or assigned it by by-law or under statutory authority.

Term

The term of the members of the Licensing Appeal Committee shall coincide with the term of Council.

Composition of the Licensing Appeal Committee

- a. The Licensing Appeal Committee shall be composed of three members of Stratford City Council with one alternate member.

- b. One alternate member of Council shall be appointed to the Licensing Appeal Committee in the event a member is unable to attend because of illness or emergency.
- c. The Director of Building and Planning or the Municipal Licensing Officer shall attend the Licensing Appeal Committee meetings to provide information on licensing related matters to the Committee.

Role of the Members of the Licensing Appeal Committee

- a. Agree to the Terms of Reference established by Council.
- b. Review all documents, agendas and minutes presented to them before attending Licensing Appeal Committee meetings to provide informed discussion.
- c. The Licensing Appeal Committee may confirm, modify, or rescind the decision of the Municipal Licensing Officer, or extend the time for complying with any requirements imposed on the License.
- d. The Licensing Appeal Committee may direct that the licence be issued with such terms or conditions deemed appropriate by the Licensing Appeal Committee.
- e. The Licensing Appeal Committee may, in the instance of licence refusal, direct that the licence be issued with such terms and/or conditions deemed appropriate by the Licensing Appeal Committee.
- f. The Licensing Appeal Committee may suspend or revoke a licence.

Chairperson

- a. At the first Licensing Appeal Committee meeting during each term of Council, the Licensing Appeal Committee shall elect one of its members as a Chairperson for Committee meetings.

Role of the Chairperson

- a. The Chairperson is responsible for making sure that each meeting is planned effectively, conducted according to the legislation and that matters are dealt with in a fair, objective, and orderly manner.

- b. The Chairperson shall enforce the observance of order and decorum amongst the Appeal Committee members and the public.
- c. The Chairperson shall ensure opportunity is given to the person who has applied for a review to the Appeal Committee to appear before the Appeal Committee.

Licensing Appeal Committee Secretary

The City Clerk is appointed as the Secretary of the Licensing Appeal Committee and may delegate administrative responsibilities to the Deputy Clerk or alternate staff members where appropriate.

Licensing Appeal Committee Secretary's Role

- a. Upon notification of an appeal, the Licensing Appeal Committee Secretary shall coordinate/facilitate meetings of the Licensing Appeal Committee and prepare and distribute the Agenda for the hearing.
- b. Take minutes of the Licensing Appeal Committee meetings.
- c. Act as a Licensing Appeal Committee resource.

City Staff Role

- a. The Director of Building and Planning Services, Chief Building Official and the Municipal Licensing Officer, as necessary, will attend Licensing Appeal Committee meetings to provide background and supporting information to the Licensing Appeal Committee where appropriate.

Licensing Appeal Committee Training

- a. Prior to a member attending a meeting of the Licensing Appeal Committee, the Clerk shall arrange for the member to receive orientation and training.

Quorum

- a. Quorum of the Licensing Appeal Committee shall be two members.
- b. No Licensing Appeal Committee meeting shall be held without the Licensing Appeal Committee Secretary in attendance.

Licensing Appeal Committee Meetings – Notice

- a. Notice of the Licensing Appeal Committee meetings will be posted to the City's website a minimum of two weeks in advance of the Meeting or Hearing.
- b. Notice of the Licensing Appeal Committee meeting will be provided directly to the Applicant or Licensee, the Officer or any other Person who has requested such notification in writing from the Appeal Tribunal at least fifteen (15) days prior to the date and time fixed for such hearing.
- c. Notice of the Decision, including the written reasons for the decision, of the Licensing Appeal Committee shall be provided within thirty (30) days of the hearing to the Appellant, Applicant and/or Licensee and the Municipal Licensing Officer.

Licensing Appeal Committee Meetings – Open to the Public

- a. The Licensing Appeal Committee shall conduct its meetings on an as required basis.
- b. Licensing Appeal Committee meetings shall be open to the public; however, the public may not participate in the meeting.

Location of Licensing Appeal Committee Meetings

All meetings will be held during regular business hours, Monday to Friday between 8:30 a.m. – 4:30 p.m. excluding holidays, in Council Chambers located at Stratford City Hall, 1 Wellington Street, Stratford Ontario or as directed by the Licensing Committee Secretary.

Conflicts

- a. Committee members shall comply with the *Municipal Conflict of Interest Act* and shall disclose a pecuniary interest in advance, or at the start, of any meeting.
- b. Following declaration of a pecuniary interest, the member shall depart from the meeting for the duration of the consideration of the appeal, discussion, and voting with respect to the matter.

No Liability

- a. No Member of the Appeals Licensing Committee, or any City employee is personally liable for anything done by it, or them, under authority of these Terms of Reference.