The Corporation of The Town of Ajax
By-Law 94-2026

Being a By-law to Property Standards Appeal Committee/Animal Services Appeal Committee.

Whereas, the Building Code Act 1992, S.O. 1992, CHAPTER 23 provides for the establishment of a Property Standards Appeal Committee;

Whereas, the Municipal Act, 2001, S.O. 2001, CHAPTER 25, mandates that the council of a municipality must hold a hearing at the request of an owner of a dog that has been subject to a muzzling order;

And whereas, the Municipal Act 2001, S.O. 2001, CHAPTER 25, authorize a municipality to delegate its powers and duties under this or any other Act to a person or body;

Therefore, it is enacted as a By-law of The Corporation of The Town of Ajax as follows:

1. That the Town of Ajax “Property Standards Appeal Committee/Animal Services Appeal Committee” be established for the 2022 to 2026 term of Council.

2. The attached “terms of reference and rules of procedure” shall guide the roles, expectations, conduct, structure and administration of the Town of Ajax’s Property Standards Appeal Committee/Animal Services Appeal Committee.

3. Where the Building Code Act, 1992, S.O. 1992, CHAPTER 23 or the Municipal Act 2001, S.O. 2001, CHAPTER 25 or the Statutory Powers and Procedures Act R.S.O. 1990, c. S.22 is silent, relevant by-laws, resolutions and practices of the Town of Ajax shall govern the roles, expectations, conduct, structure and administration of the Property Standards Appeal Committee/Animal Services Appeal Committee.

4. That By-law 76-2022 is hereby repealed.

By-law passed this September 21, 2026.

_____
Mayor and CEO

_____
Clerk

Town of Ajax Property Standards Appeal/Animal Services Appeal Committee Terms of Reference

A. Mandate

The Town of Ajax Property Standards Appeal Committee & the Animal Services Appeal Committee (the "Committee") has full delegation of the authority in the Building Code Act and the Municipal Act to hear appeals from both property owners and dog owners who disagree with either a Property Standards Order or an Order to Restrain.

The Committee Shall:

- Hear evidence presented by witnesses, Town By-law Staff, property owners, the owner of the dog, or other individuals that may have evidence relating to the case.
- Make decisions on the status of either the Property Standards Order or an Order to Restrain.
- Confirm, modify, rescind, or extend the time for complying with the Order.

B. Reporting & Functional Relationships

The Manager of By-law Services, or designate, will act as the staff resource person for the Committee, as well as provide organizational and procedural support

All Committee Agendas, Minutes, and Videos (if available) will be uploaded to the Town's website.

C. Committee Membership

The Committee shall consist of five (5) public citizens appointed by the Council of the Town of Ajax. Town staff shall recruit, interview and recommend five individuals for appointment to the Committee.

Three (3) members shall constitute a quorum. Section 1 of "Schedule A", Rules of Procedure, shall apply if no quorum is present.

Committee Members must have the ability to understand and apply the provisions of the Town's Property Standards By-law and the Town's Dog and Cat By-law and should be considered impartial with respect to their ability to fulfill their responsibilities.

Remuneration ($80.00 for all members of the Committee for each meeting attended) shall be provided to the members in December of each year of the Committee.

The Term of the Committee is four years, corresponding with the Term of Council, plus an additional three months during the transition period.

A Chair will be elected by the Committee members and will serve for a one year term. A Vice-Chair will be chosen for the one-year term to act on behalf of the Chair when they are not available. The Chair/Vice-Chair will ensure that decorum is maintained at each meeting and that "Schedule A", Rules of Procedure is observed at all times.

There is no provision that precludes the Committee from electing the same individual as the Chair/Vice-Chair for consecutive years.

The appointment of a Committee member shall be rescinded if the member is absent from 3 consecutive meetings or absent for over 50% of the meetings in one year, unless excused by the Committee due to extenuating circumstances. Where a vacancy occurs for any reason, Council may by resolution, appoint a person qualified to be on the Committee for the remainder of the term.

D. Meeting Structure

The Committee will be called to order for two mandatory training sessions at the beginning of the term. Bi-monthly meetings will be scheduled, however, it is understood that additional meetings may be called, if needed. Further, if no appeals are made in a given period, the committee meeting may be cancelled. The date and time of the meetings will be coordinated by the Secretary of the Committee and communicated directly to the committee members.

A Committee Secretary will be provided for by the Town of Ajax. An agenda shall be prepared for each Committee meeting and the Minutes of each meeting shall outline the general deliberations and specific actions and decisions that result. The Committee's decision shall be provided to all parties in writing. For Property Standards Appeals, appellants or staff can appeal to the Superior Court of Justice within 14 days of the Committee's written decision being sent, pursuant to the Building Code Act and by notifying the Town Clerk in writing. For Animal Services appeals, the appellant or staff can appeal the decision of the Committee to the Town's General Government Committee within 14 days of the Committee's written decision being sent, with the applicable fees attached.

Appellants must submit a written request via registered mail to begin the appeal process. Appellants have 10 days from the date of service to appeal an Order to Restrain and 14 days from the date of service to appeal a Property Standards Order. Before an Appeal date has been set, all Orders to Restrain are in full effect, pursuant to the Town's Dog and Cat By-law.

Failure to Attend by Appellant

Where an appellant is properly notified of a hearing or appeal (via registered mail) and does not attend at the time and place appointed, the Committee shall determine that the appellant has "deemed not to dispute" the Order or Order to Restrain and the Committee shall confirm the Order(s) as written, with the appellant being notified of the Committee's decision in writing after the appeal hearing.

Public Access

All appeal hearings shall be fully accessible to the general public, either in person, electronically or both. The appeal agenda shall be posted to the Town's website the day the Committee members receive their agendas. The meeting minutes shall be posted on the Town's website as soon as practical after the appeal meeting. The Committee shall render its decision on the matter in the presence of the public, the appellant, staff and other interested parties.

Confidentiality

Members of the Committee shall not permit any person, other than those who are legally entitled, to inspect or have access to information. If unsure, the Committee shall discuss this matter with the Town Clerk or Designate.

E. Remote Meeting Participation

Committee Members, staff, and members of the public are permitted to participate in meetings remotely via electronic means (e.g. video or audio teleconference). Committee Members participating remotely shall have all the same rights and responsibilities as if they were in physical attendance. A Committee Member who is remotely participating in a meeting shall be counted in determining whether or not a quorum of members is present at any point in time, and may participate electronically in any portion of a meeting

that is closed to the public.

Where a Committee Member encounters technical difficulties or is otherwise unable to participate remotely in a meeting, such circumstances shall not affect the validity of the meeting or any action taken at the meeting, provided that quorum is not lost during the meeting.

F. Recording and Broadcasting Meetings

Meetings of the Committee may be audio and/or video recorded and may be broadcast publicly by the Town. Closed Session portions of all meetings shall not be recorded or broadcast.

Town of Ajax Property Standards Appeal/Animal Services Appeal Committee Terms of Reference

Schedule "A"
Rules of Procedure

1. Quorum

1.1 A quorum of Committee shall be 3 Members.

1.2 If a quorum is not present within 10 minutes after the time appointed for a meeting, the Secretary shall record the names of the Members present and the meeting shall stand adjourned until the date of the next regular meeting.

1.3 Members of Committee are encouraged to notify the Secretary when the Member is aware that they will be absent from any meeting of Committee.

2. Meetings Open to the Public

2.1 All proceedings of Committee shall be open to the public.

3. Conduct of Witnesses, Appellants, Delegations, or Individuals making Presentations

3.1 Witnesses, Appellants, or Individuals making presentation shall not:

a) Speak disrespectfully of any person
b) Use offensive words
c) Speak on any subject other than the subject for which they have received approval to address Committee
d) Disobey the decision of the Chair or Committee
e) Enter into cross debate with the Chair, Members, Town staff, or any other persons present.

3.2 Persons desiring to present an appeal to Committee shall give notice, to the Secretary of the Committee, by sending registered mail;

a) within 14 days after service of the Order with regard to Property Standard Orders
b) within 10 days after service of the Order to Restrain with regard to Animal Services

3.3 Notwithstanding section 3.2, a person wishing to present information is not required to give written notice nor be listed on the agenda with respect to a matter before the Committee for which the public has been invited.

3.4 Individuals shall be permitted to speak on a matter only once and be limited to speak for no more than 10 minutes. A five minute extension to speak may be decided, without debate, by a majority of Committee Members present. Where there are numerous individuals taking the same position on a matter, they are encouraged not to repeat information presented by an earlier delegation.

3.5 The Chair can limit the number of individuals speaking if they believe that the information being provided has already been presented to the Committee or the individual does not have firsthand knowledge of the matter or incident that is being heard by the Committee.

3.6 Members shall be permitted to ask questions of delegates but shall not make statements to nor enter into debate with such persons.

4. Order of Business

Agenda

4.1 The Secretary shall prepare and cause to be circulated for the use of the Members at the regular meetings of Committee, an agenda listing the

Order of Business, as follows:

a) Call to Order & Acknowledgement of Traditional Treaty Lands
b) Conflict of Interest
c) Minutes
d) Public Meeting / Appeals
e) Verbal Update
f) Other / New Business
g) Adjournment

4.2 All business shall be taken up in the order in which it appears on the agenda unless otherwise decided by general consent of the Members present.

4.3 The agenda will be sent electronically to each Member no later than the Friday preceding the regular Committee meeting.

Call to Order & Acknowledgement of Traditional Treaty Lands

4.4 As soon after the hour fixed for the holding of the meeting of the Committee as a quorum is present, the Chair shall call the Members to order and read the acknowledgement of traditional treaty lands.

4.5 If the Chair does not attend a meeting of Committee within five minutes after the time appointed, the Secretary shall call the Members to order and the Vice Chair shall preside until the arrival of the Chair.

4.6 If the Vice Chair is not present at the time when the Secretary calls the Members to order, the Members present shall appoint a Presiding Member who shall preside over the meeting.

4.7 The Chair shall advise all persons present that any and all electronic devices shall be turned off for the duration of the meeting.

Conflict of Interest

4.8 Members shall adhere to the Town of Ajax Code of Conduct for Local Boards. It is the responsibility of Members to identify and disclose any conflict of interest as defined under the *Municipal Conflict of Interest Act*.

4.9 Members shall disclose any conflicts at the opening of a meeting, prior to any discussion on the matter, and shall not take part in discussion or vote on such matter. Members shall not in any way attempt to influence the voting on a matter before, during or after the meeting. Where a member is absent from a Meeting which included a matter on which they have a conflict of interest, the member shall disclose the conflict at the next meeting they attend. All disclosed conflicts of interest shall be recorded in the meeting minutes and in the Town's Conflict of Interest Declaration Registry.

Minutes

4.10 The Secretary shall cause minutes to be taken of each meeting of Committee, which shall include:

a) the place, date and time of the meeting;

b) the attendance of the Members; should a member enter after the commencement of a meeting or leave prior to adjournment, the time shall be noted;

c) all other proceedings of Committee without note or comment.

4.11 Minutes of the last regular meeting of Committee and of all Special Committee meetings held subsequent to the last regular meeting, shall be included in the agenda and may be adopted by Committee without having been read at the meeting at which the question of their adoption is considered.

Public Meeting / Appeals

4.12 The Chair will co-ordinate the hearing of the Appeals as they are listed on the meeting Agenda. The Appeal format is outlined in Section 8 of this document. The Chair has the ability to deviate the Order of Appeals and the format as they deemnecessary but shall always strive to have it maintained as written.

Verbal Update

4.13 The Staff Resource shall give verbal updates on past Appeals heard by the Committee. This verbal update is for information purposes only and requires no action of the Committee.

Other / New Business

4.14 Items of business requiring the direction of Committee will appear under this section of the agenda. These matters shall generally pertain to information items only.

5. Rules of Debate and Conduct

Conduct of Members of Committee

5.1 No Member shall:

a) speak disrespectfully of the Reigning Sovereign, of any Member of the Royal Family, of the Governor-General of Canada, of the Lieutenant-Governor of any Province, of any Member of Senate or of any elected assembly;

b) use offensive words or against the Council or against any Member, or any officer or employee of the Town of Ajax;

c) speak on any subject other than the subject in debate;

d) disobey the Rules of Procedure or a decision of the Committee Chair on questions of order or procedure or upon the interpretation of the Rules of Procedure; and in case a Member persists in any such disobedience after having been called to order, the Chair shall forthwith order them to vacate the Chamber or virtual meeting in which the meeting is being held, but if the Member apologizes they may, by majority vote of the Members of Committee, be permitted to retake their seat;

e) speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, ethnic origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status, or disability.

Rules of Debate

5.2 The Chair shall preserve order and decorum and decide questions of order subject to an appeal to the Committee by any Member.

5.3 When two or more Members desire to speak, the Chair shall designate the Member who has the floor.

5.4 No Member shall be deemed to have precedence or seniority over any other Member.

5.5 Before speaking to a question or motion, a Member shall be acknowledged by the Chair and shall address the Chair.

5.6 When a Member is speaking, no other Member shall pass between that Member and the Chair or interrupt that Member except to raise a point of order.

5.7 A Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a Member who is speaking.

5.8 No Member, without leave of the Committee, shall speak to the same question, or reply, for longer than five minutes.

5.9 A Member may ask a question for the purpose of obtaining information relating to the matter under discussion and such question shall be stated concisely and asked only through the Chair.

5.10 When a Member has been recognized as the next speaker, before speaking the Member may ask a question of or through the Chair on the matter under discussion for the purpose of obtaining information, following which the Member may speak.

Points of Order

5.11 When a Member desires to call attention to a violation of the rules of procedure, the Member shall ask leave of the Chair to raise a point of order, and after leave is granted, shall state the point of order to the Chair succinctly and the Chair shall then decide upon the point of order and advise the Members of their decision.

5.12 Unless a Member immediately appeals the Chair's decision to the Committee, the decision of the Chair shall be final.

5.13 If a Member appeals to the Committee on a point of order, the Committee shall hear the reason for the appeal from the appellant and the reason for the decision from the Chair, and shall decide the question without debate. The decision of the Committee under this section shall be final.

6. Motions

6.1 A motion presented in Committee need not be in writing nor require a seconder.

6.2 When a motion is presented in Committee, it shall be stated by the Chair/Member before debate.

6.3 After a motion is stated by the Chair/Member it shall be deemed to be in possession of Committee, but may with permission of the mover, be withdrawn at any time before decision or amendment.

6.4 A motion in respect of a matter which is beyond the jurisdiction of Committee shall not be in order.

6.5 A motion properly before Committee for decision must receive disposition before any other motion can be received.

7. Voting

7.1 Every Member present at a meeting when a question is put shall vote thereon unless disqualified to vote on the question. All votes shall be by show of hands except where a recorded vote is requested by any Member.

7.2 If a Member does not vote when a question is put, they shall be deemed to have voted in the negative, except where the Member is disqualified from voting.

7.3 A Member not in their seat when the question is called by the Chair is not entitled to vote on that question.

7.4 Immediately preceding the taking of the vote, the Chair shall state the question in the form introduced.

7.5 The Chair shall announce the result of every vote.

7.6 If a Member disagrees with the announcement of the Chair that a question is carried or defeated, they may immediately after the declaration by the Chair, state their objection to the declaration and request that a recorded vote be taken on the question.

Recorded Vote

7.7 When a recorded vote is requested by a Member, or is otherwise required, the Secretary shall record the name and vote of every Member, on the question commencing with the Member who made the request and then all other Members, alphabetically, until all Members have voted. The Chair shall vote last.

Tied Vote

7.8 Any question on which there is an equality of votes shall be deemed to have been decided in the negative.

8. Appeal Format

8.1 The Chair will welcome all individuals present and call the first Appeal on the meeting Agenda.

8.2 The Chair will explain the Role of the Committee and the format of the Appeal section of the meeting.

8.3 The Chair will explain the appeal process should an individual or the Town staff not agree with a decision of the Committee for both Property Standards Orders, pursuant to the Building Code Act, and Orders to Restrain, pursuant to the Town's Dog and Cat By-law.

a) Property Standards - the municipality in which the property is situated or any owner or occupant or person affected by a decision may appeal to the Superior Court of Justice by notifying the clerk of the municipality in writing and by applying to the court within 14 days of the Committee's decision being sent.

b) Animal Services Appeals – the municipality in which the dog resides in or any owner of a dog may appeal to the General Government Committee of the Town, by notifying the clerk of the municipality in writing and by paying the appropriate fees as outlined in the Town's Fees & Charges By-law within 14 days of the Committee's decision being sent.

8.4 Town staff will present their testimony to the Committee. The Committee will then ask the Officer questions. At the conclusion of Committee questions, the appellant will then have the option to ask questions of the Officer. This is only an opportunity for questions from the Appellant and not for providing statements to the Committee. This process will continue for each witness that will give testimony on behalf of the Town.

8.5 The Appellant will present their testimony to the Committee. The Committee will then ask the Appellant questions. At the conclusion of Committee questions, Town staff will then have the option to ask questions of the Appellant. This process will continue for each witness that will give testimony on behalf of the Appellant.

8.6 The Chair will ask each side to summarize their respective positions, starting with Town staff.

8.7 The Committee will deliberate. Town staff and the Appellant will remain present in the event that any additional questions are raised by any Member that requires clarification.

8.8 At any time the Committee can ask questions of staff or of any witnesses who have already spoken to get clarification on an issue.

8.9 The Chair will orally notify the Appellant of the Committee's decision with regard to the Appeal. The Chair will also notify the Appellant that the Committee's decision will be provided to them in writing.

8.10 The above process will continue until the Committee has heard all the Appeals listed on the Agenda for that meeting.

Last Updated: September 2026