

**HALIFAX REGIONAL MUNICIPALITY  
BY-LAW NUMBER A-102**

**TO BE KNOWN AS BY-LAW A-100**

**RESPECTING THE APPEALS COMMITTEE**

**BE IT ENACTED** by the Council of the Halifax Regional Municipality, under the authority of the Halifax Regional Municipality Charter, SNS 2008, c.39 including Section 188(2) as follows:

**SHORT TITLE**

1. This Bylaw shall be known as Bylaw Number A-100 and may be cited as the "Appeals Committee Bylaw".

**DEFINITIONS**

2. In this By-law:
  - (a) **"Appeals Committee"** means the Committee established pursuant to this By-law;
  - (b) **"Council"** means the Halifax Regional Municipality Regional Council;
  - (c) **"Charter"** means the Halifax Regional Municipality Charter, 2008, c.39;
  - (d) **"Councillor"** means a person elected to Council.

**APPEALS COMMITTEE**

3.
  - (1) Council hereby establishes the Appeals Committee.
  - (2) The Appeals Committee will consist of six (6) Councillors, appointed by Council.
  - (3) The members of the Appeals Committee will be appointed for such term as Council may direct and will hold office at the pleasure of Council.
  - (4) A member of the Appeals Committee will be eligible for re-appointment.
  - (5) If any member of the Appeals Committee ceases being a Councillor during the member's term on the Appeals Committee, that member's appointment to the Appeals Committee is vacated as of the date that Appeals Committee member ceases being a Councillor.
  - (6) Should a vacancy occur on the Appeals Committee, for any reason other than the expiration of the term of a member, the Council will within 30 days of notification thereof, appoint a Councillor to fill the vacancy, and the Councillor so appointed will hold office for the remainder of the term of the member to whose place he or she was appointed.
  - (7) The Appeals Committee will, at its first meeting each year, elect for the coming year, from its members a Chairman and a Vice-Chairman who will act in the absence of the Chair.

**JURISDICTION**

- 4. (1) The Appeals Committee will hear appeals that are directed to the Appeals Committee by the Charter, a by-law or Council policy.
- (2) The Appeals Committee will exercise the authority and discretion conferred or delegated to the Appeals Committee by the Charter, a by-law or Council policy.
- (3) Council hereby delegates to the Appeals Committee, pursuant to s. 355(2) of the Charter, Council’s authority under Part XV.

**PROCEDURE**

- 5. (1) No appeal will be taken from any decision from which exists a right of appeal, except upon written notice as prescribed in the Charter, by-law or Council policy from which the decision is being appealed.
- (2) No decision will be stayed by an appeal.
- (3) Council Administrative Order One, the Procedures of Council Administrative Order, shall apply to the Appeals Committee.
- (4) The Appeal Committee, will not make any decision that could not have made pursuant to the Charter, by-law or Council policy.

**REPEAL**

- 6. (1) By-law A-100 is repealed and replaced with this By-law A-102.

Done and passed in Council this 17<sup>th</sup> day of April, 2012.

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MAYOR

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MUNICIPAL CLERK

I, Cathy Mellett, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above-noted by-law was passed at a meeting of the Halifax Regional Council held on April 17, 2012.

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Cathy Mellett, Municipal Clerk

Notice of Motion:	March 20, 2012
First Reading:	March 27, 2012
Notice of Second Reading Publication:	March 31, 2012
Second Reading:	April 17, 2012
Approval by Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	April 21, 2012

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Amendment # 1 – (By-Law A103)

Composition of Appeals Committee

Notice of Motion:	December 9, 2014
First Reading:	January 13, 2015
Notice of Second Reading Publication:	January 17, 2015
Second Reading:	February 3, 2015
Approval by Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	March 2, 2015