



Community Services Appeal Committee

Information Guide

Community Standards Appeal Committee

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Community Standards Appeal Committee

The Community Standards Appeal Committee (CSAC) is a quasi-judicial body that performs hearings and makes decisions on appeals related to the following:

- persons affected by a written Order issued under Section 545 and 546 of the Municipal Government Act based on the City's Community Standards Bylaw;
- persons affected by a decision of the Business Licence Administrator under the City's Business Licence Bylaw; and
- persons affected by a decision of the Hen Licence Issuer and Inspector under the City's Hens Bylaw.

The CSAC is appointed by City Council and consists of residents living in Spruce Grove.

When considering if you wish to proceed with your appeal, it is important to be aware of the Committee's decision-making power regarding your appeal. For example, in the case of an appeal to the Community Standards Bylaw, the CSAC may confirm, vary, substitute or cancel the written order.

Filing a Community Standards Appeal

Appeal Period

In the case of a written Order issued under Sections 545 and 546 of the *Municipal Government Act*, an appeal must be filed within the relevant appeal period noted under Sections 545 and 546 upon receipt of an Order from the City's Enforcement Services Department.

In the case of a decision from the Business Licence Administrator and Hen Licence Issuer who fall under the City's Planning and Development Department, an appeal must be filed within 30 days of receipt of the written decision.

How do I file an Appeal?

Before filing an appeal, talk to the City's Enforcement Services [Department](#) or [Planning and Development Department](#) to ensure that you have all the information about the Written Order or Decision issued regarding a compliance matter issued to you. The [CSAC Clerk](#) is available to answer questions about the appeal process. If you require further assistance, it is recommended that you seek legal advice.

You have the right to appeal the Written Order or Decision to the CSAC prior to 4:30 p.m. of the appeal expiry date. The [appeal form](#) can be found on the City's Appeal to Community Standards Appeal Committee [webpage](#). The appeal form is also available from the City of Spruce Grove Reception located at City Hall.

Please note:

- If you mail the appeal documentation, it must be received on or before the final date of the appeal period.
- Your appeal is not considered to be filed until payment is received in full. A delay in making payment can result in the expiration of the appeal period. Appeals will be processed during regular business hours.

All documentary or photographic evidence and a summary of testimonial evidence must be submitted by noon the Wednesday prior to the hearing for inclusion in the hearing package to the Committee. It is at the discretion of the Committee to accept any evidence filed beyond the deadline date at the hearing. All submissions will become part of the public record as part of the agenda package. The agenda package is posted on the City's [website](#).

The CSAC Hearing for a filed appeal must be held within 30 days of receiving a Notice of Appeal.

On behalf of the Committee, the CSAC Clerk shall, give at least five (5) days written notice of an appeal hearing to the Appellant and the City's Enforcement Services Department or Planning and Development Department, and anyone affected.

Appeal Fees

An appeal fee of \$200 is required as per the City's Fees and Charges [Bylaw](#).

The appropriate fee must accompany your appeal and the Written Order or Decision, or it is not considered complete and will not be processed.

Appeal fees may be paid by using VISA, MasterCard, Debit, or Cash in person at City Hall, 315 Jespersen Avenue, Spruce Grove, Alberta.

Agendas

The CSAC hearing agenda package is distributed by email to the CSAC, the applicable Staff within Enforcement Services or Planning and Development Department (Respondent), and the Appellant by 4 p.m. on the Friday preceding the scheduled hearing date and is posted to the City's [website](#).

Affected parties may receive a hard copy CSAC hearing package by making a request to the [CSAC Clerk](#). Appellant(s) must provide their full contact information on the [appeal form](#) to ensure that they receive communication.

Preparing for your Hearing

Listed below are some suggestions for preparing your presentation for the CSAC hearing:

- Determine the relevant issues associated with the appeal. Examples include compliance or non-compliance with the applicable Bylaw. Depending on the type of appeal, examples of non-relevant issues that are outside the CSAC's jurisdiction and cannot be considered by the CSAC include precedence, neighbouring properties, comments regarding someone's character, financial impact and financial status.
- It is the responsibility of the appellant to present evidence to support their appeal.
- At the beginning of your presentation introduce yourself for the record and state your position.
- Speak to the presiding Chair or through the Chair. (For example: Through you Chair, I will now provide evidence to support my appeal.)
- Speak to the facts and support them with quantifiable (measurable) data.
- Present your opinion regarding any errors in fact or interpretation.
- Be prepared to summarize your presentation and answer questions of clarity.
- In order to assist the CSAC in understanding your position, including photographs, well prepared drawings, or a written submission to the hearing as documentary evidence should be part of the submission that is included in the agenda package. This information should be received via email, mail, or in person by the CSAC Clerk by noon, the Wednesday preceding the date of the scheduled hearing.
- The Committee will accept written submissions during the hearing; however, you must provide 10 copies of the materials to the CSAC Clerk at the hearing for circulation.
- You may seek professional advice, such as legal advice, or ask someone else to present your case, however, citizens often represent themselves. If there is doubt as to whether the CSAC has the legal right to hear the Appeal, you may want to seek professional advice.
- Review the CSAC hearing agenda package provided in advance of the hearing.
- Your co-operation and attendance at the hearing will prevent any unnecessary delays for the CSAC and will help the municipality use resources effectively. By attending the hearing, the CSAC is able to ask you questions (if any).

Important:

Please refrain from speaking to any members of the CSAC about an appeal or a potential appeal prior to the hearing because this will disqualify them from participating in the hearing. CSAC members do not discuss appeal cases with any City Staff (other than receiving advice on procedure from the Clerk) before the hearings.

Hearing Process

Before the appeal hearing begins, those persons who wish to speak or receive a written copy of the CSAC's decision, are asked to sign in using the attendance sheet provided at the hearing.

- The Chair of the CSAC will open the hearing.
- The Chair will make introductions and share that all questions and comments shall be directed through the Chair.
- The Chair will advise that CSAC will give its decision in writing together with reasons for the decision within 15 calendar days after concluding the hearing.
- The Chair will acknowledge the CSAC Clerk and ask if there is anyone present who has objections to the role of the CSAC Clerk.
- The CSAC members will introduce themselves.
- The Chair will introduce the CSAC Clerk, Recording Secretary, and Respondent.
- The Chair will ask if there are any additions/deletions/changes to the agenda and then ask the CSAC for a motion to adopt the agenda.
- The Chair will ask the CSAC Clerk to advise if there are any preliminary matters to be addressed.
- The Chair will ask if there is anyone who would like to request a postponement.
- The Chair will ask the CSAC members if they have any disclosures or conflicts of interests to be made.
- The Chair will ask anyone affected by the appeal if they object to any of the CSAC members present.
- The Chair will outline the hearing process and confirm if anyone has concerns with the process.
- The Chair will advise that the CSAC Clerk has prepared an agenda package containing all the information received in advance of the hearing and confirm that everyone present has a copy.
- The Chair will ask if there are any objections to the Committee marking documents in the agenda as exhibits.
- The Chair will ask if anyone present has written information that has not previously been submitted to the CSAC that they wish to submit.
- The Chair will ask the CSAC Clerk to read into the record any written submission received.
- The Chair will call the Appellant forward to make a presentation. (This is the opportunity to introduce yourself and provide your summary of evidence to support your presentation to the Committee.)
- The Chair will call on the CSAC Clerk to read any additional submissions into the hearing record.

- The Chair will ask the CSAC members if they have any questions for clarification for the Appellant, Respondent, or any other person who spoke during the hearing.
- The Chair will ask if any other person who presented during the hearing if they have any questions for clarification.
- The Chair will call the Respondent forward to make closing comments.
- The Chair will invite the Appellant forward to make closing comments.
- The Chair will ask all the presenters if they feel they had sufficient opportunity to present evidence and argument to the Committee.
- The Chair will ask the CSAC members if they would like a recess to discuss any matters.
- The Chair will confirm that the CSAC is satisfied with the amount of information received for the hearing.
- The Chair will state that in accordance with the Community Standards Appeal Committee Bylaw, the Committee is required to hand down a decision within 15 business days from the date of the hearing and that no decision is binding on the Committee until it issues a written decision.
- The Chair will ask for closing comments.
- The Chair will close the hearing and cease any further submissions of any kind.

The CSAC does not seek information or evidence on its own initiative. The CSAC relies on the submitted evidence presented and verbal submissions at the hearing as the basis for their decision. Therefore, it is critical that persons appearing before the CSAC ensure that sufficient evidence is presented to support their respective positions.

When presenting an appeal, keep in mind the CSAC does not consider precedent when making its decision. Each application is judged on its own merits. Exhibits used during a presentation become part of the CSAC's record of the hearing and must be retained by the CSAC at the conclusion of the hearing.

Postponing or Not Attending Your Hearing

You may submit a written request to postpone the CSAC hearing including the reasons for the request, either to the CSAC at the time of the hearing or to the CSAC Clerk prior to the hearing. Hearings will only be postponed at the discretion of the CSAC.

If you are not in attendance when your appeal is called, the CSAC may proceed without you. The CSAC will consider the information presented on the appeal form, any written submissions received, hear presentations from anyone in attendance, and then make a ruling on the appeal.

It is important that you describe your position clearly and in detail on your appeal form or file a written submission ahead of time if you cannot be at the hearing.

Withdrawal of an Appeal

A withdrawal should be submitted in writing to the CSAC Clerk as soon as possible. Your cooperation will prevent any unnecessary delays for the CSAC and will help the City of Spruce Grove use its resources effectively. The appeal fee will not be refunded once the appeal hearing has been confirmed.

Appealing the CSAC Decision

CSAC decisions are final unless it can be shown that the Committee erred in law or jurisdiction. You are advised to understand your right to an appeal regarding a decision made by the CSAC.