

Bylaw No. 98-432

The Corporation of the Municipality of Temagami

Being a bylaw to govern the proceedings of the Planning Advisory Committee for the Municipality of Temagami; and Repeal Bylaw No. 95-1, being a bylaw to govern the proceedings of the Board, Rules of Order and the conduct of its member and the calling of meetings of the Temagami and Area Planning Board.

WHEREAS the Minister of Municipal Affairs and Housing has advised under letter dated December 23, 1997, that the Temagami and Area Planning Board ceases to exist as of January 1, 1998, in conjunction with this municipality's restructuring;

AND WHEREAS Council of the Corporation of the Municipality of Temagami is desirous of appointing a Planning Advisory Committee as authorized under Section 8(1) and (3) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended;

NOW THEREFORE the Corporation of the Municipality of Temagami enacts as follows:

1. That Bylaw #95-1, being a Bylaw to establish the operating procedures of the Temagami and Area Planning Board is hereby repealed.
2. That a Planning Advisory Committee be hereby established and that the duties of the said Committee shall be those as laid out in the Planning Act of Ontario, as amended, and shall make recommendations for the consideration of Council of the Corporation of the Municipality of Temagami.
3. That the Planning Advisory Committee shall consist of nine (9) members to be made up of members of Council and appointed members outside of Council as follows:
 - a) Representatives from Council - Mayor (ex-officio) and one Councillor;
 - b) Representatives from outside of Council shall be qualified electors and number eight (8) as follows:
 - Islands of Lake Temagami - four (4)
 - Newly annexed portions beyond Lake Temagami - one (1)
 - Remainder of the new Municipality of Temagami - three (3)
 - c) Chairperson for the Planning Advisory Committee shall be the appointed Councillor, who shall chair all meetings.
 - d) Vice Chairperson for the Planning Advisory Committee shall be the Councillor who is the Vice-Chairperson of the Planning and Development Committee of Council
4. Appointment of members to the Planning Advisory Committee shall be by resolution of

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Council of the Corporation of the Municipality of Temagami.

5. When a letter of resignation from PAC has been received by a Member, the vacancy on the committee shall be filled as follows:

- a) a notice will be placed in local papers of general circulation, in local flyers where applicable, and posted in public places;
- b) prospective members shall submit a letter of interest to the Planning Advisory Committee;
- c) the Planning Advisory Committee shall consider the applications and recommend by resolution first, second and third choices;
- d) Council for the Corporation of the Municipality of Temagami shall make the final decision and appoint a person to fill the vacancy.

6. In accordance with Section 8(3) of the Planning Act, R.S.O. 1990, c.P. 13, "Persons appointed to a committee under Section 8(1) may be paid such remuneration and expenses as the Council may determine, therefore remuneration for Planning Advisory Committee members outside Council shall be as per schedule in Schedule "A", and may be amended by Council from time to time.

7. The Planning Advisory Committee members shall be compensated for travel to all regular and special meetings as per the schedule in Schedule "A", and may be amended by Council from time to time.

8. The Planning Advisory Committee members attending out of town training workshops shall be paid travel and per diem as per Council schedules.

COMMITTEE MEETINGS

9. Regular meetings of PAC shall be held in the Board Room of the Welcome Centre on the third Tuesday of each month at 7:00 p.m. and end by 10:00 p.m.

10. The PAC Chairperson may alter the date or time of the regular meeting provided that 48 hours notice is posted at the Welcome Centre and members of the Committee are notified in writing.

11. The PAC Chairperson may, at any time, summon a special meeting.

12. The Secretary shall provide notice, in a form approved by PAC from time to time, of the special meeting, specifying the purpose of the meeting, to all members, immediately following receipt of the summons, and shall post notice at Welcome Centre.

13. Regular and Special meetings of PAC shall be held from time to time at the Marten River Fire Hall, the Temagami Lakes Association building and the Welcome Centre.

14. The Chairperson shall preside at all meetings of PAC.

15. When the Chairperson is absent or refuses to act, or the office is vacant, the Vice-Chairperson shall act in the place of the head, and, while so acting, the Vice-Chair has and may exercise all the rights, powers and authority of the Chairperson.

16. In the event that the Chairperson, and Vice-Chairperson are not present, the members may appoint another presiding officer from among themselves for the purpose of chairing a particular meeting.

17. The Chairperson or presiding officer may expel from a meeting anyone who engages in improper conduct.

18. The Planning Advisory Committee meetings shall be open to the public.

19. Notwithstanding Paragraph 18 above, a meeting of PAC may be closed to the public if the subject matter being considered relates to:

- a) personal matters about an identifiable individual including PAC members
- b) litigation or potential litigation including matters affecting PAC;
- c) in receiving advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

20. Before all or part of a meeting is closed to the public, the Committee shall state by Resolution:

- a) the Fact of the holding of the closed meeting;
- b) The general nature of the matter considered at the closed meeting.

21. Subject to Paragraph 19, a meeting shall not be closed to the public during the taking of a vote.

22. A meeting may be closed to the public during a vote if:

- a) Paragraph 19 permits or requires a meeting to be closed to the public and
- b) The vote is for a procedural matter or for giving directions or instructions to persons retained by or under contract with the PAC.

23. Meetings or sessions which are closed to the public may be referred to as in-camera meetings or sessions.

AGENDAS AND SUPPORTING MATERIAL

24. The Secretary shall prepare agendas of PAC meetings as assigned.

25. Insofar as is practicable, PAC agendas shall be prepared and made available to members on the Thursday prior to a regular meeting.

26. Individuals or groups wishing to appear before PAC at a regular meeting shall advise the Secretary not later than 4:30 p.m. on the Wednesday prior to the meeting and the Secretary may make a determination as to deferral of delegations to a subsequent meeting. Individuals or groups appearing before PAC without prior approval may be given standing to speak with the unanimous consent of PAC.

27. Agenda shall be generally formatted as follows but modifications to the matters to be included or the order of business may be effected without requiring amendment to this Bylaw.

- i) Call to Order
- ii) Adoption of the Agenda
- iii) Declaration of Pecuniary Interest and Conflict of Interest
- iv) Minutes of Previous Meetings
- v) Business Arising from the Minutes
- vi) Delegations
- vii) Regular Board Business
- viii) Correspondence
- ix) Other Business
- x) Adjournment

The business of PAC shall be taken up in the order as listed on the agenda unless otherwise decided by a majority vote of PAC members present.

NO QUORUM

28. If no quorum is present one half hour after the time appointed for a PAC 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 or until rescheduled.

29. A majority of the whole number of appointed members is necessary to form a quorum.

DUTIES OF THE CHAIRPERSON

30. It shall be the duty of the Chairperson or other presiding officer:

- a) to open the meeting by taking the chair and calling the members to order.
- b) to announce the business before the Committee in the order in which it is to be acted upon;
- c) to receive and submit, in the proper manner, all motions presented by the members;
- d) to put to a vote all questions which arise in the course of the proceedings, and to announce the result;

- e) to decline to put to vote motions which infringe upon the rules of procedure;
- f) to enforce on all occasions the observance of order and decorum among the members;
- g) to call by name any member persisting in breach of the rules of the Committee thereby ordering the member to vacate the Boardroom;
- h) to represent and support the Committee, declaring its will and implicitly obeying its decisions in all things;
- i) to ensure that the decisions of the Committee are in conformity with the laws governing the activities of the Committee
- j) to adjourn the meeting without question in the case of grave disorder arising in the Boardroom;
- k) to order any individual or group in attendance at the meeting to cease and desist any behaviour which disrupts the order and decorum of the meeting and to order the individual or group to vacate the Boardroom where such behaviour persists;
- l) to allow an unannounced delegation to be heard, if there is unanimous approval from all Committee members present.
- m) to abstain from voting except for the purposes of breaking a tie vote.

CONDUCT OF MEMBERS OF THE BOARD

31. No member shall:

- a) use offensive words or unparliamentary language in or against the Committee or against any member, staff or guest.
- b) disturb another, or the Committee, staff, or guest, by any disorderly conduct disconcerting to the speaker or assembly;
- c) speak on any subject other than the subject in debate;
- d) resist the rules of the Committee or disobey the decisions or the Chairperson or presiding officer of the Committee on questions or order or practice or upon the interpretation of the rules of the Committee;
- e) leave a meeting without first obtaining permission from the Chairperson or presiding officer.
- f) be permitted to retake their seat after being ordered to vacate, having committed a breach of any rule of the Committee, until the next meeting and without making an apology to the Committee
- g) interrupt the member who has the floor except to raise a point of order.

32. No person shall be allowed to address the Committee or speak in debate without permission of the Chairperson or presiding officer.

GENERAL

33. In all matters and under all circumstances the members shall be guided by and shall have regard to the Municipal Conflict of Interest Act.

a) any member who declares Conflict of Interest shall withdraw from the Committee while the matter, which he/she declares conflict of interest, is discussed.

b) any member who declares Conflict of Interest on an item to be discussed in-camera, will be required to leave the room, while the matter is discussed.

34. Individuals or groups which are listed on an agenda or are otherwise approved to speak before the Committee shall, be limited to not more than fifteen (15) minutes except that a delegation of more than five (5) persons shall be limited to two (2) speakers each limited to speaking not more than ten (10) minutes.

35. Following appointments of new Committee members, the Secretary shall provide each member with a copy of the By-law, including amendments thereto.

36. In so far as practicable, all minutes of PAC meetings shall be available within 48 hours after the meeting and shall be circulated to Council for their information.

37. All minutes of PAC meetings shall be circulated to the Councillor who is the Alternate PAC Chairperson.

This Bylaw shall come into effect on the date of its passage in accordance with Section 8(1) of the Planning Act R.S.O. 1990 cP.13.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS

10 OF SEPTEMBER, 1998.

MAYOR

CLERK

SCHEDULE "A"

Per Diems and Compensation for Travel for the Planning Advisory Committee.

Per Diems

1. Remuneration of \$35.00 per meeting for all regular and special meetings be paid to PAC members attending the meeting.
2. Remuneration shall not be made to council members attending PAC meetings.
3. No remuneration shall be paid to absentees.

Compensation for Travel

1. These fees shall be paid to the vehicle/boat owner to compensate for gas and wear and tear on vehicle/boats.
2. Every effort will be made to share rides.
3. The vehicle owner shall complete a voucher at each meeting and hand to PAC Secretary for payment.

North Bay to Lake Temagami	\$60.00
North Bay to Temagami	\$40.00
North Bay to Marten River	\$20.00
Marten River to Lake Temagami	\$40.00
Marten River to Temagami	\$20.00
Lake Temagami to Marten River	\$40.00
Lake Temagami to Temagami	\$20.00
Temagami to Marten River	\$20.00
Temagami to Lake Temagami	\$20.00
Boat/Snowmobile Travel	\$1.00/mile

Payment

1. The PAC Secretary shall prepare a summary of per diems and travel expenses for the previous month to present to PAC at the regular monthly meeting.
2. At each regular meeting of PAC, the members shall review the prepared summary for the past month and make a request for payment by resolution to Council.
3. Payment effective April 1, 1998.