

**THE CORPORATION OF THE
MUNICIPALITY OF TEMAGAMI**

BY-LAW NO. 14-1198

**Being a by-law to repeal By-law 11-1003 and Adopt a Terms of Reference for
Standing Advisory Committees of Council.**

WHEREAS under Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS under Section 238 (2), the Municipal Act, S.O., 2001, c.25, c.M. 45, as amended, requires every municipality and local board to pass a procedure by-law governing the calling, place and proceedings of meetings;

AND WHEREAS Section 19.2 of the procedure Bylaw of the Corporation of the Municipality of Temagami, By-law 09-845, as amended, requires that the general procedures to be followed by all Advisory Committees established shall be set out generally within the relevant terms of reference;


AND WHEREAS the Council of the Corporation of the Municipality of Temagami passed By-law 11-1003 on the 11th day of August, 2011 to adopt a Terms of Reference for Standing Advisory Committees and now deems it desirable to replace said By-law with an updated Terms of Reference;

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


1. That the Terms of Reference attached hereto as Schedule "A" and forming part of this bylaw shall govern all Standing Advisory Committees established in the Procedure By-law.
2. That nothing in this By-law shall be interpreted to conflict with or supersede the Municipality's Procedural By-law; in case of conflict the current Procedural By-law shall take precedence.
3. That this By-law shall repeal and replace By-law 11-1003 and any other previous by-law that governs any Standing Advisory Committee of Council save and except the Municipal Procedural By-law.
4. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.
5. That this bylaw shall come into force and take effect upon final passing thereof.

TAKEN AS READ A FIRST time on this 26th day of June, 2014.

READ A SECOND AND THIRD time and finally passed this 17th day of July, 2014.



Mayor



Clerk

The Corporation of the Municipality of Temagami
Schedule A to By-law 11-1003
Standing Advisory Committee Terms of Reference

GENERAL - Applies to all Standing Committees.

Section 18 of the Corporation of the Municipality of Temagami Procedural By-law, establishes specified Advisory Committees as Standing Committees of Council.

The Committees exist and serve at the pleasure of the Municipal Council and Council may, at any time, discontinue any Standing Committee or replace any Committee member. Each member of the Advisory Committee must adhere to the Terms of Reference of the Committee.

Purpose

The purpose of a Standing Advisory Committee is to support Council in its function as a policy making body, by providing advice and recommendations to Council on policy matters.

Scope

The function of a Standing Advisory Committee is:

- To research and report on any matters referred to it by the Council in a timely manner;
- To carry out any responsibilities that may be assigned by Council in a timely manner.
- To review and make recommendations to Council on operational and capital budgets for the appropriate functional areas.

A Standing Advisory Committee may also:

- Consider matters in anticipation of them being referred to the Committee by Council.
- Provide recommendations, advice and information to Council within its area of scope.
- Make recommendations to Council concerning the levels of service within its area of scope.
- Review staff recommendations concerning policy referred through the CAO's office and provide comment for Council's consideration.
- Work with municipal administration when requested by the CAO or Council, through the CAO's Office, to review recommendations on such things as administrative policies and procedures.

A Standing Advisory Committee should not embark on new projects or major research that has not been referred to it by Council or received approval of Council, beyond the work needed to create an informative report or memo to Council to recommend that the project or research be authorized. A Standing Advisory Committee shall not take a stance or take a position on an issue that has not been approved by Council, other than for the purpose of formulating a recommendation to Council.

No Standing Advisory Committee, nor any Chair, nor any member(s) of a Standing Advisory Committee shall send correspondence on behalf of the committee to individuals or groups other than to Council or staff of the Municipality, unless specifically authorized to do so by a resolution of Council. Any other correspondence that is necessary to be sent in an official capacity with regard to research for the committee may be sent by staff with authorization of the Chief Administrative Officer.

Administrative Support Staff

The Standing Advisory Committees of Council shall be assisted in their work by municipal staff through direction from the Office of the Chief Administrative Officer. The assigned staff will provide advice, background information, and administrative support in preparing agendas and recommendations of the Committee. In addition, the Municipal Clerk, or staff delegated by the Clerk, shall take minutes of all Committee meetings. Minutes shall record the proceedings of the meeting without note or comment. This means recording the agenda items considered, the general nature of the discussion thereon, and any action items, recommendations, or resolutions resulting there from. No Standing Advisory Committee, or member thereof, shall direct the work of municipal staff beyond the scope of direction from the CAO's office.

Committee Meetings

- Standing Advisory Committees shall meet monthly, or as required. There is no requirement to meet unless there is business to be attended to.
- All Standing Advisory Committee meetings are open to the public consistent with Council's rules of procedure.
- Members of the general public may speak at committee meetings at the discretion of the Chair, with the approval of committee members. The guiding principle will be to increase public dialogue while still retaining order and decorum in the meetings.”
- Each Standing Advisory Committee may set the date, time and place for the committee to meet. The date may be a set day each month; or as determined by the committee; or at the call of the Chair, provided that adequate notice to members is provided - at a minimum as prescribed in the Municipality's Procedural By-law. Meetings shall be held in a municipal building that is open to the public, or at another location that has been approved by Council. Ideally the method of determining the date, and the time and place of meetings for each committee shall be consistent throughout a Council term.
- Committee meetings are subject to public notice requirements, which may be satisfied by posting notice of meetings on the municipal notice board and website. If the Committee meets on a regular basis and set dates and times are posted, then separate notices of each meeting are not required if the meetings occur as scheduled.
- As permitted by the Municipality's Procedural By-law, a quorum will be necessary, but attendance may be by electronic means.
- The procedure of Advisory Committee meetings shall be regulated according to the Municipality's Procedural By-law. As permitted by that By-law, committee meetings do not need to follow formal procedures for debate or motions.
- Agendas shall be set by the Chair with the assistance of support staff. Agendas shall follow a standard format and may include the following items, as needed:
 1. Adoption of Agenda
 2. Disclosure of Conflict or Pecuniary Interest and General Nature Thereof
 3. Adoption of Minutes of Previous Meeting
 4. Business Arising from the Minutes
 5. Delegations or Presentations
 6. Items Referred From Council
 7. Staff Reports
 8. Unfinished Business
 9. New Business
 10. Correspondence
 11. Adjournment

- Minutes of Standing Advisory Committee meetings should be completed within two weeks of the meeting. Minutes shall be submitted to Council as soon as possible after adoption by resolution or consensus of the Committee. Where the frequency of meetings is such that minutes would not be provided to Council in a timely manner (i.e. over one month), committee meeting minutes may be submitted to Council having been reviewed by the Committee Chair and clearly marked as being NOT YET APPROVED by the Committee; if amendments are made to the minutes upon review by the committee, amended minutes shall be submitted to Council. Approved committee minutes shall be posted on the municipal website once received by resolution of Council. Committee minutes may be posted on the website prior to being received by a council resolution, but shall still be clearly labeled as DRAFT until a council resolution is passed. The draft minutes will be clearly marked as follows: “These minutes of this Committee represent ideas or advice to Council. They do not represent decisions of Council and may require further study.

Committee Members

- Standing Advisory Committee members, whether members of the Council or members of the public, must be appointed by Council. The length of the appointment may vary by Committee, but in all cases the appointment is deemed to expire upon the conclusion of the term of the Council that appointed them and the appointment of their successors by the new Council. Once the new Council takes office, new committees shall be selected and appointed based upon the applications and written expressions of interest received. Committee Chairs shall be selected as per section 18 of the Municipality’s procedural by-law. Standing Advisory Committee members shall serve a maximum of two consecutive terms on a particular committee, following which they may not be appointed to the same committee until the next term, but may be appointed to a different Standing Advisory Committee. Exceptions to this limit may be made by Council only when there would otherwise be a shortage of members on a committee.
- The Mayor shall be “ex-officio” a member of all Standing Advisory Committees. This means that by virtue of his or her Office, the Mayor may participate and vote as a member of the committee; however, he or she shall not be counted in membership for the purpose of determining a quorum.
- Ideally, where possible, Standing Advisory Committees shall have four to six members of the public on a committee, with a balance of membership from the various areas of the Municipality. All property owners and Temagami residents whether full time or seasonal may be appointed as members of Standing Advisory Committees; members do not need to be qualified electors. Persons who are not either property owners or full time or seasonal residents of Temagami are not eligible to be appointed to Standing Advisory Committees.
- If any member of a Standing Advisory Committee misses three (3) consecutive regularly scheduled meetings or has an attendance record of less than sixty (60%) percent on an annual basis the Committee Chair must report such attendance failure immediately to Council. After consideration of the relevant facts a replacement may be made, if required. Alternately, where there is a foreseen absence, a member may request a leave of absence for a specific period of time, which may be approved by a resolution of Council. If granted a leave of absence, that member will not be counted in membership for the purpose of determining quorum for the duration of the specified time period.
- Members of the public may apply for vacancies on Committees by means of a Committee Application Form, or written expression of interest, submitted to the Clerk of the Municipality. The Clerk shall forward all applications to Council and to the applicable Committee Chair for a

recommendation to Council. When members are appointed to a Committee, or not appointed if there are more applications than positions available, the Clerk of the Municipality shall send a letter of notification of appointment to successful applicants and a letter of appreciation for their interest to the unsuccessful applicants.

- When staff serve as ex-officio members and report at Standing Advisory Committee meetings, whenever a designated staff member is unable to attend a meeting, he/she shall submit a written report for consideration at the meeting. Standing Advisory Committees with several ex-officio staff members should schedule their meetings during regular office hours if possible.

TRAINING

The CAO and Clerk shall provide training for each Standing Advisory Committee at the first meeting in each term of council and as needed throughout the term. This training will be on the scope and duties of the committee, as per this Terms of Reference and the Procedural By-law, and on the Municipality's Accessible Customer Service policy and procedures, as applicable. The Clerk shall also provide each committee member with a copy of this Terms of Reference.

AMENDMENTS TO THE TERMS OF REFERENCE

Amendments to the Committee Specific portion of the Terms of Reference may be proposed for Council's endorsement from time to time. For such requests to be made by members of the Committee, a majority vote of the membership is required.

Amendments to the Terms of Reference can only be made by Council.

SPECIFIC

In addition to the general functions and guidelines outlined above, specific details pertaining to the individual Standing Advisory Committees are set out in Appendixes I to VI.

**The Corporation of the Municipality of Temagami
Schedule A to By-law 11-1003
Standing Advisory Committee Terms of Reference**

Appendix I

General Government and Finance Advisory Committee

Purpose and Scope

The purpose of the Committee is to provide independent advice, opinion, or options to Council on matters related to general government and finance.

The General Government and Finance Advisory Committee will make recommendations on matters referred by Council and other matters including, but not limited to the functional areas of:

- Fiscal and multi-year business planning;
- Budget including the planning, management and reporting on annual capital and operating expenditures and revenues;
- Human Resources Policies;
- Asset management;
- Accounting and financial system management;
- Controllership and audit; and
- Administrative policies including procurement.

Membership

In addition to the appointed member of Council and members of the public, the following staff will be “ex-officio” members of the Committee: the Chief Administrative Officer, the Municipal Clerk, and the Treasurer/Human Resources Manager.

Meetings

Meetings shall be held as needed, which may be more often than once a month, particularly when reviewing and making recommendations on municipal budgets. Recommendations including dissenting opinion will be presented to Council for consideration.

**The Corporation of the Municipality of Temagami
Schedule A to By-law 11-1003
Standing Advisory Committee Terms of Reference**

Appendix II

Protection to Persons and Property Advisory Committee

Purpose and Scope

The purpose of the Committee is to provide independent advice, opinion, or options to Council on matters related to the protection to persons and property.

The Protection to Persons and Property Advisory Committee (PPP) will make recommendations on matters referred by Council and other matters including, but not limited to the functional areas of:

- Fire Protection and Education;
- Emergency Medical Services;
- Building Permits and Property Standards;
- By-law Enforcement;
- Infrastructure matters that involve public health and safety; and
- Community policing.

Membership

In addition to the appointed member of Council and members of the public, the following will be “ex-officio” members of the Committee:

- Designated staff, from the following departments:
 - Temagami Fire department;
 - Marten River Fire department;
 - Temagami Ambulance service;
 - Building and Bylaw department;
 - Public Works department;
- A representative from the O.P.P. Temagami detachment.

The Corporation of the Municipality of Temagami
Schedule A to By-law 11-1003
Standing Advisory Committee Terms of Reference

Appendix III

Economic Development Advisory Committee

Purpose and Scope

The purpose of the Committee is to provide independent advice, opinion, or options to Council on matters related to Economic Development.

The Economic Development Advisory Committee (EDAC) will make recommendations on matters referred by Council and other matters including, but not limited to, the functional areas of:

- Reviewing and making recommendations for implementation or updates to the Municipality's Economic Development Strategy;
- Advising Council on policies, procedures and strategic directions that should be considered for the purposes of fostering and advancing economic and business opportunities and the promotion of Temagami;
- Providing input to Council on issues, legislation, etc. affecting economic development;
- Exchanging ideas and bringing recommendations and action plans to Council for direction;
- Making recommendations to Council on new alliances, partnerships, programs, etc. to enhance economic development.

Meetings

The Economic Development Advisory Committee will hold a regular meeting once per month, as needed.

**The Corporation of the Municipality of Temagami
Schedule A to By-law 11-1003
Standing Advisory Committee Terms of Reference**

Appendix IV

Planning Advisory Committee

Purpose and Scope

The purpose of the Committee is to provide independent advice, opinion, or options to Council on matters related to land use planning in accordance with the Planning Act of Ontario.

The Planning Advisory Committee (PAC) will make recommendations on matters referred by Council and other matters including, but not limited to, the functional areas of:

- Reviews of the Municipality's Official Plan and Comprehensive Zoning By-law
- Zoning By-law Amendment Applications
- Plan of Subdivision Applications
- Reviews of the Provincial Policy Statement

Process

For Official Plan and Zoning By-law Amendment Applications, the Planning Advisory Committee may meet to review the requests prior to the public hearing on the matter and submit committee comments to Council in the form of a resolution as part of the public hearing process; AND/OR may meet subsequent to the public hearing and submit any committee resolutions to the Municipal Planner for consideration prior to the preparation of the Planner's Report to Council, and such resolutions shall also be included as appendixes to the Planner's Report.

Recommendations on other matters referred to the committee by Council shall be provided in the manner and frequency as directed by Council.

Meetings

The Planning Advisory Committee shall hold regularly scheduled monthly meetings as needed, or may meet at the call of the Chair, if required, upon provision of notice required by the Municipality's procedural by-law. The format of meetings shall follow formal procedures, including using written resolutions.

The Planning Advisory Committee meetings shall be open to the public. Notwithstanding this, Council may pre-authorize the Committee to go in-camera in order to address matters pertaining to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality; and to receive advice on planning matters that is subject to solicitor-client privilege, including communications necessary for that purpose with retained legal counsel or persons retained by or under contract as consultant(s) with the Municipality of Temagami. The Committee may also go in-camera when specifically authorized by Council for any purpose deemed necessary by Council. The Committee shall only go into closed session when the Municipal Clerk or Deputy Clerk is in attendance at that portion of the Committee meeting.

Membership

The Planning Advisory Committee shall consist of a maximum of seven (7) members, which shall include the Chair who shall be a member of Council. The representation on the Planning Advisory Committee shall be consistent with the intent agreed to at amalgamation. Where the full complement of members is appointed, the committee shall be composed of the Chair, three (3) members from the Lake Temagami Neighbourhood, two (2) members from the area within the former mainland boundaries of Temagami and one (1) member from the amalgamated areas beyond Lake Temagami. Council may, as it sees fit, change the total number of Planning Advisory Committee members by by-law, without an amendment to this Plan. However, the 50% representation from Lake Temagami and proportionate representation from the other specified areas shall be maintained.

Attendance by the Mayor in his or her "ex-officio" capacity is in addition to the membership stated above.

The Chair of the Planning Advisory Committee shall be the Councillor appointed by Council to the planning portfolio. The committee may select an Acting Chair, as required, for a meeting or part thereof, for example in the case of a conflict of interest.

Remuneration and Expenses

The Planning Advisory Committee members shall not receive any remuneration or honorarium for their service on the Committee. As permitted under the Planning Act of Ontario, the members of the Planning Advisory Committee shall be paid expenses as specified below, and which may be adjusted from time to time as the Council of the Municipality of Temagami may determine.

Compensation for Travel

1. PAC members may submit claims for reimbursement for travel to PAC meetings using the kilometer rate set by the current Travel Expenses Policy By-law of the Municipality of Temagami.
2. The vehicle owner shall inform the PAC support staff of their travel at each meeting for payment.
3. Every effort shall be made to share rides.
4. When PAC meetings and Committee of Adjustment (COA) meetings are held on the same day and a person serves on both Committees, compensation for travel shall only be paid in respect to one meeting.
5. The support staff assigned to the PAC shall prepare a summary of travel expenses quarterly. At the following meeting of PAC, the members shall review the prepared summary for the past months and make a request for payment to be approved by the Manager of the Planning Department.
6. Travel expenses for PAC members attending site visits within the municipality, out-of-town training workshops and conferences shall be paid expenses in accordance with the current Travel Expenses By-law.

**The Corporation of the Municipality of Temagami
Schedule A to By-law 11-1003
Standing Advisory Committee Terms of Reference**

Appendix V

Public Works and Water Advisory Committee

Purpose and Scope

The purpose of the Committee is to provide independent advice, opinion, or options to Council on matters related to public works infrastructure and services.

The Public Works and Water Advisory Committee will make recommendations on matters referred by Council and other matters including, but not limited to, the functional areas of:

- o Solid Waste Management
- o Water and Sewer Services
- o Roads and Bridges
- o Machinery and Equipment
- o Public Works budgets
- o Complaints from the Public on Public Works related matters.

Meetings

The Public Works and Water Advisory Committee will hold regular monthly meetings, as needed. Meetings may be held at the Public Works Office or the Municipal Office.

Membership

In addition to the appointed member of Council and members of the public, the Public Works Superintendent will be “ex-officio” a member of the Committee.

**The Corporation of the Municipality of Temagami
Schedule A to By-law 11-1003
Standing Advisory Committee Terms of Reference**

Appendix VI

Parks and Recreation Advisory Committee

Purpose and Scope

The purpose of the Committee is to provide independent advice, opinion, or options to Council on matters related to Parks and Recreation.

The Parks and Recreation Advisory Committee will make recommendations on matters referred by Council and other matters including, but not limited to, the functional areas of:

- Creating and sustaining an active and healthy lifestyle for all the citizens of Temagami
- Parks and Recreation facilities
- Budget submissions for programming and events for Council's consideration during the budget process.

In addition to providing advice to Council on Parks and Recreation matters, the Committee shall also assist municipal staff in organizing and running Parks and Recreation events, and in finding and recruiting volunteers to assist at events.

Meetings

Parks and Recreation Advisory Committee will meet once per month, or as needed. Meetings will generally be held at the Community Centre / Arena.

Membership

The Committee will ideally have from 5 to 10 members. In addition to the appointed member of Council and members of the public, the Facility Manager/Recreation Coordinator will be "ex-officio" a member of the Committee. Members of the committee shall be required to provide a Vulnerable Sector Police Check before volunteering/working directly with vulnerable persons such as children or the elderly in municipal activities. The Municipality shall provide a letter to enable volunteers to obtain this at no cost.