

THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. 20/2011

*Being a By-law to Establish and Adopt the Terms of Reference for an
Accessibility Advisory Committee for the Corporation of the
Municipality of Port Hope*

WHEREAS Section 12. (1) of the Ontarians with Disabilities Act, 2001, S.O. 2001, c.32, in part, provides that the Council of every municipality having a population of not less than 10,000 shall establish or continue an accessibility advisory committee;

AND WHEREAS the Council of the Corporation of the Municipality of Port Hope deems it advisable to establish by By-law, the Accessibility Advisory Committee for the Corporation of the Municipality of Port Hope;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE ENACTS AS FOLLOWS:

1. Committee Title

That a Committee to be known as the Accessibility Advisory Committee is hereby established.

2. Definitions

That the definitions as outlined in the Corporation of the Municipality of Port Hope Procedural By-law shall apply.

3. Policies/Procedures

3.1 That the rules and regulations of the Corporation of the Municipality of Port Hope Procedural By-law shall govern all proceedings of the Accessibility Advisory Committee.

3.2 That policies, practices and procedures governing the provisions of its goods or services are consistent with the Corporation's Accessibility Standards for Customer Service Policy and Procedures as adopted in accordance with the requirements of the Accessibility for Ontarians with Disabilities Act (AODA), Customer Service Standard – Ontario Regulation 429/07.

4. Records

That the records of the Accessibility Advisory Committee shall be retained and preserved in accordance with the provisions of the Corporation of the Municipality of Port Hope Records Retention By-law.

5. Composition

That the Accessibility Advisory Committee shall consist of not more than thirteen (13) members appointed by Council as follows:

- 1 member of Council
- 11 members who are residents and/or ratepayers of the Municipality, being a minimum of 18 years of age and not an employee of the Municipality
- 1 member representing the Port Hope & District Chamber of Commerce,

A majority of the members of the Committee shall be persons with disabilities. All being voting members.

Ex-officio

The Director of Works and Engineering Services or designate shall be an ex-officio member of the Committee who shall act in an advisory capacity and shall be a non-voting member.

6. Term of Office

That members at large shall be appointed by Council for staggered terms, consistent with intervals for the term of office of Council, or until their successors are appointed. Council may reappoint any member whose term has expired and otherwise has discretion in filling any vacancy by appointment for the remainder of any applicable term. There shall be no limit on the number of terms a member may be appointed and all appointments shall be at the discretion of Council. In the event a Committee member resigns prior to the completion of their term, a replacement appointed by Council, will assume the duties to the completion of the term.

7. Mandate

That the Goals, Mandate and Terms of Reference of the Accessibility Advisory Committee are set out in Schedule "A" attached hereto and forming part of this By-law.

That in carrying out the provisions of this By-law, the Committee shall at all times be the agent of the Municipal Corporation and while acting bona fide within the limits of the authority of this By-law neither the Committee nor any member thereof shall incur any liability by reason of anything done or left undone by the Committee; provided however, that nothing in this section contained shall authorize or empower the Committee to incur any debt, liability or obligation for which the Municipal Corporation shall become liable without having previously obtained the consent of the Council of the Municipality of Port Hope.

8. Repeal of By-laws

That By-laws 68/2007 and 89/2007 pertaining to the establishment of an Accessibility Advisory Committee are hereby repealed.

9. Force and Effect

That this By-law comes into force and takes effect upon the final passing thereof.

READ a FIRST, SECOND and THIRD time and finally passed in Open Council this 29th day of March, 2011.

Linda Thompson, Mayor

S. C. Dawe, Municipal Clerk

SCHEDULE "A" TO BY-LAW 20/2011
ACCESSIBILITY ADVISORY COMMITTEE
TERMS OF REFERENCE

GOAL

As an Advisory Committee, the goal is to advise Council on matters that will enhance the ability of people with disabilities to have equal access to opportunities within the municipality. This authority is in accordance with the Ontarians with Disabilities Act, 2001.

MANDATE

To enable persons with disabilities to have equal access to all opportunities within the municipality.

OBJECTIVES

1. In accordance with the Ontarians with Disabilities Act, and as amended from time to time:
 - 1.1 The Committee shall:
 - Advise Council in each year about the preparation, implementation and effectiveness of its accessibility plan.
 - Advise Council on the accessibility for persons with disabilities to a building, structure or premises, or part of a building, structure or premises,
 - a) that the Council purchases, constructs or significantly renovates;
 - b) for which the Council enters into a new lease; or
 - c) that a person provides as municipal capital facilities under an agreement entered into with the Council in accordance with Section 110 of the Municipal Act, 2001.
 - Advise Council on the purchase of goods and services through the procurement process for the use of the municipality, its employees or the public, having regard to the accessibility for persons with disabilities to the goods or services.
 - 1.2 The Committee shall:
 - Perform the functions set out in Section 12 of the Ontarians with Disabilities Act, 2001, S.O. 2001, c.32, and as amended from time to time, including reviewing in a timely manner the site plans and drawings described in section 41 of the Planning Act that the Committee selects; and
 - comply with any applicable regulations that may be established from time to time.
2. In consultation with Council and Municipal Staff the Committee shall:
 - review new and existing municipal by-laws and policies
 - recommend the awarding of funds from the Municipality of Port Hope Access Fund for Municipal property
 - encourage improved services which will allow disabled persons to live a full and productive life
 - promote public awareness and understanding of the needs of disabled persons
3. The Committee shall provide advice to Council on other issues of importance to persons with disabilities.

TERMS OF REFERENCE

1. GENERAL

- 1.1 Committee Meetings shall be held in an accessible location and conducted in accordance with the Municipality's Procedural By-law and records shall be maintained in accordance with the Municipality's Records Retention By-law.
- 1.2 Members shall follow Municipal policies and procedures and comply with applicable legislation, and shall act in accordance with the Municipal Conflict of Interest Act.
- 1.3 Members shall ensure that policies, practices and procedures governing the provisions of its goods or services are consistent with the Corporation's Accessibility Standards for Customer Service Policy and Procedures as adopted in accordance with the requirements of the Accessibility for Ontarians with Disabilities Act (AODA), Customer Service Standard – Ontario Regulation 429/07.
- 1.4 The Committee shall hold regular monthly meetings, as required, unless otherwise agreed by a majority vote of the members.
- 1.5 The Committee shall elect a chairperson and may elect a vice-chairperson, annually at its first meeting, or as soon as practicable, from among the members. In the absence of the chairperson, and vice-chairperson as the case may be, an acting chairperson may be appointed by a majority vote of the members present to preside at the meeting where the chairperson is absent.
- 1.6 The Committee may appoint, as it deems necessary sub-committees to act in an advisory capacity to the Committee.
- 1.7 The Committee shall provide recommendations to the Committee of the Whole on matters referred by Committee of the Whole/Council to the Committee.
- 1.8 The Committee may liaise with community groups and individuals to maintain an awareness of their goals and mandate in order to gain support for approved initiatives and is authorized to work jointly with other Municipal Boards, Committees and/or services in encouraging its goals.
- 1.9 Approved minutes shall be forwarded through the Municipal Clerk (Director of Corporate Services) for inclusion in the Committee of the Whole agenda.
- 1.10 The Chair shall submit an annual report outlining the committee activities both past and current and proposed work plan for the upcoming year, to be submitted at the end of each year to Council through the Municipal Clerk (Director of Corporate Services).

2. ROLES AND RESPONSIBILITIES

2.1 CHAIRPERSON:

- Provide leadership to the Committee
- Chair Committee meetings in accordance with the Municipality's Procedural By-law
- Prepare agendas for meetings
- Report to Council annually and at other times as required
- Ensure that adopted minutes are forwarded to the Municipal Clerk (Director of Corporate Services) in a timely manner
- Act as spokesperson for the Committee
- Express consensus as reached by Committee
- Ensure that the Municipality's By-laws and Policies are adhered to with respect to all matters
- Ensure that all invoices recommended for payment are recorded in the minutes

- Ensure that invoices recommended by the Committee for payment are forwarded to the Municipal Finance Department for processing in a timely manner

2.2 VICE-CHAIRPERSON:

- Act in the position of the Chairperson in the absence of the Chairperson.
- Otherwise, regular Committee member role.

2.3 COMMITTEE MEMBERS:

- Attend regular Committee meetings
- Advise the Chairperson if unable to attend a meeting
- Actively participate in Committee meetings
- Actively participate in carrying out the responsibilities of the Accessibility Advisory Committee

2.4 RECORDING SECRETARY:

- The duties of the Recording Secretary, approved by the Municipality, are to record, process and distribute minutes and agendas, and to maintain the files of the Committee, including but not limited to Minutes, Agendas, policies, correspondence and other file information, in accordance with the Records Retention By-law.
- When the Recording Secretary is a Municipal employee or has a service contract with the Municipality, such Recording Secretary is a non-member, with no voting privileges.
- When the Recording Secretary is a Member of the Committee, subject to the approval of the Municipal Clerk (Director of Corporate Services), the Member Recording Secretary may retain voting privileges.