

THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. 32/2011

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

WHEREAS Section 11 of the Municipal Act 2001, S.O. 2001, c.25, as amended, in part provides that a lower-tier municipality may pass by-laws respecting the governance and structure of its local boards;

AND WHEREAS the Council of the Corporation of the Municipality of Port Hope deems it advisable to establish the Environmental 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 Environmental 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 Environmental 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 Environmental 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 Environmental Advisory Committee shall consist of not more than eight (8) members appointed by Council as follows:

- 1 member of Council
- 5 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 youth member (age 13 to 17)
- 1 representative of the Port Hope & District Chamber of Commerce

All being voting members, excluding the Youth Member, 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 Environmental 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 70/2007 and 16/2009 pertaining to the establishment of an Environmental 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 32/2011
ENVIRONMENTAL ADVISORY COMMITTEE
TERMS OF REFERENCE

GOALS:

To investigate environmental issues and provide advice, suggestions and recommendation to Council on matters specifically detailed in the Mandate below.

MANDATE:

The purpose of the Environmental Advisory Committee is to investigate environmental issues and provide advice, suggestions and recommendations to Council as follows:

1. To investigate and report back to Council on matters of an environmental concern which are referred to the Committee by Council from time to time.
2. To explore and review general environmental issues that currently affect or could affect residents and report to Council on their findings and recommendations with the intent to prevent or mitigate the negative effects of these issues and to encourage positive action related to these issues.
3. To work in conjunction with various organizations and agencies in promoting educational awareness of environmental issues. Venues such as the Municipal newsletter, Schools and newspaper media could be a method of promoting awareness.
4. Any work, in addition to the terms of reference, performed by this Committee to be submitted to Council for approval prior to any work commencing. All such work shall not be a repetition of responsibility assigned to, or tasks currently being carried out by other government agencies and/or ministries.
5. Committee Executive Officers to have the authority to forward information to Council immediately as deemed necessary without calling a meeting.
6. Submit minutes of all meetings to Council through the Municipal Clerk (Director of Corporate Services).
7. Issues dealing with Low Level Radioactive Waste are outside the mandate of the Environmental Advisory Committee.

TERMS OF REFERENCE:

1. GENERAL
 - 1.1 Committee Meetings shall be 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 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 Municipalities 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 Environmental 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.