

THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. 38/2011

Being a By-law to establish the Parks, Recreation and Culture 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 Municipal Act 2001, Section 11 (3) 5. authorizes a municipality to pass by-laws respecting culture, parks, recreation and heritage;

AND WHEREAS Council deems it advisable to constitute and appoint a Parks, Recreation and Culture Advisory Committee to provide support and advice to Council, applicable Staff and other associated Advisory Committees relative to service delivery, policy and community development matters;

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 “Parks, Recreation and Culture 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 Parks, Recreation and Culture 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 Parks, Recreation and Culture 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 Parks, Recreation and Culture Advisory Committee shall consist of not more than nine (9) members appointed by Council as follows:

- 6 members with consideration given to individuals with the diversity, experience, knowledge and disciplines in culture, waterfront and trails and parks and recreation and 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 voting youth member (age 13 to 17) who is a resident, and not an employee of the Municipality
 - 1 representative from the Ruth Clarke Activity Centre Membership to represent older adults from the community at large and the RCAC
 - 1 member of Council being the Chairperson of Parks, Recreation and Culture
- All being voting members.

Ex-Officio

The Director of the Department of Parks, Recreation and Culture or designate shall be an ex-officio member of the Committee.

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 Mandate, Goal Statements and Terms of Reference of the Parks, Recreation and Culture Advisory Committee are set out in Schedule "A" attached hereto and forming part of this By-law.

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 46/2007, 85/2007, 86/2007, and any other By-laws pertaining to the establishment of a Culture Advisory Committee, Waterfront and Trail Advisory Committee or Parks and Recreation Advisory Committee are hereby repealed.

9. Force and Effect

That this by-law shall come 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 38/2011
PARKS, RECREATION AND CULTURE ADVISORY COMMITTEE
TERMS OF REFERENCE

MISSION STATEMENT

“To provide support and advice to Council, applicable Staff and other associated Advisory Committees relative to enhancing the quality of life for Port Hope residents through a wide range of innovative, inclusive, and accessible programming, providing opportunities for physical activity, social interaction and community engagement.

VISION STATEMENT

To support community and individual well being through a collaborative delivery system comprised of sustainable parks, recreation and culture opportunities

PRINCIPLES

- Members of the Parks, Recreation and Culture Advisory Committee and it's working groups value:
 - respect for civic mindedness;
 - the preservation and celebration of existing resources;
 - respect for diversity of all kinds, and,
 - the significant base of experience in the residents of the Municipality of Port Hope
- Parks, Recreation and Culture services and programs play a key role in building a community that is strong, vibrant and healthy.
- All residents must have affordable and convenient opportunities to participate in the leisure services of the community.
- The Municipal Council must play a leadership role in ensuring a community that draws on it's strength of sustainable parks, recreation and culture.
- The Leisure Services Master Plan is intended to guide future decision-making by staff, Council, and leisure partners through recommendations related to policies, service areas, and provision targets to 2020.

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 shall respond to proposed policies, planning and other matters as referred by Council, and/or the Staff of Parks, Recreation and Culture.
- 1.9 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 Municipal Boards, Committees and/or others in encouraging an effective public leisure service delivery system.
- 1.10 The Committee may appoint, as it deems necessary, representatives to sub-committees (working groups) to act in an advisory capacity to the Committee.
- 1.11 Approved minutes shall be forwarded through the Municipal Clerk (Director of Corporate Services) for inclusion in the Committee of the Whole agenda.
- 1.12 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.

2.5 FINANCE:

- All purchasing and expenditures shall be solely carried out by the Department of Parks, Recreation and Culture through the approved budget of the Parks, Recreation and Culture Department, therefore no purchasing or budget submission will be required by the Parks, Recreation and Culture Advisory Committee.

2.6 POLICY AND PLANNING:

- The Committee shall assist staff in the development and implementation of long range parks recreation and culture services in accordance with the Leisure Services Master Plan.
- The Committee shall review potential capital projects and long range capital plans for the Department of Parks, Recreation and Culture.

2.7 COMMUNITY DEVELOPMENT:

- The Committee shall assist with the development of new and innovative programs and services that positively affect the operation of the Department of Parks, Recreation and Culture. These could include, but are not limited to: recreation infrastructure, access by all, use of community facilities, park acquisition and development, trail and waterfront development, maintenance standards, cultural planning/mapping, promotion and marketing and volunteer development.
- The Committee will advocate the benefits of parks, recreation and culture services to residents of the Municipality. The advocacy will be based on the social, economic, personal and environmental benefits.
- The Committee shall liaise with the broader community to provide input and advice relating to provision of parks, recreation and culture opportunities and services. This

assistance may also include developing and nurturing of new partnerships and collaborations.

- The Committee will host public meetings and consult with the community at large on major park , trails and facility developments
- The Committee shall assist with the active promotion of the parks, recreation and culture services of the Municipality
- The Committee shall develop opportunities for volunteerism through supporting of projects and services related to Parks, Recreation and Culture
- The Committee shall encourage a broad variety of services that reflect the dynamic nature of parks, recreation and culture
- The Committee shall proactively research and provide recommendations for present and future program needs in the Municipality
- The Committee shall ensure programs include the principles and philosophies associated with:
 - Healthy child development and the principles of HIGH FIVE®
 - Chronic disease and injury prevention (e.g. obesity, heart disease, etc.)
 - Being a “Youth Friendly Community”