

THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE

BY-LAW NO. 24/2011

*Being a By-law to Establish and Adopt the Terms of Reference for the  
Canton Cenotaph 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 and its local boards;

AND WHEREAS the Council of the Corporation of the Municipality of Port Hope deems it advisable to establish the Canton Cenotaph Committee for the Corporation of the Municipality of Port Hope to ensure that the Canton Cenotaph is cared for and developed in a proper manner;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF PORT HOPE ENACTS A BY-LAW AS FOLLOWS:

1. Committee Title

That a Committee to be known as the Canton Cenotaph 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 Canton Cenotaph 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 Canton Cenotaph 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 Canton Cenotaph 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 member representing the Sea Cadets
  - 1 member representing the Air Cadets
- All being voting members

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 Mission Statement, Goals and Terms of Reference of the Canton Cenotaph 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-law 44/2007 pertaining to the establishment of the Canton Cenotaph Committee is hereby repealed.

9. Force and Effect

That this By-law shall come into force and take effect on the date of its passing.

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

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Linda Thompson, Mayor

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S.C. Dawe, Municipal Clerk

SCHEDULE "A" TO BY-LAW 24/2011  
CANTON CENOTAPH COMMITTEE  
TERMS OF REFERENCE

**MISSION STATEMENT**

To ensure continued remembrance of those who have paid the supreme sacrifice no matter the conflict and that the Canton Cenotaph is maintained as a lasting memorial of remembrance to those who have served past, present and future.

**GOALS**

- To maintain the Canton Cenotaph as a lasting memorial
- To recognize all veterans, from all Canadian, and world conflicts including but not limited to The War of 1912, WW I, WW II, Vietnam, Gulf war, Merchant navy, Native veterans, POW/MIA(s), police and fire-fighters
- To work in conjunction with Air/Sea Cadets, schools and youth organizations to promote education and awareness
- To plan, organize and be responsible for the annual Remembrance Service at the Canton Cenotaph.

**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, 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 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 The Committee will review the maintenance of the Canton Cenotaph monument and within budget specifically approved by Council, ensure the ongoing maintenance of the Canton Cenotaph monument is carried out.
- 1.10 The Committee shall plan, organize and be responsible for the annual Remembrance Service at the Canton Cenotaph within the budget approved by Council.

- 1.11 Approved minutes for each Committee meeting 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 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 financial matters
- Record in the minutes all invoices recommended for payment
- 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
- Bring to the attention of the Chairperson enquiries and concerns from the public for consideration of inclusion to be dealt with by the Committee on the meeting agenda pertaining to the Canton Cenotaph or Remembrance Day Service
- Participate in the annual review of the budget and maintenance requirements of the Canton Cenotaph monument
- Assist with the annual Remembrance Day Service
- Actively participate in carrying out the responsibilities of the Canton Cenotaph Committee

### 2.4 RECORDING SECRETARY:

- The duties of the Recording Secretary, approved by the Municipality, is 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.