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Consolidated Version

Revised January 21, 2019

Revision History:	Passed On:
2019-014 (Original)	January 21, 2019

Consolidated for Convenience Only

This is a consolidation copy of a City of Owen Sound By-law for convenience and information. While every effort is made to ensure the accuracy of this by-law, it is not an official version or a legal document. The original by-law should be consulted for all interpretations and applications on this subject. For more information or to view by-laws please contact the Clerks Department

The Corporation of the City of Owen Sound

By-law No. 2019-014

A By-law to appoint or amend terms of office for members and establish Boards and Committees

WHEREAS sections 5(3) and 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended (the "Act") authorize a lower-tier municipality to pass by-laws respecting the governance structure of the municipality; and

WHEREAS on December 17, 2018 the Council of the City of Owen Sound ("City") passed Resolution No. R-181217-012 taking the following action:

- Dissolving the City Hall Accommodations Ad Hoc Committee;
- Amending the Tom Thomson Art Gallery Advisory Committee composition to two (2) Council members and six (6) public members;
- Authorizing the extension of the Owen Sound Downtown Improvement Area Board of Management public appointments until March 31, 2019;
- Reducing Council appointments on the Owen Sound Municipal Non-Profit Housing Corporation and the Owen Sound Housing Company from two (2) to one (1);
- Amending the Grey Sauble Conservation Authority Board City appointed members to two (2) Councillors appointed for the term of Council; and

WHEREAS on December 17, 2018, in Closed Session, Council reviewed the information provided by public member candidates for 2019 Board and Committee appointments; and

WHEREAS on January 7, 2019 City Council passed Resolution No. R-190107-007 directing staff to bring forward a by-law to appoint Council members to serve on Boards and Committees with terms effective February 1, 2019; and

WHEREAS on January 7, 2019 City Council passed Resolution No. R-190107-006 directing staff to bring forward a by-law to appoint certain public members to serve on Boards and Committees with terms effective February 1, 2019;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF OWEN SOUND HEREBY ENACTS AS FOLLOWS:

Part I. Short Title, Definitions and Interpretation

Short Title

1. The short title of this by-law shall be the "Board and Committee By-law".

Definitions

2. In this by-law:

"Ad Hoc Committee" means a committee with a specific mandate of a limited nature, which meets as necessary to provide recommendations to Council and which is disbanded following the completion of the mandate;

"Advisory Committee" means a committee with a specific mandate of an ongoing nature, which meets regularly to provide recommendations to Council;

"City" means The Corporation of the City of Owen Sound;

“Community Organization” means an independent organization that has requested a member or members of Council to participate in that organization by sitting on a board or committee as a Council representative and which request has been approved by a resolution of Council;

“Council” means the Council of the City;

“Meeting” means any regular, special or other meeting of a council, of a local board or of a committee of either of them;

“Quasi-Judicial Committee” means a committee that has a partly judicial character with the right to hold hearings on and conduct investigations into disputed claims and alleged infractions of rules and regulations and to make decisions in the general manner of courts; and

“Standing Committee” means a committee representing one of the departments of the City, which meets regularly to provide recommendations to Council.

Interpretation

3. The division of this by-law into parts and the insertion of headings are for convenient reference only and shall not affect the interpretation of the by-law.
4. References to words in the plural include the singular, as applicable.
5. References to laws in this by-law refer to the statutes, as amended from time to time, which are applicable within the Province of Ontario.
6. The terms and provisions of this by-law are severable. If any term or provision is found by a court of competent jurisdiction to be legally unenforceable, inoperative or invalid, the remainder of the by-law continues to be in full force and effect.
7. In the event of a conflict between the provisions of this by-law and the *Municipal Act, 2001* or any other legislation, the provisions of the legislation shall prevail.

Part II. General

Appointments by By-law

8. Council shall make all Council members and public member appointments to boards and committees by by-law.

Mayor

9. The Mayor is an *ex officio* member of all committees, without voting privileges, unless otherwise stated in this by-law.
10. On any committee that the Mayor has voting privileges, he or she counts toward establishing quorum. On any committee that the Mayor does not have voting privileges, he or she does not count toward establishing quorum.

Council

11. Council members annually select boards and committees on which they wish to sit in accordance with Policy No. CrS-C37.

Public

12. Subject to statutory limitations and the requirements of this by-law, any member of the public may apply for appointment to a board or committee.
13. Subject to statutory limitations and the requirements of this by-law, public appointments and terminations of appointment are at the sole discretion of Council.

14. Where possible, all public member appointments to boards or committees are for:
 - a. the term of Council;
 - b. a term of one (1) year; or
 - c. a term that is staggered such that approximately one-third (1/3) of the public member terms end in any one year.
15. A public member is not eligible to serve on more than one committee in a single year. Council may waive this membership cap by a two-thirds (2/3) vote of the whole of Council.
16. A public member may serve on a board or committee for a maximum of six (6) years, after which they must leave the board or committee for at least two (2) years. Council may waive this length of service cap by a two-thirds (2/3) vote of the whole of Council.
17. Public appointments to all Boards and the Committee of Adjustment are not subject to the length of service cap.
18. The City Clerk advertises public member vacancies on boards and committees in accordance with standard procedures adopted by the City Clerk from time to time.

Terms of Office

19. Terms of office commence on February 1st of each year unless:
 - a. otherwise identified in this by-law or in the terms of reference of a board or committee; or
 - b. an appointment is made to fill a vacancy throughout the year.
20. Terms of office continue until the earlier of a specified date or the completion of the mandate for the board or committee.
21. In an election year, the board and committee terms for Council members end with the term of Council. Beginning in the new term of Council, Council membership on boards and committees is determined by the following:
 - a. where a Council member is re-elected, he or she continues to sit on the same boards and committees until successors are appointed; and
 - b. where a Council member is not re-elected, an elected Council member is assigned, alphabetically, to assume membership on boards and committees until successors are appointed.
22. A public member continues to sit on a board or committee, after the expiry of his or her term, until the appointment of his or her successor.

Chair and Vice Chair

23. Each year following the start of annual Council terms on committees, a Chair and Vice Chair will be elected to all committees, save and except the Committee of Adjustment.
24. Elections of Chairs and Vice Chairs shall be done in accordance with the Clerk's Procedure in effect at the time of the election.
25. A Council member shall serve as Chair and Vice Chair on all Standing Committees.
26. A Council member may serve as Chair of a committee for two (2) consecutive years after which the Council member is not eligible to serve as Chair of the said committee for one (1) year.

Code of Conduct

27. At the commencement of their term, public members of boards and committees are required to review the code of conduct provided to them by

the City Clerk and acknowledge such review, in writing, to the City Clerk within 30 days of receipt.

28. During their term, members of boards and committees are required to comply with the provisions of the applicable code of conduct at all times. Following their term, past members of boards and committees are required to comply with any ongoing obligations, such as those related to confidentiality.

Resignation and Termination

29. A Council appointed member of a board or committee is deemed to have resigned when:
 - a. the member delivers a written notice of resignation to the City Clerk; or
 - b. the member is absent from three consecutive board or committee meetings, without obtaining consent from City Council.
30. Council has the right to terminate any appointment for just cause, including conduct in breach of the code of conduct.

Establishment of Committees

31. Prior to establishing a committee, Council shall request staff to provide a report addressing:
 - a. issues related to the purposes and objectives of the committee;
 - b. any required or advisable terms of reference;
 - c. the impact, if any, on resources;
 - d. scheduling meetings for the committee; and
 - e. in the case of proposed Ad Hoc Committees, timing for completion of the proposed mandate.
32. Council may only establish an Ad Hoc Committee where at least five (5) of the following criteria are met:
 - a. the subject matter is of significant importance to the City;
 - b. the mandate and reporting structure can be clearly articulated;
 - c. the mandate will align with the City's Strategic Plan or other plans or guiding documents;
 - d. the establishment of the committee would significantly help to streamline discussion and decision-making;
 - e. the committee would handle tasks or work that staff do not perform;
 - f. the committee would require citizen voice(s) or external stakeholder expertise to develop the subject matter; or
 - g. the subject matter is multi-disciplinary or multi-departmental.
33. The requirements of sections 31 and 32 may be waived by a unanimous vote of City Council.

Operation of Committees

34. All Standing, Advisory and Ad Hoc Committees must:
 - a. have a mandate;
 - b. take action in the form of providing recommendations to Council; and
 - c. refrain from directing staff to undertake activities that fall outside of the committee's mandate unless specific prior authority has been obtained from Council.

Minutes

35. Minutes of meetings for Standing, Advisory and Ad Hoc Committees are provided to the City Clerk for Council to receive and decide on the recommendations therein.
36. Minutes of meetings for all other boards and committees, to which Council makes appointments, save and except the Committee of Adjustment, are provided to the City Clerk for Council to receive.

Part III. Boards**Downtown Improvement Area**

37. The Downtown Improvement Area (the "DIA") is a business improvement area established by By-law No. 1973-073 pursuant to the *Municipal Act*, RSO 1970, c 284, which allows the City to appoint a board of management.
38. The DIA board is comprised of:
 - a. two (2) members of Council to serve for a one year term; and
 - b. eight (8) members of the general public, recommended by the board, to serve for the term of Council.
39. The staff liaison is the City Manager.
40. The appointed members and terms are:

MEMBER	APPOINTED	TERM EXPIRY
Council	Deputy Mayor O'Leary	January 31, 2020
Council	Councillor Koepke	January 31, 2020
Public	Vacant	March 31, 2019
Public	Ronald Cole	March 31, 2019
Public	Jeff Fluney	March 31, 2019
Public	Jacqueline Furtner	March 31, 2019
Public	Kathy Hannen	March 31, 2019
Public	Dianne Mattice	March 31, 2019
Public	Dave Parsons	March 31, 2019
Public	Lois Taylor	March 31, 2019

Grey Sauble Conservation Authority

41. The Grey Sauble Conservation Authority (the "GSCA") is a conservation authority established pursuant to the *Conservation Authorities Act*, R.S.O. 1990, c. C.27, which allows the City to appoint two (2) members to the GSCA board.
42. The GSCA board includes City appointed members as follows:
 - a. two (2) members of Council to serve for the term of Council.
43. The staff liaison is the Director of Community Services.

44. The City appointed members and terms are:

MEMBER	APPOINTED	TERM EXPIRY
Council	Councillor Greig	November 14, 2022
Council	Councillor Koepke	November 14, 2022

Owen Sound & North Grey Union Public Library

45. The Owen Sound & North Grey Union Public Library (the "OSNGUPL") is a union library established pursuant to the *Public Libraries Act*, R.S.O. 1990, c. P.44, and continued pursuant to an agreement ratified by By-law No. 2011-216, which together allow the City to appoint one (1) member of Council and four (4) public members to the OSNGUPL board.
46. The OSNGUPL board includes City appointed members as follows:
- a. one (1) member of Council to serve for the term of Council; and
 - b. four (4) members of the general public to serve for the term of Council.
47. The staff liaison is the Chief Librarian/CEO.
48. The City appointed members and terms are:

MEMBER	APPOINTED	TERM EXPIRY
Council	Councillor Thomas	November 14, 2022
Public	Rhonda Brown	November 14, 2022
Public	Robert Droine	November 14, 2022
Public	Rick Holland	November 14, 2022
Public	Esra Samli	November 14, 2022

Owen Sound Municipal Non-Profit Housing Corporation & Owen Sound Housing Company

49. The Owen Sound Municipal Non-Profit Housing Corporation ("OSMNPHC") and the Owen Sound Housing Company ("OSHC") are corporations, established by Letters Patent, with a common board to which members are appointed pursuant to By-law No. 1988-028.
50. The OSMNPHC and OSHC board is comprised of:
- a. one (1) member of Council to serve for a one year term; and
 - b. six (6) members of the general public, recommended by the board, to serve for staggered three year terms.
51. The staff liaison is the City Manager.

52. The appointed members and terms are:

MEMBER	APPOINTED	TERM EXPIRY
Council	Councillor Merton	January 31, 2020
Public	Ruth Lovell Stanners	January 31, 2020
Public	Jan Chamberlain	January 31, 2021
Public	Paul Thomson	January 31, 2021
Public	Robert Walker	January 31, 2021
Public	Rod Wyatt	January 31, 2021
Public	Peter Lemon	January 31, 2022

Owen Sound Police Services

53. The Owen Sound Police Services (the "OSPS") is a police service established pursuant to the *Police Services Act*, R.S.O. 1990, c. P.13, which allows the City to appoint three (3) members, comprised of the Mayor, a member of Council and a public member, to the OSPS board with terms not to exceed the term of Council.

54. The OSPS board includes City appointed members as follows:
- a. the Mayor, as a voting member, to serve for the term of Council;
 - b. one (1) member of Council to serve for a two year term; and
 - c. one (1) member of the general public to serve for the term of Council.

55. The staff liaison is the City Manager.

56. The City appointed members and terms are:

MEMBER	APPOINTED	TERM EXPIRY
Mayor	Mayor Boddy	November 14, 2022
Council	Councillor Koepke	January 31, 2021
Public	John Thomson	November 14, 2022

Part IV. Standing Committees

Community Services Committee

57. The Community Services Committee is a Standing Committee first established by By-law No. 2016-005.

58. The Community Services Committee is comprised of:
- a. the Mayor, as a voting member, to serve for the term of Council;
 - b. four (4) members of Council to serve for a one year term; and
 - c. four (4) members of the general public to serve for staggered three year terms.

59. The staff liaison is the Director of Community Services.

60. The appointed members and terms are:

MEMBER	APPOINTED	TERM EXPIRY
Mayor	Mayor Boddy	November 14, 2022
Council	Deputy Mayor O'Leary	January 31, 2020
Council	Councillor Dodd	January 31, 2020
Council	Councillor Merton	January 31, 2020
Council	Councillor Tamming	January 31, 2020
Public	Krista Youngblood	January 31, 2020
Public	Steve Kenny	January 31, 2020
Public	Nicole Amos-Uotila	January 31, 2021
Public	Sharif Rahman	January 31, 2022

Corporate Services Committee

61. The Corporate Services Committee is a Standing Committee first established by By-law No. 2016-005.

62. The Corporate Services Committee is comprised of:

- a. the Mayor, as a voting member, to serve for the term of Council;
- b. four (4) members of Council to serve for a one year term; and
- c. four (4) members of the general public to serve for staggered three year terms.

63. The staff liaison is the Director of Corporate Services.

64. The appointed members and terms are:

MEMBER	APPOINTED	TERM EXPIRY
Mayor	Mayor Boddy	November 14, 2022
Council	Councillor Dodd	January 31, 2020
Council	Councillor Greig	January 31, 2020
Council	Councillor Hamley	January 31, 2020
Council	Councillor Tamming	January 31, 2020
Public	Jean Paul Caron	January 31, 2020
Public	Bobb Todd	January 31, 2020
Public	Ray McKelvie	January 31, 2021
Public	Tara Saab	January 31, 2022

Operations Committee

65. The Operations Committee is a Standing Committee first established by By-law No. 2016-005.

66. The Operations Committee is comprised of:

- a. the Mayor, as a voting member, to serve for the term of Council;
- b. four (4) members of Council to serve for a one year term; and

- c. four (4) members of the general public to serve for staggered three year terms.
67. The staff liaison is the Director of Public Works & Engineering.
68. The appointed members and terms are:

MEMBER	APPOINTED	TERM EXPIRY
Mayor	Mayor Boddy	November 14, 2022
Council	Deputy Mayor O'Leary	January 31, 2020
Council	Councillor Greig	January 31, 2020
Council	Councillor Hamley	January 31, 2020
Council	Councillor Koepke	January 31, 2020
Public	Paul Foster	January 31, 2020
Public	Robert Hope	January 31, 2020
Public	Graham Jordan	January 31, 2021
Public	Bill King	January 31, 2022

Part V. Advisory Committees

Accessibility Advisory Committee

69. The Accessibility Advisory Committee is a statutorily required Advisory Committee, established pursuant to the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c.11, which requires that a majority of the members of the committee shall be persons with disabilities.
70. The Accessibility Advisory Committee is comprised of:
- a. two (2) members of Council to serve for a one year term;
 - b. four (4) members of the general public to serve for staggered three year terms.
71. The staff liaison is the Director of Community Services.
72. The appointed members and terms are:

MEMBER	APPOINTED	TERM EXPIRY
Council	Councillor Greig	January 31, 2020
Council	Councillor Merton	January 31, 2020
Public	Sandra Desjardins	January 31, 2020
Public	Christine Farrell	January 31, 2020
Public	Donald RJ Anderson	January 31, 2021
Public	Rebecca Knisley	January 31, 2022
Public	Peter Lemon	January 31, 2022

Economic Development and Tourism Advisory Committee

73. The Economic Development and Tourism Advisory Committee is an Advisory Committee re-established by By-law No. 2016-005.

74. The Economic Development and Tourism Advisory Committee is comprised of:
- a. the Mayor, as a voting member, to serve for the term of Council;
 - b. three (3) members of Council to serve for a one year term;
 - c. four (4) members of the general public to serve for staggered three year terms; and
 - d. any number of members representing community support organizations as a non-voting resource.
75. The staff liaison is the Director of Community Services.
76. The appointed members and terms are:

MEMBER	APPOINTED	TERM EXPIRY
Mayor	Mayor Boddy	November 14, 2022
Council	Councillor Dodd	January 31, 2020
Council	Councillor Hamley	January 31, 2020
Council	Councillor Thomas	January 31, 2020
Public	Mary Anne Alton	January 31, 2020
Public	James McGregor	January 31, 2020
Public	Derek Smith	January 31, 2021
Public	Mike Comello	January 31, 2022
Public	Jacqueline Furtner	January 31, 2022

Tom Thomson Art Gallery Advisory Committee

77. The Tom Thomson Art Gallery Advisory Committee is an Advisory Committee established by By-law No. 2018-012 pursuant to Resolution No. R-171204-006, which requires that one member of the committee be a self-declared artist.
78. The Tom Thomson Art Gallery Advisory Committee is comprised of:
- a. two (2) members of Council to serve for a one year term; and
 - b. six (6) members of the general public to serve for staggered three year terms.
79. The staff liaison is the City Manager.

80. The appointed members and terms are:

MEMBER	APPOINTED	TERM EXPIRY
Council	Councillor Tamming	January 31, 2020
Council	Councillor Thomas	January 31, 2020
Public	Megan Celhoffer	January 31, 2020
Public	Katharine Lochnan	January 31, 2020
Public	Trevor Falk	January 31, 2021
Public	Ann Keeling	January 31, 2021
Public	Jeff Taylor	January 31, 2022
Public	Vacant	January 31, 2022

Part VI. Ad Hoc Committees

There are no Ad Hoc Committees at this time.

Part VII. Quasi-Judicial Committees

Committee of Adjustment

81. The Committee of Adjustment is a Quasi-Judicial Committee established by By-law No. 2001-102 pursuant to the *Planning Act*, R.S.O. 1990, c. P.13.
82. The Committee of Adjustment is independent and autonomous from City Council and serves, as required, as:
- a. the Property Standards Hearing Committee;
 - b. the Court of Revision;
 - c. the Line Fences Review Committee; and
 - d. the Appeal Board regarding the regulation and control of dogs.
83. The Mayor is not an *ex-officio* member of this committee.
84. The Committee of Adjustment is comprised of:
- a. five (5) members of the general public to serve for the term of council.
85. The staff liaison is the Director of Community Services and/or the Community Planner.
86. The appointed members and terms are:

MEMBER	APPOINTED	TERM EXPIRY
Public	Rick Beaney	November 14, 2022
Public	Ruthann Carson	November 14, 2022
Public	Rick Holland	November 14, 2022
Public	George Mackowski	November 14, 2022
Public	Gail McCartney	November 14, 2022

Part VIII. Community Organizations

Festival of Northern Lights Inc.

- 87. The Festival of Northern Lights Inc. ("FoNL") is formerly a committee of the City, now an independent not-for-profit corporation. Council adopted Resolution No. R-131202-013 authorizing an annual Council appointment to the FoNL board as a non-voting member.
- 88. The FoNL board includes City appointed members as follows:
 - a. one (1) member of Council, without voting privileges, to serve a one year term.
- 89. The City appointed member and term is:

MEMBER	APPOINTED	TERM EXPIRY
Council	Councillor Thomas	January 31, 2020

Owen Sound Community Fund Committee

- 90. The Owen Sound Community Fund Committee, formerly the Community Foundation Grey Bruce 150th Homecoming Legacy Committee, is a community committee established pursuant to a Donor Advised Fund Agreement between the City and Community Foundation Grey Bruce. The committee includes one (1) City appointment.
- 91. The Owen Sound Community Fund Committee includes City appointed members as follows:
 - a. one (1) member of Council to serve for a one year term.
- 92. The City appointed member and term is:

MEMBER	APPOINTED	TERM EXPIRY
Council	Councillor Merton	January 21, 2020

Part IX. Repeal and Effective Date

By-law Repealed

- 93. By-law No. 2018-012 is repealed.

Effective Date

- 94. The by-law shall come into full force and effect on the date that it is passed as which time all by-laws policies and resolutions that are inconsistent with the provisions of this by-law are hereby repealed, revoked or rescinded, as the case may be, insofar as it is necessary to give effect to the provisions of this by-law.

FINALLY PASSED AND ENACTED this 21st day of January, 2019.

Mayor Ian C. Boddy

Briana M. Bloomfield, City Clerk