

**THE CORPORATION OF THE
TOWN OF WASAGA BEACH**

BY-LAW NO. 2011-57

**A BY-LAW TO ADOPT TERMS OF REFERENCE FOR THE
TOWN OF WASAGA RIVER RESOURCES ADVISORY COMMITTEE**

WHEREAS Section 8 of the *Municipal Act, 2001*, as amended, grants a municipality the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;


AND WHEREAS Subsection 5(3) of the *Municipal Act, 2001*, requires that all municipal powers, including natural person powers, are exercised by by-law;

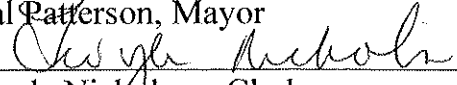
WHEREAS the Council of the Corporation of the Town of Wasaga Beach deems it advisable and expedient to adopt a Terms of Reference for the River Resources Advisory Committee;

NOW THEREFORE the Council of the Corporation of the Town of Wasaga Beach HEREBY ENACTS as follows:

1. THAT the local advisory committee known as the Wasaga Beach River Resources Advisory Committee shall consist of members appointed by Council and for a duration consistent with the appointing Council's term of office.
2. THAT as vacancies occur from time to time, Council may, by resolution, fill the vacancy for the duration of the appointed term.
3. THAT the purpose of the River Resources Advisory Committee is to provide advice to Council on matters pertaining to environmental safety or tourism issues with respect to the Nottawasaga River within the boundaries of the Town of Wasaga Beach.
4. THAT the Terms of Reference of the River Resources Advisory Committee is attached to this By-Law, substantially, as Schedule "A" and forms part of this By-Law.
5. THAT this By-Law shall come into force and take effect on the date of its final passing.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 24TH
DAY OF MAY, 2011.



Cal Patterson, Mayor


Twyla Nicholson, Clerk

THE CORPORATION OF THE TOWN OF WASAGA BEACH

River Resources Advisory Committee

TERMS OF REFERENCE

Purpose/Mandate

The River Resources Advisory Committee was established on May 11, 1992 to provide advice to Council on matters pertaining to environmental safety or tourism issues with respect to the Nottawasaga River within the boundaries of the Town of Wasaga Beach.

Responsibilities

The River Resources Advisory Committee is to be informed through reports, conversations with stakeholders and liaison with the Council representative of the policies, procedures and decisions of Council which relate to its mandate and ensure that its decisions and activities are consistent therewith unless previously endorsed by Council.

The Committee will:

- Advise Council on matters related to promoting safe boating, promoting Wasaga Beach as a destination for recreational boaters, promoting angling and promoting conservation and environmental stewardship on the Nottawasaga River.
- Bring to the attention of Council areas of concern and suggestions related to safety or environmental issues on the Nottawasaga River.
- Bring to the attention of Council, opportunities for development or enhancement of the Nottawasaga River natural resource that would broaden or augment its asset to the community.
- Bring to the attention of Council issues and suggestions which it considers important in the management, sustainability and development of the Nottawasaga River to meet the recreational and environmental interests of residents and tourists

Delegated Authority

The River Resources Advisory Committee is established as an advisory committee to Council and does not have any delegated authority.

The River Resources Advisory Committee has no authority to direct staff and any advice requiring implementation, reports or staff actions must first be considered by the Public Works Committee, and/or Committee of the Whole and/or Council before any action by staff may be taken. Committee members make work with Town staff in a volunteer capacity to assist with the annual maintenance activities on the river.

The River Resources Advisory Committee has the ability to act on matters to carry out the mandate of the Committee, under the oversight of the Public Works Committee, using its discretion and judgment, which shall not significantly bind the Municipality. Any information or action that significantly binds the Corporation will require Council's approval.

Committee Composition

Upon recommendation from the Mayor and with input provided by the River Resources Advisory Committee Chair, Committee members will be appointed by Town Council.

Council may, by resolution as and when required in order to maintain the requisite number and composition of members on the Committee, select and appoint new members to the Committee for the duration of the term.

The Committee will be composed of up to eight (8) voting members, as follows:

- 7 members of the community at large, who are property owners/residents of Wasaga Beach, as voting members
- One (1) member of Council as a voting member
- Public Works Director, as liaison resource staff to attend as required
- Sr. Municipal Law Enforcement Officer, as liaison resource staff, to attend as required

Members of the community at large must have a demonstrated knowledge and interest in the Nottawasaga River based on one or more of the following:

- a permanent or seasonal residence on the river;
- a boater regularly using the river for recreation;
- an angler fishing regularly on the river;
- an educational or career background in environmental or conservation matters or related field;
- a permanent or seasonal resident with historical knowledge of the river and of its significance to the Town;
- a Wasaga Beach business person engaged in the tourism or recreation industry;

Only members, appointed by Council, may vote on any issue.

The Mayor shall serve ex-officio as a voting member of the Committee.

Other parties, with interest in the conservation and safety of the river, such as but not limited to The Ministry of Natural Resources, Fisheries and Oceans Canada, The Ontario Provincial Police, and The Nottawasaga Valley Conservation Authority, may be invited to the meetings, as required, but without voting privileges.

Council may, by resolution, at any time and from time to time at its sole discretion remove any member, voting or non-voting, from the Committee, as it deems advisable.

A Committee member may apply for a re-appointment for any number of consecutive or non-consecutive terms.

Resignations from the Committee must be in writing to the Committee Chair and Town Clerk.

The advertising of vacancies and appointments will be in accordance with the policies and practices adopted by Council from time to time.

Subcommittees

The River Resources Advisory Committee may establish subcommittees, as needed, to consider specific issues. Subcommittees are not required to be approved through the Public Works Committee and/or Council.

Subcommittees are responsible for the preparation of their own agendas and minutes as required and making their own arrangements for meeting locations. Only members of the River Resources Advisory Committee may be members of any subcommittees. Subcommittees must distribute a copy of its minutes to the River Resources Advisory Committee and Public Works Committee.

Committee Positions & Roles

Chair: One member will be chosen by majority vote of the Committee at the first meeting of each new calendar year to Chair the meetings and oversee the business of the Committee for that year.

Vice-Chair: A Vice-Chair for the same duration will be chosen by majority vote of the Committee. The role of Vice-Chair is that of Chair when assuming the role of Chair.

Secretary: A secretary shall be appointed by a majority of the Committee membership. The role of Secretary is to confirm the meeting date and location with the Public Works Department, prepare the Agenda, take the minutes, and provide a copy of the minutes to the Public Works Department and all Committee members.

Term of Office

The term of the members of the Committee shall be up to four years coinciding with the term of the Council that has made the appointment.

Meetings

The River Resources Advisory Committee will meet as required, at the call of the Chair, and the dates and times of the meetings shall be provided to the Town Clerk.

The Committee will not meet during Council's recesses. Additional meetings may be called by the Chair if there are urgent matters that need to be discussed.

Meetings shall not conflict with regular meetings of the Public Works Committee, Committee of the Whole and regular meetings of Council.

Committee members are expected to attend all regularly scheduled meetings. In the event that a member other than the Mayor is unable to attend a meeting, the member must contact the Chair in advance and advise him or her. If a member other than the Mayor has been absent for three consecutive regularly scheduled meetings and has failed to advise the Chair in advance, the member shall be deemed to have abandoned his or her appointment and the position shall be considered vacant.

Quorum

Quorum shall be a majority of the appointed members of the River Resources Advisory Committee. A quorum shall consist of 50% plus 1 of the appointed voting members.

Agenda

The Agenda of the River Resources Advisory Committee shall contain the following items:

- Call To Order
- Disclosure of Pecuniary Interest
- Minutes of Last Meeting
- Deputations/Presentations
- Unfinished Business
- Sub-Committee Reports, if any
- New Business
- Items for Future Meetings
- Date of Next Meeting
- Adjournment

Governance

The River Resources Advisory Committee shall be subject to the provision of the Town's Procedural By-Law to Govern the Proceedings of Council and its Committee, as amended, and shall adhere to Town policies and procedures.

Communication and Reporting

Unless otherwise directed by Council, the minutes of all Committee meetings will be presented to the Public Works Committee, monthly (if applicable) for review.

For decisions of Council, the Committee shall provide advice, through a Staff Report by the Public Works Director, to the Public Works Committee.

The Chair of the River Resources Advisory Committee or designate shall keep the Public Works Committee apprised of its activities at periodic intervals throughout the year.

Should the Committee wish to be a delegation to the Public Works Committee, Committee of the Whole or Council, the request shall be made through the Director of Public Works or Clerk's Office.

The Committee will submit an annual report at the beginning of each New Year outlining the Committee's accomplishments in the previous twelve months, and its work plan and projects for the coming year. The report will be presented to the Public Works Committee no later than the last meeting of the current year.

Web presence is supported through the Town's web site at www.wasagabeach.com, based on information provided by or through the Public Works Director.

Municipal Support

The Public Works Department shall be the lead department and the Public Works Director shall be the contact person for the River Resources Advisory Committee and for general inquiries.

Requests for documentation, reports and support materials required by the Committee or outgoing correspondence will be directed to the Public Works Department.

Committee's activities are supported through the Public Works Department.

The Public Works Director, as a liaison staff member, will attend meetings of the River Resources Advisory Committee as or when deemed necessary by the Director or as requested by the Committee. The Sr. Municipal Law Enforcement Officer, to answer to enforcement issues, may also be asked to attend at the Committee meetings as or when deemed necessary by the Director of Public Works or by the Committee through the Director.

Additional staff and/or representatives from special interest groups may be requested to attend meetings at the discretion of the Director of Public Works or the River Resources Advisory Committee.

Finances

Routine administrative costs associated with the work of the Committee will be allocated from the Committee's annual budget.

The annual budget for the River Resources Advisory Committee will be the responsibility of the Public Works Director. The Chair will work with the Public Works Director to prepare the annual budget for Council's approval. The budget will reflect the Committee's upcoming year's operating and capital needs, in keeping with budget directions and timelines.

Expenditures are approved by the Public Works Director.

As approved by the Public Works Director, expenses incurred while serving in Committee capacity may be reimbursed, as per Town policy.

Confidentiality

The *Municipal Act* shall bind the members of the Committee as it relates to confidentiality, conflict of interest, closed sessions, and any other requirement under the *Act*, which pertain to the conduct of officials.

Indemnities to Committee Members and Others

Committee members shall be covered by the municipality's general liability insurance policy as it relates to Committees of Council's activities.

Review and Update of the Terms of Reference

The Terms of Reference are established and approved by Council and can only be altered by Council.

Approved by Council this 14th day of June, 2011.