

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

BY-LAW NO. 2011-25

**A BY-LAW TO ADOPT A POLICY FOR THE PUBLIC APPOINTMENTS
BY COUNCIL TO VARIOUS BOARDS AND COMMITTEES**

WHEREAS pursuant to *The Municipal Act, 2001*, S.O. 2001, c.25, as amended, the Council of a Municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act, to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS pursuant the *Municipal Act, 2001, S.O. 2001, C. 25, as amended*, requires that a municipality's capacity, rights, powers and privileges, shall be exercised by by-law;

AND WHEREAS the Corporation of the Town of Wasaga Beach deems it advisable to adopt a policy for the Public Appointments by Council to Various Boards and Committees;

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

1. THAT the Policy for Public Appointments by Council to Various Boards and Committees, attached hereto as Appendix "A", be adopted.
2. THAT any by-laws or policies inconsistent with this by-law to adopt a policy for the Public Appointments by Council to Various Boards and Committees is hereby repealed.
3. 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 22nd DAY OF MARCH, 2011.



Cal Patterson, Mayor



Twyla Nicholson, Clerk



THE CORPORATION OF THE TOWN OF WASAGA BEACH

POLICY MANUAL

SECTION NAME: Council	POLICY NUMBER:
POLICY: Public Appointments by Council to Various Boards and Committees	REVIEW DATE: September 2014
EFFECTIVE DATE: March 22, 2011	REVISIONS:
IMPLEMENTATION: March 22, 2011	ADMINISTERED BY: Town Clerk

PURPOSE

The Corporation of the Town of Wasaga Beach (the Municipality) is committed to appointing members of the public to various boards, committees, groups or other bodies as required by statute, convention, invitation or initiative, in a consistent, open manner allowing all residents and property owners interested with the opportunity to be appointed.

POLICY

It shall be the policy of the Municipality that public appointments to all of Council's Boards and Committees, unless stated as part of a statute, by-law, regulation, constitution, or stipulated otherwise, shall generally be on the basis of public advertisement inviting applications from residents or property owners for the appointments to be submitted to the Clerk's Department for processing and subsequent recommendation by the Mayor to Council for approval.

ATTACHMENTS

Attachment "A" - Regulations

POLICY REVIEW AND PROCEDURE

This Policy will be reviewed as required, but in any case no later than four years from the date of the most recent review.

The Town Clerk will be responsible for initiating the review of this Policy.

Approved by Council March 22, 2011 by By-Law No. 2011-25

ATTACHMENT “A” – REGULATIONS GOVERNING PUBLIC APPOINTMENTS BY COUNCIL TO BOARDS AND COMMITTEES

1. DEFINITIONS

- 1.1 “Advisory Committee” means a committee established by Council either under a statute or at the pleasure of Council to provide advice to Council on mandated issues through a specific standing committee of Council, without specific budget or decision making authority
- 1.2 “Committee of Council” means a committee established by Council, subcommittee or board of which at least 50% of the members are also members of one or more councils or local boards
- 1.3 “Council-appointed legislated board or committee” means a mandatory board or committee established by Council under a statute to provide information, advice, and recommendations to Council on public policy issues or to oversee the management of a particular Municipal operation.
- 1.4 “Public” means a member of the public who is a resident or property owner of the Town of Wasaga Beach
- 1.5 “Resident” means a member of the public whose current and primary residence is within the Town of Wasaga Beach
- 1.6 “Vacancy” of any office or appointment shall mean the expiration of a stated term of office, resignation or determined under Section 6(a) at any time from an office or appointment made under this Policy.

2. APPLICABILITY

- 2.1 This Policy applies to all public appointments to the following types of committees:
 - a) Committees of Council;
 - b) Advisory committees; and
 - c) Council-appointed, legislated board or committees.

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Specially, this Policy applies to the following boards and committees:

- Accessibility Advisory Committee
- Committee of Adjustment
- Compliance Audit Committee
- Healthy Community Network
- Heritage Advisory Committee
- Property Standards Committee
- River Resources Committee
- Wasaga Beach Public Library Board

- 2.2 In the case where the Terms of Reference for a specific Board or Committee is inconsistent with any provisions of this Policy, this Policy shall prevail.
- 2.3 In the case where legislation relating to a specific Board or Committee is inconsistent with any provisions of this Policy, the legislation shall prevail.
- 2.4 Council shall endeavor to have Council representation on other Boards and Committees and follows:
- Affordable Housing
 - Business Enterprise Centre
 - Wasaga Beach Chamber of Commerce
 - Collingwood Regional Airport
 - Community Policing
 - Collingwood General & Marine Hospital
 - Georgian Triangle Housing Resource Centre
 - Nottawasaga Valley Conservation Authority
 - Nottawasaga Valley Source Water Protection Committee
 - Wasaga Beach Youth Centre Advisory Committee
 - Wasaga Distribution Inc.
- 2.5 This Policy does not apply to appointments where the appointee is a Municipal staff position or person.

3. ELIGIBILITY

- a) All public members appointed to Council boards or committees shall be residents or property owners of the Town of Wasaga Beach.
- b) All public members appointed to Council boards or committees shall be at least 18 years of age, with the exception of those boards, committees or organizations/groups that require Youth membership, e.g. Healthy Community Network, Youth Centre Advisory Committee.

4. CITIZEN APPOINTMENT PROCESS – NEW TERM OF COUNCIL

4.1 Call for Volunteers

- a) By September 1st in an election year, all existing board and committee members, through the respective resource person or Chair, will be asked if they wish to serve on the board or committee for the next term and to confirm that they still meet eligibility requirement as set out in the Board's or Committee's Terms of Reference and the requirements of this Policy and applicable legislation.
- b) The members that wish to re-offer will be provided with and required to complete a Public Appointment application form in order to review eligibility requirements.
- b) The list of names and completed application forms of eligible current members wishing to re-offer will be forwarded to the Clerk's Department to be submitted to the Mayor for consideration along with names received through advertisement. The list is to be forwarded to the Clerk's Department by October 1st of an election year.

- e) Council shall approve all public appointments to Council Boards and Committees and Council member appointments to Council, Boards, Committees and other Boards and Committees at the beginning of the new term of Council, ideally at the Inaugural Meeting, but no later than the regularly scheduled meeting of January following the election year.
- f) All appointments shall be made by By-Law.
- g) Once appointed by Council, the Clerk's Department will acknowledge those appointments, in writing.
- h) Appointees will be provided with the appropriate documentation to complete, e.g. Freedom of Information Consent Form, Understanding Accessible Customer Service Booklet and payroll information. The names of appointees will be provided for the Town's website.
- i) Once appointed, the Chair of each Board or Committee will be provided with Town's Procedural By-Law to Govern the Proceedings of Council and its Committees, Terms of Reference and contact list of members.

5. PUBLIC APPOINTMENT PROCESS – DURING THE TERM OF COUNCIL

- 5.1 Appointments during the Term of Council shall be conducted in the same manner as those made under Section 4 above, with the following exceptions:
 - a) a resignation from a Board or Committee is to be submitted, in writing to the Chair or resource person, which shall be immediately forwarded to the Clerk's Department to begin the process to fill the vacancy;
 - b) existing applications shall be reviewed prior to advertising a vacancy; recommendations, if any, from the Committee or resource person, shall be considered, upon receipt in writing;

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- c) based on a) and b) above, advertising will be discretionary;
- d) should an advertisement be necessary, public vacancies shall be advertised once in a newspaper having general circulation in Wasaga Beach and on the Municipal website, stating the nature of the appointment, the Board or Committee to which the appointment is to be made and outlining the requirements to fill the vacancy;
- e) where possible and practical, and subject to time constraints, the Municipality will endeavour to provide the opportunity to the Chair of the respective boards and committees whose vacancy is being filled to review and comment on applications received. Chairs of the respective boards and committees shall review and provide written comments to the Town Clerk on the applications as quickly as possible.
- f) The Town Clerk will forward the applications and comments received to the Mayor for review and consultation with the Council representative; once determined, appointments shall be made by Council.
- g) The Appointment By-Law Schedule "A" may be amended as required and all amendments shall be approved by resolution of Council without an amendment to the By-Law.

6. **ABSENTEEISM/DEEM TO HAVE RESIGNED**

- a) Any public appointee with unexcused absences from three consecutive meetings will be deemed to have resigned his or her seat.
- b) The resource person/Chair shall immediately advise the Clerk's Department to commence the process to fill the vacancy.

7. TERM OF PUBLIC APPOINTMENTS

- a) Unless otherwise provided for by legislation, Terms of Reference or operating procedures, the term of appointment shall generally coincide with the term of Council, commencing upon passing of the appointment by-law and expiring November 30, in an election year, unless otherwise specified.
- b) Notwithstanding 7 (a) above, when a Board or Committee member resigns before the end of the term, or is deemed to have resigned due to absenteeism, the appointment continues until it is rescinded by Council.

8. CONDUCT OF MEMBERS

Boards and Committees are governed by and subject to the provisions of the Town's Procedural By-Law to Govern the Proceedings of Council and its Committees, the *Municipal Conflict of Interest Act*, and the Code of Conduct and shall adhere to Town policies and procedures.