

***Local Boards/Committees ~  
Terms of Reference***

**2024**

*Council draft ~ March 25, 2024*

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# Town of Amherstburg

## Local Boards/Committees – Terms of Reference

### **Purpose:**

The Corporation of the Town of Amherstburg (the “Town”) is committed to community engagement through participation of volunteers and appointees to boards and committees. These terms of reference are intended to act as a guide for committee and board volunteers during their term.

### **Definitions:**

**Local Board** - a board that is generally established by legislation and members are appointed by Council. They have authority to address their responsibilities as determined under the relevant legislation. Examples include:

- Windsor Police Services Board
- Essex Region Conservation Authority Board of Directors

**Statutory Committee** - a committee that is permitted or required by Provincial legislation and perform functions as specified in the relevant legislation. Examples include:

- Committee of Adjustment
- Property Standards Committee
- Accessibility Advisory Committee
- Heritage Committee
- Parks and Recreation Advisory Committee

**Advisory Committee** - a committee that provides advice and recommendations to Council as requested on areas within their mandate with no authority for decision making or independent actions. Members are appointed by Council and membership typically includes one member of Council as liaison.

- Amherstburg Environmental Advisory Committee

**Ad-Hoc Committees** - created to perform a specific task and are dissolved when the task is completed. The Committee has no authority for decision making or independent actions. Members are appointed by Council and membership typically includes one member of Council as liaison. Examples include:

- Inclusive Community Program Advisory Steering Committee (*Retired*)

## **Composition**

No committee appointed by Council shall exceed eleven (11) members, including Council appointed liaisons. Where activity levels warrant, Council may authorize an Ad-hoc committee.

Committee members shall:

- be a tenant or owner of land in the Town of Amherstburg, or the spouse of such owner or tenant
- 18 years of age or older
- have a demonstrated expertise, interest, and involvement in the sector(s) of the specified committee
- fairly represent the sector(s) of the specified committee
- commit the time required to work on the Committee
- sign a statement affirming a commitment to abide by the Code of Conduct

### **Exceptions:**

***The Essex County Library Board members must not be an employee of the Essex County Library Board or the County of Essex.***

***The Amherstburg Accessibility Advisory Committee a majority of members shall be persons with disabilities, as per AODA.***

## **First Meeting – Commencement of Term**

The term of appointment commences after the Inaugural Meeting of the new Council and generally ends at the conclusion of Council's term.

At the first meeting of the term of the newly appointed board/committee, and at the first meeting of each year thereafter, the following must occur:

1. Elect Chair and Vice-Chair.
2. Establish regular meeting schedule by motion.

The Secretary calls for nominations of the Chair. A member of the Committee can make a nomination which must be seconded by another member of the Committee. When all nominations have been received the Secretary closes nominations. Once the Chair has been elected the same process applies for the election of the Vice-Chair.

The Secretary shall advise the Town Clerk of the regular meeting schedule established at the first meeting. The meeting schedule will be posted on the Town's website.

# **Responsibilities and Protocol**

## **Conduct of Board and Committee Members**

Board and Committee members shall:

- Perform their duties in a manner that maintains and enhances public confidence in the integrity, objectivity and impartiality of the Town;
- Not engage in any business or transaction, or have a financial or other personal interest that is incompatible with the discharge of the members official duties.
- Not circumvent the guidelines of the Procurement Policy at any time.
- Not be under an obligation to any person who might benefit from special consideration or favour from the employee or who might seek, in any way, preferential treatment.
- Not give, in the performance of official duties, preferential treatment to relatives or friends or to organizations in which relatives or friends have an interest, financial or otherwise.
- Not deal with an application to the Municipality for a loan, grant, award, or other benefit which involves themselves or immediate relatives.
- Not be in a position where the member could derive any direct or indirect benefit or interest from any contracts about which the employee can influence decisions
- Not benefit from the use of information acquired during the course of official duties that is not generally available to the public.
- Be professional and courteous with other members, Council, administration and the general public.
- Be respectful of Elected Officials, administration and other members and in doing so will not publicly criticize Elected Officials, administration or other members.
- Not engage in any form of harassment, including either sexual or personal harassment, whether it involves administration, Elected Officials, or members of the public.
- Not benefit, either directly or indirectly, from the use of information acquired during the course of official duties that is not generally available to the public.
- Ensure personal information controlled by the Town is used or disclosed in compliance with the MFIPPA.
- Understand the board/committee's relationship to Council.
- Strive to attend all scheduled meetings and advise in advance when unable to attend (to determine if there is going to be a quorum).
- Prepare for meetings by reading agendas and any background information supplied.
- Actively participate in the discussion and decision making process;
- Undertake any work assigned, including special projects and research, between meetings.
- Operate under Procedural By-law of Council, as well as other Town operating policies and procedures, such as the Procurement Policy, Media Relations, and other policies adopted by Council, where applicable.
- Be open-minded and allow for a variety of opinions to be hear.
- Focus on the issues listed on the agenda.
- Maintain a high degree of professionalism.

- Ask questions and seek clarification through the staff liaison, Council liaison or Chair.
- Respect the role of and responsibility of the Chair and Vice-Chair.
- Respect that actions taken and/or recommendations shall reflect the majority view of the board/committee.
- Respect the decisions of Council.
- Clearly identify any items of pecuniary interest before they are discussed and refrain from discussing and voting on same.
- Maintain confidentiality when necessary (for example, matters discussed in a closed meeting).
- Allow fellow committee members to speak without interruption.
- Direct all comments and questions through the Chair.

## **Responsibilities of Chair and Vice-Chair**

The Chair and/or Vice-Chair hold the following responsibilities:

- Operate under the Town's Procedural By-law;
- Facilitate the meeting by identifying the order of proceedings and speakers according to the published agenda;
- Ensure active participation by all members;
- Maintain decorum and ensure fairness and accountability;
- Generally refrain from participation in the discussion until all members have had an opportunity to speak to the matter;
- Refrain from making decisions. The Chair can only run a meeting in a fair and efficient manner when the will of the majority prevails after the minority has had a fair chance to present its point of view;
- Assist staff liaison when possible or when requested;
- Represent the views of the board/committee and not personal views;
- Ensure the board/committee elects or re-elects the Chair and Vice-Chair on an annual basis.

## **Responsibilities of Council Member Appointee(s)**

Every board and committee shall include at least 1 Council liaison, but shall not exceed 2, who has all of the rights and privileges of any other member, including voting.

In addition, the Council member is also responsible for:

- Ensuring the members are fairly and appropriately engaged;
- Liaising between Council and the board/committee, providing information and clarification;
- Ensuring members are aware of Council issues that may affect the goals and objectives of the board/committee, including past actions of Council;
- When necessary and appropriate, explain the rationale behind the board/committee's recommendation when brought forward to Council.

The Mayor is ex-officio, a member of all committees, sub-committees and ad-hoc committees of Council and is entitled to vote, make motions and amendments.

## **Responsibilities of Staff Liaison**

A departmental staff liaison is assigned to a board/committee by the Chief Administrative Officer.

As a non-voting member, the responsibilities of the staff liaison are to:

- Provide guidance and advice with respect to appropriate, up-to-date, legislation and/or Town finances;
- Prepare any necessary reports for Council's consideration;
- Remain impartial during discussions of board/committee matters with all members;
- Ensure that any recommendations proposed by the board/committee do not contradict the Town's budget, by-laws or policies and procedures;
- Attempt to reconcile conflicts;
- Report any resignations of the board/committee members to the Municipal Clerk;
- Report any irregularities to the Municipal Clerk;
- Post meeting dates/times under "Committee Meetings" on the website and amend as necessary
- Book the meeting venue (i.e.: Council Chambers)

## **Responsibility of Recording Secretary**

*(In some instances, the recording secretary and staff liaison are one in the same)*

The responsibilities of the recording secretary are to:

- Prepare the agenda for each meeting;
- Circulate agendas and minutes in accordance with Town procedures;
- Record the minutes of the meeting including resolutions, decisions and other proceedings at the meeting, without note or comment in accordance with the Municipal Act requirements;
- Submit the minutes of each committee to the Regular Council agenda for Council's receipt;
- Ensure fully executed Minutes are retained in accordance with the Town's Records Retention periods.

When it is necessary to cancel a meeting (due to inclement weather or prior knowledge of lack of quorum), if time permits, the members should be contacted to advise of the cancellation.

## **Attendance**

Boards/committees generally meet once a quarter as per the Town's Procedural By-law. Nonetheless, if more frequent meetings are required to move the activities of the board/committee forward, a more frequent meeting schedule may be authorized by the Municipal Clerk in consideration of resourcing requirements and staff availability.

If a member is unable to attend a meeting, he/she should inform the staff liaison or Chair.

If a member is absent from three scheduled meetings within a calendar year the member shall be removed from the board/committee.

In the event a member finds it necessary to resign, he/she shall notify the Clerk in writing, and the Clerk shall notify Council to take action in accordance with the Board and Committee Appointment Policy.

## **Communications**

Communications emanating from a board/committee shall be consistent with the communication policies and by-laws of the Town and must reflect the Town's graphic standard and comply with accessible document principles.

Communications to Council or Administration are generally through the staff liaison, Council liaison or Chair.

Written communications, including media releases, advisories, flyers, posters and other printed materials shall not be created by Committee members with the exception of letters of appreciation or recognition that do not require Council's approval.

Committees and committee members are not authorized to design and launch websites or social media accounts. Responsibility for managing and monitoring corporate websites and social media sites is centralized through the Town Administration. Any Town policies relating to social media shall apply.

If a staff liaison is uncomfortable with a proposed communication from the board/committee, he/she should direct it to his/her department head, Town Clerk or Chief Administrative Officer for guidance.

Only authorized spokespersons may speak on behalf of a board/committee. The Town's Media Relations Policy shall apply to boards and committees. Members acting as spokespersons for the Town or the Board shall be removed by Council.

## **Effective Meeting Management**

The business of the board/committee is conducted at its meetings. Conducting effective meetings ensures the agenda items are dealt with in an organized fashion, having regard for the rules of procedure and ensuring those who wish to speak on the matter are heard.

### **What is a Meeting**

A meeting is any regular, special or other meeting of Council, of a local board, or of a committee of either of them. For a formal meeting to take place, notice must be given, an agenda must be prepared and the general process regarding location and procedures must have been followed in accordance with the Procedural By-law of Council.

## **Open and Closed Meetings**

The Municipal Act, 2001, as amended, (“Municipal Act”) requires local government in Ontario to be open, transparent and accountable.

All meetings of boards and committees must be open to the public unless an exception, as provided under Section 239 of the Municipal Act, applies.

Boards and committees are permitted to go into a Closed Meeting if the subject matter relates to:

1. The security of the property of the municipality or local board - Section 239(2)(a)
2. Personal matters about an identifiable individual, including municipal or local board employees -Section 239(2)(b)
3. A proposed or pending acquisition or disposition of land by the municipality or local board - Section 239(2)(c)
4. Labour relations or employee negotiations - Section 239(2)(d)
5. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board - Section 239(2)(e)
6. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose -Section 239(2)(f)
7. A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act - Section 239(2)(g)
8. The consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) if the council, board, commission or other body is the head of an institution for the purposes of that Act - Section 239(3)
9. Education and training of the members and at the meeting no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, board or committee - Section 239(3.1)

All matters pertaining to a closed meeting must first be approved by the Clerk to ensure it is appropriately being dealt with in closed session.

If a matter requires a Confidential Report or Memo, it must be included with the closed meeting agenda. Closed meeting agendas shall not be published. Separate minutes shall be taken and submitted to the Clerk.

Discussions and outcomes from a closed meeting shall not be discussed in public.

### **Resolution to Move into Closed Session**

Prior to moving into closed session a resolution must first be passed in open session indicating that the board/committee is, or will be, moving into closed session and stating the general nature of the meeting. It is also recommended that the appropriate section of the Act be included on the agenda, or in the motion, where applicable.

The members should avoid moving into closed session without public notice. Therefore, the agenda should include the item in as much detail as possible, including the section of the Act.

## **Voting and Rising from Closed Session**

Voting is not permitted on any matter in closed session except on a procedural matter, to receive information or to provide direction or instructions to the staff liaison of the board/committee or persons retained under contract by the board/committee. Action on the matter must be taken in open session in the form of a resolution.

A motion is required to move back into open session.

Only the item(s) listed in the motion to move into closed session shall be discussed and no other topics shall be added. The Chair is responsible to ensure no new topics are introduced in a closed meeting.

## **Closed Meeting Investigator**

Effective January 1, 2008, any person has the right to request an investigation into whether a local board or committee subject to the Municipal Act has complied with all of the closed meeting rules established by the Province and the Procedural By-law of the municipality or board/committee.

The Investigator for the Town of Amherstburg is the Ontario Ombudsman. The Office of the Ombudsman receives requests, investigates, makes a determination and reports publicly on compliance.

## **Notice of Meetings**

Public notice of all regular and special meetings is mandatory for all boards and committees. The agenda is sufficient notice as long as it is posted on the Town's website. It should also be provided to the members of the board/committee. The notice (agenda) must contain the date, time and place of the meeting and shall be provided to the committee/board members and be posted no later than 48 hours before the hour appointed for the holding of such meeting, in accordance with the Town's Procedural By-law, unless the matter before the body is subject the exemptions in the Municipal Act such as for a meeting closed to the public.

## **Agendas**

Each board and committee secretary is responsible for the preparation and distribution of the meeting agenda. The board/committee secretary will determine the method for delivery of the agenda to members.

The Chair may add items to the agenda through the secretary. A deadline must be established for submission of agenda items to coincide with the Procedural By-law notice requirements. Agenda items should be relevant to the business of the board/committee and should only include items that require the attention or action of the board/committee. Agenda items should not include Administrative matters, which are handled at the staff liaison or secretary level.

Agendas shall follow a prescribed order of business. The agenda should contain the following:

1. Call to Order
2. Disclosures of Pecuniary Interest and General Nature Thereof
3. Land Acknowledgement
4. Adoption of Minutes
5. Presentations
6. Order of Business
7. Correspondence
8. Unfinished Business
9. Adjournment

## **Conflict of Interest**

The Municipal Conflict of Interest Act applies to Members of Council as well as boards and committees. A member must declare, generally at the outset of the meeting, any direct or indirect pecuniary (financial) interests that he or she may have in any matter before the board/committee at that meeting, whether open or closed. A pecuniary interest also applies to the member if his/her spouse, child or parent is affected by the matter before the meeting.

If missed at the beginning of the meeting, the member must declare a conflict when the matter comes up for consideration.

The member shall identify the matter to which he/she has a conflict and state the reason why. The conflict shall be recorded in the minutes. The member may remove him/herself from the meeting while the matter is under consideration. The member must abstain from discussing and/or voting on the matter. If the matter is under consideration in a closed meeting, the member shall take leave of the meeting until the matter has been concluded.

In the event a member discovers after the meeting that he/she actually had a direct or indirect pecuniary interest in the matter, he/she shall declare the interest at the next available meeting and it shall be recorded in the minutes.

The onus is on the member to determine whether he/she has a conflict of interest. If uncertain, the member is advised to seek legal advice.

If a member fails to declare a pecuniary interest, any elector may bring an Application before the Ontario Superior Court.

A copy of the Municipal Conflict of Interest Act is available at <https://www.ontario.ca/laws/statute/90m50> or from the Municipal Clerk.

## **Minutes**

The Municipal Clerk (or designate) provides training and/or advice in the recording of minutes at the beginning of each term.

Minutes of meetings represent a clear and accurate account of the business conducted by the board/committee. Minutes provide a permanent and official record of all proceedings, policy and budgetary decisions. Minutes should only reflect actions and not discussions.

The recording secretary of the board/committee is responsible for recording, without note or comment, all proceedings and decisions of the meeting, whether open or closed.

The secretary shall submit the minutes in an acceptable and accessible format to the Municipal Clerk and shall include the minutes with the next board/committee meeting agenda package. The minutes will be provided to Council through the Regular Council Agenda.

Any actions to be taken by the committee/board shall be made by resolution.

Resolutions that require Council approval shall not be acted upon until the minutes have been received by Council and the specific item addressed and approved by Council.

## **Quorum**

A quorum is a majority of the members constituting the board/committee as set out in the resolution establishing the board/committee.

If there is no quorum present within 15 minutes of the appointed hour of the meeting, the board/committee shall adjourn until the date and time of the next regular or special meeting. The names of those members present shall be recorded in the minutes.

If a meeting starts with a quorum and members of the board/committee leave during the meeting, the meeting shall continue as long as two members of the board/committee remain. However, no voting shall take place without quorum.

The Mayor is ex-officio, a member of all committees, sub-committees and ad-hoc committees of Council. An ex-officio is not counted in determining the number required for a quorum or whether a quorum is present at a meeting.

## **Delegations**

From time to time, delegations may wish to appear and speak to a matter. Delegations must register with the staff liaison or secretary prior to the meeting, as per the Town's current procedural by-law.

## **Rules of Procedure**

The Procedural By-law shall apply to all boards/committees. A copy of which shall be provided to all members by the Municipal Clerk.

Where the by-law is silent, the Municipal Clerk is available to assist boards/committees with the interpretation of the rules.

The Municipal Clerk, or designate, will perform regular audits of committee meetings or minutes to ensure their adherence to the Procedural By-law.

## **Conduct**

All members shall conduct themselves in a professional manner and with proper decorum. Appropriate courtesy and respect will be shown to all delegations, to each other as members, and to all those who appear before or with the board/committee.

Members shall recognize that there are legitimate differences in opinions. Comments and language shall be courteous and non-derogatory, ensuring that neither offence nor embarrassment is caused.

Members shall remain on topic when discussing agenda items.

Members shall review the Code of Conduct for Committee/Board Members with the Municipal Clerk at the beginning of each term and sign a statement of commitment to adhere to the Code. This affirms the Member's understanding and willingness to abide by the code of conduct, which will stay on file with the Municipal Clerk.

The Code of Conduct applies to board/committee volunteers and will be strictly enforced. The Clerk and/or the CAO, at the direction of Council, shall dismiss a member in violation of this committee/board member code of conduct after two clear warnings have been served on the violating member, on the advice of Council, or wherever it is noted that a Member shall be removed in these Terms of Reference.

## **Budget and Expenses**

Boards and committees that may incur expenses must ensure such expenses are administered through the assigned staff liaison. The budget will generally include expenses such as:

- Remuneration to board/committee members to attend meetings where such members are paid board/committee members (for example Committee of Adjustment, Amherstburg Accessibility Advisory Committee);
- Mileage for board/committee members where a board/committee member is travelling to attend workshops, conferences or other training relevant to that committee;
- Meals for board/committee members while travelling to attend workshops,

- conferences or other training relevant to that committee;
- Costs for committee members, excluding the staff liaison, to attend workshops, conferences and other training;
- Other costs that may be specific to the legislative mandate of the committee.

Budgets shall not include projects, supplies or work that will be carried out by Town of Amherstburg's departments or contractors and other vendors, as these costs will be included in the appropriate budget. Any projects or work deemed necessary by a board or committee will be recommended to Council by way of a motion and such motion will be included in the board/committee minutes.

Budgets shall be prepared annually in the format provided above and shall be submitted to the Town Clerk no later than the first working day in October. Questions regarding the preparation of budgets should be directed to the Municipal Clerk and/or Treasurer.

Boards and committees will not apply for grant funding without the prior approval of the Chief Administrative Officer or Treasurer. The Chief Administrative Officer or Treasurer will determine if Council approval is required.

Expenses incurred by a board/committee against an approved budget shall be detailed in the agenda of the board/committee meeting and will be ratified as part of the meeting business.

In the event a board/committee has been approved a budget to carry out the mandate of the board/committee, a staff liaison shall be appointed by the Town as Treasurer for that board/committee. A person so appointed by the Town, shall oversee the finances of the board/committee and ensure that all purchases by the board/committee are in accordance with the Town's Procurement Policy.

## **Insurance Coverage**

Appointees to the Town's boards and committees and their activities are covered under the Town's insurance policies.

All persons appointed to a board/committee by Town Council are covered by the Town's insurance provider. The insurance policy includes coverage against general liability claims made by another person resulting from activities as a board/committee member.

Board/committee members and the people volunteering their time to the board/committee are required to follow Town policies. The board/committee must ensure that volunteers are: aware of and abide by applicable Town policies; that they understand who they report to; that they are provided with proper tools; that they are given proper instructions as to their duties and responsibilities; and that they are provided with all required health and safety instructions and training.

All events must be approved by the Town.

Any board/committee sponsored event must be supervised by board/committee member(s).

Where there is an incident or accident at any of these events, where a person or property is (potentially) injured or harmed, the board/committee member or representative must report it to the Town Clerk immediately.

### **Role of the Clerk's Department**

The Town Clerk is responsible for carrying out the direction of Council with respect to the recruitment of board/committee members and the filling of vacancies.

The Town Clerk is available to answer questions, provide guidance and advice with respect to appropriate legislation.

The Town Clerk is responsible for preparing relevant documentation, information and notifying the boards/committees of any legislative changes impacting each Board/Committee.

The Town Clerk is responsible for ensuring the Board/Committee minutes and agendas are prepared in accordance with the policies outlined in this terms of reference, that minutes are being submitted for inclusion on the Council agenda in the prescribed time period and ensuring agendas and minutes are posted, by the staff liaison, to the Town website.

Pursuant to the Municipal Act, the Town Clerk is responsible for records and information management. Under the Act, any person has the right to inspect the records of the municipality subject to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

## ***Appendix “A” - Boards/Committees Mandates***

### **Local Boards:**

#### **Essex County Library Board**

The Essex County Library Board members act as a conduit with the community to exchange information and value. Board members are to provide guidance & leadership to assist librarian and staff.

Council shall appoint 1 nominee to be submitted to the Essex County Striking Committee to serve as a representative on the Essex County Library Board.

If the appointee is the Deputy Mayor or Mayor, the Town must submit a second layperson nominee. A layperson can be a member of the general public or a Councillor.

The Essex County Striking Committee reviews the nominees received and makes recommendations to County Council for approval.

#### **Essex Region Conservation Authority**

ERCA determines policy decisions and approval, final budget, major projects such as land acquisitions, major capital equipment purchases, conservation area development, floodplain studies, shoreline protection, etc., as set out in the current budget, as well as the hiring/dismissal of the General Manager/Secretary-Treasurer.

Council may appoint 2 Council members or one Councillor and one layperson.

#### **Essex Power Board of Directors**

Pursuant to an agreement among the municipalities of Leamington, LaSalle, Amherstburg and Tecumseh, the Essex Power Corporation was formed to provide hydro-electric services to those communities.

Each municipality shall appoint 1 Council member.

## **Statutory Committees:**

### **Accessibility Advisory Committee (AAAC)**

The Accessibility for Ontarians with Disabilities Act (AODA) provides that municipalities must establish an Accessibility Advisory Committee. The Committee shall advise Council about the preparation, implementation and effectiveness of the municipality's Accessibility Plan for all municipal properties, facilities and services as the regulations prescribe. The Committee is also responsible for carrying out all obligations of an Accessibility Advisory Committee as established by the AODA.

Currently the Committee is comprised of 1 member of Council and 6 appointed lay members from the community. The AODA requires that a majority of members shall be persons with disabilities.

### **Committee of Adjustment (CoA)**

The Committee of Adjustment is responsible for holding hearings under the Planning Act with respect to minor variances from the Town's Zoning By-law and applications for consents to sever which result in the creation of new lots or lot additions.

Currently the Committee is comprised of 5 appointed lay members from the community.

### **Property Standards Committee (PSC)**

This Committee is legislated by the Ontario Building Code and in accordance with the Town's Property Standards By-law. The Property Standards By-law provides for a Property Standards Committee comprised of 5 appointed lay members. The Property Standards Committee considers appeals from orders issued by the Property Standards Officer.

### **Election Compliance Audit Committee (ECAC)**

In accordance with the Municipal Elections Act, 1996, Council must establish an Election Compliance Audit Committee. The Committee must be comprised of persons with accounting and audit, academic or legal backgrounds and/or other individuals with knowledge of election campaign finances.

Members should have a demonstrated knowledge and understanding of municipal election campaign finances; proven analytical and decision-making skills; experience working on a committee, task force or similar setting; and good oral and written communication skills.

The Committee shall perform the duties related to the compliance audit application process as outlined in the Act, including:

- considering a compliance audit application received by an elector and deciding whether the application should be granted or rejected;
- appointing an Auditor if the application is granted;
- receiving the Auditor's report;
- reviewing the Auditor's report and deciding whether legal proceedings should be commenced; and
- determining whether to recover the costs of conducting the compliance audit from the applicant, if the Auditor's report indicates there were no apparent contraventions and, if there were no reasonable grounds for the application.

The Election Compliance Audit Committee is comprised of 3 lay members from the community. Employees of the Town of Amherstburg, Council members and any candidates in the most recent municipal election or in any by-election during the term of Council are ineligible to be appointed as a member of this Committee.

### **Fence Viewer Committee**

The Council of every local municipality shall by by-law appoint such number of fence-viewers as are required to carry out the provisions of the Line Fences Act.

The Fence Viewer Committee is comprised of 5 lay members from the community.

### **Livestock Evaluator Committee**

Where a dog/wildlife kills or injures livestock or poultry, the local municipality in which the killing or injury occurred is liable to the owner of the livestock or poultry for the amount of damages that is determined by a valuer. The amount shall be paid to the owner within 30 days of the determination. Council shall appoint one or more persons as valuers of livestock and poultry for the purposes of this Act.

The Livestock Evaluator Committee is comprised of 5 lay members.

### **Drainage Board**

The Drainage Board acts as the facilitator in carrying out the procedures under the Drainage Act. It considers all drainage matters inclusive of the Meeting to Consider and Court of Revision. The following are the specific purposes and functions of the Board:

- Conduct a meeting to consider the preliminary and/or final report in accordance with Sections 10(2) and 42 of the Drainage Act and decide on adoption of the report.
- Sit as a Court of Revision (3 members) as defined in Section 97 of the Drainage Act to hear appeals on assessments as outlined in Sections 52 to 56 of the Drainage Act and make final decisions as a Court.
- Hear all resident complaints respecting drainage matters.
- Assist administration in creation/revision of drainage policies and procedures for the consideration and approval of Council.

- The Board may recommend to Council the expulsion of a member for reasons as listed, but not limited to, a member in contravention of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act, the Provincial Offences Act, the Municipal Conflict of Interest Act; disrupting the work of the Board, or other legal issues.

The Drainage Board is comprised of 5 lay members and are appointed by by-law.

### **Parks and Recreation Advisory Committee (PRAC)**

The Parks and Recreation Advisory Committee is appointed under the Ministry of Tourism and Recreation Act and Regulation 797, by by-law and advises Council on matters relating to the beautification, horticulture, forestry and landscaping initiatives of the Town's green space and parks. The Committee is not mandatory under legislation however shall:

- promote tourism and recreation in Ontario to residents of Ontario and other jurisdictions;
- cause the Ministry to stimulate employment and income opportunities through the effective development of tourism and recreation;
- encourage and support the use of parks, tourist facilities and attractions in Ontario;
- ensure that adequate opportunities are available to all residents of Ontario to pursue recreational, sports and fitness activities appropriate to their needs and interests;
- provide recreational, sports and fitness resources to municipalities and to provincial recreational and sports organizations; and
- encourage and promote improvement in the standards of accommodation, facilities and services offered to the travelling and vacationing public.

The Parks and Recreation Advisory Committee is comprised of 2 Council members and 5 lay members from the community and are appointed by by-law.

### **Licensing Committee**

The Licensing Committee is appointed by Council to hear matters related to licenses being issued, revoked, suspended or having conditions placed upon it. The Committee shall determine the outcome of matters brought before the Committee in accordance with the procedures established under the provisions of the Statutory Powers Procedure Act while upholding the Licensing and Short-Term Rental By-laws, as amended.

The Licensing Committee is comprised of 5 lay members from the community and are appointed by by-law.

## **Advisory Committees:**

### **Co-An Park Committee**

The Co-An Park Committee was established pre-amalgamation by the former

Township of Colchester North (now Town of Essex) and the former Township of Anderdon (now Town of Amherstburg). The Committee oversees the operation, maintenance and management of the park and its personnel in accordance with the Co-An Park Agreement.

Co-An Park is comprised of 1 Council member and 3 appointed members from the public for each municipality.

**Economic Development Advisory Committee (EDAC)**

The role of the Economic Development Advisory Committee (EDAC) is to advise Town Council on matters related to the Town’s socio-economic development including:

- supporting and enhancing the Town of Amherstburg strategic plan and other economic development programs;
- opportunities, tools, policies and by-laws to support existing business retention and expansion and new business investment and attraction;
- funding opportunities from both Federal and Provincial levels of government to be used for programs and projects to support economic and community initiatives.
- facilitating communication between various business, commerce, and marketing organizations in Amherstburg and with the community-at-large regarding business, investment, and community development.

EDAC is comprised of 2 Council members and 5 appointed members from the public.

**Ad-Hoc Committees:**

N/A

**New Committees:**

Prior to establishment, any new committee must have a clear written mandate that must be approved by motion of Council.