

## **The Corporation of the City of Peterborough**

### **By-Law Number 07- 041**

#### **A By-Law to Establish an Arenas, Parks And Recreation Advisory Committee**

Whereas Council passed By-law 1959-107 to approve the establishment of a Board of Parks Management, in accordance with the provisions of the Public Parks Act;

And Whereas Council passed By-Law 1975-177, A By-law to authorize the Carrying on of a Community Programme of Recreation within the meaning of the Regulations under the Department of Education Act, to create a Community Programme of Recreation to be conducted by the Peterborough Recreation Committee;

And Whereas Council passed By-Law 1983-58, A By-Law to Authorize the Carrying on of a Community Programme of Recreation within the meaning of the Regulations under the Ministry of Culture and Recreation Act, in part to merge the Recreation Committee with the Board of Parks Management to form the Parks and Recreation Board;

And Whereas Council passed By-Law 98-152, to extend the term of office for members of the Parks and Recreation Board;

And Whereas the Province of Ontario has repealed the Public Parks Act;

And Whereas Council approved the formation of an Arenas Committee on February 23, 2004;

And Whereas it is desirable that a single citizen advisory committee be appointed to advise and support the Arenas, Parks (Public Works) and Recreation Divisions on matters relating to arenas; parks, urban forestry, horticulture, open spaces, and recreational use of trails; and recreational programmes, facilities and services.

#### **Now Therefore the Corporation of the City of Peterborough by the Council Thereof Enacts as Follows:**

1. An advisory committee, to be called the Arenas, Parks and Recreation Advisory Committee (hereinafter called the "Advisory Committee") is hereby established to advise and support the Arenas, and Recreation Divisions of the Community Services Department and the Parks section of the Public Works Division of the Utility Services Department (hereinafter referred to as the "Divisions"); and to advise and formulate policies for recommendation to the Council of the Corporation of the City of Peterborough (hereinafter referred to as "Council") and/or City Staff (hereinafter referred to as Staff) on arenas, parks, and recreation matters.

## 2. Roles and Responsibilities

### 2.1 The Advisory Committee shall:

- (a) advise and support the roles and responsibilities of the Divisions as requested by Council and/or staff;
- (b) inform and advise Council and/or Staff on matters relating to arenas, parks, urban forestry, horticulture, open spaces, trails and recreational programmes, facilities and services (hereinafter referred to as Arenas, Parks and Recreation);
- (c) act as a public forum when requested by Council and/or Staff to engage and receive public input relating to Arenas, Parks, and Recreation matters;
- (d) approve volunteer groups to be covered by the City's insurance program, for activities within the areas which are outlined in this By-law;
- (e) review proposals for use of the Tollington Parks Endowment Fund and make recommendation to Council for projects to be funded from the annual disbursement of accumulated interest;
- (f) assist with the development, implementation and evaluation of long term/strategic plans and operational policies to direct the development and delivery of Arenas, Parks and Recreation activities in Peterborough;
- (g) encourage and recognize initiative and excellence in sports, recreation and leisure pursuits through programmes like the Civic Awards;
- (h) encourage and promote community awareness, appreciation, and support of Arenas, Parks, and Recreation activities and pursuits;
- (i) require its members to exercise Duty of Loyalty and Duty of Care by identifying and/or avoiding potential conflicts of pecuniary interest; by taking responsible action in good faith and in the best interests of the City; and otherwise acting in an ethical manner;
- (j) undertake other projects and activities of a similar nature as specifically directed by Council.

### 2.2 The Advisory Committee shall not be responsible for:

- (a) the daily operations of Arenas, Parks and Recreation programmes, facilities, and services;

- (b) administrative matters including the hiring of, or providing direction to, staff;
- (c) regular maintenance of parks, trails, and facilities;
- (d) operating and capital budgets/projects;
- (e) implementing projects and programmes; and
- (f) any matter which has been delegated by Council under any other by-law.

2.3 The Divisions shall:

- (a) support the roles and activities of the Advisory Committee;
- (b) serve as the lead resources for City Council and municipal departments and divisions on all Arenas, Parks, and Recreation matters;
- (c) plan, coordinate, direct, monitor and evaluate the development, provision, and maintenance of arenas, parks and recreation plans, policies, programmes, facilities, and services provided by the City;
- (d) encourage and support communication, cooperation and coordination among sports, recreation and leisure organizations;
- (e) encourage and promote community awareness, appreciation, and support of sports, recreation and leisure activities and pursuits;
- (f) provide advisory and technical support to sports, recreation and leisure organizations; and
- (g) encourage, support and coordinate community celebrations, special events, tournaments and sporting events.

### **3. Advisory Committee Membership**

3.1 The Advisory Committee shall be composed of seven (7) members, duly appointed by Council.

3.2 The Advisory Committee shall include:

- (a) two (2) Members of Council;
- (b) five (5) Community Members at Large;

- 3.3 In appointing the members of the Advisory Committee, Council shall consider:
- (a) the candidate's potential to contribute to the on-going development and support of the local Arenas, Parks and Recreation sector;
  - (b) Advisory Committee member responsibilities, duties, and skill sets as outlined in the Committee Member terms of reference;
  - (c) the specific needs of special projects and operational priorities as identified by the out-going Advisory Committee; and
  - (d) maintaining a balance of gender, age and the cultural diversity of the community on the Advisory Committee.

#### **4. Term of Office**

- 4.1 The member of Council shall hold office at the pleasure of Council.
- 4.2 The Community Members at Large shall hold office for four years with staggered terms, beginning on the first day in December, but every member shall continue in office until his or her successor is appointed.
- 4.3 To implement the staggered terms in the inaugural appointments, two members will be appointed for a two-year term; two will be appointed for a three-year term; and one will be appointed for a four-year term.
- 4.4 Any member of the advisory Committee whose term of office has expired may be eligible for reappointment.
- 4.5 The Advisory Committee shall declare a Member's seat vacant and shall provide notice thereof to Council through the City Clerk, if a Committee member,
- (a) is convicted of an indictable offence;
  - (b) becomes incapacitated;
  - (c) is absent from the meetings of the Advisory Committee for three (3) consecutive meetings, without leave of absence from the Advisory Committee or without reasons satisfactory to the Advisory Committee.
- 4.6 Council shall, as often as the office of a member of the Advisory Committee becomes vacant, appoint a successor hereto, who shall hold the office for the unexpired portion of the term of the former member.

## **5. Remuneration**

- 5.1 Members of the Advisory Committee shall serve without remuneration.
- 5.2 Members may be reimbursed for direct and appropriate expenses incurred in the fulfillment of their Advisory Committee responsibilities with prior approval by the Director of Community Services.

## **6. Officers**

- 6.1 At its first meeting in a new term, the Advisory Committee shall elect from their numbers a Chair who shall hold office at the pleasure of the Advisory Committee for a one-year term and is eligible for re-election.
- 6.2 The Chair shall:
  - (a) plan, direct and evaluate all Advisory Committee meetings;
  - (b) act as the Advisory Committee's spokesperson for matters relating to policy and governance;
  - (c) serve as signing officer for Advisory Committee minutes and official documents as required;
  - (d) sit as "Ex Officio" member on all "ad Hoc" and standing Committees;
  - (e) maintain regular liaison with the Division Managers and the Director of Community Services;
  - (f) fulfill other duties and responsibilities as outlined in the City's terms of reference for the position of Chair.
- 6.3 The Advisory Committee shall also elect from their number a Vice-Chair who shall have all the powers and duties of the Chair when the Chair is absent or unable to act, and who shall hold office for a one year term and is eligible for re-election.
- 6.4 The City Clerk shall provide a staff person as secretary to the Committee, who shall:
  - (a) administer correspondence of the Advisory Committee;
  - (b) record minutes of every meeting of the Advisory Committee; and
  - (c) ensure that the City's Procedural By-law is adhered to.

## **7. Advisory Committee Meetings**

- 7.1 The Advisory Committee will hold regular meetings, at such time and place as determined by the Committee, at least once monthly from January to June and September to November, and at such other times as it considers necessary.
- 7.2 The Chair and/or Divisional Managers may summon a special meeting of the Advisory Committee giving reasonable notice in writing to each member, specifying the purpose for which the meeting is called.
- 7.3 Four (4) members of the Advisory Committee shall constitute a quorum. Where a quorum is not present, the Advisory Committee may conduct the meeting without ratification of motions.
- 7.4 The meetings of the Advisory Committee shall be open to the public, and shall be conducted in accordance with the City's Procedural By-law. A meeting or part of a meeting may be closed to the public only as specifically permitted by, and in accordance with, the Municipal Act, 2001.
- 7.5 The agenda for meetings shall be prepared by the Director of Community Services in consultation with the division Managers and Committee Chair and should be distributed no less than five days before the meeting.
- 7.6 Advisory Committee Members wishing to raise an item of business at the Advisory Committee meeting shall notify the Chair, Director of Community Services, or Committee Secretary prior to the meeting in order for that item to appear on the agenda.

## **8. Sub-Committees**

- 8.1 The Advisory Committee may, at its discretion, establish Standing and Ad Hoc Committees on any matters considered by the Committee to require particular study.
- 8.2 The Advisory Committee shall require and approve the development of specific terms of reference for each committee established.
- 8.3 The Advisory Committee shall appoint at least one Member of the Advisory Committee to each such committee.
- 8.4 The Chair of any such committee shall be a Member of the Advisory Committee.
- 8.5 Standing and Ad Hoc Committees will report regularly and recommend courses of action to the Advisory Committee; and otherwise fulfill their respective responsibilities in accordance with the Committee's terms of reference.

**9. Role of City Staff**

- 9.1 The Director of the City's Community Services Department (hereinafter called the Director) shall coordinate staff and divisional interactions with the Advisory Committee.
- 9.2 The Directors of the Community Services Department and Utility Services Department shall attend the Advisory Committee meetings.
- 9.3 Division Managers shall attend the Advisory Committee meetings as required.
- 9.4 The Directors and Managers shall consult with the Advisory Committee Chair on matters relating to the Advisory Committee or its activities.
- 9.5 Prior to presenting recommendations to Council on any matter which is within the mandate of the Committee, as set out in this By-Law, the Director shall consult with the Committee.
- 9.6 Decisions of the Advisory Committee shall be communicated to the Director only by resolution of the Advisory Committee duly recorded in the minutes.

**10. Amendments**

- 10.1 The Advisory Committee shall review this By-law annually, and may propose amendments for the consideration of Council.

**11. By-laws 1983-58 and 98-152 are hereby repealed.**

By-law read a first, second and third time this 10<sup>th</sup> day of April, 2007.

(Sgd.) Henry Clarke, Deputy Mayor

(Sgd.) Leigh Doughty, Deputy Clerk