

BY-LAW NO. 2017- 12

FOR THE CORPORATION OF THE TOWNSHIP OF TUDOR AND CASHEL

BEING A BY-LAW TO ESTABLISH A ROADS COMMITTEE

WHEREAS Section 11. (2) 1. of the *Municipal Act, 2001*, as amended, provides a municipality to pass by-laws for the governance structure of the municipality and its local boards;

AND WHEREAS, Section 238. (2) of the *Municipal Act, 2001*, as amended, provides a municipality to pass a procedure by-law for governing the calling, place and proceedings of meetings;

AND WHEREAS, Council for The Corporation of the Township of Tudor and Cashel engages the advice and recommendations of individual citizens by establishing advisory committees as provided for in the Township's Procedural By-law;

AND WHEREAS, Council for The Corporation of the Township of Tudor and Cashel is committed to promoting efficient road maintenance within the Township;

AND WHEREAS, on the 06th day of November, 2012, Council of The Corporation of the Township of Tudor and Cashel enacted and passed By-law No. 2012-19 to govern the proceedings of Council.

NOW THEREFORE, Council of The Corporation of the Township of Tudor and Cashel enacts as follows:

1. DEFINITIONS

In this by-law:

"Act" means the Municipal Act, R.S.O., 2001, c. 25;

"Council" means the Council of The Corporation of the Township of Tudor and Cashel;

"Township" means The Corporation of the Township of Tudor and Cashel;

"Committee" means The Roads Committee;

2. ESTABLISHMENT, AUTHORITY AND PURPOSE

2.1 The Council of The Corporation of the Township of Tudor and Cashel hereby re-establish a Roads Committee to be known as the "Roads Committee" under the authority of the *Municipal Act*, as amended.

2.2 The Committee shall advise and assist Council on all matters related to roads and bridges maintenance and policies within the Township.

2.3 The Committee shall act under directives from Council as set by Resolution, as deemed necessary.

2.4 The Committee shall be deemed to be under the envelope of Municipal Insurance with respect to all activities performed on behalf of the Township.

3. TERMS OF REFERENCE/MANDATE

- 3.1 The mandate of the Roads Committee is to ensure that Tudor and Cashel Roads Department and rural interests are taken into account in the decisions and actions of Council and Staff. The Roads Committee's role is advisory. The committee will not have decision-making authority. The committee will make recommendations to council on issues pertaining to roads and bridges maintenance policies, equipment purchases, and other arising issues. Recommendations to council will be based on a none-record majority vote. The committee will attempt to stay ahead of the potential impacts of proposed policies, decisions and actions.
- 3.2 The Mandate may be reviewed every four (4) years, within a term of council, or more frequently as required. Council can initiate the review of the Mandate at their discretion.

4. COMMITTEE COMPOSITION

- 4.1 The Committee shall be made up of no less than five (5) members, at least one of whom shall be a member of Council and one of whom shall be the Administrative Assistant currently working for the Township or the delegate of the Administrative Assistant if that person is not able to attend a meeting.
- 4.2 A Committee member must be:
- (a) of legal voting age;
 - (b) residents and/or a property owner and/or spouse of a property owner of the Township;
 - (c) shall have a positive attitude and demonstrate initiative in assisting the Township.
- 4.3 Appointment Process will occur by having the Administrative Assistant advertise for such members, as required. Advertising may consist of all or one of the following: posting an ad on the Notice Board at the municipal office building, the municipal website, local newspaper and/or social media outlets.

5. MEETING PROCEDURES

- 5.1 Meetings shall be held monthly or at the call of the Chair, with the provision that at least four (4) meetings shall be held per year. The Committee shall generally establish a regular meeting schedule that may be reviewed from time to time.
- 5.2 The Chair shall consist of the member of Council or their delegate chosen amongst the Committee Members.
- 5.3 The secretary shall consist of the Administrative Assistant currently working for the Township or his/her delegate chosen amongst the Committee Members.
- 5.4 Term of office for Committee Members shall be for the term of Council and prescribed in the appointment by-law enacted by Council.
- 5.5 Term of office for a Committee Member shall continue until his or her successor is appointed, unless extenuating circumstances cause members to not be available to participate any longer.
- 5.6 At all meetings of the Committee, every question shall be decided by a non-recorded majority of vote.

6. QUORUM

6.1 A quorum shall consist of a simple majority of the members of the Committee.

7. ATTENDANCE

7.1 Members that are unable to attend shall notify the Administrative Assistant and/or staff liaison to report their absence prior to the meeting date and/or time.

7.2 If a member is absent for three (3) consecutive regular meetings, the Committee may recommend to Council to have the member removed from the Committee. Council shall have the final decision.

7.3 If a member of the Committee resigns, the Committee shall report the resignation to the Clerk as soon as practical to initiate the recruitment process to fill the vacancy.

8. REPORTING

8.1 The Committee shall report directly to Council through recommendations contained in their official minutes, or as a deputation if deemed appropriate, or at the request of Council.

8.2 Minutes of the Committee shall be received by Clerk at least one week prior to a regularly scheduled council meeting for circulation to all members of council.

8.3 The Committee shall work closely with the Administrative Assistant or any other staff of the Township, as required, but will not have supervisory authority over any staff.

8.4 Direction from Council to the Committee shall be communicated back through the Administrative Assistant and/or Clerk.

9. ESTABLISHED MUNICIPAL POLICIES, RULES AND PROCEDURES

9.1 The Committee shall abide by all municipal rules, policies or procedures unless otherwise authorized.

9.2 The *Municipal Act, 2001* and the *Municipal Conflict of Interest Act* shall bind all Committee members as it relates to disclosure of any direct, indirect or deemed pecuniary interest, closed meetings procedures, and any other requirements under the Acts, which pertain to the conduct of the member.

9.3 All records, documents and/or correspondence pertaining to the activity of the Committee are considered to be records of the Township and are subject to the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*.

9.4 The records of the Committee shall be retained and preserved in accordance with the Township's Retention By-law.

10. CONFIDENTIALITY

10.1 Committee Members will be required to use discretion with topics of discussion that may be of a sensitive matter during meetings.

10.2 Committee Members may cease to be a member of the Committee if they breach confidentiality. The Committee will make recommendation to Council to remove the member.

10.3 Members of the Committee are further governed by the *Municipal Freedom of Information and Protection of Privacy Act*.

11. LIABILITY

11.1 In carrying out the provisions of this By-law, the Committee shall at all times be the agent of the Municipal Corporation, and while acting within the limits of the authority of this by-law, neither the Committee nor any member thereof shall incur any liability by reason of anything done or left undone by the Committee; provided however, that nothing in this section contained shall authorize or empower the Committee to incur any debt, liability or obligation for which the Municipal Corporation shall become liable, or obligation for which the Municipal Corporation shall become liable without having previously obtained the consent of Council of the Township.

12. ENACTMENT

12.1 This By-law shall come into full force and effect on the date of final passing at which time all By-laws and/or Resolutions that are inconsistent with the provisions of this by-law and the same are hereby repealed or rescinded insofar as it is necessary to give effect to the provisions of this by-law.

PASSED THIS 07th day of March, 2017.

REEVE: WANDA DONALDSON

SEAL

CLERK: BERNICE CROCKER