

The Corporation of the Municipality of Brockton



By-Law 2022-034

Being a By-Law to Adopt the Revised Terms of Reference for the Brockton Parks and Recreation Committee

Whereas the *Municipal Act, 2001, S.O. 2001, c. 25*, Section 5(3), as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9; shall be exercised by By-Law;

And Whereas the Council of the Corporation of the Municipality of Brockton has established a Parks and Recreation Committee to enhance the quality of life for the residents and guests of Brockton through the provisions of facilities, recreation, leisure (trails) and parks (trees) and program services, including advising and supporting the efforts of the Brockton Parks and Recreation Department and staff on all aspects of the provision of leisure and recreation services throughout the Municipality of Brockton, and promoting and maintaining communication with the public on parks, trails and recreation needs;

And Whereas the Council of the Corporation of the Municipality of Brockton is desirous in adopting a revised Terms of Reference for the Brockton Parks and Recreation Committee;

Now Therefore the Council of the Corporation of the Municipality of Brockton **Enacts as Follows:**

- 1.0 That the revised Terms of Reference for the Brockton Parks and Recreation Committee as attached as Schedule "A" and forming part of this By-Law be hereby adopted.
- 2.0 That this By-Law shall come into effect upon final passage.
- 3.0 This By-Law may be cited as the "Brockton Parks and Recreation Committee Terms of Reference By-Law".

Read, Enacted, Signed and Sealed this 8th day of March, 2022.

Mayor – Chris Peabody

Director of Legislative and Legal Services (Clerk) –
Fiona Hamilton



Brockton Parks and Recreation Committee –Terms of Reference

Mandate

The aim of the Brockton Parks and Recreation Committee is to enhance the quality of life for the residents and guests of Brockton through the provisions of facilities, recreation, leisure (trails) and parks (trees) and program services.

The Brockton Parks and Recreation Advisory Committee is to advise and support the efforts of the Brockton Parks and Recreation Department and staff on all aspects of the provision of leisure and recreation services throughout the Municipality of Brockton, and promoting and maintaining communication with the public on parks, trails and recreation needs.

The Brockton Parks and Recreation Committee is a Committee of Council, acting as an advisory body to the Council regarding use and needs of Brockton's parks and recreation facilities.

Definitions

For the purposes of this By-Law, the following definitions shall apply and have the following meanings:

"Act"

Shall mean the *Municipal Act, 2001* S.O. 2001, c. 25 as amended.

"Brockton"

Shall mean the Corporation of the Municipality of Brockton

"Committee"

Shall mean persons appointed by Council to the Brockton Parks and Recreation Committee.

"Council"

Shall mean the Council of the Corporation of the Municipality of Brockton consisting of the Mayor, Deputy Mayor and five Councillors.

“Councillor”

Shall mean a person elected or lawfully appointed to the Council of the Corporation of the Municipality of Brockton, but does not include the Mayor or Deputy Mayor.

“Chair”

Shall mean the member who presides at the Brockton Parks and Recreation Committee meeting.

“Clerk”

Shall mean the Municipal Clerk or Deputy Clerk or designate duly appointed by Brockton Council as prescribed in Section 228 of the Act and designated by By-Law.

“Delegation”

Shall mean a person or group of persons who are not Members of Council or Brockton staff who have requested and are permitted to address the Committee, individually or on behalf of a group.

“Director”

Shall mean the Director of Community Services of the Brockton Parks and Recreation Department.

“Minutes”

Shall mean a record of the proceedings and decisions of the Committee at the meeting, and shall be made by the Secretary of the Committee without note or comment.

“Secretary”

Shall be the Director of Community Services, or a person designated by the Director.

Structure

The Committee shall be composed of residents residing in the Municipality of Brockton who demonstrate a strong commitment to overall parks and recreation services and benefits.

The Committee shall consist of no less than seven (7) members voting members appointed by By-law and shall be Brockton residents over the age of 18. If advertising for community members fails to generate sufficient membership then Council may appoint individual Councillors to sit on the Committee.

The Director of Community Services shall attend all Committee meetings and act as a staff resource on the Committee in a non-voting capacity. The Director of Community Services shall act as Committee Secretary, or appoint a designate.

The Director of Community Services for the Municipality of Brockton shall be the lead person on the committee providing Committee members with information/concerns with respect to facilities, recreation, leisure (trails) and parks (trees) in Brockton.

A member of the Committee shall be Chair of the Committee to be elected by the committee at the first meeting following a new term of Council.

The Mayor may attend all Committee meetings as an ex-Officio member and shall be entitled to vote, but shall not form part of the quorum unless they are already an appointed member.

The selection process of the members appointed to the Committee is at the sole discretion of Council and Council's decision is final.

Committee members are expected to adhere to the Brockton Council Code of Conduct. Failing to abide by the Council Code of Conduct may result in the Committee member being immediately dismissed from the Committee, following written notice.

The Brockton Parks and Recreation Committee may appoint sub-Committees to assist with specific projects related to parks and facilities within Brockton at the discretion of the Director, (such as the Tree Committee, and Saugeen River Trail Committee), including a representative from the Saugeen Conservation Authority and Rotary Club of Walkerton.

Term

The Committee shall be appointed for the term of Council, but shall continue until such time as new Committee members are appointed by a new Council following an election.

Every Member shall be eligible for re-appointment to the Committee; they must express their intent to continue on the Committee to the Clerk's office, in writing in an election year, if applicable.

Council has the right to not re-appoint a Member, in its sole and absolute discretion, and to seek out new members as Council may see fit at any time.

Resignations from the Committee must be in writing addressed to the Director of Community Services.

Administration

1. The Committee will adhere to all aspects of Brockton's Procedural By-Law. Committee members are expected to adhere to the Brockton Council Code of Conduct. Failing to abide by the Council Code of Conduct may result in the Committee member being immediately dismissed from the Committee, following written notice.
2. Minutes shall be kept of all Meetings and forwarded to the Clerk by the Committee Secretary, once adopted.
3. The Committee shall hold regular quarterly meetings on the first Monday during the months of March, June, September, and December at a Brockton Municipal Facility, and or participate electronic meetings that are open to members of the public should

external influences prohibit the ability to meet in-person. The Committee can also hold meetings at the call of the Chair.

4. The meeting schedule and agendas will be posted on the Brockton website.
5. Where the Chair has advised the Secretary that he or she shall not be present at the meeting, the Vice Chair shall be advised of the Chair's absence by the Secretary as soon as practicable.
6. A Quorum of Members shall be a majority of Committee members and shall be required to conduct any Committee business.
7. If no Quorum is present within fifteen (15) minutes after the hour appointed for a Meeting, the Secretary shall record the names of those present and the Meeting shall stand adjourned until the next meeting. Those present may choose to continue meeting for discussion purposes only, but no decisions to advance the business of the committee shall be made.
8. Council, on the recommendation of the Committee, may declare vacant the seat of any Member who has missed three (3) or more consecutive Committee meetings without submitting regrets to the Secretary.
9. A person who would like to appear as a delegation or make a presentation at a meeting of the Committee must submit a copy of their delegation report or presentation to the Director by 1:00 p.m. one week prior to a Committee meeting.
10. The subject matter of the delegation or presentation must be a matter within the committee's mandate, as determined by the Director, who may refuse a delegation when the subject matter is beyond the jurisdiction of the Committee.
11. No person other than the designated spokesperson may speak on the matter and not for more than ten (10) minutes, unless an extension is permitted by the Chair.
12. The Director shall have the authority to determine whether sufficient detail has been provided in preparation for a delegation or presentation and to request additional information as required from the presenter.
13. All Committee meetings are open to the public. The Committee may enter into a closed session only for the reasons enumerated in Section 239 (2) of the Act. The Director or Secretary shall take minutes of the closed session and provide these minutes to the Clerk of the Municipality once approved. The Director or Secretary may advise the Chair if, in their opinion, the item to be discussed does not meet the criteria in Section 239 (2) of the Act.

Role of Committee Members

1. To promote the development of recreation and leisure services throughout all of Brockton.
2. To consult with, advise and make recommendations to the Council on matters affecting the development and maintenance of recreation facilities, programs and services.
3. To provide input into agreements entered into by the Director and/or Council for the enhancement of recreation opportunities in Brockton.
4. To be consulted whenever it is proposed to lease, sell or to otherwise dispose of any municipal land that is held for park purposes or for other public recreation purposes and whenever it is proposed to purchase or otherwise acquire land for public recreation purposes.
5. To annually review the goals and strategies of the Brockton Parks and Recreation Department and to provide advice and guidance to the Director on matters pertaining to department policies, practices and programs concerning parks, trails, trees, recreational activities and municipal beautification.

Financial

1. All purchasing, handling of revenue and issuing of cheques shall be done in accordance with the applicable Brockton policies and shall be done only by the Director or designated staff. All accounting for the Committee shall be centralized in the office of the Treasurer of Brockton.
2. Financial information pertaining to the Committee shall be made available to Members at regularly scheduled meetings.