



## BY-LAW

NO. 2024 –

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### Being a By-law to Adopt a Terms of Reference for The Accessibility Advisory Committee

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**Whereas** pursuant to the Municipal Act, Sections 8 and 9 provides that 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; and

**Whereas** pursuant to the Accessibility for Ontarians with Disabilities Act, Section 29, provides that a municipality having a population of not less than 10,000 shall establish an accessibility advisory committee; and

**Whereas** the Council of the Corporation of the Municipality of Kincardine desires to update the Terms of Reference for the Accessibility Advisory Committee; now therefore be it

**Resolved** that the Council of The Corporation of the Municipality of Kincardine **Enacts** as follows:

1. That the Terms of Reference for the Accessibility Advisory Committee for The Municipality of Kincardine, attached hereto as Schedule 'A' and forming part of this By-law, be adopted.
2. That this By-law shall come into full force and effect upon its final passing.
3. That all other Terms of References and By-laws inconsistent with this By-law be repealed.
4. That By-law may be cited as the "Accessibility Advisory Committee Terms of Reference By-law".

**Read a First, Second and Third Time and Finally passed** this 26<sup>th</sup> day of June, 2024.

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Mayor

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Clerk

**Accessibility Advisory Committee (AAC)**

**Terms of Reference**

**Date Approved:**

**Term of the Committee: Statutory**

**Start Date: Term of Council**

**Lead Department: Legislative Services**

**Point of Contact: Deputy Clerk**

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**1. Mandate**

The Municipality of Kincardine Accessibility Advisory Committee was formed to comply with the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) which requires every municipality having a population not less than 10,000 to establish an Accessibility Advisory Committee.

**2. Goals and Objectives**

The Committee is responsible for making recommendations to Council and Staff, that considers the needs and rights of persons with disabilities and assures maximum integrated accessibility for all citizens.

The Committee will fulfill the requirements of the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) by providing vision to the Council and Staff of the Municipality of Kincardine to create an accessible and inclusive community.

**3. Strategic Plan Priorities**

C.11-Create improvements in inclusion, diversity, equity and access

**4. Key Success Factors and Performance Indicators**

1. As per Section 29(4) of the AODA, the committee shall,
  - (a) advise the council about the requirements and implementation of accessibility standards and the preparation of accessibility reports, Kincardine's Multi-Year Accessibility Plan and Annual Public Status update and such other matters for which the Council may seek its advice under subsection Section 29 (5) of the AODA;
  - (b) review in a timely manner the site plans and drawings described in section 41 of the Planning Act that the committee selects; and
  - (c) perform all other functions that are specified in the AODA Regulations.
2. As per Section 29(5) of the AODA, Council and/or Staff shall seek advice from the Accessibility Advisory Committee on the accessibility for persons with disabilities, to a building, structure or premises, or part of a building, structure or premises:
  - a) that the Council purchases, constructs or significantly renovates;
  - b) for which the Council enters into a new lease;
  - c) that a person provides as a municipal capital facilities under an agreement entered into with the council in accordance with section 110 of the Municipal Act, 2001.
3. Other duties approved by Council:
  - a) Support, encourage and be an ongoing resource to the Municipality by educating and building community awareness about measures to improve the quality of life for persons with disabilities;
  - b) Catalog and prioritize accessibility issues related to existing Municipal facilities at least annually to be included in the Annual Public Status Update;
  - c) Consult with persons with disabilities, community groups and organizations representing persons with disabilities in order to capture and communicate emerging issues to Council;
  - d) Advocate and educate on accessibility matters; and
  - e) Network with other municipal, county and Provincial Accessibility Advisory Committees;

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- f) Provide input to Council and Staff with the Facility Accessibility Design Standards (FADS) for all municipal parks and facilities, when requested; and
- g) Prepare proposed budget items to be submitted to the Clerk by October 15th in each year for discussion in the draft administration budget.

**5. Structure**

1. The Committee shall consist of:

- a. **Six (6) public members (at least 50% with disabilities); and**
- b. **One (1) Council member**

**Each having an equal vote. In order to have quorum, the Committee shall have a majority of members present during a meeting.**

2. Staff support will be provided by the Legislative Services Department.
3. All recommendations for Municipal Council and staff on behalf of the Committee, must be approved by Resolution of the Committee.
4. Create a Working Group from existing members, for a specific project.

**6. Membership**

**1. Roles and Responsibilities**

a. The Chair

The responsibilities of the Chair are to:

- Be elected annually by vote of members present at the first meeting of the year.
- Preside over all meetings;
- Ensure adherence to the Council approved Terms of Reference;
- Consult with the Staff Liaison on items of business intended for inclusion for the Committee agendas;
- Maintain regular communication with assigned Staff Liaison;
- Follow the Code of Conduct for Council Members, Local Boards and Committee Members; and
- Make linkages to other issues/matters/actions being taken by Council.

b. Vice Chair

The responsibilities of the Vice Chair are:

- Be elected annually by vote of members present at the first meeting of the year;
- Follow the Code of Conduct for Council Members, Local Boards and Committee Members; and
- Act as Chair in the absence of the Chair.

c. Council Member

The responsibilities of the Council Member are:

- Act as spokesperson for the Committee;
- Provide insights into the kind of information and the types of questions to be answered to assist Council in its deliberations on the issues/matters being considered by the Committee.

d. Public Committee Members

General membership consists of community members. The responsibilities of Public Committee Members include:

- Attend every meeting where possible;
- Be prepared for the meeting by reading the agenda ahead of the meeting;
- Follow the Code of Conduct for Council Members, Local Boards and Committee Members;

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e. Member Qualifications

Appointments of Members to the Accessibility Advisory Committee are to be undertaken as prescribed in the Municipality of Kincardine Advisory Committee of Council Public Appointment Policy.

The following qualifications should be considered for appointing members to the Committee:

- Be aware of the Accessibility for Ontarians with Disabilities Act and associated Legislation and the Committee's Terms of Reference;
- Provide technical or subject matter expertise to inform decision making;
- Contribute to work products / deliverables that have been committed by Council;
- Awareness and knowledge of accessibility in the Municipality of Kincardine;
- Have relevant work and volunteer experience, demonstrated expertise, and interest and participation in accessibility; and
- Ability to attend regular meetings.

f. Staff Liaison

The Deputy Clerk will be the Municipal Staff Liaison to the Committee. The Staff Liaison is authorized to commit 10 hours per month in support of the Committee.

The role of Staff Liaison is to:

- Correspond with members of the Committee;
- Is without voting privilege;
- Act as the Committee Secretary;
- Prepare Meeting Packages in co-operation with the Chair, for delivery to all members at least two (2) working days prior to the meeting;
- The meeting package should include the previous minutes and copies of any information for discussion;
- Give notice of Meetings and prepare all correspondence as directed by the Committee;
- Preserve all records and correspondence in an organized manner; and
- Act as resource personnel for Municipal Policies and Procedures and the Municipality of Kincardine Procedural By-law.

**7. Reporting Structure**

The Committee is responsible for providing Council with an annual report prepared by the Staff Liaison that includes (but is not necessarily limited to):

- Committee mandate;
- Goals and Objectives;
- An overview of the work completed by the Committee in its pursuit of achieving its mandate (e.g., what activities were undertaken, what discussions were had, what strategic questions came up);
- Key successes;
- Presentation of advice to Council and explanation of rationale, analysis, data, etc. that supports the advice; and
- Policy, financial, stakeholder, other risk assessment of the advice.

**8. Public Communications**

The Committee is expected to adhere to the following public communications protocols:

- The Chair or their designate will act as the spokesperson for the Committee;
- The Chair or designate will represent the Committee at any official functions;

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- Coordination of any communication pieces/advertisements, etc., shall be through the Staff Liaison including promotion of the progress of initiatives, plan updates, and engagement activities; and
- Agenda meetings and minutes will be posted on the Municipal website.

**9. General**

**1. Frequency of Meetings**

Committee meetings will typically be one to two hours in length and will be held on a monthly basis, as needed.

**2. Procedures**

The Municipality of Kincardine Procedure By-law shall serve as the rules of procedure for this Committee.

**3. Meetings**

**All Meetings shall conform to the Municipality of Kincardine Procedural By-law.**

**4. Relevant Policies**

- Code of Conduct for Council, Local Board, and Committee Members
- Volunteer Management Policy
- Recruitment and Appointment of Advisory Committees of Council and Local Boards Policy
- Advisory Committees of Council and Local Boards – Administration Policy
- Staff Council Relations Policy