

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 11-149

BEING A BY-LAW TO ESTABLISH AN ACCESSIBILITY ADVISORY COMMITTEE

WHEREAS, pursuant to Section 29 of the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA), the Council of every municipality having a population of not less than 10,000 shall establish an accessibility advisory committee or continue any such committee that was established before the day this section comes into force. 2005, c.11, s.29(1);

AND WHEREAS, the Council of the Corporation of the City of Peterborough appointed the Council for Persons with Disabilities as the City of Peterborough's Accessibility Advisory Committee on September 16, 2002 through Report FACLK02-008 dated September 9, 2002;

AND WHEREAS, the Council of the Corporation of the City of Peterborough approved the separation of the Council for Persons with Disabilities and the Accessibility Advisory Committee of Peterborough through Report CP11-004 on October 24, 2011.

NOW THEREFORE THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF HEREBY ENACTS AS FOLLOWS:

1. ESTABLISHMENT OF COMMITTEE

An advisory committee, to be called the Accessibility Advisory Committee (hereinafter called the "Advisory Committee"), is hereby established to advise and support City staff and advise for recommendations to the Council of the Corporation of the City of Peterborough, (hereinafter called the "Council") about the requirements and implementation of accessibility standards, the preparation of accessibility reports and such other matters for which the Council may seek its advice.

2. MANDATE

The Advisory Committee, in accordance with the *Ontarians with Disabilities Act, 2001* (ODA) and the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) shall advise and assist Council and staff in promoting and facilitating accessible City goods, services and facilities. This shall be achieved through the review of municipal policies, programs and services and the identification, removal or prevention of barriers faced by people with disabilities.

3. ROLES AND RESPONSIBILITIES

In accordance with the AODA legislation, the Council of every municipality having a population of not less than 10,000 shall establish an Advisory Committee. The majority of the members of the committee shall be people with disabilities.

- 3.1 a. The Advisory Committee shall advise Council about
 - i. the requirements and implementation of accessibility standards;
 - ii. the preparation of accessibility reports; and,
 - iii. such other matters for which the Council may seek its advice,

- b. Review the site plans and drawings for new development described in section 41 of the *Planning Act*, in a timely manner;
 - c. Advise Council on the accessibility for people with disabilities to a building, structure or premises, or part of a building, structure or premises;
 - i. That Council purchases, constructs or significantly renovates;
 - ii. For which Council enters into a new lease;
 - iii. That Council designates as a municipal capital facility under an agreement entered into with Council in accordance with section 110 of the *Municipal Act, 2001*; or,
 - iv. Existing facilities owned, leased or operated by the City of Peterborough.
 - d. Advise Council of the preparation, implementation and effectiveness of its accessibility plan according to the schedule mandated by the Province;
 - e. Perform all other functions that are specified in the regulations;
 - f. Review, and make recommendations on, barriers faced by people with disabilities in existing facilities owned, leased or operated by the City of Peterborough;
 - g. Review and monitor existing and proposed City policies such as the Purchasing By-law, the Licencing By-law to ensure respect for the accessibility of people with disabilities;
 - h. Advise Peterborough Transit and the City's service delivery partners on transportation issues and how to further enable barrier-free access; and,
 - i. Manage and approve distribution of funds from the Access Fund.
- 3.2 The Advisory Committee shall not be responsible for:
- a. Administrative matters including the hiring of, or providing direction to, staff;
 - b. Operating and capital budgets/projects;
 - c. The daily operations of the Accessibility Office; and,
 - d. Accessibility awareness to the general public as mandated to the Council for Persons with Disabilities.
- 3.3 The Accessibility Coordinator, a City staff position, shall:
- a. Support the roles and activities of the Advisory Committee;
 - b. Prepare correspondence of the Advisory Committee; and,
 - c. Serve as lead resource for City Council and municipal departments and divisions on all Accessibility matters.

4. **ADVISORY COMMITTEE MEMBERSHIP**

- 4.1 The Advisory Committee shall be composed of nine (9) members, duly appointed by Council and shall include:
- a. A minimum of five (5) people with disabilities. These committee members shall be representative of various disabilities;
 - b. A maximum of three (3) who may not have a disability but either represent children with disabilities or are interested in issues related to people with disabilities;
 - c. One member of City Council; and,
 - d. Members who shall become familiar with all the Accessibility legislation and the Terms of Reference for the AAC.
- 4.2 Transitional Provisions: The initial set up of the AAC includes an invitation to the members of the CPD to be on the AAC. As there are more than nine members of the CPD, there may be more than nine (9) members initially on the AAC.

5. TERM OF OFFICE

- 5.1 The member of Council shall hold office at the pleasure of Council.
- 5.2 Council shall, as often as the office of a member of the committee becomes vacant, appoint a successor hereto, who shall hold the office for the unexpired portion of the term of the former member.
- 5.3 The remaining members shall hold office for four years with staggered terms, beginning on the first day in January, but every member shall continue in office until his or her successor is appointed.
- 5.4 Any member of the Advisory Committee whose term of office has expired may be eligible for reappointment.
- 5.5 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; or,
 - 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.

6. REMUNERATION

- 6.1 Members of the Advisory Committee shall serve without remuneration.
- 6.2 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 Corporate Services.

7. OFFICERS

- 7.1 At the 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.
- 7.2 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 Accessibility Coordinator and the Director of Corporate Services;
 - f. Fulfill other duties and responsibilities as outlined in the City's terms of reference for the position of Chair; and,
 - g. Ensure that the City's Procedural By-law is adhered to.
- 7.3 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.

- 7.4 The City Clerk shall provide a staff person as secretary to the Committee, who shall:
- a. Distribute the agenda to committee members;
 - b. Record minutes of every meeting of the Advisory Committee; and,
 - c. Advise on the City's Procedural By-law as required.

8. ADVISORY COMMITTEE MEETINGS

- 8.1 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.
- 8.2 The Chair and/or the Director of Corporate Services 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.
- 8.3 Five (5) 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.
- 8.4 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*.
- 8.5 The agenda for meetings shall be prepared by the Accessibility Coordinator in consultation with the Committee Chair and should be distributed no less than five days before the meeting.
- 8.6 Advisory Committee members wishing to raise an item of business at the Advisory Committee meeting shall notify the Chair or Accessibility Coordinator prior to the meeting in order for that item to appear on the agenda.
- 8.7 Members are expected to contribute their expertise during meetings.

9. SUB-COMMITTEES

- 9.1 The committee may, at its discretion, establish Standing and ad hoc Committees on any matters considered by the committee to require particular study.
- 9.2 The committee shall require and approve the development of specific terms of reference for each committee established.
- 9.3 The committee shall appoint at least one member of the committee to each such sub-committee.
- 9.4 The chair of any such sub-committee shall be a member of the committee.
- 9.5 Standing and ad hoc committees will report regularly and recommend courses of action to the committee; and otherwise fulfill their respective responsibilities in accordance with the Committee's terms of reference.

10. ROLE OF OTHER CITY STAFF

- 10.1 The Director of Corporate Services, or their designate, (hereinafter called the Director) shall coordinate staff and divisional interactions with the Advisory Committee.
- 10.2 The Director may attend the Advisory Committee meetings.
- 10.3 The Director shall consult with the Advisory Committee Chair on matters relating to the Advisory Committee or its activities.
- 10.4 Directors and Division Managers of other departments, or their designate, shall attend the Advisory Committee meetings as required.
- 10.5 Prior to presenting recommendations to Council on any matter which is within the mandate of the Advisory Committee, as set out in this By-Law, all Directors and Division Managers shall seek advice from the Advisory Committee.
- 10.6 Decisions of the Advisory Committee shall be communicated to the Director only by resolution of the Advisory Committee duly recorded in the minutes.

By-law read a first, second and third time this 12th day of December, 2011.

(Sgd.) Daryl Bennett, Mayor

(Sgd.) Natalie Garnett, Deputy Clerk