



**The Corporation of Norfolk County**

**By-Law 2017-55**

**Being a By-Law to Establish the Norfolk County Accessibility Advisory Committee.**

**WHEREAS** the Ontarians with Disabilities Act, 2001, S.O. 2001, c. 32, requires the establishment of an Accessibility Advisory Committee;

**AND WHEREAS** Sections 5 and 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provide that the powers of the Municipal Council shall be exercised by by-law, unless the municipality is specifically authorized to do otherwise and that the municipality has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority;


**AND WHEREAS** the Council of The Corporation of Norfolk County originally established a Norfolk County Accessibility Advisory Committee in January 2003 to provide general advice and expertise about accessibility issues within Norfolk County;


**AND WHEREAS** it is now deemed necessary to revise the Norfolk County Accessibility Advisory Committee's membership in the Terms of Reference.

**NOW THEREFORE** the Council of The Corporation of Norfolk County hereby enacts as follows:

1. That the Norfolk County Accessibility Advisory Committee is hereby established as a volunteer Advisory Committee by the Council of The Corporation of Norfolk County to advise the Council about the preparation, implementation and effectiveness of its accessibility plan.
2. That the Terms of Reference of the Norfolk County Accessibility Advisory Committee are hereby set out on Schedule "A" attached to and forming part of this By-Law.
3. That Norfolk County By-Law 2013-67 is hereby repealed in its entirety.
4. That the effective date of this By-Law shall be the date of passage thereof.

**ENACTED AND PASSED** this 9th day of May, 2017.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk/Manager of Council Services

## Schedule "A" to By-Law 2017-55

### Norfolk County Accessibility Advisory Committee

#### Terms of Reference

#### 1.0 Nature of Committee/Reporting and Functional Relationships

- 1.1 The Authority to establish Norfolk County's Accessibility Advisory Committee (AAC) originates from the requirements of the Ontarians with Disabilities Act, 2001. These Terms of Reference are developed under the provisions of the Ontarians with Disabilities Act, 2001 and the Accessibility for Ontarians with Disabilities Act, 2005.
- 1.2 To advise and assist Norfolk County on matters, issues and policies pertaining to 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; or
  - (c) that a person provides as municipal capital facilities under an agreement entered into with council in accordance with section 210.1 of the Municipal Act, 2001 c.32, sc. 12 (4)
- 1.3 As per section 29 of the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*, the AAC shall,
  - (a) Advise Norfolk County Council on the requirements and implementation of accessibility standards and the preparation of accessibility reports;
  - (b) Review site plans and drawings for buildings and facilities;
  - (c) Provide advice on the preparation of accessibility reports required under the AODA.
  - (d) Promote and advise all Norfolk County Departments and Divisions on the AAC tasks and accomplishments
  - (e) Advise Norfolk County on policies, practices and procedures on providing goods and services to people with disabilities in key areas of daily living including but not exclusive to:
    - Customer Service
    - Information and Communications
    - Built Environment
    - Employment
    - Transportation

## **2.0 Mission/Mandate**

- 2.1 Act in an advisory capacity to Council with respect to issues relating to the fulfillment of the purpose of the Ontarians with Disabilities Act, Accessibility for Ontarians with Disabilities Act and its Regulations.
- 2.2 Advise Council on the accessibility for persons with disabilities to a building, structure or premises, or part of a building, structure or premises, that Council purchases, constructs or significantly renovates; for which Council enters into a new lease; or that a person makes available as municipal capital facilities under Section 110 Municipal Act, 2001.
- 2.3 Address the identification, removal and prevention of barriers to persons with disabilities in the municipality's by-laws and in its policies, programs, practices and services in accordance with the accessibility standards outlined in the AODA.
- 2.4 Advise Council regarding the preparation, implementation and effectiveness of accessibility plans.
- 2.5 Advise Council about the requirements and implementation of accessibility standards and the preparation of accessibility reports and such other matters for which Council may seek its advice.
- 2.6 Select and review in a timely manner the site plans and drawings as described in Section 41 of the Planning Act.
- 2.7 Perform all other functions specified in the Ontarians with Disabilities Act and the Accessibility for Ontarians with Disabilities Act and its Regulations.
- 2.8 Liaise and coordinate with the Corporate Accessibility Committee to increase understanding of accessibility issues and eliminate barriers.

## **3.0 Committee Composition/Term**

- 3.1 The AAC shall be composed of a maximum twelve (12) members, none of whom shall be an employee or officer of the municipality.
- 3.2 Members of the AAC will preferably be residents of Norfolk County.
- 3.3 The majority of members of the AAC will be composed of persons with a disability, as defined in the Ontarians with Disabilities Act, 2001 and Accessibility for Ontarians with Disabilities Act, 2005.
- 3.4 The AAC may appoint up to three non-voting resource members.

## Terms of Reference – Norfolk County Accessibility Advisory Committee

- 3.5 The AAC may form sub-committees as necessary to address specific issues and whose purpose is to provide focused feedback to the main committee. Sub-committees shall meet as necessary and be chaired by an AAC member.
- 3.6 Members of the AAC shall serve without remuneration.
- 3.7 A chair and a vice-chair will be elected annually by the membership at the first meeting of each year. The length of term of the Chair and Vice-Chair is a maximum of two consecutive years.
- 3.8 Council shall appoint one of its members to serve upon the committee.
- 3.9 A County staff member shall be appointed to serve on the AAC as staff liaison. The staff liaison is not a member of the committee and, as such, does not vote.
- 3.10 Membership shall be for a three year term and membership will be staggered to ensure continuity among the Committee.

## 4.0 Roles & Responsibilities

### 4.1 Norfolk County Council

- (a) In accordance with the Ontarians with Disabilities Act and Accessibility for Ontarians with Disabilities Act, the Council shall seek advice from the committee on accessibility for persons with disabilities to a building, structure or premises, or part of a building, structure or premises:
  - (i) that the council purchases, constructs or significantly renovates;
  - (ii) for which the council enters into a new lease; or
  - (iii) that a person provides as municipal capital facilities under an agreement entered into with the council in accordance with section 210.1 of the Municipal Act, 2001, c. 32, S. 12 (4).
- (b) In deciding to purchase goods or services through the procurement process for the use of itself, its employees or the public, the council shall have regard to the accessibility for persons with disabilities to the goods or services.

### 4.2 Chair:

- (a) Call the meeting to order.
- (b) Announce the business of the AAC in the order in which it appears on the agenda.
- (c) Ask the members for disclosure of interests.
- (d) Receive and submit all motions moved and seconded by members.

## Terms of Reference – Norfolk County Accessibility Advisory Committee

- (e) Put to a vote all questions, which have been moved and seconded, or otherwise arise in the course of the proceedings and announce the results.
- (f) Decline to put to a vote any motion not in order.
- (g) Confine members engaged in debate within the rules of order.
- (h) Enforce the observance of order and decorum among members.
- (i) Name any member persisting in the breach of rules of order.
- (j) Receive all messages and other communication and announce them to the Committee.
- (k) Rule on points of order.
- (l) Adjourn or suspend the meeting in the event of a grave disorder.
- (m) Designate the member who has the floor.
- (n) Have a vote in all matters of the Committee.
- (o) The Chair shall act as spokesperson to the staff liaison regarding issues such as agendas, meeting minutes, and ad hoc requests.
- (p) Shall review draft minutes prior to them proceeding to Council.

### 4.3 Vice-Chair

- (a) Perform the duties of the Chair in his/her absence.

### 4.4 AAC Members:

- (a) Notify the Chair, Secretary or Staff Liaison in advance of their intent to be absent from a meeting.
- (b) Prepare for the meeting by reviewing material provided and/or consulting with stakeholders regarding issues.
- (c) Be familiar with the Ontarians with Disabilities Act, Accessibility for Ontarians with Disabilities Act and its Regulations.
- (d) Advise and assist Norfolk County on matters, issues and policies pertaining to accessibility for persons with disabilities to a building, structure or premises that the municipality enters into a new lease, purchases, constructs or significantly renovates.
- (e) Select and review in a timely manner the site plans and drawings as described in Section 41 of the Planning Act.
- (f) Advise Council regarding the preparation, implementation and effectiveness of Accessibility Plan's.
- (g) Advise Council about the requirements and implementation of accessibility standards and the preparation of accessibility reports and such other matters for which Council may seek the committee's advice.
- (h) Perform all other functions that are specified in the Ontarians with Disabilities Act, Accessibility for Ontarians with Disabilities Act and its Regulations.

## Terms of Reference – Norfolk County Accessibility Advisory Committee

### 4.5 Staff Liaison (Corporate Support Services Division)

- (a) Prepare agenda with Chair.
- (b) Advise members of the AAC on Norfolk County matters.
- (c) Direct the AAC recommendations and motions to Council and report back to the AAC.
- (d) Provide AODA Update Memo's to the AAC to coincide with reporting to the County's Senior Leadership Team as well as provide verbal updates at each AAC meeting.
- (e) Provide updates to the AAC on the Barrier Free Access Program, Capital Budget.

### 4.6 Site Plan Resources (Community Planning Division)

- (a) Supply in a timely manner any site plans and drawings described in Section 41 of the Planning Act that the committee requests.
- (b) Coordinate AAC participation in the Official Plan reviews and draft Zoning Bylaw for comment.

### 4.7 Recording Secretary (Mayor's Office)

- (a) Provide materials to the AAC prior to meeting, when possible.
- (b) Provide a recording secretary to each scheduled meeting for the purpose of recording the minutes. ,
- (c) Distribute meeting packages and minutes to committee members and appropriate staff.
- (d) Provide an accessible location to the AAC members for pickup of meeting packages and other information one week prior to the scheduled meeting. (Packages will be available through e-mail, or mail and direct pick-up by request)
- (e) Provide an accessible location for AAC meetings.
- (f) Report resolutions to County staff within Employee and Business Services and other departments of Norfolk County.

## 5.0 **Appointment Process/Criteria for Selection**

5.0 Vacancies for appointments shall be publicly advertised in the local newspapers and on the Norfolk County website in the month of September of each year for annual appointments or at other times when vacancies occur.

5.1 By mid October of each year, applicants shall be required to complete and submit to the County Clerk an application form, available from County offices and the Norfolk County website. Once the applications have been reviewed by staff, a report recommending selected appointees will be prepared by the County Staff Liaison and presented in November of each year for approval by Council. All applications received shall be forwarded to Council with the staff report.

## **Terms of Reference – Norfolk County Accessibility Advisory Committee**

- 5.2 Upon Council's approval of Committee appointments, the Council Services Division will prepare the necessary appointment by-law.
- 5.3 The Council Services Division, on behalf of Council, shall send out confirmation letters to new Committee appointees and advise of their staff liaison and any other relevant contacts.

### **6.0 Resignation and Dismissal**

- 6.1 If any Board member is absent from three consecutive meetings, without justification, the Chair of the Committee, in consultation with the staff liaison, will ask the member whether or not they wish to attend meetings and remain on the Board or resign.
- 6.2 Committee members wishing to resign their appointment shall submit a letter of resignation which shall be forwarded as soon as possible to the County Clerk. Upon acceptance of the resignation, the County Clerk in consultation with the County Staff Liaison will initiate the aforementioned appointment process to fill the vacancy.
- 6.3 Council, at its discretion, can dismiss the Committee in its entirety or any member thereof at any time.

### **7.0 Rules of Procedure/Order/Conduct**

- 7.1 Members of the Committee shall observe the Rules of Procedure with respect to meetings as outlined in Norfolk County Council's Procedural By-Law.

### **8.0 Disclosures of Pecuniary Interest**

- 8.1 If a Committee member has a pecuniary interest, direct or indirect, in any matter in which the Committee is concerned, and is present at a Meeting at which the matter is the subject of consideration, the member:
  - (a) shall before any consideration of the matter at the meeting orally disclose the interest and its general nature;
  - (b) shall not, at any time, take part in the consideration or the discussion of, nor vote on, any question in respect to the matter;
  - (c) shall leave the meeting and remain absent from it at any time during consideration of the matter.
- 8.2 If a member is not present and has any pecuniary interest, he/she shall disclose his/her interest at the next meeting in attendance.

## Terms of Reference – Norfolk County Accessibility Advisory Committee

- 8.3 Notwithstanding the quorum requirements, when a majority of the Board members have disclosed an interest in accordance with Section 8.1 above and the Municipal Conflict of Interest Act, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two.

### 9.0 Schedule/Location of Meetings

- 9.1 The AAC will meet every month or as necessary.
- 9.2 The AAC will establish a meeting schedule at its inaugural meeting taking into account the business needs and schedule of Council. The AAC shall provide Council with a schedule of meetings in December for the following year.
- 9.3 Special meetings may be held:  
(a) at the call of the Chair or,  
(b) upon receipt of a petition of the majority of the members.
- 9.4 Norfolk County Council shall be kept informed of special meetings.

### 10. Access to Meetings

- 10.1 Except as provided in this Section, all meetings shall be open to the public and the media.
- 10.2 The Chair or other presiding Officer may expel any person for improper conduct at a Meeting.
- 10.3 A Meeting or a part of a Meeting may be closed to the public (Closed Meeting) if the subject matter being considered is:
- the security of the property of the municipality or local board;
  - personal matters about an identifiable individual, including municipal employees or local Committee members;
  - a proposed or pending acquisition or disposition of land by the municipality or local board;
  - labour relations or employee negotiations;
  - litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
  - the receiving of advice that is subject to solicitor-client privilege; including communications necessary for that purpose.
- 10.4 A meeting of the Committee may be closed to the public if the following conditions are both satisfied:
- the meeting is held for the purpose of educating or training the members;



## **Terms of Reference – Norfolk County Accessibility Advisory Committee**

- at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Committee.
- 10.5 Before holding a Closed Meeting or part of a Meeting, the Committee shall state by Resolution:
- the fact of the holding of the Closed Meeting;
  - the general nature of the matter to be considered at the Closed Meeting;
  - in the case of a meeting under Section 10.4, the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under that section.
- 10.6 A Meeting shall not be closed to the public during the taking of a vote except where:
- Subsection 10.3 or 10.4 permits or requires a Closed Meeting;
  - the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the municipality, local board or committee or persons retained by or under contract with the municipality or local board.
- 10.7 All deliberations while in Closed Session shall remain confidential unless otherwise approved by the Committee in Open Session.
- 10.8 Minutes of Closed Sessions shall be recorded, without note or comment and remain confidential.

## **11. Meeting Structure, Agenda and Minute Formats**

- 11.1 An orientation session will be held within the first quarter of each year.
- 11.2 Attendance at all meetings shall be recorded. Members shall notify the Secretary, Chair or Staff Liaison if they are unable to attend.
- 11.3 Minutes of the meeting will be taken by the designated Recording Secretary.
- 11.4 Agendas and minutes for each meeting will be circulated to Council through the Recording Secretary. The minutes as they relate to a specific planning application will also be attached to the planning report for Council's information.
- 11.5 Agendas will be made available at the Customer Service Centres (County Administration Building, Delhi Administration Building and Langton Administration Building) upon request.

## Terms of Reference – Norfolk County Accessibility Advisory Committee

- 11.6 Agendas and Minutes for Committee meetings may include any or all of the following components:
- a) Date, time, location of meeting
  - b) Members present (include office, i.e. Chair, Recording Secretary)
  - c) Members absent/regrets
  - d) Disclosure of Pecuniary Interest
  - e) Approval of previous minutes
  - f) Presentations/Deputations
  - g) General Business and Reports
  - h) Correspondence
  - i) Other Business
  - j) Closed Session
  - k) Next Meeting
  - l) Adjournment
- 11.7 Minutes will briefly outline the substance of each of the agenda items discussed during the meeting, including actions taken and recommendations by motion. Motions shall not be required to be seconded.
- 11.8 Minutes of the Committee shall be forwarded to the Clerk in order to present them to Council for their information. Staff will be required to prepare a Staff Report if any follow-up action is requested of Council.
- 11.9 A majority of the members of the AAC shall be a quorum, and each member shall have one vote. In the case of an equality of votes by the quorum for and against the motion, then the motion will be resolved in the negative and the minutes shall so record it.
- 11.10 In the event that a quorum is not present within fifteen (15) minutes after the appointed time of the meeting, the name of those present will be recorded and the meeting will commence in the absence of a quorum. Notes will be taken and draft recommendations forwarded to Council.
- 11.11 Individuals or groups wishing to appear as a deputation before the Committee shall advise the Secretary of the Committee in writing 10 days prior to the Committee meeting.
- 11.12 Notification of the meetings shall be in the form of an Agenda with supporting documents and Minutes from the previous meeting. Committee Members wishing to place items on the agenda must make a request through the secretary at least ten (10) days prior to the meetings. This package shall be distributed by e-mail, regular mail or pick up by members, one week prior to the meeting.
- 11.13 At the beginning of any regular meeting the Chair may announce additional items to be added to the agenda.

## **Terms of Reference – Norfolk County Accessibility Advisory Committee**

- 11.14 The AAC will seek to achieve consensus on decisions. Recommendations are “carried” if supported by a simple majority. Only resolutions as they appear in the adopted minutes may be considered as officially representing the position of the Committee.
- 11.15 Voting shall be carried out by a show of hands, unless otherwise indicated by the Chair.
- 11.16 In the absence of the Chair, the Vice-Chair shall conduct the meeting. If neither is present, the AAC shall appoint an Acting Chair from amongst those members present.
- 11.17 All requests for grants and financial assistance received by the AAC shall be directed to the County Manager or designate.
- 11.18 The AAC shall act in an advisory capacity and shall not have any authority whatsoever to approve or reject individual development applications.
- 11.19 The AAC agendas will be prepared by the staff liaison and the Chair or Vice-Chair with input from other AAC members.
- 11.20 AAC minutes will be kept by the Recording Secretary.

## **12. BUDGET & FINANCIAL REPORTING**

- 12.1 The Committee may make requests for budget allocations through Corporate Support Services in advance of the County’s annual budget process. All related revenue and expenditure transactions will follow Council approved policy. Requests must relate to specific activities approved in the Committee's mandate and work plan.

## **13. REMUNERATION & EXPENSES**

- 13.1 Members of the Committee are not remunerated. If approved by the County Staff Liaison prior to the expenditure being incurred by a member, a member may submit a receipt for reimbursement of specific expenses related to Committee activities within the approved budget of the Committee.