



**THE CORPORATION OF THE
MUNICIPALITY OF NORTH MIDDLESEX
BY-LAW NO. 035 OF 2023**

***Being A By-law to Establish the Terms of Reference for the
Fire Committee***

WHEREAS Section 11 of the *Municipal Act*, 2001, S.O. 2001, c.25, as amended, in part provides that a lower-tier municipality may pass By-laws respecting the governance structure of the municipality and its local boards;

AND WHEREAS By-law Number 108 of 2022 appointed members to serve on various committees including the Fire Committee;

AND WHEREAS the Council of the Corporation of the Municipality of North Middlesex deems it advisable to establish by by-law, the Fire Committee and the Committee's Terms of Reference for the Corporation of the Municipality of North Middlesex;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF NORTH MIDDLESEX ENACTS AS A BY-LAW AS FOLLOWS:

1. Committee Title

That a Committee to be known as the Fire Committee is hereby established.

2. Definitions

That the definitions as outlined in the Corporation of the Municipality of North Middlesex Procedural By-law shall apply.

3. Policies/Procedures

- 3.1 That the rules and regulations of the Corporation of the Municipality of North Middlesex Procedural By-law and Code of Conduct for Council and its Local Board and Committee Members shall govern all proceedings of the Fire Committee.

3.2 That policies, practices and procedures governing the provisions of its goods or services are consistent with the Corporation's Accessibility Standards for Customer Service Policy and Procedures as adopted in accordance with the requirements of the *Accessibility for Ontarians with Disabilities Act (AODA)*, Customer Service Standard – Ontario Regulation 429/07.

4. Records

That the records of the Fire Committee shall be retained and preserved in accordance with the provisions of the Corporation of the Municipality of North Middlesex Records Retention By-law.

5. Composition

That the Fire Committee shall consist of not more than five (6) voting members which shall consist of three (3) members of Council (of which one shall be Chair) two (2) District Chiefs (one from each station – Ailsa Craig and Parkhill) as well as the Fire Chief or delegate.

- i. The Mayor will be considered a full member of Council for the Fire Committee. The Mayor will attend as a Member of Council, and will be a voting member. The Mayor will be counted in determining quorum of the Committee, and is included in determining if Fire Committee has quorum.
- ii. Quorum of the committee is four (4) voting members of which two of these must be members of Council.

a) Recording Secretary

Will be determined by the committee.

6. Terms of Office

The voting appointed Committee members shall be appointed for a four (4) year term concurrent with the term of Council. The appointments will be reviewed annually and where applicable new appointments may be made at the discretion of the Mayor, to the appointment by-law.

7. Mandate

That the Fire Committee Terms of Reference are set out in Schedule "A" attached hereto and forming part of this By-law.


That 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 bona fide 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 without having previously obtained the consent of the Council of the Municipality of North Middlesex.

8. Force and Effect

That this By-law shall come into force and take effect on the date of its passing.

That By-law 70 of 2020 hereby repealed.

READ a FIRST, SECOND and THIRD time and finally passed in Open Council this 15th day of March, 2023.



Mayor



Clerk

**SCHEDULE "A" TO
BY-LAW OF
FIRE COMMITTEE**

TERMS OF REFERENCE

PURPOSE

The Fire Committee is a Committee of Council that acts as an advisory body on matters related to the following:

- **Fire Protection Services**

MANDATE

The Fire Committee will make recommendations to Council on matters that pertain to setting the level of fire protection services as per the Municipality's responsibilities prescribed in the *Fire Protection and Prevention Act, (FPPA) 1997, S.O. 1997, c. 4*, as amended.

DEFINITIONS

"Advisory" – having or exercising power to make recommendations but not to take action or to enforce such powers.

"Council" – refers to the current elected Council for the Municipality of North Middlesex.

"Fire Chief" – is the Fire Chief for the Municipality of North Middlesex.

"Fire Committee" – is a Committee of Council for the Municipality of North Middlesex.

"Municipality" – is the Municipality of North Middlesex.

"Pecuniary Conflict of Interest (either in direct or indirect)" – as defined in the Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50

DUTIES AND RESPONSIBILITIES

To assist and support Council and staff to meet the following objectives:

- Individual committee members and the collective group will be fair, impartial, and respectful of staff and each other.
- Committee members will respect the limitations of their individual and collective authority. The role of the committee is to advise as this relates to the purpose and mandate.
- Members will strive to appreciate differences in approach and point of view.
- Each member will participate in the Committee's discussions and work assignments without dominating the discussion or activity of the committee.
- Each committee member will complete tasks as delegated or volunteered to complete, in a timely manner, and when unable to complete tasks notify the Chair.
- The Committee Chair will ensure that all members have a fair, balanced, and respectful opportunity to share their knowledge and perspectives.
- The Committee Chair will ensure that meetings are kept to a maximum length of two (2) hours and that outstanding business at the two (2) hour adjournment are deferred to the next committee meeting.
- The Committee will attempt to reach consensus on issues. If consensus is not possible, strong differing opinions, such as "minority" opinions, should be recorded and acknowledged in the committee's report, recommendation(s), and presentations.
- The Committee shall elect a Chairperson from among the three (3) council members appointed to the committee, at its first meeting, or as soon as practicable.
- The Committee shall review and set annual goals and objectives based on industry best practices.
- The Committee shall undertake other assignments as may be requested by Council.
- The Committee shall review the Terms of Reference on an annual basis.

AUTHORITY

As the Fire Committee is an advisory Committee to Council, the Committee does not have any delegated authority in accordance with the *Municipal Act, 2001*, as amended.

The Fire Committee or any member of the Committee does not have the authority to communicate with other levels of government on behalf of the Municipality of North Middlesex, to take a position on behalf of the Municipality or to authorize any expenditures against the Municipality.

The Fire Committee or any member of the Committee does not have the authority to direct staff or any recommendations requiring implementation, reports or staff actions as such activities must first be considered and approved by Council before any action by staff may be taken.

Members do not have the authority to speak publicly (e.g. to the media) on behalf of the Committee unless so directed by Council.

COMMITTEE ANNUAL REVIEW

The goals, mandate and responsibilities of the Fire Committee are to be reviewed annually for the purpose of improving the functioning and effectiveness of the committee.

ROLES AND RESPONSIBILITIES

The Committee shall have the following four roles:

1. Chairperson:

- Provide leadership to the Committee;
- Chair Committee meetings in accordance with the Municipality's Procedural By-law;
- Ensure agendas are prepared for meetings and distributed;.
- Report to Council at year end and at other times as may be required;
- Act as spokesperson for the Committee;
- Express consensus as reached by Committee;
- Ensure that the Municipalities By-laws and Policies are adhered to with respect to all matters.
- Regular Committee member role.

2. Recording Secretary

- Orientate Committee members with regards to the Terms of Reference and roles of the Fire Committee members and staff
- Ensure there is a quorum present in order to proceed with a meeting;
- Record, process and distribute minutes and agendas, and to maintain the files of the Committee, including but not limited to Minutes, Agendas, policies, correspondence and other file information, in accordance with the Records Retention By-law.

- Ensure that the draft meeting minutes are prepared and approved by the Chair and/or Vice Chair prior to the next Committee agenda, if possible;
- Ensure that adopted minutes are forwarded to the Municipal Clerk or designate in a timely manner.

DECISION MAKING AND VOTING

Where possible, decisions will be made by way of consensus. When a vote is necessary, a recommendation must be moved and seconded prior to voting. A recommendation is deemed to be carried if the majority of members present vote in the affirmative. In the event of a tie vote they will be brought forth to the next Council Meeting to determine a final decision. The Mayor, as a committee member will also have a vote. All recommendations must be approved by Council before any action is taken by staff. Committee meetings are open to the public and subject to the provisions of Section 239 of the Municipal Act, 2001 as amended.

REPORTING TO COUNCIL

The Chair or designate shall report to Council on behalf of the Committee at the Council meeting where the Fire Committee minutes, with or without recommendations, are brought forward for approval.

Recommendations of the Committee must be adopted by the Committee prior to presentation to Council.

TERM

The voting appointed Committee members shall be appointed for a four (4) year term concurrent with the term of Council. The appointments will be reviewed annually and where applicable new appointments may be made at the discretion of the Mayor, to the appointment by-law.

MEETINGS

Meetings are held in the North Middlesex Shared Services Centre on the second Thursday in February, May, September and November at 7:00pm.

Staff members, such as the District Chiefs (from both the Ailsa Craig and the Parkhill Station) will vote on all matters, along with the Fire Chief/Delegate. The 3 Council Members/Delegates will also vote on all matters. In the event of a tie

the matter will be brought forth to the next Council meeting to be discussed. District Chiefs may be invited to provide input at times and will be counted towards the quorum.

AGENDAS

Agendas are developed by the Chair, Fire Chief and Secretary and may have input from other applicable municipal staff.

CONFLICT OF INTEREST

Committee members will adhere to all applicable legislation, by-laws, policies and procedures regarding conflict of interest under the *Municipal Conflict of Interest Act*.

TERMS OF REFERENCE

These Terms of Reference are established by by-law and can only be altered by Council. The Committee will review the Terms of Reference a minimum of once every year and shall make recommendations for change through a motion to Council.

CODE OF CONDUCT

As a Committee of Council, Fire Committee members are subject to the Code of Conduct for Members of Council, Advisory Committees and Local Boards and the Procedural By-law.