

# The Corporation of the City of Kenora

## By Law Number 6 - 2023

### A By-law to Establish a Terms of Reference for the City of Kenora Crime Prevention & Community Well-Being Advisory Committee

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Whereas Section 7(2) of the Municipal Act, 2001, as amended authorizes a municipality to enact by-laws respecting matters within the spheres of jurisdiction; and

Whereas Bill 175, Safer Ontario Act (2018) mandates that: the council of every municipality shall prepare, and by resolution, adopt a community safety and well-being plan; and shall establish an advisory committee.

Now Therefore the Council of the Corporation of the City of Kenora hereby enacts as follows:

#### 1. Purpose

- 1.1 The Crime Prevention and Community Well-Being Advisory Committee will provide leadership to the City of Kenora Community Safety and Well-Being Plan.
- 1.2 The Crime Prevention and Community Well-Being Advisory Committee will serve as a resource, information gathering and advisory body to the Municipal Council on matters relating to crime prevention and community well-being in the City of Kenora.

#### 2. Mandate

- 2.1 The mandate of the City of Kenora Crime Prevention and Community Well-Being Advisory Committee is to:
  - a. Finalize and recommend to City Council a comprehensive and inclusive final Community Safety & Well-Being Plan and implementation plan;
  - b. Assist in and monitor the Plan's implementation;
  - c. Ensure outcomes are established and responsibilities for measurement are in place, and approving performance measure by which the plan will be evaluated;
  - d. Ensure that each section/activity under the plan for each priority risk is achievable;
  - e. Incorporate consultation with the broader community and organizations and agencies involved in community safety and well-being;
  - f. Align implementation and evaluation of the plan with the municipal planning cycle and other relevant sectors' specific planning and budgeting activities;
  - g. Initiate and facilitate working groups as necessary to assist in the development and promotion of crime prevention and community safety initiatives;
  - h. Report to City Council and the community of Kenora on areas of action and progress;
  - i. Encourage and promote innovation, partnerships, and creativity in community safety and well-being;
  - j. Increase awareness about the perception of crime, the risk factors associated with involvement in the criminal justice system, and protective factors that reduce risk.

### 3. Membership and Voting

3.1 At the discretion of Council, the Committee can be comprised of up to fifteen (15) members representing various sectors. At minimum, it shall include representation from the following sectors:

#### **Voting Members:**

- An employee of the municipality;
- A member of Council
- Member of Business Community
- A person who represents the education sector; this may include:
  - Keewatin Patricia District School Board
  - Kenora Catholic District School Board
  - Seven Generations Education Institute
  - Confederation College
- A person who represents the health sector; this may include:
  - Northwestern Health Unit
  - Lake of the Woods District Hospital
  - Waasegiizhig Nanaandawe'iyewigamig
- A person who represents the mental health sector; this may include:
  - Canadian Mental Health Association Kenora Branch
  - Centre for Addiction and Mental Health
- A person who represents the community/social services sector; this may include:
  - Kenora District Services Board
  - Kenora Fellowship Centre
  - Kenora Chiefs Advisory
  - Ne-Chee Friendship Centre
  - Northwest Community Legal Clinic
  - Kenora Sexual Assault Centre
  - Saakaate House
- A person who represents the children/youth services sector; this may include:
  - Firefly
  - Kenora Youth Wellness Hub
- A person who represents an entity that provides custodial services to children/youth; this may include:
  - Kenora Creighton Youth Centre
  - Kenora Rainy River District Child and Family Services
  - Anishinaabe Abinoojii Family Services
  - Tikinagan Child & Family Services
  - Youth Probation
- A person who represents the police services board or a Detachment Commander.
  - Ontario Provincial Police Kenora Detachment
- A person who represents the Judicial System
- Members at large

3.2 Members are selected by resolution of Council. The term of the Committee is at the pleasure of Council, up to four years, and is concurrent with the term of Council. The Committee shall, from amongst its members, choose a Chair and a Vice Chair.

3.3 Committee Member appointments may, at any time, be revoked at the pleasure of Council and all appointments are in accordance with Council's Boards & Committees Policy.

- 3.4 Notwithstanding section (c) Council may reappoint a Board Member to the Committee for not more than one term.
- 3.5 Unless Council provides direction otherwise, the Committee appointments and re-appointments shall be in accordance with the City's Boards & Committees Policy, subject to any modification, to the extent necessary, required in order to comply with the appointment restrictions established in section 196 of the Municipal Act, 2001 and this By-law.
- 3.6 Any member of the Committee may terminate his or her term on the Crime Prevention and Community Well-Being Committee by submitting his or her resignation in writing to the Chair and the Vice-Chair of the Committee. Within seven (7) days of receipt of such resignation, shall be forwarded to the City Clerk.
- 3.7 Unless Council provides direction otherwise, meeting attendance requirements for the Committee Members and consequences for absences from such meetings shall be in accordance with the City's Boards & Committees Policy.
- 3.8 Vacancies on the Committee shall be filled in accordance with the City of Kenora's Boards and Committees Policy and this By-law. For greater certainty, decisions respecting the filling of vacancies rest solely with Council.

**Members will:**

- i. Have knowledge about the risks and vulnerable populations in the community;
- ii. Lived experience with risk factors or part of a vulnerable group in the community;
- iii. Understanding of protective factors needed to address those risks;
- iv. Experience developing effective partnerships in the community;
- v. Experience with ensuring equity, inclusion, and accessibility in their initiatives;
- vi. The authority to make decisions on behalf of their respective organizations regarding resources and priorities, or will be empowered to do so for the purposes of finalizing the Plan;
- vii. Be able to allocate sufficient time during the day for participation in regularly scheduled meetings; and
- viii. Be able to allocate sufficient time to review the agenda, minutes and any applicable documentation in advance of each regularly scheduled meeting;

3.10 Additional Committee Members may be appointed by Council pending the growth of activities undertaken.

**4. Remuneration**

4.1 All Committee Members shall act in all of their capacities with the Committee without remuneration.

4.2 Committee Members may be reimbursed for reasonable expenses incurred by them on behalf of the Committee, provided that such expenses were incurred in good faith for the purposes of the Committee and such expenses are authorized in the budget of the Committee.

**5. Chair**

5.1 The Committee shall elect a chairperson and vice chairperson from its members at the first meeting of each year and hold the office for one year.

## 5.2 The Chair shall:

- Preside at all Committee meetings and exercise authority and performs duties as required
- Provide guidance and leadership to the Committee in the completion of its mandate
- Enforce on all occasions the conduct of the Members
- Expel any person for improper conduct
- Control delegation protocol and process during meetings
- Preserve order and decorum and decides questions of order

## 5.3 The Vice Chair

- Act in the Chair's absence and assumes the roles and responsibilities of the Chair.

## **6. Meetings and Administration**

6.1 Regular meeting dates are to be established by the Committee at the first meeting of the calendar year. The location and frequency of meetings will be at the discretion of the Committee, however, not less than five (5) meetings shall be held in one calendar year.

6.2 Special or emergency Committee meetings may be called by the Chair, on his or her own initiative, at the request of any Committee member, or at the request of the non-voting members. Notice of the meeting shall be by telephone or electronically sent to each Committee Member, including non-voting, not less than three (3) days before the requested meeting.

6.3 A Committee meeting must be called if a requisition is signed by at least three (3) members of the Committee.

6.4 Reasons for the calling of the special or emergency meeting, including why it is being called on short notice, if applicable, shall be provided by the Chair with the notice of the calling of the meeting.

6.5 Members of the Committee should strive to attend committee meetings in order to provide for effective participation. The failure of any committee member to attend three (3) consecutive meetings without giving written notice to the chairperson will result in the termination of membership from the committee, in accordance with the City's Board and Committee's policy.

6.6 The City of Kenora will provide sufficient resources and staff for conducting the business of the Committee. This will include, but not be limited to; taking meeting minutes, assisting the chairperson in developing an agenda, the circulation of meeting notices and minutes and the advertisement and organization of public meetings.

6.7 The Committee shall work closely with the resource staff but shall not have direct line authority over the staff. It is acknowledged, however, that there shall be occasions when the Chairperson of the Committee must direct the Community Safety and Well-Being Coordinator to carry out work.

6.8 The City of Kenora will also provide administrative support in any media releases, reports and recommendations developed by the committee.

6.9 Unless otherwise provided in this By-law, meetings shall be conducted according to the most recent edition of Robert's Rules of Order Newly Revised.

6.10 All meetings shall be open to the public and no person shall be excluded except for improper conduct.

## 6.11 All Members of the Public Shall:

Respect the decorum of the Committee and shall refrain from public outbursts, shouting or behavior intended to disrupt the debate, discussion and or general proceedings of the Committee. The Chair may request that a member of the public vacate the meeting room if their behavior is deemed to be disruptive to the business that is at hand. The Chair may unilaterally suspend the meeting until order is restored in the meeting room.

## 7. Deputations

7.1 An individual/group/organization who is not a member of Council or staff, who wishes to appear before the Committee must request to make a deputation to the committee.

7.2 Such persons shall have no more than five (5) minutes to address Members. The Chair may use their discretion should the five minute time-frame not be met.

7.3 If a Deputation Request (with or without the completed Request Form) is received at the commencement of a meeting, the discretion rests with the Chair as to whether or not the Deputation will be heard.

No Deputant shall:

1. Speak without first being recognized by the Presiding Chair
2. Speak disrespectfully of any person
3. Use offensive words or gestures, or make abusive comments,
4. Speak on any subject other than the subject stated on their Deputation Request Form
5. Disobey the Rules of Procedure or a decision of the Committee

## Conduct by the Public

Members of the public, who constitute the audience at a meeting, shall not:-

- Address the Committee without permission
- Bring signage, placards or banners into such meetings
- Engage in any activity or behaviour that would affect the deliberations
- Allow cellular phones to ring so as to disrupt the proceedings

## 8. Quorum

8.1 At any meetings of this Committee, the presence of a majority of the membership is necessary for a quorum and for the transaction of business.

8.2 Subject to section 7 of the Municipal Conflict of Interest Act, a majority of the members shall constitute a quorum.

8.3 Meetings may be held and motions may be voted upon in person or by electronic means. With respect to an electronic vote, such vote must be approved by the Committee in advance of the vote.

8.4 A vacancy in the membership or the absence or inability of a member to act does not impair the powers of the Committee or of the remaining members.

## **9. Board Member Conduct**

### **9.1 Municipal Conflict of Interest Act**

Committee Members may have pecuniary conflict of interest as they have decision-making ability. Members should be cognizant of any conflict of interest or perceived conflict in terms of issues which may serve to benefit them personally.

9.2 Members of the Committee shall carry out their duties in good faith and with the best interests of The Committee in mind.

9.3 With regards to their conduct, Committee Members are governed by all applicable laws and policies, including but not limited to the *Municipal Conflict of Interest Act*, Part V.1 of the *Municipal Act, 2001* and the Code of Conduct of the City for members of council and local boards.

9.4 Members must adhere to the Code of Conduct in this bylaw when attending in an electronic format and all decorum and rules apply while attending remotely.

## **10. Limits on Authority**

10.1 Notwithstanding any other provision in this By-law, the Committee is not authorized to do any of the following, all such authority remains solely with Council:

- a) incur any debts, liabilities or obligations that have not been approved by Council through its budget process;
- b) acquire any real property or sell or otherwise transfer or dispose of any real property; or
- c) subject to the limits established by Council from time to time, sell or otherwise dispose of any personal property that is acquired through Committee recommendations.

10.2 The Committee acts as a whole and no member of the Committee has authority to incur, and shall not purport to incur, any debt, liability or obligation on behalf of the Crime Prevention Council or the City, without having previously obtained the consent of Crime Prevention Council or Municipal Council, as the context requires.

## **11. Reporting to Council**

11.1 The Committee reports to Council shall be reported through the Corporate Services Department. The liaison for resource staff to the Committee shall be the Community Safety and Well-Being Coordinator.

11.2 The Committee shall report to the municipal Council through presentation of the Community Safety and Well-Being Plan and subsequent updates and annual reports on progress on implementing the Plan and key indicators of community safety and well-being.

11.3 The Committee shall present additional reports and information it deems appropriate to inform the municipal Council and community at large of the actions, activities, and programs of the Committee.

## **12. Committee Minutes**

12.1 The City shall designate a person to be responsible for the recording of the Committee minutes.

12.2 The official copy of the minutes shall be forwarded to the City Clerk for safekeeping and shall be stored at City Hall, 1 Main Street South, Kenora, ON, or at such other location as Council may require.

**12. Regular Review of this Authority**

This policy shall be reviewed during the term of each Council or more frequently, as required. This review may be initiated by City Council, at its discretion, or by the Committee upon written request to City Council.

**13. Repeal**

That bylaw number 63-2021 be hereby repealed.

**14. Effective Date**

This By-law shall come into force and take effect on the final passing hereof.

**By-law read a First and Second Time this 15<sup>th</sup> day of February, 2023**

**By-law read a Third and Final Time this 15<sup>th</sup> day of February, 2023**

**The Corporation of the City of Kenora:-**

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**Andrew Poirier, Mayor**

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**Heather Pihulak, City Clerk**