

The Corporation of the Municipality of Northern Bruce Peninsula

By-Law No. 2024-25

Being A By-Law to Establish and Appoint Members to a Municipal Drainage Committee for the Municipality of Northern Bruce Peninsula

Whereas pursuant to Section 224(d) of the Municipal Act, 2001, S.O. 2001, c.25 as amended, Council shall determine the services which it provides to ensure that administrative practices and procedures are in place to implement the decisions of Council;

And Whereas the Council of the Corporation of the Municipality of Northern Bruce Peninsula deems it appropriate to establish a Municipal Drainage Committee;

And Whereas, The Drainage Act, R.S.O. 1990, Chapter D.17 is a provincial statute which gives authority to the municipality to carry out procedures of the Act. This Municipal Drainage Committee is being formed to assist the municipality in identifying drainage issues and concerns;

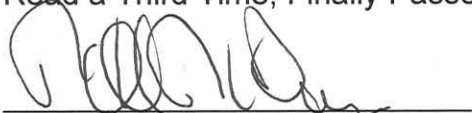
And Whereas the Council of the Corporation of the Municipality of Northern Bruce Peninsula desires to appoint members to the Municipal Drainage Committee in accordance with the Terms of Reference attached to this by-law as Schedule A;

Now Therefore the Council of the Corporation of the Municipality of Northern Bruce Peninsula hereby enacts as follows:

1. That a Drainage Committee is hereby established to be known as the Municipal Drainage Committee.
2. That a Municipal Drainage Committee is hereby established in accordance with the Terms of Reference attached to this by-law as Schedule A.
3. That the following individuals be appointed as members of the Municipal Drainage Committee for the current term of Council:
 - William (Bill) Ceaser
 - James Mielhausen
 - Don Colter
 - John Rodgers
 - Councillor Todd Dowd
4. That Schedule A forms part of this by-law.
5. That this by-law shall come into force and take effect immediately upon the final passing thereof.

Read a First and Second Time This 8th Day of April 2024.

Read a Third Time, Finally Passed, Signed and Sealed This 8th Day of April 2024.



Mayor Milt Mclver



Clerk Cathy Addison

Schedule "A" to By-law No. 2024-25

 <p>The logo of the Municipality of Northern Bruce Peninsula features a circular emblem with a blue sky, green trees, and a white silhouette of the peninsula. Below the emblem, the text "MUNICIPALITY OF NORTHERN BRUCE PENINSULA" is written in a small, black, sans-serif font.</p>	<p>Schedule "A" By-law No. 2024-25</p> <p>Terms of Reference</p> <p>Municipal Drainage Committee</p>
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Mandate:

The purpose of the Municipality of Northern Bruce Peninsula Municipal Drainage Committee (MNBPMDC) is to provide advice, recommendations, and oversight on matters related to municipal drainage within the Municipality of Northern Bruce Peninsula. The committee aims to promote effective drainage management, ensure fair cost-sharing, and mitigate the risk of flooding through collaborative decision-making and the application of best practices.

The objectives of the MNBPMDC are as follows:

- a. Review and assess drainage proposals: The committee will review proposed drainage projects, considering technical feasibility, environmental impact, and cost implications.
- b. Provide recommendations: Based on its review the committee will provide recommendations to the appropriate authorities on the approval, modification, or rejection of drainage proposals, considering the interests of affected landowners, environmental considerations, and municipal goals.
- c. Cost-sharing determination: The MNBPMDC will assist in determining fair and equitable cost-sharing arrangements among affected landowners for the construction, maintenance, and improvement of municipal drainage systems, in accordance with the Municipal Drainage Act.
- d. Public consultation: The committee will facilitate public consultation processes, including engaging affected landowners and the community, to gather input and address concerns related to drainage projects. It will ensure transparency and accountability in decision-making.
- e. Technical expertise: The MNBPMDC will provide technical expertise and guidance on drainage matters, including reviewing engineering reports, conducting site inspections, and recommending best practices in drainage system design and maintenance.
- f. Collaboration and liaison: The committee will foster collaboration and act as a liaison with external agencies, such as regional water management boards, environmental authorities, and other relevant stakeholders, to leverage additional resources, expertise, and coordinate drainage initiatives.

Composition and Organization:

The MNBPMDC will consist of the of a minimum of three (3) members to a maximum of five (5) members consisting of the following:

- a. Municipal representatives: A designated number of municipal officials, such as elected officials or municipal staff, who will provide local governance perspectives, ensure alignment with municipal goals and policies, and facilitate coordination with other municipal departments.
- b. Technical experts: Professionals with expertise in civil engineering, hydrology, or related fields, who will provide technical guidance, review drainage proposals, and contribute their specialized knowledge to the decision-making process.

c. Landowner representatives: Representatives from affected landowners or community organizations, who will bring the perspectives and concerns of landowners to the committee, ensuring that their interests are adequately considered in drainage decisions.

d. External agency representatives: Representatives from regional water management boards, environmental agencies, or other relevant bodies, who will foster collaboration, provide valuable insights, and facilitate coordination with external stakeholders.

The Committee shall meet quarterly throughout the year and for a duration of no longer than a two (2) hour period.

The MNBPMDC Committee members will be appointed for the 2022-2026 Council term, or until their successors are appointed.

Chairperson and Secretary:

The Committee will elect a Chair and a Vice Chair, and a Recording Secretary shall be provided by the Municipality to prepare Committee agendas and scribe the Committee's meeting minutes only.

The Committee will meet at the call of the Chair. The duration of the Committee meetings shall not exceed two (2) hours. The meetings shall be conducted at the Municipal Office, 56 Lindsay Road 5, Lions Head, Ontario.

Meeting agendas and minutes will be in electronic format and displayed on the Municipal website. Meeting minutes will be presented to Council following approval from the Committee at the following Drainage Committee meeting unless a resolution requires immediate attention.

The Committee shall be governed by all applicable Municipal by-laws and policies for the conduct of meetings and activities including but not limited to:

1. Procedural By-law
2. Purchasing/Procurement By-law
3. The Municipal Act
4. The Municipal Conflict of Interest Act
5. The Drainage Act
6. Guidelines for Endangered Species Act - DFO
7. OMAFRA Drainage website for a resource

Persons appointed as Committee members shall complete mandatory training as required by the Municipality from time to time including but not limited to Accessibility, Procedural, Respect in the Workplace and Health and Safety.

Reporting and Accountability:

The committee will provide regular reports and updates to Council including recommendations on drainage proposals, cost-sharing determinations, and progress on ongoing projects.

Meeting Attendance:

If Members miss three (3) consecutive meeting, a report will have to be submitted to Council to perhaps reconsider the "seat" on the Committee.

Vacancies Mid-Term:

Members appointed to this Committee should be prepared to commit to participation and duties assigned throughout the duration. Due to the nature of the Committee and the required work plan, mid-term vacancies on the Committee will not be filled and the remaining members shall be deemed to meet the composition required to complete the task.

Terms and Conditions:

The Committee shall be appointed by by-law and shall run with the current term of Council.

Meetings shall be established and conducted in accordance with the Municipality Procedural By-law and any other applicable legislation.

All Committee members are required to respond to the Recording Secretary's email regarding anticipated attendance for the upcoming meeting, whether a committee member can attend the meeting or not. If a quorum is not achieved, the meeting will be cancelled.

If a quorum is not achieved after fifteen minutes on the scheduled meeting date, then the meeting will end at this time and be cancelled. Rescheduling a cancelled meeting will be at the discretion of the Recording Secretary.

The Recording Secretary must be informed of any delegations or presentations by individuals not apart of the Committee by the Committee Chair prior of the creation of the agenda for the meeting in which the delegation or presentation is anticipated.

Available Resources:

The Committee will:

- have resources available, through the Municipality, such as photocopying, faxing, and similar office functions.

If appropriate notice is given to municipal staff.

Review and Amendment:

These Terms of Reference will be subject to periodic review to ensure their continued relevance and effectiveness. Amendments may be made as deemed necessary, with approval from the relevant municipal authorities.