

**THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD**  
**BY-LAW 41-2019**

**BEING A BY-LAW TO ESTABLISH A HERITAGE ADVISORY COMMITTEE**

WHEREAS Section 5(3) of the *Municipal Act, 2001*, as amended, states that municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law, unless the municipality is specifically authorized to do otherwise;

AND WHEREAS Section 11(1) of the *Municipal Act, 2001*, as amended, provides that a lower-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS Section 11(3) of the *Municipal Act, 2001*, as amended, provides that a lower-tier municipality may pass by-laws regarding culture, parks, recreation and heritage;

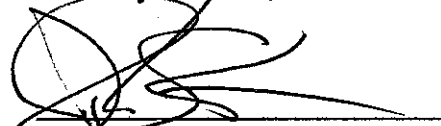
AND WHEREAS Section 28 (1) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended, provides the council of a municipality may, by by-law, establish a municipal heritage committee to advise and assist the council on matters relating to Parts IV and V of the *Ontario Heritage Act* and other such matters as the council may specify by by-law;

AND WHEREAS the Council of the Corporation of the Village of Merrickville-Wolford deems it appropriate to establish a Heritage Advisory Committee;

NOW THEREFORE the Council of the Corporation of the Village of Merrickville-Wolford hereby enacts as follows:

1. A Heritage Advisory Committee is hereby established and the attached Terms of Reference are hereby adopted and form part of this by-law as Schedule "A".
2. Any by-laws that do not conform with this by-law are hereby repealed.
3. This by-law shall come into force and take effect immediately upon the final passing thereof.

Read a first, second and third time and passed on the 10<sup>th</sup> day of June, 2019.

  
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J. Douglas Struthers, Mayor

  
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Doug Robertson, CAO/Clerk



MERRICKVILLE-WOLFORD  
*Jewel of the Rideau*

**Terms of Reference  
Heritage Advisory Committee  
Schedule "A" to By-law 41-2019**

**Mission:**

The Village of Merrickville-Wolford's Heritage Advisory Committee's mission is to advise Council regarding heritage issues including the protection, enhancement, preservation and conservation of the Village's heritage and historically significant environments while adhering to the *Ontario Heritage Act* (i.e., "the Act") and all other applicable legislation and policies.

**Objectives:**

To assist Council as follows:

- To advise and assist Council on all matters as required in the *Ontario Heritage Act*, R.S.O. 1990;
- To report and advise Council regarding any direction received from Council pertaining to certain projects or reviews;
- To respond to Council's legislated consultation of the Committee regarding the heritage designation process for individual properties and districts, applications to alter the designated properties, applications to demolish or remove designated properties and applications to repeal designation by-laws; and
- To promote strategic initiatives as directed by Council regarding the protection of heritage.

**Composition:**

The Heritage Advisory Committee shall include, but not be limited to:

- a. Five (5) Voting Members selected at large through a public application process who will be regarded as private citizens and do not represent their employers or advocacy group in their capacity as a member;
- b. One (1) Council Liaison to be appointed by Council; and
- c. Head of Council (Mayor – ex officio).

All members shall be appointed to the Committee by Council by way of resolution.

**Terms of Office:**

Membership shall align with regular municipal elections (every four years) and the Committee will expire at the end of a term of Council.

**Quorum:**

A quorum shall consist of 50 percent of the voting members. No meeting shall proceed without quorum present.

**Motions:**

Decisions made during Heritage Advisory Committee meetings will follow the process of making a motion, having it seconded and having it voted on and passed by the majority of the Committee.

**Meetings:**

Meetings of the Committee shall be governed by the Procedural By-law 30-17, applicable legislation, and Robert's Rules of Order.

The Committee shall meet only as required by Council in accordance with the legislation.

All meetings are open to the public.

**Chair:**

The Committee shall, at the first meeting of a new term, appoint a chairperson.

The Committee chairperson shall be responsible for:

- Facilitating meetings;
- Appointing a secretary of the Committee at the first meeting of a new term to take Minutes of all Committee meetings;
- Providing all necessary documentation and/or requests to Council through the Council Liaison; and
- Ensuring completion of tasks by Committee Members.

**Role of Members:**

The members of the Heritage Advisory Committee roles include, but are not limited to:

- Attending regular meetings as scheduled and additional meetings as necessary;
- Participating in discussions and planning and sharing the workload of the Committee;
- Providing expertise in their professional area of responsibility;
- Providing regrets to the chairperson if unable to attend a meeting;
- Declaring any conflict of interest in accordance with the *Municipal Conflict of Interest Act* and excluding themselves from any discussion and/or voting where such a conflict exists or may exist.

**Reporting to the Municipal Council:**

The Heritage Advisory Committee shall report to Council:

- 1) Through the minutes of the meetings; and
- 2) As deemed necessary by the Committee for submission through the Council Liaison; and
- 3) As requested by Council.

**Conflicts of Interest:**

Members shall abide by the rules outlined within the *Municipal Conflict of Interest Act* and shall disclose any pecuniary interest to the chairperson and absent himself or herself from meetings for the duration of the discussion and voting (if any) with respect to that matter.

**Budget:**

All monies required for any reason pertaining to the Committee carrying out its duties must be approved by Council. All requests must be submitted by September 15<sup>th</sup> of the preceding year.

All approved budget items shall be administered by the Village, through direction of Council.