

Smiths Falls Municipal Heritage Committee Terms of Reference

Adopted via By-law 9991-2018, Effective December 1, 2018

1. Purpose

The purpose of the Municipal Heritage Committee shall be to provide advice and recommendations to Council on heritage-related issues, to promote heritage conservation within the municipality, and to advise Council and the community on individual properties and districts of heritage and cultural significance.

2. Mandate:

The mandate of the Smiths Falls Municipal Heritage Committee will consist of statutory and non-statutory responsibilities.

2.1 Statutory Mandate:

Pursuant to the *Ontario Heritage Act*, Council shall consult with the Municipal Heritage Committee on the following matters:

- a) Designation or repeal of a bylaw under Part IV or V of the Act;
- b) Alteration, demolition of a designated property;
- c) Easements and covenants;
- d) Listing of properties on the Municipal Register;
- e) Heritage Conservation District Studies.

More specific details regarding the mandate of the Committee are outlined in Appendix "A".

2.2 Non-Statutory Mandate:

In addition to its statutory responsibilities, the Municipal Heritage Committee may choose to perform any of the following functions:

- a) Research and advice on new heritage legislation and funding initiatives;
- b) Perform outreach functions to owners of heritage properties;
- c) Support and endorse the designation of private and public properties;
- d) Research and develop educational programming and activities including but not necessarily limited to newsletters, lectures, descriptive guides, exhibits and plaques;
- e) Liaise with other organizations and support existing community cultural networks
- f) Research, inventory and record heritage assets within the community
- g) Research and advice on National and Provincial Historic Sites

3. Membership

3.1 Appointment

Municipal Heritage Committee members will be appointed by Council, the term of which shall coincide with the term of Council. Members on the MHC will remain members until new members are appointed via resolution when a new term commences.

- a) A minimum of one (1) and maximum of two (2) Council members shall be appointed to the Committee;
- b) A minimum of three (3) and maximum of eight (8) citizen members living in the Town shall be appointed to represent the Town of Smiths Falls at large. A cross section of people shall be chosen in order to bring to the Committee relevant technical and professional expertise as well as strong advocacy, communication and organizational skills.
- c) Additional members may be appointed to the Committee throughout the duration of the Term of Council
- d) A Committee member may apply for re-appointment for any number of consecutive or non-consecutive terms.

3.2 Administration

- a) All members of the Committee appointed by Council shall be considered voting members.
- b) The membership will appoint one voting member as Chairperson for the term of the Committee.
- c) A majority of members shall constitute quorum.

4. Staff Liaison

The Town will provide one staff member (non-voting) to the Committee to provide technical and administrative support to the Committee. The staff liaison will prepare and maintain meeting minutes, agendas, motions and technical reports as needed, and may liaise with other municipal departments and outside agencies as may be required.

The staff liaison will orient members at the beginning of the term.

5. Meetings

5.1 Regular Meetings

The Committee will meet monthly, with a minimum of nine (9) meetings held throughout the year. For the ease of planning, every attempt will be made to hold meetings on a consistent day of the week, regular time and location throughout the year. Additional meetings may be held as required at the call of the Chair. All meetings will have a formal agenda; however the Chair is encouraged to create an informal atmosphere to encourage the free exchange of ideas from appointed members. Agendas and information packages, which will include the minutes from the previous meeting, will be sent via email or regular mail to all committee members in advance of the meeting.

Generally, meetings shall be under two (2) hours in length however it is acknowledged that special circumstances may arise when this time limit is exceeded.

5.2 Working Groups

The Committee may recommend working groups of the Municipal Heritage Committee be established for a particular purpose. The Chair of a working group must be an appointed member of the Municipal Heritage Committee. As a working group, formal agendas, minutes or staff support are not required, however any expenditures, policy and external communication can only be done at the direction of the Municipal Heritage Committee.

6. Reports to Council

As a Committee of Council, the Municipal Heritage Committee is responsible for making recommendations to Council based on its mandate. The advice solicited from the Committee will be provided to Council via the following processes:

- a) Meeting minutes or motions appended to staff reports; or
- b) Delegations to Committee of the Whole scheduled as Priority Items.

7. Budget

The Municipal Heritage Committee budget will be determined by Council annually. Recommendations adopted by Council will be incorporated into the operational or capital budget in the appropriate area recommended by the Treasurer and approved by Council. Prior to each annual budget process, the Committee shall provide a report and work plan to Council outlining its anticipated budget requirements for the coming year.

8. Committee Remuneration

Membership in the Municipal Heritage Committee is a volunteer position, however conferences, workshops and other Committee business shall be reimbursed as per established Town policies.

9. Code of Conduct

Council of the Corporation of the Town of Smiths Falls established a Codes of Conduct for Members of Council and its local boards (Bylaw 9973-2018).

The Town of Smiths Falls is committed to providing and maintaining a working environment that is based on respect for the dignity and rights of everyone in the organization. It is the Town's goal to provide a healthy and safe work environment that is free from any form of harassment or violence.

All Committees of Council are also subject to the Policy Respecting the Appointment of Citizen Members for the Town of Smiths Falls Boards and Committees

Appendix A – Overview of the Ontario Heritage Act and Municipal Heritage Committees

Statement of Recognition:

Our inheritance of architecture, cultural and natural landscape is an important and irreplaceable asset and resource. The conservation of these resources is fundamental to creating community pride and identity, attracting new residents and tourism, all of which have important economic impacts on our community.

Overview:

The Ontario Heritage Act R.S.O. 1990, as amended, provides a framework for municipalities to conserve properties of significant cultural heritage value or interest. It also enables and encourages citizen participation in heritage conservation locally. Through the Act, municipal councils are authorized to establish a Municipal Heritage Committee (MHC), a municipal advisory committee.

Cultural heritage properties can be:

- Buildings and structures,
- Cemeteries,
- Natural heritage,
- Cultural heritage landscapes,
- Archaeological sites, including marine archaeology,
- Spiritual sites,

Council is empowered under the Act to:

- Designate individual property and designate districts or areas;
- Issue or refuse permits to alter or demolish a designated property;
- Repeal designation bylaws;
- Purchase or lease individually designated property;
- Expropriate designated property;
- Provide grants and loans to designated property owners; and,
- Enter into easements and covenants.
- Listing properties on Municipal Register

These statutory powers give rise to the following responsibilities of a municipal council:

- Setting the municipal budget to be used for heritage conservation;
- Carrying out heritage conservation policies in the Official Plan and its amendments; and,
- Receiving recommendations and consulting with the MHC, where one is established, and having due regard for the committee's advice on designation, alterations to designated property, demolition, repeal of designation bylaws, and other matters relating to heritage conservation in the municipality.