

CITY OF ST. THOMAS

BY-LAW NO. 131-2011

**A By-Law to establish the City of St. Thomas
Municipal Heritage Committee**

WHEREAS section 28 of the *Ontario Heritage Act* R.S.O. 1990, as amended, provides that the council of a municipality may, by by-law, establish a municipal heritage committee to advise and assist the council on all matters relating to Parts IV and V of the *Ontario Heritage Act* and such other assigned heritage matters as the council may specify by by-law;

AND WHEREAS the Council of the Corporation of the City of St. Thomas considers it desirable to establish a St. Thomas Municipal Heritage Committee

NOW THEREFORE the Council of the Corporation of the City of St. Thomas ("Council") hereby enacts as follows:

1.0 TITLE

A municipal heritage committee is hereby established, to be known as the "City of St. Thomas Municipal Heritage Committee" ("MHC").

2.0 PURPOSE

The purpose of the MHC is to advise and make recommendations to Council on all heritage matters brought to its attention pursuant to the *Ontario Heritage Act*, as amended, including the conservation, preservation and restoration of buildings and areas in St. Thomas of historic, cultural and/or architectural significance.

3.0 MANDATE

3.1. The MHC shall advise and assist Council on all matters relating to Parts IV and V of the *Ontario Heritage Act* and as such shall specifically fulfill the following terms of reference:

3.1.1 Research, assess and make recommendations to Council on proposals for the designation of individual properties under Part IV of the *Ontario Heritage Act* and for the creation of a heritage conservation district(s) under Part V.

3.1.2 Establish criteria for the evaluation of properties of cultural heritage value or interest;

3.1.3 Prepare, evaluate, and maintain a list of properties and areas within the City of St. Thomas which describes their historic value or interest;

3.1.4 Advise Council on means of conserving, protecting and preserving heritage properties and areas in St. Thomas including advice on alterations to designated properties;

3.1.5 Advise Council on current heritage conservation legislation and to assist Council in the preparation of municipal by-laws and policies to conserve heritage properties and areas;

3.1.6 Implement education and communications' programs and activities to increase public awareness and knowledge of local heritage and any issues arising;

3.1.7 Advise and assist Council on any other matters relating to properties or areas of cultural heritage value or interest.

4.0 MEMBERSHIP

- 4.1 The MHC shall consist of up to nine members appointed by Council as follows:
- 5.1.1 up to eight of whom shall be members of the St. Thomas general public;
 - 5.1.2 one of whom shall be a member of the Council.

4.2 As soon as possible following its establishment and the appointment of its members, the MHC shall appoint one of its members to be the Chair and may appoint any such other officers as it may deem necessary to properly conduct the business of the MHAC.

4.3 Should any member wish to resign from the MHC, a letter of resignation shall be provided to the Clerk of the City of St. Thomas for inclusion in the Council agenda.

4.4 Where a vacancy occurs from any cause, the Council may appoint a person to fill the vacancy.

4.4 The Council of the Corporation of the City of St. Thomas may, by resolution, replace members as terms of membership expire, or appoint from time to time such new members as it considers desirable.

5.0 TERM OF OFFICE

5.1 Each member shall hold office from the time of appointment until the expiration of the term of the Council that appointed such member.

5.2 Notwithstanding clause 5.1, the members shall hold office until their successors are appointed and are eligible for reappointment on the expiration of their term of office.

6.0 MEETINGS AND MINUTES

6.1 The MHC shall keep proper minutes and records of all its meetings and shall forward true copies of such minutes and records to all members of the MHC and to the City Clerk as soon as possible after the meeting covered thereby.

6.2 The MHC shall meet at least nine times annually.

7.0 FINANCIAL

7.1 The members of the MHC shall serve without remuneration but may be reimbursed by the MHC for pre-authorized out of pocket expenses.

7.2 The Council through the City Treasurer shall establish separate records on behalf of the MHC to be known as the "Municipal Heritage Committee Financial Records."

7.3 The fiscal year of the MHC shall be the calendar year.

7.4 The MHC shall adopt and maintain only banking arrangements and ordinary good accounting practices that are acceptable to the City Treasurer of the Corporation and keep such books of account and submit such statements from time to time as the said City Treasurer may require.

7.5 On or before December 1st in each year, the MHC shall submit to the Finance and Administration Committee of the Council its estimates for the year next following, in such manner and form as may be approved by the MHC, and when the estimates have been approved by the Council, the MHC may make requisitions upon such estimates for all sums of money required to carry out its purposes, but noting herein divests the Council of its authority with reference to rejecting such estimates in whole or in part or providing the money for the purposes of the MHC, and further, when money is so

provided by the Council, the City Treasurer shall, upon the certificate of the MHC, pay out such money to the MHC.

7.6 The MHC shall not expend any moneys not included in the estimates approved by the Council.

7.7 The MHC shall not borrow money and without the prior approval of the Council it shall not incur any indebtedness extending beyond the current year.

7.8 On or before the 1st day of March in each year, the MHC shall submit its annual report for the preceding year to the Planning and Development Committee of the Council, including a complete financial statement prepared by the City Treasury Department of its affairs, with balance sheet and revenue and expenditure statement.

7.9 The municipal auditor shall be the auditor of the MHC and all books, documents, transactions, minutes and accounts of the MHC shall, at all times, be open to the auditor's inspection.

8.0 LIABILITY INSURANCE

8.1 The MHC shall be included with the Council in any policy of insurance indemnifying the members thereof against personal liability arising out of the proper conduct of activities of the MHC.

9.0 EFFECTIVE DATE

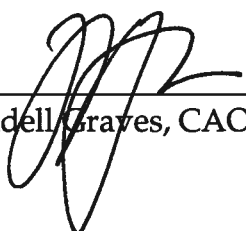
This by-law shall come into force and take effect on the date of its final passing.

10.0 REPEAL

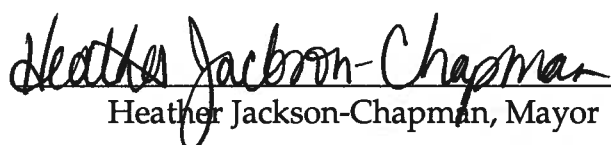
That By-law No. 152-87, By-law amendments Nos. 190-88 and 4-97 are hereby repealed.

READ a First and Second Time this 12th day of September, 2011.

READ a Third time and Finally passed this 12th day of September, 2011.



 Wendell Graves, CAO/Clerk



 Heather Jackson-Chapman, Mayor