

# CORPORATION OF THE TOWNSHIP OF SOUTH ALGONQUIN

## **BY-LAW NO.: 03-201**

**BEING A BY-LAW to authorize the carrying on of a community program of recreation within the meaning of the Community Recreation Centres Act, to provide assistance for the operation, maintenance, and management of Parks, and to provide assistance for the establishment, operation, and maintenance of Community Centres or Halls pursuant to the Community Recreation Centres Act and the regulations made thereunder.**

**WHEREAS** the Council of the Township of South Algonquin wishes to ensure that the various communities within its boundaries have a Community Program of Recreation which meets the ongoing and developing recreational needs of our residents.

**NOW THEREFORE** the Council of the Corporation enacts as follows:

**1.**

- (a) *Pursuant to Section 8 of the Municipal Act 2001*, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.
- (b) *Pursuant to Section 11 of the Municipal Act 2001*, a single-tier municipality may pass by-laws respecting matters within culture, parks, recreation and heritage spheres of jurisdiction.
- (c) *Pursuant to Section 11 of the Municipal Act 2001*, a Community Program of Recreation, Community Centres/Halls and Park Management is hereby established for the residents of this Municipality.
- (d) The said Community Program of Recreation, the said program of Park Management and the said Community Centres/Halls shall be directed, managed and controlled on behalf of the Council of the Corporation by Committees known as the Township of South Algonquin Parks and Recreation Committees.

**2.** The Township of South Algonquin Parks and Recreation Committees shall be appointed by the Municipal Council of the Township of South Algonquin and, shall be composed of volunteers from each community who are eligible to be elected as members of Council. Additionally, each Recreation Committee shall have a Council representative appointed to sit on that Committee, who shall be a non-voting member. The Community Recreation Committees shall be commonly known as the following:

- (a) Aylen Lake Recreation Committee
- (b) Murchison and Lyell Recreation Committee
- (c) Whitney Recreation Committee

3. The appointments to the Township of South Algonquin Parks and Recreation Committees shall be made at the first meeting of the Municipal Council of the Township of South Algonquin or as soon thereafter as is expedient. The members shall hold office during the term of the Municipal Council of the Township of South Algonquin.

4. **Duties of the Township of South Algonquin Parks and Recreation Committees:**

- (a) The Committees shall conduct or encourage and assist the Program of Recreation which will meet the ongoing needs and interests of the inhabitants of the Township of South Algonquin. Such programs shall include the social, cultural and physical aspects of recreation as applied jointly and/or severally to all residents of the Township.
- (b) The Committees shall assist in the co-ordination of Township Recreation Activities and work cooperatively with the other committees as necessary.
- (c) The Committees shall assist, encourage and provide advisory services on request to all groups, organizations, or persons carrying on recreation activities in the Township of South Algonquin.
- (d) The Committees shall at all times keep the inhabitants of the Township of South Algonquin aware of the recreation opportunities which are available, and shall continually communicate to the public their total Township Program of Recreation.
- (e) The Committees shall have the power to adopt rules and regulations pertaining to the proper conduct of the township program of recreation conducted by the Committees.
- (f) The Committees may recommend the appointment of the Rink Attendants, where required, either part-time or full-time, and shall be responsible for assigning the duties and responsibilities of such employee.
- (g) The Rink Attendants shall be empowered to dismiss those who disobey the rules set out by the Committees. They must report the incident to the Chair of their Committee for consideration at its next meeting. Incidents of a grave or serious nature ( i.e. accident, injury, aggressive behaviour) must be reported to the Clerk during regular office hours or alternately to the Mayor after hours.
- (h) As directed from time to time by the Municipal Council of the Township of South Algonquin, the Committees are empowered to operate, improve and maintain property for parks, playgrounds, recreation centres/halls and other recreation facilities. However, all physical or structural improvements must be presented to Council for approval, prior to construction.

- (i) The Committees may solicit or receive any gifts or bequests of money or services or any donation to be applied, to the temporary or permanent use of facilities, equipment, program or other recreational purposes.
- (j) The said Committees shall prepare an annual budget containing any or all of the following as they apply:
  - (i) Recreation Committee general program.
  - (ii) Parks operation and maintenance.
  - (iii) Community Recreation Centres/Halls operation and maintenance.

The Chairs of each Committee shall convene annually to assemble their respective budgetary requests for presentation to Council no later than the Thursday, one week prior to the April Council Meeting in any given year. They shall also be prepared to interpret their respective budgets to the Finance Committee (committee of the whole) as required.

- (k) No debt or obligation shall be incurred by the said Committees and no payments shall be made by or on behalf of the said Committees until duly authorized by Council's monthly resolution and within approved budgetary allocation.

Notwithstanding item (k) above, expenditures approved in annual estimates **do not** require re-approval by Council. However, the municipality's established purchasing policy must be followed.

- (l) In carrying out the provisions of the By-law, the Committees shall at all times be the agents of the Municipal Council of the Township of South Algonquin, and while acting bona fide within the limits of the authority of this by-law, neither the Committees nor any member thereof shall incur any liability by reasons of anything done or left undone by the Committees. Provided however, that nothing in this paragraph shall empower the Committees to incur any debt, liability or obligation for which the Municipal Council of the Township of South Algonquin shall become liable, without having previously obtained the written consent of the Municipal Council.

- (m) The Committees shall report on the programs conducted during the preceding year by February 1<sup>st</sup> of each year.

#### **ADMINISTRATION:**

- 5. Subject to the approval of Council, the said Committees shall formulate policies, rules and regulations relating to the administration of Township programs of recreation.

- (a) The said Committees may make rules and regulations for the conduct of the Community programs of recreation or any part thereof and to govern the conduct of all persons who in any way participate in or be in attendance at any part of the program.

- (b) The said Committees shall hold regular monthly meetings and observe the provisions contained in “Procedural By-law #03-196” governing the conduct of its members and proceedings of meetings.

Notwithstanding item (b) above, the Committees may adjourn during seasonally inactive periods.

- (c) At any meeting of the said Committees, a quorum shall consist of the majority of members of that Committee . A member’s seat shall become vacant if he/she is absent from the meetings of said Committees for three successive months without being authorized to do so by a resolution of Council.
- (d) The said Committees shall elect a chairperson from among its members and such other officers as may be required.
- (e) The said Committees shall submit a monthly report to the Council of their Committee minutes, by the Wednesday of the week prior to the Council Meeting. The Chair of each Committee will make available to the appropriate Councilor(s) a brief report of all the items requiring attention.
- (f) The said Committees may establish a Trust Account to manage fundraised funds as required.
- (g) The Clerk-Treasurer and/or Deputy Clerk shall account for and maintain detailed records of all trust funds submitted by the Parks and Recreation Committees. The Township Clerk/Deputy Clerk and designated signing officers of the Parks and Recreation Committees, before signing a cheque, shall satisfy themselves that the issue thereof is authorized.

Detailed copies of monthly receipts and disbursements of trust funds shall be provided to the committees monthly for reconciliation purposes. Budgetary operating statements to date shall also be provided to the committees, monthly, for control purposes.

6. This by-law comes into force on the date it is approved by the Council of the Township of South Algonquin and forwarded to the Ministry of Culture, Tourism and Recreation.
7. This by-law when passed, will take precedence over any by-laws that had been passed previously with respect to Recreation, and shall come into force on passing.

Read a first and second time this 08 day of January, 2004 .

Read a third and final time, and passed this 08 day of January, 2004 .