



**The Municipal Corporation of the
Town of Fort Erie
BY-LAW NO. 171-2002**

AMENDED BY
BY-LAW No. 177-06
Oct 23/06
DATE attached

AMENDED BY
BY-LAW No. 150-05
Aug 15/05
DATE attached

**BEING A BY-LAW TO ESTABLISH AN ACCESSIBILITY ADVISORY
COMMITTEE FOR THE TOWN OF FORT ERIE**

WHEREAS Bill 125, Chapter 32, SO 2001 provides for the *Ontarians with Disabilities Act, 2001*, and

WHEREAS Section 11 of the said *Act* as well as other sections were proclaimed into effect on September 30, 2002 including the requirement that municipalities with a population of 10,000 or more must have an Accessibility Advisory Committee in place by September 30, 2002 and the majority of members must be people with disabilities, and

WHEREAS the *Ontarians with Disabilities Act, 2001* sets out amongst others, the duties of municipalities as well as public transportation organizations, and

WHEREAS Report No. F-36-2002 was approved at the Council-in-Committee Meeting of September 3, 2002 directing, amongst other things, the establishment of an Accessibility Advisory Committee for the Town of Fort Erie and that a by-law be submitted at the September 23rd Council Meeting setting out the duties and responsibilities of the Committee, and

WHEREAS Section 11 of the said *Act* provides that in each year, the Council of every municipality shall prepare an Accessibility Plan and shall address the identification, removal and prevention of barriers to persons with disabilities in the municipality's by-laws and in its policies, programs, practices and services; the Accessibility Plan shall include various provisions as set out under Section 11(3) of the said *Act* and the plan shall be available to the public, and

WHEREAS advertisements were published in the local paper and other advertising devices inviting interested persons to submit applications for appointment to the Accessibility Advisory Committee but such appointments are made under separate by-law, and

WHEREAS it is deemed expedient to establish an Accessibility Advisory Committee for the Town of Fort Erie and to set out the duties and responsibilities thereto;

NOW THEREFORE the Municipal Council of The Corporation of the Town of Fort Erie hereby enacts as follows:

1. **THAT** a Committee to be known as "the Accessibility Advisory Committee for the Town of Fort Erie" and hereinafter called "the Accessibility Advisory Committee" be and it is hereby established.
2. (a) **THAT** the Accessibility Advisory Committee shall be composed of not more than 15 persons, a majority of which shall include persons with disabilities;

- (b) **THAT** the Chief Building Official for the Town of Fort Erie shall be the lead staff resource to the Committee with support provided from the Public Works Department, Community Planning and Development Services and the Clerk's Office.
- 3. **THAT** the Accessibility Advisory Committee shall advise the Council in each year about the preparation, implementation and effectiveness of its Accessibility Plan.
- 4. (a) **THAT** the Council shall prepare an Accessibility Plan each year and shall seek the advice of the Accessibility Advisory Committee;
- (b) **THAT** the Accessibility Plan shall address the identification, removal and prevention of barriers to persons with disabilities in the municipality's by-laws and in its policies, programs, practices and services;
- (c) **THAT** the Accessibility Plan shall include:
 - (i) a report on the measures the municipality has taken to identify, remove and prevent barriers to persons with disabilities;
 - (ii) the measures in place to ensure that the municipality assesses its proposals for by-laws, policies, programs, practices and services to determine their effect on accessibility for persons with disabilities;
 - (iii) a list of the by-laws, policies, programs, practices and services that the municipality will review in the coming year in order to identify barriers to persons with disabilities;
 - (iv) the measures that the municipality intends to take in the coming year to identify, remove and prevent barriers to persons with disabilities; and
 - (v) all other information that the regulations prescribe for the purpose of the plan.
- (d) **THAT** the Accessibility Plan shall be available to the public.
- 5. **THAT** Council shall seek advice from the Accessibility Advisory Committee on the accessibility for persons with disabilities to a building, structure or premises, or part of a building, structure or premises,
 - (a) that the council purchases, constructs or significantly renovates;
 - (b) for which the council enters into a new lease; or
 - (c) that a person provides as municipal capital facilities under an agreement entered into with the council in accordance with Section 210.1 of the *Municipal Act*, as amended from time to time.

6. **THAT** the Accessibility Advisory Committee shall review in a timely manner the site plans and drawings described in Section 41 of the *Planning Act* that the Committee selects and the Director of Planning for the Town shall ensure the Committee is advised of all new site plans and drawings and has the opportunity to review same in a timely manner.
7. **THAT** in deciding to purchase goods or services through the procurement process for the use of itself, its employees or the public, the council of every municipality shall have regard to the accessibility for persons with disabilities to the goods or services.
8. **THAT** the public transportation organization providing transportation services to the Town of Fort Erie may elect to have its representative appointed to the Accessibility Advisory Committee and complete its obligations as set out under the *Act* in conjunction with the Town's Accessibility Advisory Committee.
9. **THAT** the term of the Accessibility Advisory Committee shall be concurrent with the term of Council.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 23rd DAY OF SEPTEMBER, 2002.



MAYOR



CLERK

I, the Clerk, Carolyn J. Kett, of The Corporation of the Town of Fort Erie hereby certify the foregoing to be a true certified copy of By-law No. 171-2002 of the said Town. Given under my hand and the seal of the said Corporation this day of _____, 2002.
