



The Municipal Corporation of the Town of Fort Erie

BY-LAW NO. 193-03

**BEING A BY-LAW TO ESTABLISH A
COMMUNITIES-IN-BLOOM COMMITTEE AND
TERMS OF REFERENCE AND TO AMEND BY-LAW NO. 200-85 AND
TO REPEAL BY-LAW NO. 209-2002**

WHEREAS the 2001/2003 Corporate Strategic Plan provides for a strategic goal to enhance the physical image of Fort Erie under the Economic Development sector with the following objectives:

- To develop a comprehensive plan for the beautification of Fort Erie;
- To empower and energize the community to participate in “beautification initiatives”, and

WHEREAS Communities-in-Bloom is a Canadian beautification program that provides information and education, and awards national Bloom Ratings for achievement of floral displays, landscapes, turf, urban forestry, community involvement, heritage conservation, environmental awareness and tidiness, and

WHEREAS Communities-in-Bloom is a volunteer based, non-profit organization committed to fostering civic pride, environmental responsibility and beautification through community participation and the challenge of national competition, and

WHEREAS the program strives to improve the tidiness, appearance and visual appeal of Canada’s neighbourhoods, parks, open spaces and streets through the imaginative use of flowers, plants and trees as well as focusing on environmental awareness and preservation of heritage and culture resulting in an improved quality of life, and

WHEREAS at the Council-in-Committee Meeting of October 21, 2002 Report No. PCS-112-2002 was approved authorizing the Town of Fort Erie to participate in the 2003 Communities-in-Bloom program, establishing a Communities-in-Bloom Committee as well as Terms of Reference thereto, and

WHEREAS at the Council Meeting of October 28, 2002 By-law No. 209-2002 was passed being a by-law to establish a Communities-in-Bloom Committee and Terms of Reference, and

WHEREAS subsequently at the Regular Council Meeting of May 12, 2003 Resolution No. 21 was passed to hold By-law No. 209-2002 in abeyance until such time as Council allocates appropriate resources to participate in the official Canadian Communities-in-Bloom Program, and

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WHEREAS at the Beautification Committee Meeting of October 14, 2003 a resolution was passed endorsing the proposed Terms of Reference of the Communities-in-Bloom Committee, and

WHEREAS at the Council Meeting of October 20, 2003, Report No. PCS-107-03 was approved authorizing the Town of Fort Erie to participate in the 2004 Communities-in-Bloom program, establishing a Communities-in-Bloom Committee as well as the Terms of Reference thereto, and

WHEREAS it is deemed desirable to establish a Communities-in-Bloom Committee, its composition thereof and Terms of Reference and to repeal By-law No. 209-2002;

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 "Communities-in-Bloom Committee" (hereinafter referred to as the "Committee") be and it is hereby established for the Town of Fort Erie in place of the Beautification Committee.

2. **THAT** the Committee shall be composed of thirteen (13) members as follows:

- | | |
|------------------------------|-------------------------------|
| Town Council (1) | School (1) |
| Town Staff (1) | Commercial Nursery (1) |
| Nature/Conservation Club (1) | Horticultural/Garden Club (1) |
| Community Service Group (1) | Local Business (1) |
| Community Stakeholders (5) | |

3. **THAT** the term of the first Communities-in-Bloom Committee shall be for the period December 1, 2003 and ending November 30, 2006 and appointments thereafter shall be concurrent with the new term of Council.

4. **THAT** the Terms of Reference in the form of Schedule "A" annexed hereto to this by-law be and they are hereby approved and adopted as a guideline.

5. **THAT** Schedule "C" to By-law No. 200-85, as amended be and it is hereby further amended by including the following under Section C6 (Appointments to be made by Council) thereto;

C6.23 Communities-in-Bloom Committee to be composed of thirteen (13) members: Town Council (1), School (1), Town Staff (1), Commercial Nursery (1), Nature/Conservation Club (1), Horticultural/Garden Club (1), Community Service Group (1), Local Business (1), Community Stakeholders (5). Such representation shall be for the term 2003- 2006 and thereafter such composition shall be confirmed or altered by Council.

6. **THAT** the Committee shall determine its meeting schedule at its first meeting.

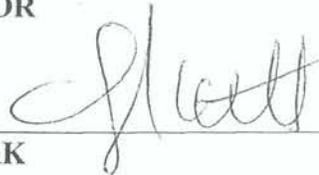
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7. **THAT** the Secretary of the Committee shall ensure the timely delivery of minutes of meetings to the Clerk of the Town of Fort Erie who shall include same on the Council Agenda for information purposes.
8. **THAT** the Town of Fort Erie participate in the "Communities-in-Bloom" Program for 2004.
9. **THAT** By-law No. 209-2002 be and it is hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 27th DAY OF OCTOBER, 2003.

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. 193-03 of the said Town. Given under my hand and the seal of the said Corporation this _____ day of _____, 2003.

FORT ERIE COMMUNITIES-IN-BLOOM COMMITTEE

TERMS OF REFERENCE

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| FORT ERIE COMMUNITIES-IN-BLOOM COMMITTEE TERMS OF REFERENCE |
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SECTION 1 - NAME AND PURPOSE OF COMMITTEE

- 1.01 The Committee shall be known as the Fort Erie Communities-in-Bloom Committee, hereinafter called "the Committee".
- 1.02 The duties and responsibilities of the Committee shall include but not be limited to the following:
- promote the Fort Erie Communities-in-Bloom program on a local, regional and national level;
 - educate the community, including the general public, community groups and organizations, and corporations, regarding the Fort Erie Communities-in-Bloom program;
 - organize and initiate fundraising activities as required to fund the initiatives of the committee and community;
 - coordinate the Fort Erie Communities-in-Bloom entry, application and judging processes;
 - organize the Fort Erie Communities-in-Bloom awards reception;
 - coordinate with Town staff as required to facilitate activities and represent the Town;
 - act in conformance with the by-laws and legislation of the Town of Fort Erie;
 - be accountable to Town Council;
- 1.03 The Committee may provide advise to Council, in concert with the duties and responsibilities of the Committee as outlined in the guidelines.

SECTION 2 - COMPOSITION OF COMMITTEE

- 2.01 The Committee shall be represented by community stakeholders and representatives, Council appointees and Town staff. There shall a limit of thirteen members of the Committee. Appointments or the filling of vacancy(ies) shall be by Council resolution.
- 2.02 At the first meeting of the Committee, the Chair, Vice-Chair and Secretary shall be elected.
- 2.03 The Committee shall be comprised of representatives from the following community organizations. Alternates will be appointed for each representative:
- Town Council (1)
 - Town Staff (1)
 - Community Service Group (1)
 - School (1)
 - Local Business (1)
 - Commercial Nursery (1)
 - Horticultural/Garden Club (1)

Nature/Conversation Club (1)
Community Stakeholders (5)

SECTION 3 - REPORTING RELATIONSHIP OF COMMITTEE

3.01 The Committee shall submit copies of all Committee minutes to the Council of the Town of Fort Erie via the Town Clerk. Advice to Council in the format of reports and strategies shall be submitted through the Office of the CAO.

SECTION 4 - TERM OF OFFICE

4.01 The Committee shall continue until its mandate has been achieved unless otherwise determined by Council. More specifically, the Council members of the Committee shall hold office for the term of Council and the stakeholders and community appointees shall remain on the Committee until the mandate has been achieved.

SECTION 5 - VACANCIES

5.01 Vacancies shall be filled by Council resolution.

5.02 Any vacancy affecting the Chair, Vice-Chair or Secretary shall be filled from the remaining Committee members by a majority vote.

SECTION 6 - QUORUM AND MEETINGS

6.01 A quorum for any meeting shall be a majority of the Committee members.

6.02 Formal notice of each meeting shall be given at least 48 hours in advance of the meeting. Special meetings for extraordinary purposes may be called by the Chair.

6.03 The Committee shall have regard to the Town's Procedural By-law for the conduct of meetings.

6.04 If any member of the Committee is absent from three (3) consecutive meetings without permission of the Committee, the member shall be asked to forfeit their seat and a vacancy on the Committee declared.

6.05 At the first meeting, the Committee shall establish the meeting schedule, with a minimum of one meeting per month.

SECTION 7 - VOTING

7.01 Questions arising at any meeting of the Committee shall be decided by a majority vote.

- 7.02 Each Member shall be entitled to one (1) vote on each question arising at any Meeting.
- 7.03 The Chair may vote on any question. In the case of an equality of votes, the Chair shall cast the deciding vote. A recorded vote may be requested on any question.
- 7.04 Any tied question shall be deemed to be negative.

SECTION 8 - POWERS

- 8.01 The Committee Members may only exercise such powers and do such other acts and things according to these Terms of Reference and empowered by the Municipal Council of the Town of Fort Erie.
- 8.02 The Committee shall act in conformance with all Town of Fort Erie by-laws and legislation.

SECTION 9- DUTIES OF CHAIR, VICE-CHAIR AND SECRETARY

- 9.01 The Chair shall preside at all meetings of the Committee. During the absence or inability of the Chair to preside, the duties and responsibilities shall be exercised by the Vice-Chair.
- 9.02 The Secretary shall keep and maintain a record of all proceedings of all meetings held by the Committee and deliver same to the Town Clerk for inclusion in the Council agenda. The Secretary shall provide all notices, including notices of meetings.