

THE CORPORATION OF THE
TOWN OF PELHAM

BY-LAW NO. 3079 (2010)

**Being a By-law to establish the
Heritage Pelham Advisory Committee for the Town of Pelham.**

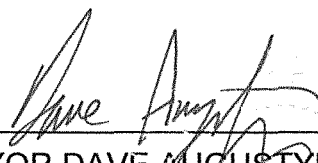
WHEREAS Section 28 of the Ontario Heritage Act R.S.O. 1990, Chapter O.18 provides that the Council of a Town may by by-law establish a municipal heritage committee to advise and assist the Council on matters relating to Part IV and Part V of the Ontario Heritage Act and such other heritage matters as the Council may specify by by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF PELHAM ENACTS AS FOLLOWS:

1. That in this By-law:
 - 1.1 "Council" shall mean the Municipal Council of the Corporation of the Town of Pelham.
 - 1.2 "Director of Planning and Development" shall mean the Director of Planning and Development for the Corporation of the Town of Pelham.
 - 1.3 "HPAC" shall mean the Heritage Pelham Advisory Committee.
 - 1.4 "Treasurer" shall mean the Treasurer for the Corporation of the Town of Pelham.
2. That the Heritage Pelham Advisory Committee is established to advise and assist Council on all matters within the jurisdiction of the Council of the Town of Pelham under the Ontario Heritage Act, as amended from time to time.
3. That the rules and regulations of the Corporation of the Town of Pelham Procedural By-law No. 2723-(2005) shall be applicable until the Heritage Pelham Advisory Committee adopts, as their first order of business, a procedural by-law in accordance with Subsection 238 of the Municipal Act, S.O. 2001, Chapter 25, as amended and shall govern all proceedings of the Heritage Pelham Advisory Committee.
4. That the records of the Heritage Pelham Advisory Committee shall be retained and preserved in accordance with the provisions of the Corporation of the Town of Pelham Records Retention By-law.

5. The Heritage Pelham Advisory Committee shall consist of not more than nine (9) members, not less than five (5) appointed from the public, and one member who is a Member of the Town of Pelham Council, all having voting privileges on the Heritage Pelham Advisory Committee.
6. Members shall be appointed by resolution of Council for terms of up to four years. Council may, by resolution, reappoint any member whose term has expired and otherwise has discretion in filling any vacancy by appointment by by-law for the remainder of any applicable term. The terms of office for members appointed from the public shall be staggered, with one-third of the members appointed or reappointed every year. There shall be no limit on the number of terms a member may be appointed at the discretion of Council, by resolution of Council, to serve on the Heritage Pelham Advisory Committee.
- 6.1 The Director of Planning and Development shall be an ex-officio member of the Heritage Pelham Advisory Committee.
7. The Goals and Mandate of the Heritage Pelham Advisory Committee are attached hereto as Schedule A and forming part of this By-law.
8. The Operating Guidelines of the Heritage Pelham Advisory Committee are attached hereto as Schedule B and forming part of this By-law.
9. In carrying out the provisions of this By-law, the Committee shall at all times be the agent of the Municipal Corporation and while acting bona fide within the limits of the authority of this By-law neither the Committee nor any member thereof shall incur any liability by reason of anything done or left undone by the Committee; provided however, that nothing in this section contained shall authorize or empower the Committee to incur any debt, liability or obligation for which the Municipal Corporation shall become liable without having previously obtained the consent of the Council of the Town of Pelham.
10. This By-law shall come into force and take effect on the date of its passing.

READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED BY COUNCIL THIS
16TH DAY OF FEBRUARY, 2010 A.D.


MAYOR DAVE AUGUSTYN


CLERK CHERYL MICLETTE