



# The Municipal Corporation of the Town of Fort Erie

## By-law No. 70-2023

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### Being a By-law to Re-Establish the Museum and Cultural Heritage Advisory Committee, Adopt Terms of Reference and Repeal By-law No. 35-12

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**Whereas** By-law No. 35-12 was passed to establish the Museum and Cultural Heritage Advisory Committee and to repeal By-law No. 172-06, as amended; and

**Whereas** Report No. COS-03-2023 was considered and approved at the Regular Council Meeting held on March 27, 2023, to update Terms of Reference for Committees of Council; and

**Whereas** it is deemed desirable to re-establish the Museum and Cultural Advisory Committee, adopt Terms of Reference and repeal By-law No. 35-12;

**Now therefore** the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the Museum and Cultural Heritage Advisory Committee is re-established and its Terms of Reference attached to and forming part of this by-law as Schedule "A" are adopted and approved.
2. **That** By-law No. 35-12 is repealed.
3. **That** the Clerk of the Town is delegated authority to affect administrative modifications to Schedule "A" that facilitate improvement of the Committee's effectiveness.
4. **That** the Clerk of the Town is authorized to affect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

**Read a first, second and third time and finally passed this 24<sup>th</sup> day of April, 2023.**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

I, \_\_\_\_\_ Clerk of The Corporation of the Town of Fort Erie, certify the foregoing to be a true copy of By-law No. 70-2023 of the said Town. Given under my hand and the seal of the said Corporation, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

## **Museum and Cultural Heritage Advisory Committee Terms of Reference**

### **1. Mandate and Objectives**

#### 1.1. Composition

- a) The Committee shall be comprised of nine (9) members:
  - i. Eight (8) citizens, and
  - ii. One (1) Member of Council
- b) The Committee shall consist of two (2) Standing Committees, namely:
  - i. Museum Services Standing Committee
  - ii. Municipal Heritage Standing Committee
  - iii. All members of the Committee shall be members of both Standing Committees

#### 1.2. Term

- a) Committee members shall hold office concurrent with the term of Council, and shall continue until a new Council appoints new Committee members following an election

#### 1.3. Museum and Cultural Heritage Advisory Committee (MCHAC)

- a) The mutual objectives of the Museum Services Standing Committee and the Municipal Heritage Standing Committee shall be as follows:
  - i. Actively promote cultural heritage and conservation by recognizing the non-renewable nature of cultural heritage resources and the contribution they make to the character, civic pride, tourism potential, economic benefits, and the historical appreciation of the community
  - ii. Promote awareness of Fort Erie's cultural heritage within and outside the boundaries of the Town
  - iii. Develop a work plan for Committee projects that does not infringe upon the functions of Museum Services or Land Use Policy Planning
  - iv. Monitor the Committee's budget expenditures and recommend budget adjustments as necessary
  - v. Monitor the progress of the Committee's work plan
  - vi. Observe and meet Committee relevant municipal, provincial and federal legislative requirements
  - vii. Only exercise such powers and do such other acts and things as are provided in this Terms of Reference

#### 1.4. Museum Services Standing Committee (MSSC)

- a) Fulfills Reg.877 under the Ontario Heritage Act for a governing body solely responsible for the Museum
- b) The MSSC's mandate is to support Fort Erie Museum Services; Statement of Purpose for Museum Services is as follows: “The Town of Fort Erie Museum Services shall be delivered in an efficient and effective manner for the benefit of all citizens, in order to

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create and care for a base of knowledge that belongs to the future; to create a strong and proud community by celebrating our shared heritage; and to satisfy the intellectual needs of the community”

c) MSSC's objectives shall be as follows:

- i. To provide advice and recommendations with regards to policy and plan development
- ii. Communicate to the public and its elected representatives the vision and purpose of Museum Services, and advocate for greater public involvement in the Museum and increased moral and financial support
- iii. Abide by the Ministry of Heritage, Sport, Tourism and Culture's "Standards for Community Museums in Ontario," as amended or superseded from time to time, and any other applicable laws, standards, or guidelines as may be legislated from time to time
- iv. Adopt and review the Museum Services Statement of Purpose to ensure this strategic document remains relevant to reflect community interests and the Museum's evolving role and make recommendations to staff and Council if changes are needed
- v. Provide input to, and adopt Museum Services policies related to the programming of Museum Services
- vi. Comply with the provisions of Museum Services program-related policies
- vii. Provide input to the strategic direction for Museum Services through input to Council-approved long-term strategic plans
- viii. Provide input to Museum Services' yearly work program targets
- ix. Monitor the effectiveness of Museum Services by evaluating the progress on the work program targets
- x. Within planning and service delivery, provide input to any asset or property destined to be added to or removed from the collection or service area that would significantly change or affect the budget, the scope of the collection, or the delivery of service
- xi. Provide input to Museum Services annual budget, for adoption by Council, which provides services under the Ministry of Tourism and Culture's "Standards for Community Museums in Ontario," as amended or superseded from time to time, and any other applicable laws, standards, or guidelines as may be legislated from time to time
- xii. Offer advice and support regarding procuring federal, provincial or other grants and subsidies supporting Museum Services
- xiii. Support the Museum's research and education function that involves using the collection for the creation and dissemination of knowledge, through input to, and adoption of, Museum policies that relate to the programming of Museum Services
- xiv. Ensure the preservation and conservation of the Museum's collection through input to, and approval of, Museum policies that relate to the programming of Museum Services
- xv. Promote awareness of Museum Services throughout the community and encourage the development of partnerships
- xvi. Actively support and participate in Museum Services activities and programs

### 1.5. Municipal Heritage Standing Committee (MHSC)

a) MHSC's objectives shall be as follows:

- i. Advise and assist 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
- ii. Identify and maintain an ongoing inventory of non-designated properties for Council to consider for designation under the *Ontario Heritage Act*

- iii. Identify and maintain an ongoing inventory of properties designated by Council under the *Ontario Heritage Act*
- iv. Make recommendations to Council through Planning and Development Services Staff regarding properties that are, in the opinion of the Committee, of cultural heritage value or interest for their architectural, contextual and/or historical value or interest under the *Ontario Heritage Act* and should be added to the Municipal Registry as non-designated properties for consideration for designation in the future
- v. Make recommendations to Council through Planning and Development Services Staff, regarding properties that, in the opinion of the Committee, are of cultural heritage value or interest for their architectural, contextual and/or historical value or interest under the *Ontario Heritage Act* and should be designated
- vi. Maintain an ongoing inventory of trees which Council has designated under the *Ontario Heritage Act*
- vii. Make recommendations to Council through Planning and Development Services Staff as to trees which, in the opinion of the Committee, are considered to have historical, associative and/or contextual value or interest under the *Ontario Heritage Act*
- viii. Advise Council on means of conserving heritage properties, trees and areas, and available funding sources
- ix. Advise Council on current heritage and conservation legislation and advise Council in the preparation of municipal legislation to conserve heritage properties, trees and areas
- x. Implement programs and activities to increase public awareness and knowledge of built heritage and conservation issues
- xi. Advise Planning and Development Services Staff on any other matters relating to properties, trees and areas of architectural and/or historical significance

#### 1.6. Qualifications

- a) Members shall have access to a computer and an email address to receive meeting invitations and agenda packages with large files
- b) Council shall have regard to but not limited to the following qualifications:
  - i. Potential to contribute to the ongoing development and support of local heritage
  - ii. Keen interest in one or more of the following topics in order to support a balanced Committee: Indigenous history, railroading, military history, genealogy/family histories, archaeology, local history (churches, schools, immigration, amusement parks, etc.), heritage tourism, archival research, marine heritage, built heritage, and natural history
  - iii. The cultural diversity of the community and to support inclusivity
  - iv. Specific needs of special projects and operational priorities as identified by Planning and Development Staff and the Manager, Museum and Cultural Services

## 2. Roles and Responsibilities

2.1. At the first meeting of the term, Committee members shall elect a Chair and Vice-Chair for the Museum and Cultural Heritage Advisory Committee and for both Standing Committees

2.2. Chair and Vice-Chair

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- a) Chair all regular meetings of the Committee and exercise authority, and perform duties as required
- b) Maintain decorum at each meeting and ensure that the Rules of Procedure are observed under By-law No. 36-2016 (Council Rules of Procedure), as amended or replaced
- c) Ensure that all committee members are provided with an opportunity to comment
- d) Provide guidance and leadership to the Committee in the completion of its mandate
- e) Vice-Chair shall assume all functions of the Chair in the Chair's absence

### 2.3. Committee Members

- a) Attend meetings of the Committee (if unable to attend, notification should be sent to the Staff Liaison as soon as possible before the meeting)
- b) Review agendas and materials before the meeting
- c) Contribute time, knowledge, skill and expertise to the fulfillment of the committee mandate
- d) Encourage and develop membership by promoting the role of the Committee throughout the Town
- e) Orient new members regarding their roles and responsibilities and source training opportunities as required

### 2.4. Staff Liaisons

- a) Provide guidance and advice to the Committee in fulfillment of its mandate
- b) Prepare and submit reports to Council as required
- c) Circulate agendas and record and prepare minutes of Committee meetings
- d) Distribute agendas and minutes to the Town Clerk
- e) Administer and manage the financial assets of the Committee
- f) Prepare budgetary documents as required by the Town Treasurer

### 2.5. Sub-Committees

- a) Sub-Committees will be formed as necessary and will report to the Committee/Standing Committee
- b) Sub-Committee minutes will be provided to the Committee/Standing Committee

### 2.6. Resignations and Vacancies

- a) Notices of resignation shall be submitted in writing to the Clerk's Office and the Staff Liaison
- b) If a vacancy occurs, Committee members shall canvass for applications from interested individuals
- c) Applications to fill vacancies during the Term shall be forwarded to the Clerk for consideration and appointment by Council

## 3. Meetings

### 3.1. Meeting Schedule

- a) The Museum Services Standing Committee shall meet a minimum of four (4) times per year or as required to conduct business to carry out its mandate
- b) The Municipal Heritage Standing Committee will generally meet monthly or as required to conduct business to carry out its mandate
- c) Special meetings may be held at the call of the Chair or by a call of 2/3 majority of the Committee

3.2. Quorum

- a) Quorum shall be five (5) members

3.3. Rules of Procedure

- a) The Committee shall follow the Council's Rules of Procedure By-law, as amended or replaced, with modifications as necessary
- b) In the event of a conflict between the Terms of Reference and any by-law of the Town of Fort Erie, the Terms of Reference shall prevail

3.4. Conduct

- a) The Committee shall follow any policies of the municipality governing the ethical behaviour of members, in place from time to time
- b) The Committee and members as individuals shall avoid conflict of interest at all times as outlined in the Provincial Standards for Community Museums

3.5. Agendas and Minutes

- a) The format of agendas and minutes shall be in a form approved by the Clerk
- b) Minutes shall be forwarded to the Clerk's Office in a timely manner

**4. Resources**

4.1. The Committee will have access to Town Conference Rooms for meetings and may meet elsewhere in the community in response to current projects

- a) Staff Liaisons facilitate reservations of Conference Rooms

**5. Museum Assets**

5.1. The Town of Fort Erie provides museum services at present consisting of, but not limited to, the following facilities:

- a) 402 Ridge Road known as the Fort Erie Historical Museum
- b) 400 Central Avenue known as the Fort Erie Railroad Museum
- c) 3390 Garrison Road known as the Ridgeway Battlefield Site; and
- d) 20 Lewis Street, known as the Artifact Conservation Facility (Mentholatum Building)

5.2. All Museum Services real property, exhibits, artifacts, archival materials, equipment, supplies and furnishings are owned by The Corporation of the Town of Fort Erie and are managed by Museum Services staff under the direction of the Chief Administrative Officer

5.3. In the event that Council decides to dispose of Museum assets, any revenue realized from such disposal shall be deposited in the Museum Reserve. Real property shall be reimbursed at the lower of acquisition cost and fair market value. Fund to be utilized for future museum expenses

**6. Reporting**

6.1. This Committee reports to Council through its minutes and reports prepared by Town Staff

**7. Remuneration**

7.1. This Committee operates on a volunteer basis only

**8. Terms of Reference**

8.1. The Committee shall review the Terms of Reference before the end of each term and make recommendations to Council through their minutes, as needed