



If this information is required in an alternate format, please contact the Accessibility Coordinator at 905-623-3379 ext 2131

## Accessibility Advisory Committee Terms of Reference

### Committee Purpose

The Accessibility Advisory Committee (AAC) provides advice to Council on identifying, preventing and eliminating barriers to people with disabilities in municipal programs, services, initiatives and facilities. The Committee plays a pivotal role in helping Clarington become a barrier-free community and ensuring obligations under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) are met.

### Committee Mandate

The Mandate of the Committee is to:

- Advise Council of the requirements and implementation of accessibility standards and the preparation of accessibility reports and other such matters for which Council may seek its advice;
- Provide advice to staff and Council on the development and implementation of Clarington's Multi-Year Accessibility Plan;
- Provide feedback on Clarington's annual status update on accessibility;
- Participate in consultation requirements as described under the AODA and its Standards;
- Review and provide feedback on municipal development and redevelopment projects as required under the Design of Public Spaces (DOPS) Standard;
- Review and provide feedback on selected site plan applications as described in section 41 of the *Planning Act*; and
- Promote awareness of accessibility and inclusion.

### Definitions

**Barrier** means anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice ("obstacle");

**Disability** means,

- a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or

visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;

- b) a condition of mental impairment or a developmental disability;
- c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- d) a mental disorder; or
- e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997* (“handicap”);

**Municipality** refers to the Corporation of the Municipality of Clarington and may refer to any agency, board or commission under its authority.

## Responsibilities and Obligations of Members

All Committee members shall abide by the Terms of Reference for the Committee as approved by Council. Members must be willing to commit to the time required to understand and evaluate the information provided, as well as be open-minded to various opinions and perspectives.

The Chair, or a spokesperson appointed by the Committee, may speak on behalf of the Committee to Council or the public. Other members shall not act or speak on behalf of the Committee without prior approval of the Committee.

The Committee or its members will not use petitions, resolutions, or position papers on behalf of the Committee, unless specifically authorized by Council resolution.

The Committee and its members will not act outside of the mandate and advisory capacity of the Committee. Should the Committee wish to comment on an issue that is within the mandate of another Council committee, the Chair shall consult with the responsible Liaison(s) and the Chair of the other Committee.

The Chair may ask any Committee member to leave a meeting if, in the opinion of the Chair, that person is being disruptive or disrespectful. The Committee also has the right to censure members that, in the Committee’s opinion, are misrepresenting the Committee and may request Council to remove that person from the Committee.

Members who wish to resign shall notify the Chair in writing of their decision who, in turn shall notify the Municipal Clerk in writing of the resignation. Council shall appoint new members to the Committee to fill any vacancies as required.

## Duty of Council

Council shall seek advice from the AAC on the accessibility for persons with disabilities to a building, structure or premises, or part of a building, structure or premises,

- That the Council purchases, constructs or significantly renovates;
- For which the Council enters into a new lease; or
- That a person provides a municipal capital facility under an agreement entered into with the Council in accordance with section 110 of the *Municipal Act, 2001*.

Council may assign other roles and responsibilities to the Committee, however, Council must ensure that the Committee is still able to meet its legal responsibilities.

## Committee Composition

The Committee shall be comprised of 7-10 voting members. The majority of the Committee membership shall be held by persons with disabilities. The Committee shall also include 1 member of Council. The Council representatives shall have full voting privileges.

Personal support workers are welcome to attend meetings for the purpose of providing support to a person with a disability. Personal support workers are not permitted to participate in discussions on their own and they do not have voting rights.

## Qualifications

- Must be a resident of the Municipality of Clarington
- Must be at least 16 years of age
- Awareness and knowledge of the AODA and its Standards
- Familiarity with Clarington's goods, services and facilities
- Awareness and knowledge of disability and accessibility issues

## Committee Chair, Vice Chair, and Secretary

The Committee shall select a Chair and Vice-Chair from among its membership. Members of Council and municipal staff sitting on the Committee are not eligible to assume the position of Chair or Vice-Chair.

The Committee shall select a recording secretary at the first meeting. Duties of the secretary shall include the taking of meeting minutes and providing these minutes to the Staff Liaison for review before submitting the minutes to the Clerk for Council's information.

The Chair provides leadership to the Committee, ensures that the Committee carries out its mandate, and acts as the Primary liaison between the Committee and Staff. The Chair shall set the agenda for each meeting in consultation with the staff liaison.

If the Chair is temporarily absent, the Vice-Chair will assume the position and responsibilities for the Chair in the interim. If the position of Chair becomes vacant, the Vice-Chair shall assume the responsibilities of the Chair until a new Chair can be elected. If the Vice-Chair becomes vacant, the Chair may appoint a member of the Committee as Interim Vice-Chair until a new Vice-Chair can be elected. Election, when required, will be held at the next meeting of the Committee.

## Length of Term

Membership aligns with the term of Council. Committee members may serve for 2 consecutive 4 year terms. A Committee member may be permitted to serve additional terms at the discretion of Council.

## Frequency of Meetings

The Committee will meet once per quarter or at the call of the Chair. Exceptions to this may include:

- July and August
- During a municipal election, meetings may be cancelled in the last quarter of the year
- Where quorum is not reached
- When circumstances warrant special consideration

Committee meetings shall generally be held at in the Clarington Municipal Administrative Centre, although meetings may occasionally be held elsewhere in the Municipality of Clarington if deemed necessary or appropriate by the Chair, the Mayor, or relevant Liaison.

## Quorum

A majority of voting members shall constitute a quorum. In the event that a quorum is not met, the meeting may proceed but members cannot vote or make decisions.

A member of the Board is permitted to participate electronically in a meeting and may be counted in determining whether, or not, a quorum of members is present at any point in time. All, or some, members may participate electronically in meetings. Meetings can be held in person when Public Health restrictions permit; and

For clarity, a Member of the Board may also participate electronically in a meeting that is closed to the public, if the meeting is properly held in closed session ( i.e. the deliberations are permitted to be conducted in closed session, moving from open session to closed session, and then rising and reporting, and maintaining minutes of both the closed and open portions of the meeting).

## Committee Resolutions

Recommendations and decisions reached by the Committee must be based on consensus wherever possible. In the event that a consensus cannot be reached and there are different opinions on the issue, the Chair may call for a formal vote by show of hands. Decisions will be carried by a simple majority of the voting members present.

Each member of the committee has one vote.

Recommendations are “carried” when supported by a majority. Only recommendations as they appear in the adopted Minutes can be considered as officially representing the position of the Committee.

## Public Participation and Delegations at Committee Meetings

All Committee meetings are open to the public.

Members of the public are not permitted to participate in Committee discussions but may appear as a delegation

Any person(s) wishing to appear before the Committee as a delegation must submit a request for the Municipal Clerk’s Department, advising of the topic or item they wish to speak. All requests for delegations must be received at least one week before the meeting to ensure the delegation is included in the agenda.

Any person wishing to address the Committee as a delegation, who has not previously arranged to do so, may be granted permission to do so only by Committee resolution. All delegations will be limited to 10 minutes.

The Chair may eject any member of the public from a meeting if, in the opinion of the Chair, the person is being disruptive or disrespectful.

## Staff Resources, Minutes and Agendas

The Accessibility Coordinator shall provide clerical, administrative and technical assistance to the Committee, as deemed appropriate by the Municipal Clerk, to ensure the proper functioning of the Committee. Specifically, the Accessibility Coordinator will provide the following resources to the Committee:

- Preparing and forwarding meeting materials to members;

- Preparation of meeting minutes and Committee correspondence (including assistance in drafting);
- Professional advice on matters within the mandate of the Committee; and
- Assist the Committee in participating in events and activities related to its mandate.

Generally, Committee members are selected to be able to carry out the mandate of the Committee. Staff resources are provided only to assist the Committee in undertaking their mandate. Additional requests of staff resources, such as original research, or organization of events shall be at the discretion of the Municipal Clerk and within staff, time, and budget constraints.

The minutes of each Committee meeting will be amended as necessary and approved at the following meeting. The unapproved minutes will be included in the next regularly scheduled Council meeting.

Committee agendas will be prepared by the Accessibility Coordinator, with input from the Committee Chair.

## Absences

If a Committee member is absent for three consecutive meetings, they have forfeited their membership unless their absence is justifiable.

## Conflict of Interest

All members of the Committee must abide by the *Municipal Conflict of Interest Act*.

Last updated: February, 2023