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Bowmanville Santa Claus Parade Committee Terms of Reference

1. Purpose and Mandate

The Bowmanville Santa Claus Parade is a Committee of Council and is responsible for organizing and conducting the Annual Bowmanville Santa Claus Parade and ensuring that an inclusive and safe parade event is planned and presented for the community. The mission of the Committee shall be accomplished through the provision of advice and recommendations on Christmas parade matters, as well as hands-on work.

2. Scope of Activities

The Committee is responsible for organizing, coordinating, supporting, and supervising the annual Santa Claus Parade which includes, but is not limited to, the following activities:

- Establish the date, route, and theme;
- Registration of Floats and Walkers;
- Marshalling and recruiting volunteers;
- Partnering with local businesses;
- Judging, advertising, and trophies; and
- Working with Durham Regional Police, Municipal Law Enforcement, and any other authorities required to obtain the appropriate permissions. Further that the Committee shall make all participants aware of the applicable licences/permissions.



3. Committee Members

3.1. Composition

3.1.1. The Committee shall be comprised of the following voting members, appointed by Council in accordance with Clarington's "Appointment to Boards and Committees Policy":

- Ten citizen members; and
- One Member of Council.

3.1.2. An unlimited number of non-voting volunteers may also be involved in parade activities.

3.2. Qualifications

- Members shall demonstrate commitment to, and interest in, the Clarington community; and
- Members shall be residents of the Municipality of Clarington, work in the Municipality of Clarington, or have a place of business in the municipality.

3.3. Length of Term

3.3.1. Membership shall run concurrent to the term of Council.

3.4. Remuneration

3.4.1. Members serve on a voluntary basis and do not receive any form of remuneration.

3.5. Election of Members

3.5.1. At the first meeting of each year, the Committee shall elect a Chair, Vice-Chair, Secretary, and Treasurer.

3.5.2. Before the election of the Chair, either a Council member, Clarington Staff, or the former Secretary or former Chair shall be the Election Chair during the election of the new Chair. Once the Chair is elected, they may take the Chair and conduct any remaining elections. See Appendix A for Election Process.



4. Responsibilities and Obligations of Members

4.1. General

4.1.1. Members of the Committee shall have the following duties:

- to deliberate on, and execute, the mandate of the Committee;
- to attend meetings and work activities;
- to vote when a motion is put to a vote;
- to read, understand, and respect the Rules of Procedure, including the Code of Conduct and Purchasing By-law, and any guidelines for the Committee members.

4.2. Conduct of Committee Members

4.2.1. All Committee members shall abide by the Terms of Reference for the Committee as approved by Council. Any amendments to the Terms of Reference shall be recommended by Committee resolution and forwarded to the Municipal Clerk's office for review before Council consideration.

4.2.2. The Chair, or a spokesperson/member 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.

4.2.3. A Committee, or its members, shall not issue petitions, resolutions, or position papers on behalf of the Committee unless specifically authorized by Council resolution.

4.2.4. A Committee, and its members, shall also 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 Staff Liaison(s) and the Chair of the other Board/Committee.

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

4.2.6. The Committee, by resolution, shall have 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.



4.3. Conflict of Interest

4.3.1. A conflict of interest may arise for Committee members when their personal or business interests conflict with the duties and decisions of the Committee. The municipal conflict of interest requirements as defined by the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50 will apply to the Committee. A Board/Committee member must disclose any potential or perceived conflict of interest and shall remove themselves from the meeting for the duration of the discussion and voting (if any) with respect to that matter.

4.4. Absences

4.4.1. This section does not apply to a Committee member who is absent for 20 consecutive weeks or less if the absence is a result of the member's pregnancy, the birth of the member's child or the adoption of a child by the member.

4.4.2. Members unable to attend a Committee meeting shall notify the Chair at least 24 hours in advance.

4.4.3. Members who unable to attend a meeting cannot send an alternate.

4.4.4. The Chair shall advise the Municipal Clerk, in writing, of any member who is absent for three consecutive meetings without being authorized to do so by a resolution of the Committee and may request the Municipal Clerk to remove the member from the Committee.

4.5. Resignations

4.5.1. Members who wish to resign shall notify the Chair, and the Municipal Clerk, in writing, of the resignation. The Chair shall notify, either by email or on an agenda, the other members of resignation but shall not give details of the resignation other than timing.

4.5.2. Council shall appoint new members to a Committee to fill any vacancies as required in accordance with Clarington's "Appointment to Boards and Committees Policy".

4.6. Chair and Vice-Chair

4.6.1. The Committee shall select a Chair and a Vice-Chair from among its voting membership. Members of Council sitting on the Committee are not eligible to assume the position of Chair or Vice-Chair, except as Election Chair, as outlined in Appendix A.

4.6.2. It shall be the duty of the Chair:

- to provide leadership to the Committee;

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- to ensure that the Committee carries out its mandate;
- to act as the primary liaison between the Committee, Clarington Staff and Members of the Public.
- to set the meeting dates and agenda items, with input from Members.
- to provide information to Members on any matter relating to the business of the Committee;
- to open the meeting by taking the Chair and calling the members to order;
- to announce the business before Committee and the order in which it is to be acted upon;
- to receive and submit, in the proper manner, all motions presented by the Members;
- to enforce the Rules of Procedure; and
- to adjourn the meeting when the business is concluded.

4.6.3. 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. The election, when required, will be held at the next meeting of the Committee in accordance with the process set out in Appendix A.

4.7. Committee Treasurer Responsibilities

4.7.1. In accordance with Clarington's guidelines and policies, the Treasurer is responsible for:

- Drafting the budget for Committee consideration, and submission to Council.
- Reimbursements for all purchases shall be provided upon receiving the receipt.
- Accounting related tasks (i.e. banking deposits; issuing cheques).
- Reporting to the Committee at each meeting, on the financial status of the Committee.
- Maintaining all financial documents.
- Preparing the year-end report.



4.8. Secretary Responsibilities

4.8.1. The secretary is responsible for:

- Assist the Chair to prepare and distribute meeting agendas; and
- Prepare meeting meetings for each meeting and distribute them to the Municipal Clerk's Office, in accordance with Section 6.2.

5. Meetings

5.1. Frequency of Meetings

5.1.1. At the beginning of each year, the Committee will establish a meeting schedule and set the time and place for meetings of not less than four meetings.

5.2. Quorum

5.2.1. Quorum shall be a simple majority of the total number of currently appointed voting Committee members (i.e., 50% plus one). If there is no quorum after 15 minutes of the scheduled start time, the meeting shall be cancelled and/or rescheduled.

5.3. Land Acknowledgement Statement

5.3.1. In recognition of a necessary first step towards honouring the original occupants of a place, and as a way to recognize the traditional First Nations, Metis and / or Inuit territories of a place, and to commemorate Indigenous peoples' principal kinship to the land, a Land Acknowledgement Statement shall be read in accordance with the Land Acknowledgement Guidelines.

5.4. Procedures and Rules

5.4.1. The Committee is subject to the Clarington Procedural By-law which governs the proceedings of Council and its Committees and Boards, Council Code of Conduct, and any other applicable policies and/or procedures.

5.5. Recommendations

5.5.1. Recommendations and decisions reached by the Committee must be based on consensus wherever possible. If 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. Recommendations and decisions will be carried by a simple majority of the voting members present. Each voting member of the committee has one vote.

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- 5.5.2. Only recommendations and decisions that appear in the Minutes of the Committee can be considered as officially representing the position of the Committee. All recommendations and decisions of the Committee shall be forwarded by the staff liaison to the Municipal Clerk's office, for publication. This is done immediately after the minutes are finalized by the Chair and they do not wait to be adopted by the Committee.
- 5.5.3. To approve a recommendation from a Board/Committee, a Member of Council shall remove it from the consent agenda and put forward a motion to approve the recommendation within the minutes of the Board/Committee.
- 5.5.4. A Committee shall not forward comments or recommendations directly to other groups or agencies without the consent of Council.
- 5.5.5. See Appendix B for details on how to handle motions, amendments, etc.

5.6. Electronic Participation

- 5.6.1. A member of the Committee 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.
- 5.6.2. A Member 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).

5.7. Public Participation and Delegations

- 5.7.1. 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 before the Committee. Delegations shall be for a maximum of 10 minutes. Those wishing to appear as a delegation at a Committee meeting must advise the Chair or Secretary, a minimum of five working days before the meeting.
- 5.7.2. The Chair may eject any member of the public from a meeting if, in the opinion of the Chair, that person is being disruptive or disrespectful.

5.8. Open Meetings

- 5.8.1. All Committee meetings must be open to the public unless discussing items noted below. The Committee shall provide at least one week's notice (i.e., an agenda) for a regular or special meeting or 24-hour notice for a rescheduled meeting. Notice will be provided using as many means as possible, including the municipality's website by forwarding to the Municipal Clerk's Office.

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5.8.2. The following are reasons for a closed meeting of an advisory board or committee, as per [Section 239 \(2\), Municipal Act, 2001](#). Only these matters can be discussed in the closed portion of the meeting:

- Security or property
- Personal matters about an identifiable individual, including municipal and board employees
- Proposed or pending acquisition or disposition of land by the municipality or local board
- Labour relations or employee negotiations
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

5.8.3. In accordance with Section 239 (4) of the *Municipal Act, 2001*, before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of either of them shall state by resolution:

- The fact of the holding of the meeting; and
- The general nature of the matter to be considered at the closed meeting.

5.8.4. Where a meeting, or part of a meeting, is closed to the public, the Committee shall request those persons not specifically invited to the closed meeting to vacate the meeting room in which the meeting is being held.

5.8.5. A meeting shall not be closed to the public during a vote except where the meeting is a closed meeting permitted or required by statute, and where the vote is for a procedural matter or for giving directions or instructions to employees of the Committee or persons retained under contract with the Committee, or officers, employees or agents of the Municipality.

6. Reporting and Communications

6.1. Agendas

6.1.1. Agendas should include:

- Date, time, location
- Members present
- Members absent
- Land Acknowledgement Statement
- Disclosure of Pecuniary Interest
- Adoption of the Minutes
- Items discussed

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- Recommendations
- Date, time, and location of next meeting
- Adjournment

6.2. Minutes

- 6.2.1. The Committee shall report to Council by presenting the unapproved minutes to Council. The draft minutes of all Committee meetings shall be reviewed by the Chair and forwarded to the Municipal Clerk's Office for inclusion on the next Council Agenda.

7. Budget and Work Plan

- 7.1. The Committee shall prepare a projected budget and work plan for the upcoming year which shall be forwarded to the Municipal Clerk's Office for inclusion on a Council Agenda.
- 7.2. The Committee shall provide a year-end financial report to the Financial Services Department, highlighting the group's successes and outlining how funds were used.

8. Purchasing/Procurement Policy

- 8.1. All expenditures must relate to matters directly within the mandate of the Committee.
- 8.2. All Committee expense information is considered to be public information and shall be made available upon request to the Municipal Clerk or Treasurer.
- 8.3. All purchases shall be in accordance with the Municipality's Purchasing By-law and within the Committee's approved budget.
- 8.4. All expenses that exceed the Committee's approved budget require Council approval.
- 8.5. All assets are Municipality of Clarington's assets.

9. Insurance

- 9.1. The Committee members are covered through the Municipality of Clarington's insurance coverage for accident and liability.
- 9.2. The event is covered by the Municipality of Clarington's insurance coverage.

Election Process

Nominations – Accepting nominations, from the floor, for any position:

- Nominator raises their hand to indicate they are going to nominate a member.
- Does not need a seconder.
- Nominees' names are recorded in the minutes.
- A person can nominate themselves.
- A member can be nominated for more than one position but can only hold one position at a time.
- A member may be nominated even if they are not in attendance.
- Nominees do not have to leave the room during the vote. They can participate in the voting.
- The Election Chair can continue presiding, even if they are one of the nominees for the office.
- Nominations are open until the Election Chair asks for nominations and there are no names put forth at which time the Election Chair will close nominations.
- Nominees can remove their name at any point during the process.

Stand – As each member is nominated, the Election Chair asks the nominee if they will have their name stand.

Voting – The Election Chair asks, “All those in favour of Bob Smith for Chair, please raise their hands”.

- If there is only one nominee, that person is appointed as the Chair.
- If there is more than one nominee – the person with the most votes is appointed as the Chair.
- If the vote is tied, and there are more than two people nominated for the position, then the person with the least votes is removed and another round of voting with the remaining members is conducted. If a tie vote remains with two people, and all voting members are present, the selection will be made by picking a name out of a hat.

Motions, Amendments, Etc.

1. Voting on motions and their amendments is done in this order:

- On the amendment to the amendment (the second amendment)
- On the amendment
- On the motion **or** the motion as amended (this must happen if approved amendments have been added to the motion).

2. Tied Vote

If the vote is tied, the motion is lost.

3. Deciding Vote

Every member present at the meeting, when the vote is called, shall vote unless disqualified under the Municipal Conflict of Interest Act. The vote required to pass a motion shall be a simple majority.

4. Lost Motion

A lost motion should not come up again during the same year unless at least two-thirds of the members present to approve a motion that “*the question be reconsidered.*” This motion is not debatable and calls for an immediate vote.

5. Motions

The following steps are put into place to introduce, deliberate, and vote on a motion:

- A member asks to speak and when their turn comes up, they make a motion by saying “I move...”.
- Another member seconds the motion. If there is no seconder, no discussion or vote takes place; it is not recorded in the minutes; and the Board/Committee moves to the next agenda item.
- The Chair should restate the motion clearly after it has been made and seconded “It is moved and seconded that ...”.
- Only one motion is addressed at a time.
- Discussion is not in order until a motion has been stated by the chair.

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- Discussion follows. The Chair should not allow anyone to speak twice on a motion until everyone has had a chance to speak once.
- The Chair should give up the chair when they move a motion. In this case, the Vice-Chair or any other member may act as Chair until the motion is voted on.
- The vote is taken and the Chair announces the vote and result – “The motion is carried”, or “The motion is lost.”

6. Negative Motions

Negative Motions are not in order and should not be allowed (i.e. “That the car not be automatic transmission” should be changed to “That the car be standard transmission”).

7. Amendments

Amendments or small changes to a motion may be proposed at any time during the discussion. It cannot be contrary to the main motion. It must be relevant to the motion and can change the motion in only one of three ways:

- By leaving out certain words
- By adding certain words
- By replacing certain words with others.

(Not more than two amendments may be made to an open motion at one time. As soon as one amendment has been accepted or rejected another may be proposed if it is different from the one already defeated).

If dealing with motions or amendments, always state the exact wording. The Chair may ask the secretary to read it if the phrase is forgotten.

Adoption of an amendment does not mean adoption of the main motion. The amendment is carried before the main motion as amended. When the “main motion, as amended” is on the floor, the Chair will state “main motion as amended” before the vote.

8. Withdrawal of Motions

A motion can be withdrawn with the consent of the mover (consent of seconder is not required). Amendments must be withdrawn in reverse order. If the mover refused the consent, the motions must be voted on.