



Council

Agenda

**Regular Meeting of Council  
June 20, 2011  
at 7:00 p.m.**

# MEETINGS

**FOR THE WEEKS OF  
JUNE 20<sup>TH</sup> AND JUNE 27<sup>TH</sup>, 2011**

Monday, June 20, 2011	6:00 p.m.	Committee Meeting of Council Council Chambers, 2 <sup>nd</sup> Floor
	7:00 p.m.	Regular Meeting of Council Council Chambers, 2 <sup>nd</sup> Floor
Wednesday, June 29, 2011	6:00 p.m.	Special Committee Meeting Council Chambers, 2 <sup>nd</sup> Floor

**THE CORPORATION OF THE CITY OF NORTH BAY  
REGULAR MEETING OF COUNCIL HELD  
MONDAY, JUNE 20<sup>TH</sup>, 2011**

**PUBLIC PRESENTATIONS:**

**PUBLIC MEETING MINUTES:**

Monday, June 6, 2011

**CLOSED MEETING MINUTES (available for Council viewing in the Clerk's Office):**

Monday, June 6, 2011

**COMMITTEE REPORTS:**

Community Services Committee Report No. 2011-15

**CORRESPONDENCE:**

1. Letter from Cecil's Eatery and Beer Society dated April 27, 2011 and report from J. Severino dated May 30, 2011 re Noise By-Law exemption - July 29 - 31, 2011 (E05/2011/NOISE/GENERAL).
2. Report from A. Lang dated June 9, 2011 re Tender No. 2011-46, Supply of backhoe loader (F05/2011/ROADS/6002RD).
3. Report from S. Killins dated June 7, 2011 re Amendment to By-Law No. 2007-07 - Current Status of Enforcement Officers in Building Services (C00/2011/BYLAW/BUILD).
4. Report from S. Killins dated June 7, 2011 re Amendment to By-Law No. 2004-188 - Current Status of Municipal By-Law Enforcement Officers in Building Services (C00/2011/BYLAW/BUILD).
5. Report from C.M. Conrad dated June 7, 2011 re Amendment to Procedural By-Law (C00/2011/BYLAW/PROCEDUR).
6. Report from A. Tomek dated June 7, 2011 re 3R's Maximization Plan / Recycling and Communications Plans - Merrick Landfill Certificate of Approval (E07/2011/RECYC/3R'SMAX).
7. Report from D. Euler dated June 8, 2011 re Tender No. 2010-125, Supply and installation of a Septage Receiving and Water Dispensing System (F05/2010/ENVIR/PR3071WS).
8. Report from D. Euler dated June 15, 2011 re Improvements to Laurentian Avenue at Trout Lake Road (T05/2011/TRL/LAURAVE).

9. Report from D. Euler dated June 14, 2011 re Drinking Water Quality Management Standard - North Bay Water Treatment Plant & Distribution System Operational Plan (F05/2009/OCWA/PRW38).
10. Report from M.B. Burke dated June 15, 2011 re Nipissing University - Cedar Heights Booster Pumping Station (L04/2011/NIPUN/CHBPS).
11. Report from A. Lang dated June 15, 2011 re Tender No. 2011-64, Sidewalk Replacement Program (F05/2011/ROADS/10&06RD).
12. Report from I.G. Kilgour dated June 16, 2011 re Memorial Gardens Rehabilitation Program (F05/2011/PARKS/6016RF).
13. Report from M. Karpenko dated June 15, 2011 re Tender No. 2011-21, Landscaping Services (F18/2011/TENDE/GENERAL).
14. Report from M. Karpenko dated June 15, 2011 re Water / wastewater chemical purchases and sludge hauling (F18/2011/TENDE/GENERAL).

**BY-LAWS FOR CONSIDERATION:**

**General Government - First and second readings:**

By-Law No. 2011-148 to stop up, close and convey a portion of the laneway in a block bounded by Morin Street, Lorne Avenue, Douglas Street and Lansdowne Avenue.

By-Law No. 2011-152 to stop up, close and convey a portion of the Water Street road allowance.

**General Government - First, second and third readings:**

By-Law No. 2011-147 to appoint the Managing Director of Corporate Services.

**Community Services - First, second and third readings:**

By-Law No. 2011-155 to execute an Agreement with Darren Davies, operating as DS Contracting relating to West Ferris Arena lobby washroom upgrades.

**Engineering & Works - First, second and third readings:**

By-Law No. 2011-135 to amend By-Law No. 2002-133 being a by-law to confirm the roads and streets maintained by the City of North Bay.

By-Law No. 2011-149 to repeal By-Law No. 2011-111 being a by-law to authorize the execution of an Agreement with 2212880 Ontario Ltd. relating to the supply of aggregate materials.

By-Law No. 2011-153 to execute an Agreement with The Corporation of the Municipality of Callander relating to the use of the Merrick Landfill Site.

By-Law No. 2011-154 to execute an Agreement with Nipissing University relating to the use of the Water Pumping Station.

**MOTIONS:**

Councillor Anthony re Harmonized Sales Tax Revenue and a New Funding Mechanism for Transportation Infrastructure.

**MOTION TO ADJOURN IN-CAMERA:**

**IN-CAMERA CORRESPONDENCE:**

15. ***Confidential*** report from G. Love dated June 13, 2011 re Personnel matter.
16. ***Confidential*** report from P. Leckie / J.D. Knox dated June 14, 2011 re Solicitor / client privilege.
17. ***Confidential*** report from M.B. Burke dated June 8, 2011 re Property matter.
18. ***Confidential*** report from M.B. Burke dated June 14, 2011 re Property matter.

**MOTION TO RECONVENE:**

**MOTION FOR RECONSIDERATION:**

**GIVING NOTICE:**

**ADJOURNMENT:**

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD MONDAY, JUNE 6<sup>TH</sup>, 2011**

**PRESENT:** Mayor McDonald, Councillors Chirico, Koziol, Anthony, Maroosis, Bain, Mayne, Vrebosch-Merry, Vaillancourt, Mendicino, Lawlor

**PUBLIC PRESENTATION:**

Ryan McMillan re Steve Omischl Field User Fees

**CORRESPONDENCE:**

**REPORTS FROM OFFICERS:**

Burke, M.	re Set Fines/Short Form Wordings – Amending Smoking By-Law 2011-106 (415)
Burke, M.	re Revised Set Fines/Short Form Wordings - On & Off Street Parking for Disabled Persons By-Law No. 2007-89 (416)
Burke, M.	re Wal-Mart Canada Corp. Assessment Review Board Appeal/Northgate Square (446)
Carvell, D.	re Governance Agreement for the Joint Procurement of Transit Buses (418)
Hillier, B.	re Plan of Subdivision – North Bay Jack Garland Airport (417)
Karpenko, M.	re Tender No. 2011-54, West Ferris Arena Washroom Upgrades (419)
Karpenko, M.	re Tender No. 2011-07, Supply of Aggregate Materials (430)
Karpenko, M.	re 2010 Consolidated Financial Statements(431)
Lang, A.	re Tender No. 2011-44, Supply of Tandem Dump Truck (420)
Lang, A.	re Tender No. 2011-45, Supply of 4x4 Dump/Plow Truck (421)
Lang, A.	re Tender No. 2011-47, Supply of Trackless Municipal Tractor (422)
Lang, A.	re Tender No. 2011-57, Supply of 4x4 All Wheel Drive Sport Utility Vehicles (423)
Lang, A.	re Tender No. 2011-58, Supply of Pick-up Truck, 4 Wheel Drive Extended Cab, complete with Plow (424)
Lang, A.	re Tender No. 2011-41, Supply of Water- works, Manhole & Sewer Supplies (425)
Lang, A.	re Tender No. 2011-51, Supply & Place- ment of Plant Cold Recycled Asphalt Pavement on various City Roads (426)
Lang, A.	re Tender No. 2011-49, Supply of Tandem Truck with Dump Body, Snow Plow & Hydraulic System (427)
Lang, A.	re Tender No. 2011-48, Supply of S2400 Igloo E-poke (428)
Linkie, D.	re Appointment of Lea Janisse, Managing Director of Corporate Services (445)
Mimee, R.	re 2010-2011Dedicated Gas Tax Funds for Public Transportation Program (429)
McArthur, S.	re Laneway Closure – 11 & 19 Shannon Avenue (447)

**Res. #2011-411:** Moved by Councillor Vaillancourt, seconded by Councillor Mendicino  
That minutes for the public meetings held on:

- Monday, May 16, 2011; and
- Tuesday, May 24, 2011

be adopted as presented.

"CARRIED"

Res. #2011-412: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis  
That minutes for the closed meeting held on:

- Tuesday, May 24, 2011

be adopted as presented.

“CARRIED”

Res. #2011-413: Moved by Councillor Chirico, seconded by Councillor Koziol  
That General Government Committee Report No. 2011-15 relating to:

- Procedural By-Law Amendments

be adopted as presented.

“CARRIED”

**GENERAL GOVERNMENT COMMITTEE REPORT NO. 2011-15**

June 6, 2011

TO THE COUNCIL  
OF THE CORPORATION  
OF THE CITY OF NORTH BAY

Your Worship and Councillors:

The General Government Committee presents Report No. 2011-15 and recommends:

1. WHEREAS By-Law No 2007-218, being the Procedural By-Law for the City of North Bay, is intended among other matters to prescribe rules for the orderly conduct of meetings of City Council;

AND WHEREAS Article 36.1 subsections (a) to (d) inclusive are unclear as to their purpose and application and further contradict the standing practice of Council;

AND WHEREAS Article 18.1 subsection (a) of By-Law No. 2007-218 states “It is the duty of Councillors to attend all meetings of Council, and to prepare for meetings, including reviewing the agenda and background information prior to the meeting;

AND WHEREAS the time for debate, discussion, and questions is prior to the Presiding Officer calling the vote;

AND WHEREAS Section 37 of the Procedural By-Law does not make provision for Questions and Enquiries;

BE IT THEREFORE RESOLVED THAT staff be required to review By-Law No. 2007-218 to determine if any further housekeeping items need to be addressed;

AND FURTHER THAT By-Law No. 2007-218 be hereby amended by deleting Article 36.1 subsections (a) to (d) inclusively and further by re-lettering existing subsections 36.1 (e) and (f) to new subsections 36.1(a) and (b) respectively;

AND FURTHER THAT the standing agenda for Council meetings be amended by removing the heading “Questions and Enquiries” as contained therein.

All of which is respectfully submitted.

ASSENTS  
CHIRICO  
KOZIOL  
ANTHONY  
MAROOSIS  
McDONALD

DISSENTS

Res. #2011-412: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis  
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June 6, 2011

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OF THE CORPORATION  
OF THE CITY OF NORTH BAY

Your Worship and Councillors:

The General Government Committee presents Report No. 2011-15 and recommends:

1. WHEREAS By-Law No 2007-218, being the Procedural By-Law for the City of North Bay, is intended among other matters to prescribe rules for the orderly conduct of meetings of City Council;

AND WHEREAS Article 36.1 subsections (a) to (d) inclusive are unclear as to their purpose and application and further contradict the standing practice of Council;

AND WHEREAS Article 18.1 subsection (a) of By-Law No. 2007-218 states "It is the duty of Councillors to attend all meetings of Council, and to prepare for meetings, including reviewing the agenda and background information prior to the meeting;

AND WHEREAS the time for debate, discussion, and questions is prior to the Presiding Officer calling the vote;

AND WHEREAS Section 37 of the Procedural By-Law does not make provision for Questions and Enquiries;

BE IT THEREFORE RESOLVED THAT staff be required to review By-Law No. 2007-218 to determine if any further housekeeping items need to be addressed;

AND FURTHER THAT By-Law No. 2007-218 be hereby amended by deleting Article 36.1 subsections (a) to (d) inclusively and further by re-lettering existing subsections 36.1 (e) and (f) to new subsections 36.1(a) and (b) respectively;

AND FURTHER THAT the standing agenda for Council meetings be amended by removing the heading "Questions and Enquiries" as contained therein.

All of which is respectfully submitted.

ASSENTS  
CHIRICO  
KOZIOL  
ANTHONY  
MAROOSIS  
McDONALD

DISSENTS



Res. #2011-414a: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That Community Services Committee Report No. 2011-14 relating to:

- User Fees for Steve Omischl Sports Complex

be adopted as presented.

"CARRIED AS AMENDED"

Res. #2011-414b: Moved by Councillor Chirico, seconded by Councillor Koziol  
That paragraph (a) of Community Services Committee Report No. 2011-14  
be amended as follows:

- (a) the City of North Bay User Fee By-Law be amended to include an increase in the current Capital Reserve Fund (CRF) fee of \$10.00 per hour which is applicable to the use of all sports fields. The fee increase is to be implemented through a staged process over three (3) years beginning in 2012 as follows:

- 2012 increase of \$2.00 per hour for a total of \$4.00 per hour;
- 2013 increase of \$4.00 per hour for a total of \$8.00 per hour; and
- 2014 increase of \$4.00 per hour for a total of \$12.00 per hour.

Harmonized Sales Tax (HST) of 13% is applicable to these fees.

"CARRIED"

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-14**

June 6, 2011

TO THE COUNCIL  
OF THE CORPORATION  
OF THE CITY OF NORTH BAY

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-14 and recommends:

- That
- a) the City of North Bay User Fee By-Law be amended to include an increase in the current Capital Reserve Fund (CRF) fee of \$10.00 per hour which is applicable to the use of all sport fields. The fee increase is to be implemented through a staged process over three (3) years beginning in 2011 as follows:

- 2011 increase of \$2.00 per hour for a total of \$4.00 per hour;
- 2012 increase of \$4.00 per hour for a total of \$8.00 per hour;
- 2013 increase of \$4.00 per hour for a total of \$12.00 per hour; and
- 2014 a total of \$12 per hour.

Harmonized Sales Tax (HST) of 13% is applicable to these fees;

- b) the City of North Bay User Fee By-Law be amended to include 2011 field rates for the Steve Omischl Sports Complex fields as follows:

Artificial turf, soccer/football athletic fields	\$35.40/hr unlit	\$39.82/hr lit;
Natural turf, ball fields and soccer/football athletic fields	\$25.00/hr unlit	\$30.00/hr lit.

Harmonized Sales Tax (HST) of 13% is applicable to these fees; and

- c) the amendment to the City of North Bay's User Fee By-Law be presented for three (3) readings at the next Regular Meeting of Council."

All of which is respectfully submitted.

ASSENTS  
LAWLOR  
MENDICINO  
VAILLANCOURT  
McDONALD

DISSENTS

Res. #2011-415: Moved by Councillor Chirico, seconded by Councillor Koziol  
That Council authorize an application for approval of set fines and short form wordings for offences contrary to the Smoking in Public Places By-Law No. 2003-05, and amendments as set out in Schedule "A" of Report to Council No. CORP 2011-88.

"CARRIED"

Res. #2011-416: Moved by Councillor Chirico, seconded by Councillor Koziol  
That Council authorize an application for approval of revised set fines and short form wordings for On and Off Street Parking for Disabled Persons By-Law No. 2007-89, as set out in Schedule "A" of Report to Council No. CORP 2011-94.

"CARRIED"

Res. #2011-417: Moved by Councillor Lawlor, seconded by Councillor Vaillancourt  
That the Plan of Subdivision application by the City of North Bay be received and referred to the Community Services Committee for a Public Meeting.

"CARRIED"

Res. #2011-418: Moved by Councillor Lawlor, seconded by Councillor Vaillancourt  
That 1) Council enter into a Governance Agreement for the Joint Procurement of six (6) Transit Buses (2-2011, 2-2012, 2-2013), with the Province of Ontario represented by the Minister of Transportation for the Province of Ontario; and

2) the City Clerk by authorized to prepare and present a By-Law to authorize the execution of the Governance Agreement.

"CARRIED"

Res. #2011-419: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That City Council approve the award of a contract to Darren Davies o/a D.S. Contracting in the amount of \$178,887.00 (HST not included), for the washroom upgrades at West Ferris Arena.

"CARRIED"

Res. #2011-420: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That City Council approve a contract be issued to Canadian Fleet Services in the amount of \$148,257.80 (HST included), for the supply of one (1) Tandem Dump Truck.

Councillor Chirico declared a conflict of interest as Canadian Fleet Services is a client of his employer, The Royal Bank of Canada.

"CARRIED"

Res. #2011-421: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That City Council approve a contract be issued to George Stockfish Ford Sales (1987) Ltd. in the amount of \$80,250.34 (HST included), for the supply of one (1) 4x4 Dump/Plow Truck.

"CARRIED"

Res. #2011-422: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That City Council approve a contract be issued to Work Equipment Ltd.  
in the amount of \$133,763.75 (HST included), for the supply of one (1)  
Trackless Municipal Tractor with attachments.

"CARRIED"

Res. #2011-423: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That City Council approve a contract be issued to George Stockfish Ford  
Sales (1987) Ltd. in the amount of \$89,031.57 (HST included), for the  
supply of three (3) 4x4 All Wheel Drive Sport Utility Vehicles.

"CARRIED"

Res. #2011-424: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That City Council approve a contract be issued to George Stockfish Ford  
Sales (1987) Ltd. in the amount of \$42,269.91 (HST included), for the  
supply of one (1) Pick-up Truck, 4 Wheel Drive Extended Cab, complete  
with Plow.

"CARRIED"

Res. #2011-425: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That City Council approve a contract be awarded to Wamco Waterworks  
Northern Inc. in the amount of \$138,164.57 (HST included), to supply  
waterworks, manhole and sewer supplies on an as and when requested  
basis from the date of contract to June 30, 2012.

"CARRIED"

Res. #2011-426: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That City Council approve a contract be awarded to Miller Paving North  
Bay, a Division of Miller Paving Limited in the estimated amount of  
\$388,500.00 (HST extra), for the supply and placement of Plant Cold  
Recycled Asphalt Pavement on various City roads.

"CARRIED"

Res. #2011-427: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That City Council approve a contract be issued to Canadian Fleet  
Services in the amount of \$324,935.27 (HST included), for the supply of  
one (1) Tandem Truck complete with Dump Body, Snow Plow and  
Hydraulic System.

Councillor Chirico declared a conflict of interest as Canadian Fleet Services is a client of his  
employer, The Royal Bank of Canada.

"CARRIED"

Res. #2011-428a: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That City Council approve a contract be issued to Joe Johnson  
Equipment Inc. in the amount of \$68,588.74 (HST included), for the  
supply of one (1) S2400 Igloo E-poke.

"CARRIED AS AMENDED"

Res. #2011-428b: Moved by Councillor Vaillancourt, seconded by Councillor Anthony  
That the report from Al Lang dated May 27, 2011 re Tender No. 2011-  
48, supply of one (1) S2400 Igloo E-poke be referred to the Engineering  
& Works Committee.

"CARRIED"

- Res. #2011-429: Moved by Councillor Chirico, seconded by Councillor Koziol  
That 1) the Mayor and Chief Financial Officer be authorized to sign the Letter of Agreement on behalf of the City of North Bay relating to funding provided by the Province of Ontario to the City of North Bay under the Dedicated Gas Tax Funds for Public Transportation Program; and
- 2) the Execution By-Law be presented for three (3) readings on June 6, 2011 permitting The Corporation of the City of North Bay to enter into a Letter of Agreement with the Province of Ontario related to funding under the Dedicated Gas Tax Funds for Public Transportation Program.

"CARRIED"

- Res. #2011-430: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That 1) City Council repeal By-Law No. 2011-111, being a by-law to authorize the execution of an agreement with 2212880 Ontario Ltd. relating to the supply of aggregate materials; and
- 2) City Council approve a contract be awarded to Pioneer Construction Inc. in the estimated amount of \$420,050.00 (HST extra), for the supply of aggregate materials on an as and when requested basis from the date of contract to October 30, 2011.

"CARRIED"

- Res. #2011-431: Moved by Councillor Chirico, seconded by Councillor Koziol  
That 1) the 2010 Consolidated Financial Statements be received; and
- 2) the Mayor and Chief Financial Officer of the City of North Bay be authorize to approve the 2010 Consolidated Financial Statements.

"CARRIED"

- Res. #2011-432: Moved by Councillor Chirico, seconded by Councillor Koziol  
That the following by-law be read a first and second time:
- By-Law No. 2011-136 to provide an exemption from Municipal Taxation for Veterans' Organizations within the City of North Bay.

Councillor Vrebosch-Merry declared a conflict of interest as she is employed occasionally by the Royal Canadian Legion.

"CARRIED"

- Res. #2011-433: Moved by Councillor Chirico, seconded by Councillor Koziol  
That the following by-law be read a third time and passed:
- By-Law No. 2011-136 to provide an exemption from Municipal Taxation for Veterans' Organizations within the City of North Bay.

Councillor Vrebosch-Merry declared a conflict of interest as she is employed occasionally by the Royal Canadian Legion.

"CARRIED"

- Res. #2011-434: Moved by Councillor Chirico, seconded by Councillor Koziol  
That the following by-law be read a first and second time:
- By-Law No. 2011-137 as amended by Community Services Committee Report 2011-14, to amend By-Law No. 2011-123, (being a by-law to authorize User Fees for City Departments – Athletic Fields).

"CARRIED"

Res. #2011-435: Moved by Councillor Chirico, seconded by Councillor Koziol  
That the following by-law be read a third time and passed:

By-Law No. 2011-137, as amended by Committee Services Committee Report 2011-14, to amend By-Law No. 2011-123, (being a by-law to authorize User Fees for City Departments – Athletic Fields).

“CARRIED”

Res. #2011-436: Moved by Councillor Chirico, seconded by Councillor Koziol  
That the following by-laws be read a first and second time:

By-Law No. 2011-142 to execute an Agreement with Nipissing First Nation relating to Fire Protection Services for residential, commercial and industrial properties.

By-Law No. 2011-143 to execute an Agreement with Her Majesty the Queen in Right of the Province of Ontario, represented by the Minister of Transportation relating to Dedicated Gas Tax Funds for Public Transportation Program.

“CARRIED”

Res. #2011-437: Moved by Councillor Chirico, seconded by Councillor Koziol  
That the following by-laws be read a third time and passed:

By-Law No. 2011-142 to execute an Agreement with Nipissing First Nation relating to Fire Protection Services for residential, commercial and industrial properties.

By-Law No. 2011-143 to execute an Agreement with Her Majesty the Queen in Right of the Province of Ontario, represented by the Minister of Transportation relating to Dedicated Gas Tax Funds for Public Transportation Program.

“CARRIED”

Res. #2011-438: Moved by Councillor Chirico, seconded by Councillor Koziol  
That the following by-law be read a third time and passed:

By-Law No. 2011-122 to stop up, close and convey a portion of the laneway in a block bounded by Greenwood Avenue, Browning Street, Norwood Avenue and Algonquin Avenue.

“CARRIED”

Res. #2011-439: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That the following by-laws be read a first and second time:

By-Law No. 2011-141 to execute an Agreement with Nipissing University relating to Transit Services.

By-Law No. 2011-144 to execute a Governance Agreement with Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation relating to Joint Procurement of Transit Buses.

Councillor Anthony declared a conflict of interest (By-Law No. 2011-141) as Nipissing University is a client of his employer.

“CARRIED”

Res. #2011-440: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That the following by-laws be read a third time and passed:

By-Law No. 2011-141 to execute an Agreement with Nipissing University relating to Transit Services.

By-Law No. 2011-144 to execute a Governance Agreement with Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation relating to Joint Procurement of Transit Buses.

Councillor Anthony declared a conflict of interest (By-Law No. 2011-141) as Nipissing University is a client of his employer.

"CARRIED"

Res. 2011-441: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That the following by-laws be read a first and second time:

By-Law No. 2011-140 to amend Traffic & Parking By-Law No. 2002-001 (Schedule 10 – Speed Limits).

By-Law No. 2011-145 to execute an Agreement with Robert Roy and Yves Roy, operating as Camrock Crushing relating to the Crushing of Reclaimed Asphalt Pavement.

"CARRIED"

Res. 2011-442: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That the following by-laws be read a third time and passed:

By-Law No. 2011-140 to amend Traffic & Parking By-Law No. 2002-001 (Schedule 10 – Speed Limits).

By-Law No. 2011-145 to execute an Agreement with Robert Roy and Yves Roy, operating as Camrock Crushing relating to the Crushing of Reclaimed Asphalt Pavement.

"CARRIED"

Res. #2011-443: Moved by Councillor Chirico, seconded by Councillor Koziol  
That Council adjourn *in-camera* pursuant to section 239(2) of the *Municipal Act, 2001*, as amended, at 8:03 p.m. for the following reasons: Item #18, being a personal matter about identifiable individuals; Item #19, being potential litigation; Item #20, being a proposed acquisition of lands by the Municipality; and Item #21, being a proposed disposition of lands by the Municipality.

"CARRIED"

Res. #2011-444: Moved by Councillor Chirico, seconded by Councillor Koziol  
That Council reconvene at 8:23 p.m.

"CARRIED"

Res. #2011-445: Moved by Councillor Chirico, seconded by Councillor Koziol  
That the City Clerk be directed to bring forward a by-law appointing Lea Janisse to the position of Managing Director of Corporate Services for the City of North Bay effective July 1, 2011.

"CARRIED"

- Res. #2011-446: Moved by Councillor Chirico, seconded by Councillor Koziol  
That
- 1) Council support Municipal Property Assessment in defending the current value assessment of Northgate Square which is subject to Assessment Review Board appeals filed by Wal-Mart Canada Corporation (Tenant) and HOOP Realty Inc. (Owner) for the 2009-2012 taxation years; and
  - 2) this resolution be circulated to the Council for the cities of Timmins, Greater Sudbury, Sault Ste. Marie and Thunder Bay for their support.

Councillor Anthony declared a conflict of interest as some of the businesses are clients of his employer.

"CARRIED"

- Res. #2011-447: Moved by Councillor Chirico, seconded by Councillor Koziol  
That
- 1) Council declare the lands in the block bounded by Shannon Avenue, Whitney Avenue, Brock Avenue and Lakeshore Drive as surplus:
  - 2) the application by Heather Cote & Ken Wood to transfer surplus City-owned lands to abutting property owners in the block bounded by Shannon Avenue, Whitney Avenue, Brock Avenue and Lakeshore Drive in the City of North Bay, as shown on Schedules "A" & "B" attached to Report to Council CSBU 2011-58, be approved;
  - 3) the transfer of these lands be subject to the granting of any required easements; and
  - 4) the Chief Administrative Officer be authorized by Council to initiate normal procedures for the transfer of the subject lands.

"CARRIED"

- Res. #2011-448: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino  
That this Regular Meeting of Council do now adjourn at 8:25 p.m.

"CARRIED"

**CLOSED MEETING CONFLICT OF INTEREST**

***Regular Agenda Item #19 - Councillor Anthony declared a conflict of interest as some of the businesses are clients of his employer and left meeting for the discussion of this matter.***

\_\_\_\_\_  
MAYOR ALLAN McDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-15**

June 20, 2011

TO THE COUNCIL  
OF THE CORPORATION  
OF THE CITY OF NORTH BAY

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-15 and recommends:

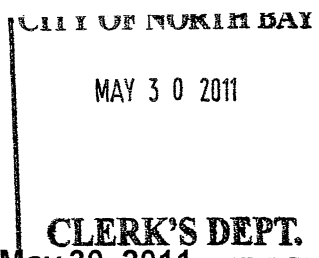
1. That a) the City Clerk be directed to bring forward a by-law to regulate the contents and location of Fire Safety Plans and lock boxes for occupancies regulated by Part IV of the Fire Code; and  
b) the effective date of the by-law be January 1, 2012.

All of which is respectfully submitted.

	ASSENTS	DISSENTS
LAWLOR (CHAIRMAN)	_____	_____
MENDICINO	_____	_____
VAILLANCOURT	_____	_____
MAYOR McDONALD	_____	_____



**#1**



**City of North Bay  
Report to Council**

**Report No.: EESW 2011- 062**

**Date: May 30, 2011**

**Originator: John Severino, Manager, Environmental Services**

**Subject: Request for Exemption to Noise By-law for July 29, 30 and July 31.**

**File No: P01 – Noise By-Law “W”  
E05/2011/NOISE/GENERAL  
Council Correspondence No: AK-2011-08**

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**RECOMMENDATION**

**Cecil’s Eatery & Beer Society, 300 Wyld Street, be granted an exemption to Noise By-law 142-76 pursuant to the terms and conditions outlined by Section 5 of the Noise By-law.**

**The exemption applies to the site location attached.**

**Dates and times are as follows:**

<b>Friday July 29, 2011</b>	<b>9 pm until 2 am of the following day</b>
<b>Saturday July 30, 2011</b>	<b>9 pm until 2 am of the following day</b>
<b>Sunday July 31, 2011</b>	<b>9 pm until 12 am midnight</b>

---

**BACKGROUND/ANALYSIS**

**The City has received a request for Noise By-law 142-76 exemption from John Lechlitter of Cecil’s Eatery and Beer Society to permit the amplification of sound using an outdoor public announce system and DJ controlled electronic sound amplification equipment at 300 Wyld Street. The requested exemption dates are during the August 2011 long weekend. Exemptions are requested for the following dates and times:**

<b>Friday July 29, 2011</b>	<b>9 pm until 2 am of the following day</b>
<b>Saturday July 30, 2011</b>	<b>9 pm until 2 am of the following day</b>
<b>Sunday July 31, 2011</b>	<b>9 pm until 12 am midnight</b>

**The applicant has agreed to comply with the restrictions detailed in Schedule 4 of the Noise Control Noise By-law 142-76.**

**The applicant’s request for exemption has been granted the last four years. The applicant has complied with the conditions of the exemption the last 4 years.**

**The applicant has provided all the necessary information requested to file for the exemption including a detailed list of equipment and site plan.**

## ANALYSIS/OPTIONS

Option 1: Council approve application as requested. Council may authorize an exemption to Noise By-law 142-76 as received pursuant to the terms and conditions outlined by Section 5 Schedule 4 of the Noise By-law.

Option 2: Council approve request in an amended form. Council may authorize an exemption to Noise By-law 142-76 with different exemption days and times of its own choosing pursuant to the terms and conditions of Section 5 of the Noise By-law.

Option 3: Council can deny the request. Cecil's event would have to proceed without the amplification of sound if the owner chose to proceed with the event.

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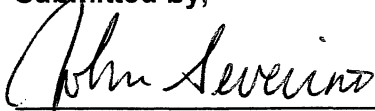
## RECOMMENDED OPTION

Option 2: Council approve application with described amendment.

Cecil's Eatery & Beer Society be granted an exemption to Noise By-law 142-76 pursuant to the terms and conditions outlined by Section 5 of the Noise By-law.

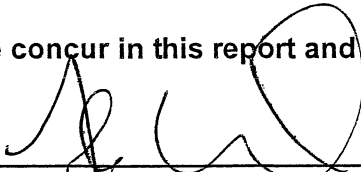
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Submitted by,



John Severino  
Manager, Environmental Services

We concur in this report and recommendation.



Alan Korell, P. Eng., R.P.P., M.C.I.P.  
Managing Director Eng. & Env. Services



David Linkie  
Chief Administrative Officer

Personnel designated for continuance:

Attachments: (2) - Noise By-law 142-76  
Site Map & Event Timetable

Copy for: Ron Melnyk, By-law Enforcement Officer  
Police Chief Paul Cook  
Sharon Kitlar, Manager of Recreation and Leisure Services

# REQUEST FOR STAFF REPORT

Correspondence Code No. AK-2011-08  
(this number must be quoted on your reply)

Clerk's Department file # E05/2011/NOISE/GENERAL

Originator: Cecil's Eatery and Beer Society

Description: Noise By-Law exemption

Resolution # \_\_\_\_\_ Meeting date: \_\_\_\_\_

Copy of correspondence attached: Yes  No

Copy of resolution attached: Yes  No

Referred to: Alan Korell / John Severino

Date report is due: June 13, 2011

Departmental interim response: \_\_\_\_\_

New proposed date: \_\_\_\_\_

Explanation: \_\_\_\_\_

Date report complete: \_\_\_\_\_

Date report received: \_\_\_\_\_

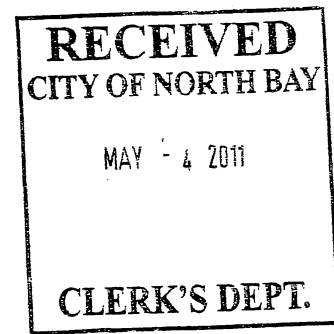
*Catherine Conrad*

Catherine Conrad,  
City Clerk.

Copy to: D.G. Linkie

April 27, 2011

City of North Bay  
200 McIntyre St. East  
P.O. Box 360  
North Bay, ON  
P1B 8H8



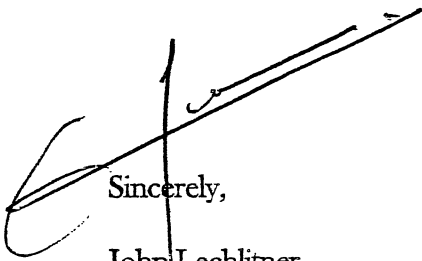
Attention: City Clerk's Office  
Re: Noise By-law Application

Please find attached our application and required information for the Application from Noise Control By-law No.1976-142 for July 29, 30 and 31, 2011.

A Decibels Meter will be used no further than 7.6m from the sound source at the required time intervals shown in section 4 of the application. The sound will also be turned off at the times in which are specified in the foresaid section.

As well you find a cheque for \$770.00 to cover the application and advertising fees.

If you should require any additional information please feel free to contact me.



Sincerely,  
John Lechlitrer  
Cecil's Eatery and Beer Society



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300 Wyld St., P.O. Box 1017, North Bay, ON P1B 8K3  
Phone: 705-472-7510 Fax: 705-474-1693 www.cecils.ca

THE CITY OF NORTH BAY

Application for Exemption from Noise Control By-law No. 1976-142

(Please complete all the sections in this Application)

Applicant	Name (in full):	CECIL'S EATERY & BEER SOCIETY	
	Business Address:	300 WYLD ST. PO. BOX 1017 NORTH BAY	
	Postal Code:	P1B 8K3	
	Telephone:	705-474-7510	Fax Number: 705-474-1693
Description of the source of sound or vibration in respect to the exemption is sought.	Amplification:	DJ'd MUSIC WITH MC	
	Other:	*PLEASE SEE DETAILED ATTACHMENT	
A statement of the particular provision or provisions of the by-law from which exemption is sought.	*PLEASE SEE COVER LETTER		
The period of time, of duration not in excess of six months, for which the exemption is sought.	Date(s):	FRI JULY 29/11	SAT JULY 30/11
	Time(s):	9PM-2AM	9PM-2AM
			SUN JULY 31/11
			9PM-2AM
A plan showing the location of the event/premises, the location of amplification equipment and speakers and methods employed to prevent sound from unnecessarily escaping from the event/premises, the location from which the sound levels will be measured, if applicable.	Date plan received by City:		
	<p>Note: this application will not be processed without the receipt of all required information, the application fee and the advertisement fee. Applications for exemptions must be complete and received by the City Clerk at least 60 days prior to the date of the exemption sought.</p>		
Application Fee (\$225.00)	Date application received by City:	MAY 4, 2011 - CC	
	<p>Note: this application will not be processed without the receipt of all required information, the application fee and the advertisement fee. Applications for exemptions must be complete and received by the City Clerk at least 60 days prior to the date of the exemption sought.</p>		
Advertisement Fee (\$545.00)	Date advertisement fee received by City:	MAY 4, 2011 - CC	
	<p>Note: this application will not be processed without the receipt of all required information, the application fee and the advertisement fee. Applications for exemptions must be complete and received by the City Clerk at least 60 days prior to the date of the exemption sought.</p>		

The applicant acknowledges and confirms that an acoustical calibrator shall be used and that windscreen shall be used on all outdoor measurements.

No exemption will be authorized without a Resolution of the City Council.

Successful applicants will be required to complete the required survey form. The form must be provided to the Police/Enforcement Officer upon request and must be filed with the City Clerk within 10 days of the event.

Dated April 29, 2011.

Applicant

Note: A separate application will be required for each event.

If you require additional information, please contact the City Clerk's Office at 474-0626, ext 2510. The information on this form is collected under the authority of the Municipal Freedom of Information and Protection of Privacy Act and will be used only for the purpose of considering the application for an exemption from the City of North Bay's Noise Control By-law No. 1976-142.

**Restrictions –Schedule 4**

<b>Time Interval Friday/Saturday</b>	11:59 pm - 1:00 am (next day)	1:00 am - 1:45 am (next day)	1:45 am - 2:00 am (next day) <b>(Music off 2:00 am)</b>	2:00 am - 7:00 am (next day)
<b>Maximum dBA</b>	90	75	60	50
<b>Frequency of Sound Level Measurements</b>	Every 10 minutes	Every 5 minutes	Every 2 minutes	Every 5 minutes
<b>Total Number of Sound Level Measurements</b>	6	9	7	3 consecutive starting a 2:00 am
<b>Maximum distance from source that measurement is taken</b>	7.6m (measurement to be unobstructed and taken outdoors)	7.6 m (measurement to be unobstructed and taken outdoors)	7.6 m (measurement to be unobstructed and taken outdoors)	7.6 m (measurement to be unobstructed and taken outdoors)
<b>Time Interval Sunday</b>	11:45 pm -12:00 pm <b>(Music off 12:00 pm)</b>	12:00 pm - 12:15 am (next day)	12:15am -7:00am (next day)	
<b>Maximum dBA</b>	90	60	50	
<b>Frequency of Sound Level Measurements</b>	Every 2 minutes	Every 2 minutes	Every 5 minutes	
<b>Total Number of Sound Level Measurements</b>	7	7	3 consecutive starting a 12:15 pm	
<b>Maximum distance from source that measurement is taken</b>	7.6 m (measurement to be unobstructed and taken outdoors)	7.6 m (measurement to be unobstructed and taken outdoors)	7.6 m (measurement to be unobstructed and taken outdoors)	

**Measurement Criteria:**

Measurement of sound levels shall be the responsibility of the property owner.

The "sound level" will be determined by measuring the sound pressure level measured in decibels using the "A" weighting network setting of a sound meter (being a device listed in ANSI Type II or IEC 123 that is calibrated for the measurement of sound and includes Bruel and Kjaer's Precision Sound Level meter, which setting meets the minimum specification in ANSI Type II or IEC 123).

An acoustical calibrator shall be used.

A windscreen shall be used on all outdoor measurements.

**Documentation Required:**

- Sound levels must be conducted as per Schedule 4 for each period and shall be recorded on an official sound level record form.
- Calibration must be performed at the start and at the end of the monitoring period.
- Sound measuring devices must use the "A" weighting and FAST response characteristics.
- Background noise must be at least 10 decibels lower than the noise source being measured.
- A survey form must be completed containing date, time, location, noise source, wind speed/direction, temperature, humidity, equipment information (make, model, serial #), site sketch with the location of the noise source and measurement location (including appropriate distances), data and calibration information. A sample survey form is available from the City.

# July 29, 30, 31, 2011

★ **Capacity** - 2000

★ **Entertainment** - Friday, Sat., Sun - Dj With Mc

★ **Hours** - **Friday July 29/11** 9pm-2am  
(with restrictions from Schedule 4 of the Noise Control By-law 1976-142 in place)

**Saturday July 30/11** 9pm-2am  
(with restrictions from Schedule 4 of the Noise Control By-law 1976-142 in place)

**Sunday July 31/11** 9pm -12am  
(with restrictions from Schedule 4 of the Noise Control By-law 1976-142 in place)

1 foot High

3 feet High

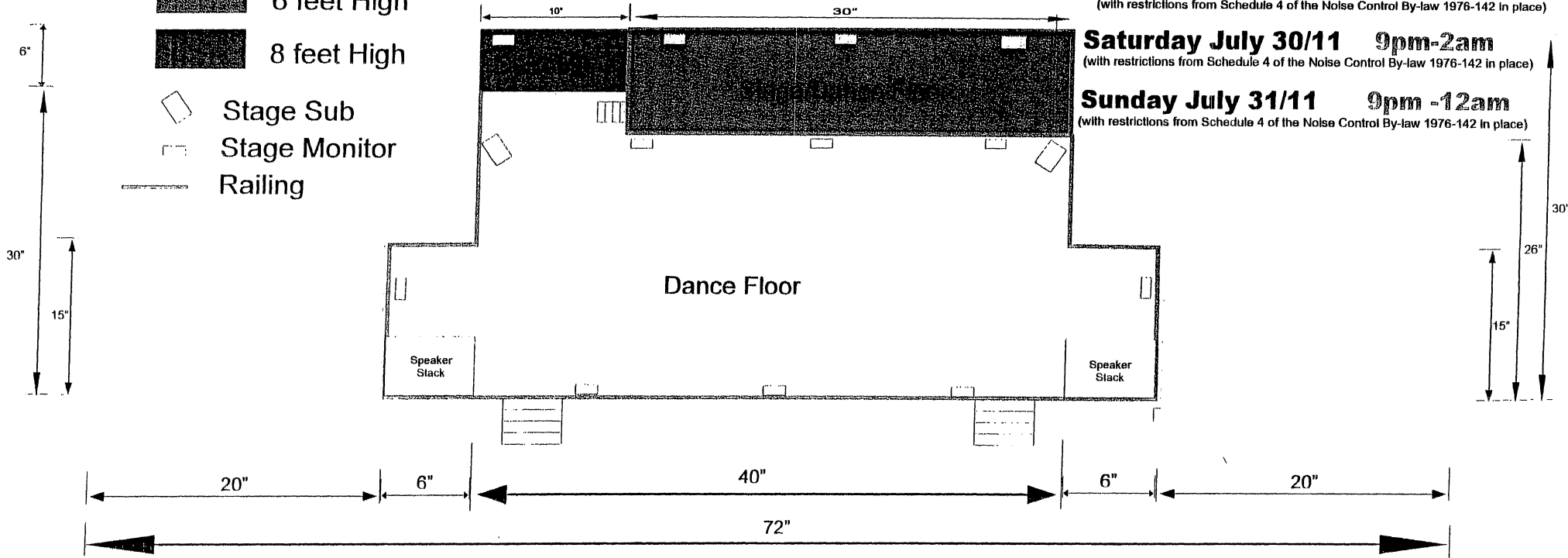
6 feet High

8 feet High

Stage Sub

Stage Monitor

Railing



## Equipment

**Lighting** - 24 Par 64  
 - 8 Intelligent Lighting  
 - 4- 750 watt strobe lights  
 - Capability to use custom gobos

**Sound** - 1 cordless Mic  
 - 6 double 18 cabs (4 for front of house and 2 for dancefloor.)  
 - 6 double 15 cabs for mid and high. (4 for front of house and 2 for dancefloor)  
 - 12 monitors for dancefloors and dj booth.

**Other** - Railing around dance floor  
 - 200' of Crowd/divider fencing  
 - 2 massive foggers  
 - 2 foam machines

THE CORPORATION OF THE CITY OF NORTH BAYBY-LAW NO. 142-76

BEING A BY-LAW TO CONTROL NOISE.

WHEREAS it is expedient to exercise the power conferred upon the Council by The Environmental Protection Act, 1971, as amended, and other statutory authority; and

WHEREAS a recognized body of scientific and technological knowledge exists by which sound and vibration may be substantially reduced; and

WHEREAS the people have a right to and should be ensured an environment free from unusual, unnecessary, or excessive noise or vibration which may degrade the quality and tranquillity of their life or cause nuisance; and

WHEREAS it is the policy of the Council to reduce and control such noise or vibration;

NOW THEREFORE, the Council of the Corporation of the City of North Bay enacts as follows:

1. Interpretation

Definition

In this by-law,

(a) Certificate

"Certificate" means a Certificate of Competency in Environmental Acoustics Technology of a specified class issued by the Minister of the Environment;

(b) Construction

"construction" includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose, and includes any work in connection therewith;

(c) Construction Equipment

"construction equipment" means any equipment or device designed and intended for use in construction, or material handling, including but not limited to, air compressors, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, off-highway haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders, or other material handling equipment;



-2-

(d) Conveyance

"conveyance" includes a vehicle and any other device employed to transport a person or persons or goods from place to place but does not include any such device or vehicle if operated only within a building;

(e) Council

"Council" means the Council of the Corporation of the City of North Bay;

(f) Highway

"highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle designed and intended for, or used by, the general public for the passage of vehicles;

(g) Minister

"Minister" means Minister of the Environment;

(h) Ministry

"Ministry" means Ministry of the Environment;

(i) Motor Vehicle

"motor vehicle" includes an automobile, motorcycle, and any other vehicle propelled or driven otherwise than by muscular power; but does not include the cars of electric or steam railways, or other motor vehicle running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or roadbuilding machine within the meaning of the Highway Traffic Act;

(j) Motorized Conveyance

"motorized conveyance" means a conveyance propelled or driven otherwise than by muscular, gravitational or wind power;

(k) Municipality

"municipality" means the land within the geographic limit of the City of North Bay;

(l) Noise

"noise" means unwanted sound;

(m) Noise Control Officer

"Noise Control Officer" means a person designated by Council as responsible for the administration of this By-law, and more specifically shall be the Director of Planning and Works;

(n) Point of Reception

"point of reception" means any point on the premises of a person where sound or vibration originating from other than those premises is received;

(o) Quiet Zone

"quiet zone" means any area of the municipality that is within the areas as shown in Appendix "A" of Schedule 2 of this by-law;

(p) Residential

"residential" area means any area designated as residential in Zoning By-law No. 1097, 9-69 and 907 of The Corporation of the City of North Bay;

(q) Stationary Source

"stationary source" means a source of sound which does not normally move from place to place and includes the premises of a person as one stationary source, unless the dominant source of sound on those premises is construction equipment or a conveyance.

2. Prohibitions

No person shall emit or cause or permit the emission of sound resulting from an act listed in Schedule 1 - General Prohibitions, and which sound is clearly audible at a point of reception.

3. Limitations by Time and Place

No person shall emit or cause or permit the emission of a sound resulting from any act listed in Schedule 2 - Prohibitions by Time and Place, if clearly audible at a point of reception located in an area of the Municipality specified in Schedule 2 within a prohibited time shown for such an area.

4. ExemptionPublic Safety

Notwithstanding any other provision of this by-law, it shall be lawful during an emergency to emit or cause or permit the emission of sound or vibration in connection with emergency measures:

(a) for the immediate health, safety or welfare of the inhabitants or any of them; or,

(b) for the preservation or restoration of property; unless such sound or vibration is clearly of a longer duration, or nature more disturbing, than is reasonably necessary for the accomplishment of such emergency purpose.

5. Grant of Exemption by Council(1) Application to Council

Notwithstanding anything contained in this by-law, any person may make application to Council to be granted an exemption from any of the provisions of this by-law with respect to any source of sound or vibration for which he might be prosecuted and Council, by resolution, may refuse to grant any exemption or may grant the exemption applied for or any exemption of lesser effect and any exemption granted shall specify the time period during which it is effective and may contain such terms and conditions as Council sees fit.

(2) Details of Application for Exemption

The application mentioned in subsection (1) shall be made in writing, in duplicate, and shall contain:

- (a) the name and address of the applicant,
- (b) a description of the source of sound or vibration in respect of which exemption is sought,
- (c) a statement of the particular provision or provisions of the by-law from which exemption is sought,
- (d) the period of time, of a duration not in excess of six months, for which the exemption is sought,
- (e) the reasons why the exemption should be granted,
- (f) a statement of the steps, if any, planned or presently being taken to bring about compliance with the by-law, and
- (g) proof of publication within the preceding ten days, in a newspaper of general circulation within the Municipality, of a notice of intention to apply for an exemption to this by-law, containing the information required by clauses (a) through (e) hereof, and further stating the date upon which it is intended that application will be made to Council.

(3) Noise Control Officer

Council shall cause one copy of the application for exemption to be delivered to the Noise Control Officer and he shall prepare a report to Council forthwith, stating his opinion of the merits of the application and his recommendations as to terms and conditions which, in his opinion, should be imposed upon the applicant if the exemption is granted and Council will not consider the application for exemption until it has received the report of the Noise Control Officer.

(4) Report

The Noise Control Officer shall forward a copy of his report to the applicant at the address shown on the application by prepaid registered mail and shall, not sooner than two weeks after the mailing of the report to the applicant, submit the report to Council and shall, on request, make his report available for public inspection.

(5) Decision

In deciding whether to grant the exemption, Council shall consider the application, the report of the Noise Control Officer, and any written submission then received by Council and made by the applicant after receipt of the report of the Noise Control Officer and the Council may consider such other matters as it sees fit.

(6) Breach

Breach by the applicant of any of the terms or conditions of the exemption shall render the exemption null and void.

6. Exemption of Traditional, Festive or Religious Activities

Notwithstanding any other provision of this by-law, this by-law does not apply to a person who emits or causes or permits the emission of sound or vibration in connection with any of the traditional, festive, religious and other activities listed in Schedule 3.

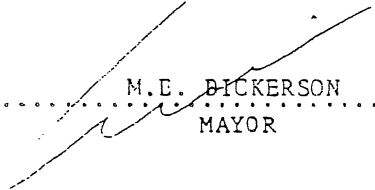
7. Severability


If a Court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.

8. Penalty

Every person who contravenes any of the provisions of this by-law is guilty of an offence and shall, upon conviction thereof, forfeit and pay a penalty of not less than \$50.00 nor more than \$1,000.00 for a first offence and not less than \$100.00 and not more than \$1,000.00 for a second or subsequent offence, exclusive of costs and every such fine is recoverable under The Summary Convictions Act.

READ A FIRST TIME IN OPEN COUNCIL THIS 29TH DAY OF NOVEMBER, 1976.  
READ A SECOND TIME IN OPEN COUNCIL THIS 13TH DAY OF DECEMBER, 1976.  
READ A THIRD TIME IN OPEN COUNCIL AND FINALLY ENACTED AND PASSED  
THIS 18TH DAY OF APRIL, 1977..

  
..... M.E. DICKERSON ..  
MAYOR

  
..... R.P. BARTON ..  
CITY CLERK

6

SCHEDULE 1General Prohibitions

1. Racing of any motorized conveyance other than in a racing event regulated by law.
2. The operation of a motor vehicle in such a way that the tires squeal.
3. The operation of any combustion engine without an effective exhaust muffling device in good working order and in constant operation.
4. The operation of a vehicle or a vehicle with a trailer resulting in banging, clanking, squealing or other like sounds due to improperly secured load or equipment, or inadequate maintenance.
5. The operation of an engine or motor in, or on, any motor vehicle or item of attached auxiliary equipment for a continuous period exceeding five minutes, while such vehicle is stationary in a residential area or in a Quiet Zone unless:
  - (i) the vehicle is in an enclosed structure constructed so as to effectively prevent excessive noise emission; or
  - (ii) the original equipment manufacturer specifically recommends a longer idling period for normal and efficient operation of the motor vehicle in which case such recommended period shall not be exceeded; or
  - (iii) operation of such engine or motor is essential to a basic function of the vehicle or equipment, including but not limited to, operation of ready-mixed concrete trucks, lift platforms or refuse compactors and heat exchange systems, or
  - (iv) weather conditions justify the use of heating or refrigerating systems powered by the motor or engine for the safety and welfare of the operator, passengers or animals, or the preservation of perishable cargo; or
  - (v) prevailing low temperatures make longer idling periods necessary, immediately after starting the motor or engine; or
  - (vi) the idling is for the purpose of cleaning and flushing the radiator and associated circulation system for seasonal change of antifreeze, cleaning of the fuel system, carburetor or the like, when such work is performed other than for profit.
6. The operation of a motor vehicle horn or other warning device except where required or authorized by law.
7. The operation of any item of construction equipment in a Quiet Zone without effective muffling devices in good working order and in constant operation.

SCHEDULE 2

Prohibitions by Time and Place

	Prohibited Period of Time	
	Quiet Zone	Residential Area
1. The operation of any auditory signalling device, including but not limited to the ringing of bells or gongs and the blowing of horns or sirens or whistles, or the production, reproduction or amplification of any similar sounds by electronic means except where required or authorized by law or in accordance with good safety practices.	At any time	B & D
2. The operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers, and intended for the production, reproduction or amplification of sound.	At any time	<i>at any time</i>
3. All selling or advertising by shouting or outcry or amplified sound.	At any time	B & D
4. Loading, unloading, delivering, packing, unpacking, or otherwise handling any containers, products, materials, or refuse, whatsoever, unless necessary for the maintenance of essential services.	B	B & D
5. The operation of any construction equipment in connection with construction.	E & D	F & D
6. The detonation of fireworks or explosive devices.	At any time	A
7. The discharge of firearms.	At any time	At any time
8. The operation of combustion engine which, (i) is, (ii) is used in, or (iii) is intended for use in a toy or model or replica of a larger device, which model or replica has no function other than amusement and which is not a conveyance.	At any time	B

SCHEDULE 2  
cont'd

9. The operation of any powered rail car including but not limited to refrigeration cars, locomotives, or self-propelled passenger cars, while stationary on property not owned or controlled by a railway governed by the Canada Railway Act.	At any time	A
10. The operation of any motorized conveyance other than on a highway or other place intended for its operation.	At any time	B
11. The venting, release or pressure relief of air, steam or other gaseous material, product or compound from any autoclave, boiler, pressure vessel, pipe, valve, machine, device or system.	At any time	A
12. Persistent barking, whining or other similar persistent noise making by any domestic pet.	At any time	At any time
13. The operation of any powered or non-powered tool for domestic purposes other than snow removal.	A	A
14. The operation of solid waste bulk lift or refuse compacting equipment.	C	B
15. The operation of commercial car wash equipment.	C	A
16. Persistent yelling, shouting, hooting, whistling or singing.	At any time	A

Restricted Times:

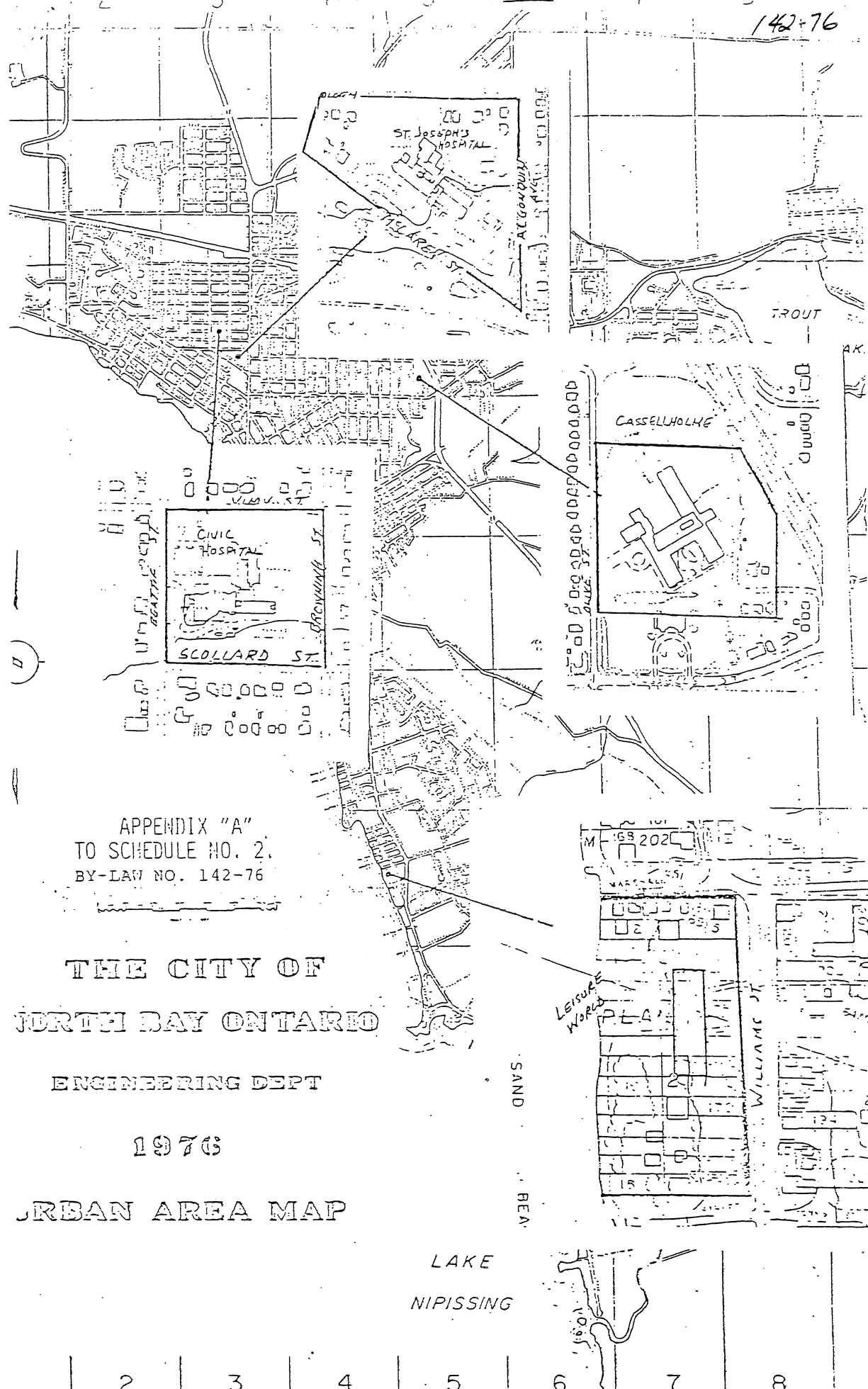
- A - 23:00 Hrs. of one day to 07:00 Hrs. next day  
(09:00 Hrs. Sundays)
- B - 19:00 Hrs. of one day to 07:00 Hrs. next day  
(09:00 Hrs. Sundays)
- C - 17:00 Hrs. of one day to 07:00 Hrs. next day  
(09:00 Hrs. Sundays)
- D - All day Sundays and Statutory Holidays.
- E - 17:00 Hrs. of one day to 07:00 Hrs. next day
- F - 19:00 Hrs. of one day to 07:00 Hrs. next day

SCHEDULE 3

Activities to Which the By-law Does Not Apply

- 1. The use in a reasonable manner of an apparatus or mechanism for the amplification of the human voice or of music in a public park or recreational area under the control and management of the City of North Bay in connection with any public election meeting, public celebration or other lawful gathering, provided that written permission of Council to hold such meeting, celebration, or gathering has been first obtained under any applicable by-law of the Corporation of the City of North Bay.
  
- 2. Any band or parade, provided that written permission of Council to operate such band or hold such parade has been first obtained under any applicable by-law of the Corporation of the City of North Bay.





APPENDIX "A"  
 TO SCHEDULE NO. 2.  
 BY-LAW NO. 142-76

THE CITY OF  
 NORTH BAY ONTARIO

ENGINEERING DEPT

1976

URBAN AREA MAP

LAKE  
 NIPISSING

SAND  
 BEA.

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 5-95

BEING A BY-LAW TO AMEND NOISE  
CONTROL BY-LAW NO. 142-76.

WHEREAS it is deemed desirable to regulate the noise from engines designed for the purpose of the refrigeration of perishable goods.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. Schedule 1 of Noise Control By-Law No. 142-76 is hereby amended to delete paragraph 5 (iv) thereof and to insert the following:

" (iv) Weather conditions justify the use of heating or refrigerating systems powered by the motor or engine for the safety and welfare of the operator, passengers or animals or the preservation of perishable cargo, and the vehicle is stationary for purposes of delivery or loading"

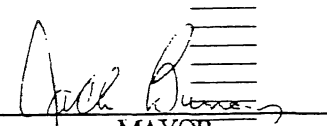
2. This By-Law comes into effect upon being passed and upon the approval of the Minister of Environment and Energy pursuant to the Environmental Protection Act.

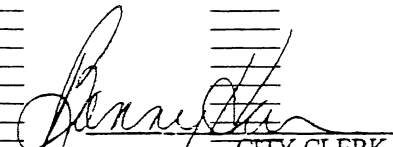
3. By-Law No. 112-92 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THE 3RD DAY OF JANUARY 1995.

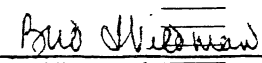
READ A SECOND TIME IN OPEN COUNCIL THE 3RD DAY OF JANUARY 1995.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 3RD DAY OF JANUARY, 1995.

  
MAYOR

  
CITY CLERK

*This By-law is approved pursuant to the provisions of the Environmental Protection Act, at Toronto this 27<sup>th</sup> day of March, 1995.*

  
Minister of Environment and Energy

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 164 -95

BEING A BY-LAW TO AMEND BY-LAW NO. 142-76  
TO CONTROL NOISE

WHEREAS the Council deems it desirable to amend the existing penalty provision of By-Law No. 142-76, being a By-Law to control noise.

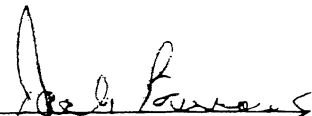
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. Section 8 of By-Law No. 142-76, being a By-Law to control noise, is hereby deleted and the following Section 8 inserted in lieu thereof:  
  
"8. Any person who contravenes any provision of this By-Law is guilty of an offence and is subject to a fine of not more than \$5,000.00, exclusive of costs, recoverable under the Provincial Offences Act."
2. This By-Law shall come into effect upon the approval of the Minister of Environment and Energy, pursuant to the Environmental Protection Act.

READ A FIRST TIME IN OPEN COUNCIL THE 27 DAY OF NOVEMBER,  
1995.

READ A SECOND TIME IN OPEN COUNCIL THE 27 DAY OF NOVEMBER,  
1995.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 27TH  
DAY OF NOVEMBER 1995.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
DEPUTY CITY CLERK

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 180-91

A BY-LAW TO AMEND NOISE BY-LAW 142-76.

WHEREAS it is deemed desirable to regulate the noise from engines designed for the purpose of the refrigeration of perishable goods.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. Schedule 1 of By-law 142-76 is hereby amended to insert the following:

"8. The operation of a combustion engine for the purpose of refrigerating perishable goods at a place where the goods are to be offered for sale, unless the engine is in an enclosed structure constructed so as to effectively prevent noise emission."

READ A FIRST TIME IN OPEN COUNCIL THE 3RD DAY OF SEPTEMBER, 1991.

READ A SECOND TIME IN OPEN COUNCIL THE 16TH DAY OF SEPTEMBER, 1991.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 16TH DAY OF SEPTEMBER , 1991.

  
MAYOR

  
CITY CLERK

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 211-90

A BY-LAW TO AMEND NOISE BY-LAW NO. 142-76.

WHEREAS it is deemed desirable to prohibit the noise from refrigerated vehicles or trailers which are used for storage of perishable cargo and which are audible in a residential area.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. Section 5 (iv) of Schedule 1 of By-law No. 142-76 is hereby amended by inserting after the word "cargo" the following words:

"which is not at the premises where such cargo is to be offered for sale."

READ A FIRST TIME IN OPEN COUNCIL THE 12TH DAY OF NOVEMBER, 1990.

READ A SECOND TIME IN OPEN COUNCIL THE 26TH DAY OF NOVEMBER, 1990.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 26TH DAY OF NOVEMBER , 1990.

  
MAYOR

  
CITY CLERK

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 148-83

A BY-LAW TO AMEND NOISE CONTROL BY-LAW  
142-76.

WHEREAS it is deemed desirable to amend By-law 142-76 to prohibit the amplification of sound audible within a residential area at any time;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. Schedule 2 of By-law 142-76 is hereby amended by deleting "C" from the "Prohibited Period of Time - Residential Area" column for section 2 respecting the amplification of sound and inserting in lieu thereof: "At any time".
2. Subsection 1 (p) is hereby deleted and the following inserted in lieu thereof:


"(p) Residential

"Residential Area" means those areas zoned by City of North Bay Zoning By-law 28-80, as one of the first eleven "Residential" zones bearing the following symbols: R1, R2, R3, R4, RM1, RM2, RM3, RM4, RM5, RM6, RH."

READ A FIRST TIME IN OPEN COUNCIL THE 7th DAY OF NOVEMBER, 1983.

READ A SECOND TIME IN OPEN COUNCIL THE 16TH DAY OF JANUARY 1984.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 16TH DAY OF JANUARY , 1984.

  
DEPUTY MAYOR

  
CITY CLERK

## CITY OF NORTH BAY

### REPORT TO COUNCIL

Report No: CORP 2011-112

June 9, 2011

Originator: Al Lang

Subject: Tender No. 2011-46 – Supply of One (1) Backhoe Loader

---

#### RECOMMENDATION:

That North Bay City Council approve a contract be issued to NORTRAX Canada Inc. in the amount of \$79,563.30 (net of trade-in and including HST) for the supply of one (1) backhoe loader with extendable dipperstick attachment and four wheel drive.

---

#### BACKGROUND:

The tender was advertised publicly as per the City of North Bay Purchasing Policy. The Purchasing Manager distributed eight (8) tender packages. The tender closed on May 18, 2011 and three (3) tenders were received. The Fleet Supervisor evaluated the tenders and the Director of Financial Services has reviewed the recommendation with the Fleet Supervisor. The equipment will be used within Public Works in the Roads Department contributing towards our infrastructure and operational commitments. A 1997 410 John Deere backhoe has exceeded its useful life cycle and is being traded in for the new backhoe loader. The trade-in value of this equipment has been taken into consideration in the evaluation. The results of the evaluation are:

<u>Firm</u>	<u>Total Bid Price</u> (net of trade-in and including HST)
Miller Technology Inc.	\$76,049.00
NORTRAX Canada Inc.	\$79,563.30
Tracks & Wheels Equipment Brokers Inc.	\$89,166.04

The lowest bid did not meet the mandatory requirements as specified in the tender document. The recommendation is to award the tender to NORTRAX Canada Inc. as that firm has complied with the mandatory requirements and has met all specifications outlined in the tender document. The price is considered fair and reasonable.

---

#### ANALYSIS / OPTIONS:

1. Purchase the recommended equipment at the tendered price.
  2. Do not purchase the equipment. This option is not recommended, as it is needed for the Roads Department. Service levels would be negatively impacted if the equipment is not purchased.
-

---

**RECOMMENDED OPTION / FINANCIAL IMPACTS:**


Option 1 is recommended:

That North Bay City Council approve a contract be issued to NORTRAX Canada Inc. in the amount of \$79,563.30 (net of trade-in and including HST) for the supply of one (1) backhoe loader with extendable dipperstick attachment and four wheel drive.

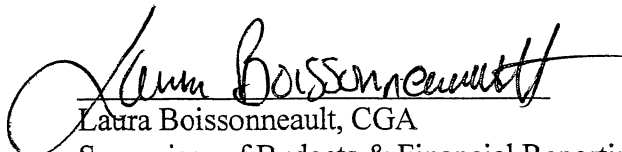
An amount of \$1,200,000 has been allocated in the 2011 Engineering, Environmental Services and Works Capital Budget Line No. 58 Project No. 6002FL – Public Works Vehicle & Equipment Replacement Program. By-Law No. 2011-41 was passed by City Council on March 7, 2011 authorizing the expenditure of \$1,200,000. The cost of this equipment charged to Project No. 6002FL, net of the HST rebate will be \$71,649.21. As of the signing of this report, Project No. 6002FL has sufficient funds for this purchase.

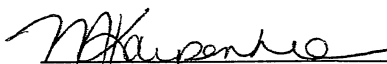
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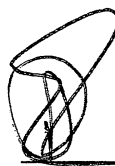
Respectfully submitted,

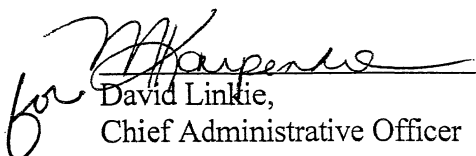
  
\_\_\_\_\_  
Al Lang, CGA  
Director of Financial Services

We concur in this report and recommendation.

  
\_\_\_\_\_  
Laura Boissonneault, CGA  
Supervisor of Budgets & Financial Reporting

  
\_\_\_\_\_  
Margaret Karpenko, CMA  
Chief Financial Officer/Treasurer

  
\_\_\_\_\_  
for Alan Korell  
Managing Director of Engineering,  
Environmental Services and Works

  
\_\_\_\_\_  
for David Linkie,  
Chief Administrative Officer

Personnel designated for continuance: Fleet Supervisor

Attachments: Tenders



## City of North Bay

### Report to Council

Report No: CSBU-2011-62

Date: June 7, 2011

Originator: Shawn Killins, Chief Building Official

Subject: Amend Schedule 'E' of By-law #2007-07 to reflect current status of Enforcement Officers in Building Services

---

#### RECOMMENDATION

That Council directs the City Clerk to prepare a new appointment schedule for enforcement officers to amend Schedule 'E' of By-law #2007-07 being a By-law to Regulate the Administration of Building Permits.

---

#### BACKGROUND

Pursuant to Section 3.(1)(2) of the Building Code Act, Council shall appoint inspectors as necessary for the enforcement of the Act.

David Vossos has recently retired from his position as Chief Plan Examiner with Building Services and is no longer employed by the City of North Bay.

Danny Rodgers is the successful candidate for the vacated Chief Plan Examiner's position with the Corporation.

---

#### ANALYSIS/OPTIONS

##### Option #1

Approve the request directing the City Clerk to prepare a new appointment schedule of enforcement officers.

##### Option #2

Do not approve the request directing the City Clerk to prepare a new appointment schedule of enforcement officers.

---

#### RECOMMENDED OPTION/FINANCIAL IMPLICATIONS

That Council directs the City Clerk to prepare a new appointment schedule of enforcement officers to amend Schedule 'E' of By-law 2007-07 being a By-law to Regulate the Administration of Building Permits.

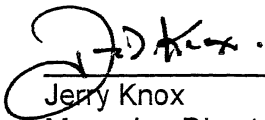
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Respectfully submitted,



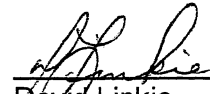
Shawn Killins  
Chief Building Official  
Manager of Building Services

We concur in this report and recommendation.



---

Jerry Knox  
Managing Director of Community  
Services



---

David Linkie  
Chief Administrative Officer

Personnel designated for continuance:

Shawn Killins, Chief Building Official  
and Manager of Building Services

Cathy Conrad, City Clerk

## City of North Bay

### Report to Council

Report No: CSBU-2011-61

Date: June 7, 2011

Originator: Shawn Killins, Chief Building Official

Subject Amend By-law #2004-188 to reflect the current status of Municipal By-law Enforcement Officers in Building Services

---

#### RECOMMENDATION

That Council directs the City Clerk to prepare an amendment to By-law #2004-188 being a By-law to appoint Municipal Law Enforcement Officers as authorized under the provisions of the Police Services Act.

---

#### BACKGROUND

Pursuant to Section 15 of the Police Services Act, Council may appoint one or more persons to enforce the By-laws of the Municipality.

The Chief Building Official, Chief Plan Examiner and the four Building Inspectors are responsible for the enforcement of the Fence By-law #2002-105 and the Property Standards By-law 1999-06.

David Vossos has recently retired from his position as Chief Plan Examiner with Building Services and is no longer employed by the City of North Bay.

Danny Rodgers is the successful candidate for the vacated Chief Plan Examiner position with the Corporation.

---

#### ANALYSIS/OPTIONS

##### Option #1

Approve the request directing the City Clerk to amend By-law #2004-188 to reflect the current status of Municipal By-law Enforcement Officers in Building Services.

##### Option #2

Do not approve the request directing the City Clerk to amend By-law #2004-188 to reflect the current status of Municipal By-law Enforcement Officers in Building Services.

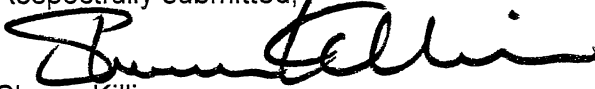
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**RECOMMENDED OPTION/FINANCIAL IMPLICATIONS**

That Council directs the City Clerk to prepare an amendment to By-law #2004-188 being a By-law to appoint Municipal Law Enforcement Officers as authorized under the provisions of the Police Services Act.

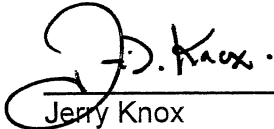
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Respectfully submitted,



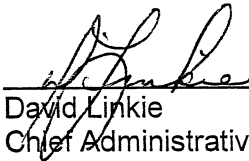
Shawn Killins  
Chief Building Official  
Manager of Building Services

We concur in this report and recommendation.



---

Jerry Knox  
Managing Director of Community  
Services



---

David Linkie  
Chief Administrative Officer

Personnel designated for continuance:

Shawn Killins, Chief Building Official  
and Manager of Building Services

Cathy Conrad, City Clerk

## REPORT TO COUNCIL

Report No. CORP 2011-93

Date: June 7, 2011

Originator: Catherine Conrad

Subject: Amendments to Procedural By-law

---

**RECOMMENDATION**

- That: 1. Council receive Report No. CORP 2011-93 dated June 7, 2011 from Catherine Conrad; and
2. the matter be referred to the General Government Committee for a Public Meeting under the *Municipal Act*.
- 

**BACKGROUND**

At its Regular Meeting held on Monday, June 6, 2011 Council adopted General Government Committee Report No. 2011-15 authorizing amendments to Procedural By-law No. 2007-218.

In accordance with Council's direction, amendments have been made to the by-law. As directed, Section 36 (Inquiries) has been amended. In addition, a number of "housekeeping" amendments are recommended. For ease of reference, the proposed amendments are noted in bold and underlined, as follows:

**INAUGURAL MEETING:**

- 3.4 At the Inaugural Meeting, Council shall appoint, by by-law, the Councillor **who placed first in the Municipal Election** as Deputy Mayor.

**CLOSED MEETING INVESTIGATOR:**

- 6.16 Effective January 1, 2008, Council shall ~~enter~~ **entered** into an Investigator Services Agreement with Local Authority Services of the Association of Municipalities of Ontario, subject to the approval of the City Solicitor as to form, for the provision of closed meeting investigation services in accordance with section 238.1 of the *Municipal Act, 2001*, as amended.

**INQUIRIES:**

- 36.1 (a) ~~Inquiries about a matter may be raised by any Member and put to the Presiding Officer or through him to the Chief Administrative Officer, who may call upon another officer to reply.~~
- (b) ~~No argument or opinion shall be offered or fact stated except as is necessary to explain the inquiry or the answer.~~

- (c) A member and staff are not to debate the matter. **(moved to 49.3(b))**
- (d) Inquiries may be in writing or may be made orally.
- (e) An officer shall reply promptly in writing in response to all requests for reports made by Council resolution. **(moved to 36.4(e))**
- (f) The Chief Administrative Officer may provide an update of the status of matters remaining on Standing Committee files at the end of each Standing Committee meeting. **(moved to 49.10)**

REPORTS FROM OFFICERS:

- 36.4 (e) An officer shall reply promptly in writing in response to all requests for reports made by Council resolution. **(from 36.1 (e))**

STANDING COMMITTEES:

- 45.1 **NEW** **(d) Appointments to Standing Committees shall be made in order of preference, based on the Councillor's standing in the Municipal Election results.**

GENERAL GOVERNMENT COMMITTEE

- 46.1 The General Government Committee shall have jurisdiction over the Office of the Chief Administrative Officer and the Corporate Services Division, including:

Access North Bay	Administrative Approvals
By-law Enforcement	City Hall Maintenance
<del>Corporate Support</del> (deleted)	Council Liaison and Support
Finance and Assessment	General Administration
Health and Safety	Human Resources
Information Systems & Technology	Insurance and Risk Management
Legal Services	Licensing
Local Board Liaison	
Ontario Court of Justice Provincial Offences Administration	
<b><u>Parking Administration (amended)</u></b>	Policy Development
Procurement and Inventory	Realty Management
Records Management	Special Project Co-ordination
Training and Development	Vital Statistics

COMMUNITY SERVICES COMMITTEE

- 48.1 The Community Services Committee shall have jurisdiction over the Community Services Division, including:

Arena Buildings	
Building Facility Repair & Maintenance	
Building & Fire Code Inspection and Enforcement	
Building Services	Cemeteries

Crossing Guards  
Economic Development & Tourism  
Emergency Planning & Operations  
Fire Protection  
Land Use Planning  
Marina and King's Landing  
North Bay Airport  
**Parking Maintenance** (added - formerly under GG)  
Transit Services

Development Administration

Grant Access Program  
Leisure Services  
Marketing & Promotion  
Parks & Pathways

## STANDING COMMITTEE PROCEDURES

49.3 (b) A member and staff are not to debate the matter. (moved from 36.1(c) )

49.10 The Chief Administrative Officer may provide an update of the status of matters remaining on Standing Committee files at the end of each Standing Committee meeting. (from 36.1(f)).

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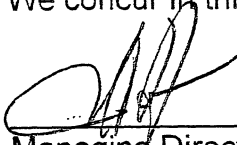
Respectfully submitted,

*C. Conrad*

Catherine Conrad  
City Clerk

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We concur in this report and recommendation.



Managing Director of Corporate  
Services – M. B. Burke



Chief Administrative Officer –  
D. G. Linkie

Personnel designated for continuance: Catherine Conrad, City Clerk

**THE CORPORATION OF THE CITY OF NORTH BAY**

**PROCEDURAL BY-LAW NO. 2011-**

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DRAFT

**THE CORPORATION OF THE CITY OF NORTH BAY**

**PROCEDURAL BY-LAW NO. 2011-<>**

**WHEREAS** section 238 of the *Municipal Act, 2001*, as amended, provides that every municipality shall pass a procedure by-law for governing the calling, place and proceeding of meetings;

**AND WHEREAS** section 270.(1)(1) of the *Municipal Act, 2001*, as amended, provides that every municipality shall adopt and maintain policies with respect to the sale and other disposition of land;

**AND WHEREAS** Notice of the Public Meeting in the matter of the Procedural By-law was given by way of an advertisement in the North Bay Nugget on the <> day of <>, 2011 and on the <> day of <>, 2011;

**AND WHEREAS** a Public Meeting under the *Municipal Act, 2001*, as amended, in the matter of the Procedural By-law was held on the <> day of <>, 2011;

**AND WHEREAS** Council approved the Procedural By-law by General Government Committee Report No. 2011-<> passed on the <> day of <>, 2011.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:**

**PART 1 - MEETINGS OF THE COUNCIL**

**1.0 DEFINITIONS:**

In this by-law:

- 1.1 **"Ad Hoc Committee"** means a Committee established by Council to review a specific matter and once the Committee has reported with respect to its findings and recommendations, the Committee is automatically dissolved.
- 1.2 **"Call the question"** means that the vote on the motion shall be taken.
- 1.3 **"Chair"** means the Mayor or the Presiding Officer of a meeting.
- 1.4 **"Chief Administrative Officer"** means the Chief Administrative Officer (CAO) of the Corporation.
- 1.5 **"Clerk"** means the City Clerk or the Deputy City Clerk of the Corporation.
- 1.6 **"Closed Session"** means that part of a meeting closed to the public in accordance with the provisions of the *Municipal Act*.
- 1.7 **"Corporation"** means The Corporation of the City of North Bay.
- 1.8 **"Council in Committee meeting"** means a meeting of the whole of the Council where the Chair of each Committee may act, in turn, as a Presiding Officer to report to the Council on the deliberations of each Committee.
- 1.9 **"Defer", "Deferred" or "Deferral"**, when used in connection with a matter or item before the Council or a Committee, means that the matter or item is to be dealt with later in the same meeting, or at the next meeting of the same body, or at the meeting of the same body that it specified in the motion to defer.
- 1.10 **"Delegation"** means a person intending to address the Council or Committee on a matter where a decision to the Council may be required.

- 1.11 **"Deputy Mayor"** means the Councillor appointed by Council to act in the absence of the Mayor in accordance with this By-law.
- 1.12 **"Emergency Meeting"** means a meeting where the health or welfare of the community is involved.
- 1.13 **"Ex-officio"** means by virtue of office or position and carries with it the right to participate fully in all committee meetings and to vote unless prohibited by law, but does not count towards a quorum.
- 1.14 **"Holiday"** shall mean any holiday as defined in the *Interpretation Act, R.S.O. 1990, c.1.11* or Boxing Day.
- 1.15 **"Improper conduct"** means conduct which offers any obstruction to the deliberations or proper action of Council.
- 1.16 **"In-Camera"** means a closed session of Council or Standing Committee which is closed to the public in accordance with the *Municipal Act*.
- 1.17 **"Inaugural Meeting"** means the first meeting of Council held after a municipal election in a regular election year.
- 1.18 **"Local Board"** means a local board as defined in the *Municipal Act, 2001*.
- 1.19 **"Majority Vote"** means the vote of more than half of the members present at a properly constituted meeting at which a quorum is present.
- 1.20 **"Mayor"** means the Head of Council acting as the Chief Executive Officer of the Corporation.
- 1.21 **"Meeting"** means any regular, special or other meeting of a Council, or a local board or of a committee of either of them.
- 1.22 **"Member of Council"** means any Councillor or the Mayor of the Council.
- 1.23 **"Motion"** means a proposal by a Member for the Council to adopt a resolution.
- 1.24 **"Municipal Act"** means the *Municipal Act, S.O. 2001, c. 25*, as amended and any successor legislation thereto.
- 1.25 **"Municipal Election"** shall mean a general municipal election held pursuant to the *Municipal Elections Act*.
- 1.26 **"Newspaper"** means a printed publication in sheet form, intended for general circulation, published regularly at intervals of not longer than three (3) days, consisting in great part of news of current events of general interest and sold to the public and to regular subscribers and includes the North Bay Nugget.
- 1.27 **"Notice of Motion"** means a signal of intent to have a motion dealt with at a subsequent meeting.
- 1.28 **"Officer"** includes the Chief Administrative Officer, Managing Directors and the Chief Financial Officer employed by The Corporation of the City of North Bay.
- 1.29 **"Open Session"** means any part of a meeting not in "closed session".
- 1.30 **"Pecuniary Interest"** means a direct or indirect interest within the meaning of the *Municipal Conflict of Interest Act, R.S.O, 1990, chapter M.50*, as amended, and any subsequent legislation thereto.
- 1.31 **"Petition"** means a written request signed by one or more persons.

- 1.32 **"Point of Order"** means an issue to which a member calls attention to:
- (a) any breach of the rules of order pursuant to this Procedural By-law; or
  - (b) any defect in the constitution of any meeting; or
  - (c) the use of improper, offensive or abusive language; or
  - (d) notice of the fact that the matter under discussion is not within the scope of the proposed motion; or
  - (e) any other informality or irregularity in the proceeding of the meeting.
- 1.33 **"Point of Personal Privilege"** means a matter that a member of Council considers to impugn the integrity of the Council or the individual member.
- 1.34 **"Presiding Officer"** means
- (a) The Mayor, or
  - (b) in the absence of the Mayor, the Deputy Mayor, or
  - (c) a member appointed pursuant to Section 10.
- 1.35 **"Public Meeting"** means a public meeting under the *Municipal Act* or the *Planning Act*, or any other statute that requires the Council to hold a public Meeting.
- 1.36 **"Public Notice"** means a public notice published in accordance with the City's Notice By-law.
- 1.37 **"Published"** means published in a daily or weekly newspaper that, in the opinion of Clerk, has such circulation within the municipality as to provide reasonable notice to those affected thereby, including the North Bay Nugget and "publication" has a corresponding meaning.
- 1.38 **"Quorum"** means the minimum number of members who must be present at the meetings for business to be legally transacted.
- 1.38 **"Recorded Vote"** shall mean the recording of the name and vote of every Member of Council on any matter of question, subject to the *Municipal Conflict of Interest Act*.
- 1.40 **"Regular Meeting"** means a scheduled business meeting held in accordance with the approved calendar/schedule of meetings.
- 1.41 **"Resolution"** means the decision of the Council on any motion.
- 1.42 **"Rules of Order"** shall mean the rules, established by this by-law to govern the proceedings of Council and its Committees.
- 1.43 **"Special Meeting"** means a meeting not scheduled in accordance with the approved calendar/schedule of meetings.

## **2.0 GENERAL PROVISIONS**

- 2.1 The rules and regulations contained in this by-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business of the Council and wherever possible, with the necessary modifications, for all committees of Council, unless otherwise prescribed.
- 2.2 The rules and regulations contained herein may not be suspended except by a two-thirds affirmative vote of the number of Members of Council present and voting.
- 2.3 For the purpose of calculating a vote of two-thirds of the Members, any fraction shall be rounded to the next highest whole number.
- 2.4 A word in this by-law interpreted in the singular number has a corresponding meaning when used in the plural. Words importing a single

gender should be read to inclusive of both genders.

- 2.5 The Mayor may be addressed as "Mayor (surname inserted)" or as "Your Worship".
- 2.6 Members of Council may be addressed as "Councillor (surname inserted)".

### **3.0 INAUGURAL MEETING**

- 3.1 The Inaugural Meeting date shall be held not later than the second Monday in December at 7:00 p.m.
- 3.2 The Inaugural Meeting shall be ceremonial in nature for purposes of the members of Council taking their Oath of Allegiance and Declaration of Office.
- 3.3 The Inaugural Meeting shall be opened with prayer by the officiating clergy chosen by the Head of Council elect.
- 3.4 No business shall be conducted at the Inaugural Meeting until the Oath of Allegiance and Declaration of Office have been taken.
- 3.4 At the Inaugural Meeting, Council shall appoint, by by-law, the Councillor **who placed first in the Municipal Election** as Deputy Mayor.
- 3.5 At the Inaugural Meeting:
  - (a) all required Council appointments to local boards and committees shall be appointed for the term of the Council unless otherwise provided by statute or by law.
  - (b) the following Standing Committees shall be appointed:
    - (1) General Government;
    - (2) Community Services; and
    - (3) Engineering and Works.

### **4.0 REGULAR MEETINGS**

- 4.1 The dates of regular Council meetings shall be established by resolution at the Inaugural Meeting, to commence on the following Monday.
- 4.2 The regular meetings of the Council and Committees shall be established on an annual basis by the Clerk, and approved prior to the end of November of the previous calendar year.
- 4.3 Council may change the date of any regular meeting by resolution.
- 4.4 If a Monday designated for the holding of a Council meeting falls on a public holiday, or on a day when City Hall is closed for business, Council shall meet at the designated hour on the first day following which is not a public holiday.
- 4.5 **Postponement - Emergency**  
The Mayor may, when an emergency or extraordinary situation arises, postpone a meeting for not more than 3 days.
- 4.6 **Postponement – Notice by Clerk**  
Upon the postponement of a meeting by the Mayor in accordance with section 4.5 of this by-law, the Clerk shall attempt to notify the Members of Council on the postponement as soon as possible and in the most expedient manner available.

## 5.0 PUBLIC MEETINGS

- 5.1 Except as provided in this section, all Council and Council- in- Committee meetings shall be open to the public in a designated and accessible location.

## 6.0 CONFIDENTIAL MEETINGS

- 6.1 A meeting or part of a meeting may be closed to the public if the subject matter being considered is,
- (a) the security of the property of the municipality or local board;
  - (b) personal matters about an identifiable individual, including municipal or local board employees;
  - (c) a proposed or pending acquisition or disposition of land for municipal or local board purposes;
  - (d) labor relations or employee negotiations;
  - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
  - (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
  - (g) a matter in respect of which the Council has authorized a meeting to be closed under another Act.
- 6.2 A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the *Municipal Freedom of Information and Protection of Privacy Act*.
- 6.3 Before holding a meeting or part of a meeting that is to be closed to the public, Council, shall state by resolution,
- (a) the fact of the holding of the closed meeting; and
  - (b) the subsection(s) of the *Municipal Act*, which authorizes each item to be considered at the closed session.
- 6.4 Once in a closed session, no item shall be added to the agenda for that closed session.
- 6.5 The Presiding Officer may call an in-camera meeting after 7:00 p.m. on any Regular Meeting night to discuss the matters referred to in the above paragraph 6.1.
- 6.6 If a meeting is closed to the public:
- (a) the Presiding Officer shall inquire as to whether any member present has a conflict of interest, to allow a member to declare any conflict, the reasons therefor and leave the meeting;
  - (b) no resolution or record of the meeting shall disclose any information that the head of an institution is not permitted to disclose under the *Municipal Freedom of Information and Protection of Privacy Act*.
- 6.7 Notwithstanding this section, a meeting shall not be closed during the taking of a vote, unless the vote is for a procedural matter, or for giving directions or instructions to officers, employees or agents of the municipality, or persons retained by or under contract with the municipality.
- 6.8 Minutes shall be kept of all closed meetings, identifying the members present and absent, and the senior staff present, in the same fashion as those kept for open sessions and shall correspond directly to the prepared closed session agenda and shall note any direction given pursuant to section 6.1 above.
- 6.9 No member of the Council shall distribute any reports or items, or disclose

the nature or content of discussions regarding any matters that are part of a closed session agenda without the prior consent of the Council or Committee.

- 6.10 For discussion of items regarding confidential matters related to an individual employee during a closed session, the Chief Administrative Officer will designate which staff members may be present.
- 6.11 The Clerk may require that extra copies of any reports or documents circulated at a closed session regarding confidential matters related to an individual employee shall be collected by the Clerk and returned to the Human Resources Department.
- 6.12 The Clerk shall be responsible to maintain a confidential copy of all agendas and minutes of closed sessions.

#### **Confidentiality**

- 6.13 (a) Every person to be in attendance at an in-camera meeting held pursuant to this section shall make an Affirmation of Confidentiality at the Inaugural Meeting of the Council and execute a Confidentiality Agreement in the form attached as Schedule "A".
- (b) No person in attendance at an in-camera meeting called pursuant to this section shall disclose to any person not in attendance at the meeting any of the information provided at such in-camera meeting.

#### **CAO Briefings**

- 6.14 (a) The Council may meet from time to time to be advised by the Chief Administrative Officer on administrative matters, other matters or of background information.
- (b) The Council shall not make any decision regarding any matter at any such meeting with the Chief Administrative Officer.

#### **Educational or Training Sessions**

- 6.15 (a) The Council may meet from time to time for educational or training sessions during *in-camera* meetings pursuant to section 238.3(1) of the *Municipal Act, 2001*, (S.O. 2001, c.25) provided that no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council.
- (b) Before holding a meeting or part of a meeting in-camera for educational or training purposes, Council shall state by resolution,
  - (i) the fact of the holding of the closed meeting;
  - (ii) the general nature of the subject matter to be considered at the closed meeting; and
  - (iii) that it is closed pursuant to section 238.3(1) of the *Municipal Act*.

#### **Closed Meeting Investigator**

- 6.16 Effective January 1, 2008, Council shall enter entered into an Investigator Services Agreement with Local Authority Services of the Association of Municipalities of Ontario, subject to the approval of the City Solicitor as to form, for the provision of closed meeting investigation services in accordance with section 238.1 of the *Municipal Act, 2001*, as amended.

### **7.0 SPECIAL MEETINGS**

- 7.1 The Mayor may summon a Special Council Meeting any time upon notice

to each member.

7.2 Upon the receipt of a petition of the majority of the members of Council, the Clerk shall summon a Special Meeting for the purpose and at the time mentioned in the petition.

7.3 **Special Meetings – Notice**

Notice of a Special Meeting called in accordance with this by-law shall be delivered to the Members of Council by telephone, facsimile transmission and/or electronic mail, to the phone number, fax number or e-mail address as provided by the Members. It shall be the responsibility of the Chief Administrative Officer and/or Clerk or the Clerk's representative shall use their best efforts to forward Members and the media all notices and agendas for Special Council Meetings a minimum of 24 hours in advance of such Meetings.

7.4 **Special Meetings – Business Specified**

No business except the business dealing directly with the purpose mentioned in the notice shall be transacted at a Special Meeting.

**8.0 EMERGENCY MEETINGS**

8.1 In the case of a disaster or emergency as defined in the municipality's Emergency Plan, an Emergency Meeting may be held without notice, to deal with the emergency or extraordinary situation, provided that an attempt has been made by the Chief Administrative Officer and/or Clerk or the Clerk's representative shall use their best efforts to notify the members and the media about the meeting as soon as possible and in the most expedient manner available.

8.2 **Emergency Meetings – Business Specified**

No business except the business dealing directly with the emergency or extraordinary situation shall be transacted at an Emergency Meeting.

**9.0 QUORUM**

9.1 A majority of all members shall constitute a quorum.

**10.0 MEETING TIME**

10.1 The Mayor, or in his absence, the Deputy Mayor, shall call members to order as soon after the meeting time as a quorum is present.

10.2 (a) If the Mayor and Deputy Mayor are not present within ten minutes after the meeting time, the Clerk shall call the members to order and if a quorum is present, a member shall be chosen from among those present to preside during the meeting or until the arrival of the Mayor or Deputy Mayor.

(b) For a Committee Meeting, in the event that the Chair of a Committee does not attend, the Vice-Chair, or other Member, shall assume the chair for the meeting and shall preside until the arrival of the Chair and, while presiding, shall have all the powers of the Chair.

10.3 In the election of a Presiding Officer, the Clerk shall call the meeting to order and preside.

10.4 If there is no quorum within fifteen minutes after the meeting time, the Clerk shall call the roll, take down the names of the members present, and declare the meeting cancelled.



- 10.5 Unless otherwise determined by Council resolution, all regular Council and Standing Committee meetings shall commence at 7:00 p.m. in the Council Chambers of City Hall.
- 10.6 (a) If during the course of a meeting, the quorum is lost, then the meeting shall stand recessed and shall reconvene when a quorum is regained. In the event that the quorum is not regained within thirty (30) minutes, then the Clerk shall record in the minutes the names of those present and the meeting shall be ended without a formal adjournment.
- (b) The minutes of the meeting which ended because a quorum was lost, shall note that the quorum was lost and shall include the names of the members present at the time the quorum was lost.

#### **11.0 ABSENCE FROM MEETING**

- 11.1 The members of Council or Committee shall inform the Clerk of all planned absences, late arrivals and early departures from a meeting in order that the recording of the minutes of such meeting may accurately reflect attendance (i.e. vacation, illness, other municipal business, personal).

#### **12.0 CONDUCT**

- 12.1 The Presiding Officer shall preserve order and decorum.
- 12.2 The Presiding Officer may expel or exclude from any meeting any person who is guilty of improper conduct.
- 12.3 No person except a member or officer shall be allowed to come within the bar during a Council meeting without permission of the Presiding Officer.
- 12.4 Every member, prior to speaking, shall address the Presiding Officer, shall confine his remarks to the question and shall not use any indecorous or offensive language.
- 12.5 When two or more members raise their hands to be recognized, the Presiding Officer shall name the member whom he first recognizes.
- 12.6 Upon being recognized by the Presiding Officer, a member shall address the Presiding Officer.
- 12.7 While the question is being put, no one shall walk across or out of the Council Chambers, make any noise or disturbance or hold any private conversations, nor when a Member is speaking shall any other member hold discourse or interrupt the speaker.
- 12.8 When the Council adjourns, the members shall keep their seats until the Presiding Officer leaves the chair.

#### **13. LANGUAGE**

- 13.1 No member shall speak disrespectfully of Her Majesty the Queen or of any member of the Royal Family, the Governor-General, Lieutenant-Governor or a Minister of the Crown.
- 13.2 No member shall use offensive words in or against the Council or against any member thereof.
- 13.3 No member shall disobey the decision of the Presiding Officer on questions of order or upon the interpretation of the rules of the Council.

- 13.4 In case a member refuses to obey the order of Council, he may, on the order of the Presiding Officer, be removed from his seat by the Police, but, upon an apology by the offender, he may retake his seat.

#### **14.0 ADJOURNMENT**

- 14.1. A meeting shall always adjourn by 11:00 p.m. unless a majority of members vote otherwise.

### **PART 2 - ROLES AND DUTIES**

#### **15. ROLE OF THE MAYOR**

- 15.1 It is the role of the Mayor as the Head of Council:
- (a) to act as the Chief Executive Officer of the municipality;
  - (b) to preside over Council meetings so that the business can be carried out efficiently and effectively;
  - (c) to provide leadership to the Council;
  - (d) to provide information and recommendations to Council with respect to the role of Council;
  - (e) to represent the municipality at official functions;
  - (f) to carry out the duties of the Head of Council under any Act; and
  - (g) to fulfill the responsibility of the Head of Council as prescribed in North Bay's Emergency Response Plan.
- 15.2 As Chief Executive Officer of the municipality, the Head of Council shall:
- (a) uphold and promote the purposes of the municipality;
  - (b) promote public involvement in the municipality's activities;
  - (c) act as the municipality's representative both within and outside the municipality, and to promote the municipality locally, nationally and internationally; and
  - (d) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

#### **16. DUTY OF THE MAYOR**

- 16.1 It is the duty of the Mayor to preside at all Meetings of Council, and in addition to the requirements in the *Municipal Act* shall be responsible:
- (a) to open the Meeting of Council by taking the Chair and calling the meeting to order;
  - (b) to receive and submit, in the proper manner, all motions presented by the members;
  - (c) to put to vote all motions and announce the result;
  - (d) to sit as an ex-officio member of any Standing Committee of Council and to vote at such Meetings;
  - (e) decline to put motions to a vote which infringe upon the rules of procedure;

- (f) to inform the members of the proper procedure to be followed and to enforce the rules of procedure;
- (g) to enforce on all occasions, the observance of order and decorum among the members;
- (h) to call by name any member persisting in a breach of the rules of procedure and order the member to vacate the Council Chambers;
- (i) to permit the questions to be asked through the Mayor of any officer of the City for information to assist in any debate when the Mayor deems it proper;
- (j) to provide information relating to the business of the City;
- (k) to authenticate by signature all by-laws, agreements and minutes of Council;
- (l) to rule on any points of order raised by members;
- (m) to represent and support the Council;
- (n) to maintain order;
- (o) to adjourn the meeting when the business is concluded;
- (p) to carry out the duties of the Head of Council under the *Municipal Act* or any other Act; and
- (q) to act in accordance with his Oath of Allegiance and Oath of Elected Office.

**17. ROLE OF THE COUNCIL**

17.1 It is the role of the Council:

- (a) to represent the public and consider the well-being and interests of the municipality;
- (b) to develop and evaluate the policies and programs of the municipality;
- (c) to determine which service the municipality provides in accordance with applicable legislation;
- (d) to ensure that the administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;
- (e) to ensure that accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- (f) to maintain the financial integrity of the municipality; and
- (g) to carry out the duties of Council under this or any other Act.

**18. DUTY OF COUNCILLORS**

18.1 It is the duty of Councillors to attend all meetings of Council, and:

- (a) to prepare for meetings, including reviewing the agenda and background information prior to the meeting;

- (b) to speak only to the subject under debate;
- (c) to vote on all motions before the Council unless prohibited from voting by law;
- (d) to observe proper procedure and decorum at all times;
- (e) to state questions to be asked through the Presiding Officer;
- (f) to support the Council once a decision is made;
- (g) to attend Local Board and Committee Meetings to which the member has been appointed by Council;
- (h) to carry out the duties of Councillor under the *Municipal Act* or any other Act; and
- (i) to act in accordance with their Oath of Allegiance and Oath of Elected Office.

**19. DUTY OF THE CHIEF ADMINISTRATIVE OFFICER**

- 19.1 It is the duty of the Chief Administrative Officer to attend all Council Meetings, and:
- (a) to provide vision, leadership and enthusiasm for administration, planning, organizing, directing and controlling all municipal operations and services in accordance with the municipality's policies and relevant legislation;
  - (b) to manage the assets, business and financial health of the municipality;
  - (c) to manage the relationship between the elected officials and staff;
  - (d) to provide municipal representation to government, media, community and public organizations;
  - (e) to exercise general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
  - (f) to perform such other duties as are assigned by the Council of the municipality.

**20. DUTY OF THE CLERK**

- 20.1 It is the duty of the Clerk to attend all Council Meetings, and
- (a) to prepare and distribute agendas for all meetings of Council in accordance with this by-law;
  - (b) to record, without note or comment, all resolutions, decisions and other proceedings of the Council, whether it is closed to the public or not;
  - (c) if required by any member present at a vote, to record the name and vote of every member voting on any matter or question (recorded votes);
  - (d) to keep the originals or copies of all by-laws and of all minutes of the proceeding of the Council;
  - (e) to perform other duties required under the *Municipal Act*, *Municipal Elections Act 1996*, or as required under any other Act;

- (f) to authenticate by signature all by-laws, agreements and minutes of Council;
- (g) to advise Council on parliamentary procedure; and
- (h) to perform such other duties as are assigned by the Council or Chief Administrative Officer.

### **PART 3 – PRESCRIBED NOTICE**

#### **21. NOTICE OF MEETINGS**

- 21.1 Where notice of a Public Meeting is required to be given, the Clerk shall cause such notice to be published in the newspaper.
- 21.2 No notice shall be required under this by-law, where the provision of notice will interfere with the ability of Council to conduct business with respect to a matter permitted for a closed session under Section 238 of the Act.
- 21.3 Nothing in this by-law shall prevent the Clerk from using more comprehensive methods of notice for providing for a longer notice period or additional notices where deemed desirable by the Chief Administrative Officer and subject to the approval of the Chief Administrative Officer.

#### **Emergency Provision**

- 21.4 If a matter arises, which in the opinion of the Chief Administrative Officer, in consultation with the Mayor, is considered to be of an urgent or time sensitive nature, or which could affect the health or well-being of the residents of the municipality, or if a State of Emergency is declared, or if so advised by a Provincial Ministry, the notice requirements of this by-law may be waived by the Chief Administrative Officer and the Clerk shall make his best efforts to provide such notice as is reasonable under the circumstances.

### **PART 4 - VOTING & DEBATE PROCEDURES**

#### **22. CONFLICT OF INTEREST**

- 22.1 All members have a personal obligation to comply with the *Municipal Conflict of Interest Act*.
- 22.2 A member shall declare a conflict of interest in accordance with the *Municipal Conflict of Interest Act* and
  - (a) shall, prior to any consideration of the matter at a meeting, disclose the interest and the general nature thereof;
  - (b) shall not take part in the discussion of, or vote on any motion in respect of the matter; and
  - (c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such motion.
- 22.3 If the conflict under section 22.2 above is with respect to an item on a closed session agenda, in addition to complying with the requirements of section 22.2 above, the member shall forthwith leave the closed session or that part of the closed session during the matter is under consideration.
- 22.4 Where the interest of a member has not been disclosed as required by section 22.2 above, by reason of the member's absence from the meeting referred to therein, the member shall disclose the interest and otherwise

comply with section 22.2 above at the first meeting of Council attended by the member after the meeting referred to in section 22.2 above.

- 22.5 Subject to compliance by all members with the *Municipal Conflict of Interest Act*, the Presiding Officer may vote with the other members on all questions.

**23. DUTIES OF PRESIDING OFFICER**

- 23.1 The Presiding Officer may answer questions and comment in a general way without leaving the Chair, but if he wishes to speak on a motion taking a definite position and endeavouring to persuade the Council to support that position, he must first leave the chair.
- 23.2 If the Presiding Officer desires to leave the chair for the purpose of taking part in the debate or for any other reason, he shall designate another member to fill his place until he resumes the Chair.

**24. VOTING**

- 24.1 Every member of Council who shall be present when a question is put shall vote thereon unless he is disqualified to vote on the question. All votes shall be by show of hands except where a recorded vote is requested by any member.
- 24.2 The Presiding Officer shall announce the result of every vote.

**25. RESULT OF THE VOTE - DISAGREEMENT**

- 25.1 Any Member who disagrees with the announcement of the Presiding Officer that a motion is carried or lost may, but only immediately after the declaration by the Presiding Officer, appeal the declaration and request that a recorded vote be taken, subject to the next order of business not having been already introduced.

**26. TIE VOTE – DEEMED NEGATIVE**

- 26.1 Any question on which there is a tie vote shall be deemed to be lost, except where otherwise provided by any Act. (*Municipal Act, 2001, c.25, s.245*).

**27. NO VOTE – DEEMED NEGATIVE**

- 27.1 If any member present refuses to vote, for other than a conflict of interest, it shall be recorded as a vote in the negative.

**28. RECORDED VOTES**

- 28.1 Where required by statute, and whenever any member shall request a recorded vote, the names of those who vote for and against the question shall be entered in the Minutes.
- 28.2 Subject to the *Municipal Conflict of Interest Act*, where a recorded vote is requested each member present in the chamber shall announce their vote openly.
- 28.3 The Clerk shall begin the recorded vote with the member who requested the recorded vote, and proceed in random order to poll all Councillors and the Presiding Officer.

**29. PRIVILEGE**

- 29.1 A Member may raise a point of privilege at any time if they consider that their integrity or the integrity of the Council as a whole has been impugned, whereupon the Presiding Officer shall:
- (a) interrupt the matter under consideration;
  - (b) ask the Member raising the point of privilege to state the substance of and the basis for the point of privilege; and
  - (c) rule on the point of privilege immediately without debate by Council.
- 29.2 If there is no appeal, the decision of the Presiding Office is final. The Council, if appealed to, shall decide the question without debate and its decision is final.
- 29.3 Where the Presiding Officer considers the integrity of any City employee has been impugned or questioned, the Presiding Officer may permit the Chief Administrative Officer to make a statement to the Council.

**30. POINTS OF ORDER AND BOURINOT'S RULES**

- 30.1 The Presiding Officer may call to order any member who is speaking.
- 30.2 A member called to order shall remain seated and shall not speak until the point of order has been determined by the Presiding Officer, unless permitted to explain.
- 30.3 Whenever the Presiding Officer elects or is required to decide a point of order, the point shall be stated, a ruling made and the reason therefore given by the Presiding Officer.
- 30.4 A member may appeal from the decision of the Presiding Officer to the Council which shall vote on whether or not to support the decision of the Presiding Officer.
- 30.5 In the event that this by-law does not address an issue, then Bourinot's Rules of Order shall apply.
- 30.6 No member shall disobey the decision of the Presiding Officer on questions of order or upon the interpretation of the rules of the Council.
- 30.7 In case a member refuses to obey the order of Council, he may, on the order of the Presiding Officer, be removed from his seat by the Police, but, upon an apology by the offender, he may retake his seat.
- 30.8 (a) When a member is speaking, no member shall make any disturbance or pass between the speaker and the Presiding Officer or interrupt the speaker, except to raise a point of order.
- (b) Every member shall speak only to the matter under debate.
- 30.9 Any member may require the motion under discussion to be read at any time, but not so as to interrupt a member speaking.
- 30.10 (a) Without leave of the Presiding Officer, no member shall speak more than once on the same question, except to explain, without introducing new matter, a material part of a speech which may have been misconceived.
- (b) A reply is allowed to any member who has made a substantive motion, or amendment, but not to any member who has moved an order of the day, the previous question or an instruction to a committee except with the permission of the Presiding Officer.

**31. THE QUESTION**

- 31.1 When a question is finally put by the Presiding Officer, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared.
- 31.2 A decision by the Presiding Officer that the question has been finally put shall be conclusive.
- 31.3 No member shall comment upon any vote by the Council.

**32. TO AMEND THE RULES**

- 32.1 No rule contained in this by-law shall be suspended, repealed, altered or amended unless the Clerk receives two weeks prior written notice thereof.

**33. TO AMEND MOTIONS**

- 33.1 Every amendment shall be in writing and shall be decided or withdrawn before the main question is put.
- 33.2 Only one amendment shall be allowed to an amendment.
- 33.3 Amendments shall be put in reverse order to that in which they are moved, except when a motion properly put is put in the following words: "Put the question now".
- 33.4 If such a motion is defeated then the amendment or amendments shall be considered in reverse order.
- 33.5 If a vote on an amendment is carried, then the main motion shall be deemed to be carried.
- 33.6 (a) Any member may request the Presiding Officer to divide any motion or report into such parts as the member may submit and the Presiding Officer shall make a ruling on whether to divide the motion.  
(b) A member may appeal from the decision of the Presiding Officer to the Council which shall vote on whether or not to support the decision of the Presiding Officer.
- 33.7 If a proposed amendment or an amendment to an amendment is lost, then unless a further amendment is put, the main question shall be put.
- 33.8. When putting an amendment, the Clerk shall read the wording as it appears in the main motion, read the proposed amendment and then read the wording as it would be if the amendment carried.

**34. RESCISSION**

- 34.1 No matter decided within the calendar year shall be considered without the prior consent by resolution of a majority of the whole Council.

**35. RECONSIDERATION**

- 35.1 (a) There shall be no reconsideration unless notice thereof is given at the meeting at which the question was decided.  
(b) After such notice is given, no action shall be taken by the Council on the main motion until such reconsideration is disposed of.



- (c) After any question has been decided, any member may, if the required notice has been given, at the first regular meeting held thereafter, move for reconsideration thereof.
  - (d) No discussion of the main question shall be allowed unless reconsidered.
- 35.2 (a) If a motion for reconsideration is made at the next meeting, the question shall not be considered unless a majority of the whole Council votes therefore and such vote shall be by a recorded vote.
- (b) No question shall be reconsidered more than once nor shall a vote to reconsider be reconsidered.

**36. INQUIRIES**

- 36.1 (a) ~~Inquiries about a matter may be raised by any Member and put to the Presiding Officer or through him to the Chief Administrative Officer, who may call upon another officer to reply.~~
- (b) ~~No argument or opinion shall be offered or fact stated except as is necessary to explain the inquiry or the answer.~~
  - (c) ~~A member and staff are not to debate the matter. (moved to 49.3(b))~~
  - (d) ~~Inquiries may be in writing or may be made orally.~~
  - (d) An officer shall reply promptly in writing in response to all requests for reports made by Council resolution: **(moved to 36.4(e))**
  - (e) The Chief Administrative Officer may provide an update of the status of matters remaining on Standing Committee files at the end of each Standing Committee meeting. **(moved to 49.10)**

**PART 5 - AGENDA AND MOTIONS**

**36. AGENDA**

- 36.1 The Clerk shall prepare for the use of the members an Agenda as follows:
- (1) Roll Call
  - (2) Public Presentations
  - (3) Minutes
  - (4) Closed Meeting Minutes (The minutes for the Closed Meetings of Council will be available for Council viewing in the Clerk's Office prior to being adopted by Council)
  - (5) Reports of Standing Committees
  - (6) Correspondence
  - (7) By-Laws
  - (8) Motions
  - (9) In-Camera Correspondence
  - (10) Motions for Reconsideration
  - (11) Giving Notice
  - (12) Motion to Adjourn.
- 36.2 (a) The business shall be taken up in the order in which it stands upon the Agenda in all cases except where a majority of the members otherwise agree.
- (b) A motion which is not listed on the Agenda may be presented at

Council meetings, if not more than one member of Council present at the meeting objects to its consideration.

36.3 A copy of Committee recommendations, staff reports and letters received by the Clerk by Wednesday at 4 p.m. shall be provided to all members of Council by circulation of the Agenda.

36.4 **Reports From Municipal Officers**

- (a) Reports from municipal officers shall be signed by the writer. Signatures are required from the writer, Manager, Director and Managing Director. The Chief Financial Officer's signature is required on all reports with financial implications. The Chief Administrative Officer shall sign all reports to Council.
- (b) Reports shall be submitted to the Chief Administrative Officer no later than 4 p.m. on the Wednesday before the Council Meeting for approval and signature.
- (c) Where the Chief Administrative Officer determines a matter to be of an extremely urgent matter, then a staff report submitted after Wednesday at 4 p.m. may be shown on the Agenda without copies being provided.
- (d) Any staff reports received by the Clerk after Wednesday at 4 p.m. shall be referred to the next following Council meeting.
- (e) **An officer shall reply promptly in writing in response to all requests for reports made by Council resolution. (from 36.1 (e))**

37. **DELEGATIONS / PUBLIC PRESENTATIONS**

37.1 Public presentations will be received at both Regular and Special Meetings of Council. Presentations at Regular Meetings shall be on a subject within the jurisdiction or influence of local government. Presentations at the Special Meeting shall be related to the agenda item.

37.2 Persons wishing to make a formal presentation to Council must register with the Clerk prior to 4:30 p.m. on the Wednesday preceding any Regular or Special Council Meeting. Where possible, a written copy of the submission shall be provided to the Clerk prior to 4:30 p.m. on the Thursday preceding any Regular or Special Council Meeting.

37.3 The maximum number of presenters in any presentation (including the spokesperson) shall be three.

37.4 The Clerk shall inform the presenter of the guidelines affecting the presentation (e.g. maximum time, maximum of three presenters and adherence to subject) and obtain an acknowledgement by the presenter of his understanding of those guidelines.

37.5 (a) A public presentation, which has been registered with the Clerk may address matters of municipal jurisdiction for up to 10 minutes

(b) An unregistered public presentation of up to 5 minutes may be made at the Regular Council meeting to address matter of municipal jurisdiction.

(c) Notwithstanding subsections (a) and (b) above, no delegation shall be permitted when the subject matter to be addressed relates to a recommendation of any tribunal that has conducted a hearing under the *Statutory Powers Procedure Act*, R.S.O. 1990, c. 22, as amended.

- 37.6 No person will be permitted to address Council with respect to a labour management dispute or issue, unless provided for by legislation or collective agreement.
- 37.7 Presenters appearing before Council who have previously appeared before the same Council on the same subject shall be limited to providing only new information in their second or subsequent appearances.
- 37.8 In unique circumstances, the time limit may be extended by the Council by a majority vote of the Council Members present. Such question shall be decided by Council without debate.
- 37.9 No presenter shall:
- (a) speak disrespectfully of any person;
  - (b) use offensive words or unparliamentary language;
  - (c) speak on any subject other than the subject for which he received approval to address; or
  - (d) disobey the rules of order or a decision of the Presiding Officer.
- 37.10 After the presenter has completed the presentation, members shall each have the opportunity to ask questions for clarification purposes only, and without debate.
- 37.11 The Presiding Officer may curtail any presenter, any questions of a presenter or debate during a presentation, for disorder or for any other breach of this Procedural By-law and, should the Presiding Officer rule that the presentation is concluded, the presenter shall withdraw immediately and shall be given no further audience by the Council.
- 37.12 Public presentations made at the beginning of the meeting shall be considered by Council at the end of the Agenda of that meeting.
- 37.13 The above guidelines shall apply where applicable to a statutory public meeting held under the authority of specific legislation.

**38. MOTIONS**

- 38.1 (a) Every motion shall be in writing, shall be seconded and shall be read by the Clerk before debate or before being put from the Chair.
- (b) Where the question under consideration contains separate propositions then, at the request of any member of Council, any separate matter shall be put separately.
- (c) Subject to paragraph (b), upon the motion of the Chair of a committee, similar routine matters may be dealt with in the same resolution.
- 38.2 After a motion is read by the Clerk, it shall be deemed to be in the possession of the Council, but may, with the permission of the Council, be withdrawn at any time before decision or amendment.

**39. PRECEDENCE**

- 39.1 (a) When a question is under debate, the only motions in order shall be:
- 1. to extend the time of the meeting;
  - 2. to refer to a Standing Committee;
  - 3. to amend;
  - 4. to lay on the table;
  - 5. to postpone to a certain time and day;
  - 6. to move the previous question

- (b) These six motions shall have precedence in the order in which they are listed.
- 39.2. (a) On a motion to postpone to a certain time and day, only the question of time and day so mentioned is open to debate, after an explanation by the mover of the motion.
- (b) A motion to refer to Committee shall designate the Committee and shall not be debated, other than as to timing and shall be decided before any motion to amend the resolution.
  - (c) A motion to refer for a staff report shall name the Chief Administrative Officer.

## **PART 6 - BY-LAWS & CORRESPONDENCE**

### **40. BY-LAWS**

- 40.1. (a) No by-law shall be presented to Council unless there is a resolution to authorize the by-law.
- (b) Each member shall be supplied with a copy of every by-law prior to consideration of the by-law by the Council.
  - (c) No by-law shall be introduced for first reading in blank or in imperfect form.
- 40.2. (a) A by-law shall be passed by being given three readings.
- (b) A by-law shall be given each reading by reference to its by-law number in the same resolution in which all by-laws relating to a particular committee are being considered.
  - (c) At the request of any member of Council, the reading of any by-law shall be deleted from a consolidated motion and dealt with by separate motion.
  - (d) A by-law shall be deemed to have been read upon the number, title or heading being read or taken as read, unless a member requires the by-law or any portion thereof to be read in full.
  - (e) The minutes of the meeting shall reflect both the number and the title of the by-law, notwithstanding that the motion refers only to the number of the by-law.

#### **First Reading**

- 40.3 The first reading of a by-law shall be decided by resolution without amendment or debate.

#### **Second Reading**

- 40.4 (a) The second reading of a by-law shall be decided by resolution at which time the contents of the by-law shall be debated.
- (b) The contents of the by-law may be changed by an amending resolution to authorize the second reading.
  - (c) An amending resolution may be introduced to refer the by-law to a Standing Committee for further consideration.
  - (d) A by-law referred to a Standing Committee shall be considered

during the next Standing Committee meeting and a report shall be submitted for Council's consideration.

- 40.5. Unless otherwise required by statute or by the direction of the Chair to be heard at two separate Council meetings, any by-law shall be given three readings and passed at the same meeting on a vote of a majority of all members by separate motion.

### **Third Reading**

- 40.6. Every by-law which has been read a first and second time may, at the same meeting or at a subsequent meeting, be read a third time and finally passed.

### **Records**

- 40.7. The Clerk shall endorse on every by-law the dates of the three readings thereof.
- 40.8. Every by-law passed by Council shall be numbered, sealed with the corporate seal, signed by the Mayor and the Clerk and the by-law shall be entered in a by-law register to be kept by the Clerk.

## **41. MINUTES**

- 41.1 There shall be attached to every Minutes of the proceedings of the Council a progressive marginal number of each year and every document or certified copy or Minute communicated to any Committee of the Council as hereinbefore required shall bear the number of the Resolution to which it refers.
- 41.2 After the minutes of each meeting of the Council have been approved by the Council, the minutes shall be immediately signed by the Mayor and Clerk.

## **42. DOCUMENTS**

- 42.1 All original documents, including by-laws, contracts, agreements, deeds, leases, bonds or other securities, addressed to or considered by the Council, shall remain in the custody of the Clerk.

## **43. CORRESPONDENCE**

- 43.1 All correspondence addressed to the Mayor or the Council, which refers to the business of the Corporation, shall be included in the information section of the Council Agenda for the Mayor and Councillors and shall be referred by the Clerk in consultation with the Chief Administrative Officer to the appropriate staff for response to the Council within six weeks.
- 43.2 Every communication to be considered by Council shall be in writing.
- 43.3 (a) All correspondence relating to a matter previously referred to a Standing Committee shall be referred by the Clerk to the Standing Committee to which it properly belongs unless otherwise directed by the Committee Chair.
- (b) If a correspondent complains of a present personal grievance requiring immediate remedy, the complaint may be considered and disposed of forthwith.

### **Applications under the Planning Act**

- 43.4 (a) Any application for approval under the *Planning Act* by any

numbered or otherwise unidentifiable company shall include the name, address and telephone number of the principal owners of such companies on a separate page to be filed with the Clerk.

- (b) The Clerk shall make such information available on a confidential basis to Councillors, members of the Committee of Adjustment and members of the Planning Advisory Committee, upon request.
- (c) The names of the principal owners of any such numbered or otherwise unidentifiable company shall be included on the Agenda item relating to any such application upon approval by resolution of Council.

## PART 7 - COMMITTEES

### **44. STRIKING COMMITTEE**

- 44.1. (a) A Striking Committee to recommend appointments to Boards, Commissions and Standing Committees shall consist of the Mayor and the Council.
  - (b) The Mayor shall be the Chair of the Striking Committee.
  - (c) Councillors shall select Committee position and membership in the order of electoral finish.
- 44.2 The Striking Committee shall recommend appointments to local Boards and Committees which may be required during the life of the Council.

### **45. STANDING COMMITTEES**

- 45.1. (a) The Mayor shall be a member of each Standing Committee ex officio.
  - (b) Four Councillors shall be appointed to the General Government Committee.
  - (c) Three Councillors shall be appointed to each of the Engineering and Works Committee and the Community Services Committee.
  - (d) **Appointments to Standing Committees shall be made in order of preference, based on the Councillor's standing in the Municipal Election results.**
- 45.2 A majority of the members of a Standing Committee, including the Mayor, shall constitute a quorum.
- 45.3 The Clerk shall attend all meetings of Standing Committees to record all reports as directed by the Chair thereof.
- 45.4 All completed reports of Standing Committees shall be presented for adoption at the next Council meeting.

### **46. GENERAL GOVERNMENT COMMITTEE**

- 46.1 The General Government Committee shall have jurisdiction over the Office of the Chief Administrative Officer and the Corporate Services Division, including:

Access North Bay  
By-law Enforcement  
~~Corporate Support~~

Administrative Approvals  
City Hall Maintenance  
Council Liaison and Support

Finance and Assessment	General Administration
Health and Safety	Human Resources
Information Systems & Technology	Insurance and Risk Management
Legal Services	Licensing
Local Board Liaison	
Ontario Court of Justice Provincial Offences Administration	
<b>Parking Administration</b>	Policy Development
Procurement and Inventory	Realty Management
Records Management	Special Project Co-ordination
Training and Development	Vital Statistics

**47. ENGINEERING AND WORKS COMMITTEE**

47.1 The Engineering and Works Committee shall have jurisdiction over the Engineering, Environmental Services and Works Division including:

Construction Contract Administration	
Construction Management	Drafting
Engineering and Design	Environmental Services
Fleet and Equipment Maintenance	
Infrastructure Planning and Management	Service Contract Administration
Roads and Traffic	Stormwater System
Sewage Collection and Treatment	Traffic Planning and Engineering
Survey and Inspection	Water Distribution
Waste Management and Recycling	Winter Control and Snow Dump
Water Treatment	

**48. COMMUNITY SERVICES COMMITTEE**

48.1. The Community Services Committee shall have jurisdiction over the Community Services Division, including:

Arena Buildings	
Building Facility Repair & Maintenance	
Building & Fire Code Inspection and Enforcement	
Building Services	Cemeteries
Crossing Guards	Development Administration
Economic Development & Tourism	
Emergency Planning & Operations	
Fire Protection	Grant Access Program
Land Use Planning	Leisure Services
Marina and King's Landing	Marketing & Promotion
North Bay Airport	Parks & Pathways
<b>Parking Maintenance (formerly under GG)</b>	
Transit Services	

**49. STANDING COMMITTEE PROCEDURES**

49.1 The Clerk shall prepare a list of matters referred to each Standing Committee prior to Standing Committee meetings, together with a list of all outstanding requests on reports and the proposed due date of such report.

49.2 (a) The agenda for a Standing Committee meeting will be selected from the items referred to it by Council that are on that Committee's file and should be announced by the Committee chair at the preceding Council meeting whenever possible. The Chair of each Standing Committee may consult with the Chief Administrative Officer and the Managing Director of the Business Unit and advise the Clerk of the matters to be dealt with.

(b) The Chair shall provide a draft recommendation on each matter by 4 p.m. of the Wednesday before a Committee meeting and advise

the Clerk of any members of the public who are to be invited to or allowed to address the Council in Committee meetings.

- (c) The Clerk will ensure that available relevant documentation is circulated to all members of Council on the Friday preceding the Standing Committee meeting, with a draft recommendation for the Standing Committee to consider. Draft recommendations will be taken from the staff report unless the Committee Chair advises otherwise.
  - (d) Where no staff report exists, or no recommendation is contained therein, or where the Committee Chair wants a different draft recommendation to be considered, it will be the responsibility of the Committee Chair to provide an appropriate draft recommendation to the Clerk for circulation.
  - (e) The order of business at the Standing Committee Meetings will be:
    - (i) any scheduled statutory public meeting (chaired by the Chair of the appropriate Standing Committees);
    - (ii) any special public presentation (chaired by the Presiding Officer);
    - (iii) Standing Committee meetings (chaired by the Chair of the appropriate Standing Committee);
    - (iv) other business (chaired by the Presiding Officer).
  - (f) Standing Committees shall consider only those matters referred to it by Council.
- 49.3 (a) The Chair of each Standing Committee shall:
- (i) introduce the other members of the committee and identify the subject matter;
  - (ii) read the draft recommendation;
  - (iii) request a report from or accommodate questions of the Chief Administrative Officer and staff; or interested members of the public as required at the discretion of the Chair;
  - (iv) consider comments by the members of the Committee; and
  - (v) consider comments by the other members of the Council.
- (b) **A member and staff are not to debate the matter.** (from 36.1(c) )
- (c) At the conclusion of the discussion, the Committee Chair and the Clerk shall settle the wording of the recommendation to be proposed to the next Council meeting and the Chair shall poll the members of the Committee on such recommendations.
  - (d) Public presentations shall not be permitted during Standing Committee unless approved by the Presiding Officer or the Chair, and noted on the Committee Agenda. The Presiding Officer shall be the Chair for all public presentations, except those comprising part of a scheduled statutory public meeting.
  - (e) The Presiding Officer may at any time assume the Chairmanship of a public presentation at a Committee Meeting where in the opinion of the Presiding Officer it is necessary to maintain or restore order.
- 49.4 (a) Each Standing Committee meeting shall be subject to a curfew of 60 minutes (or, where a Council meeting is scheduled for the same evening, 20 minutes);



- (i) whether or not any other Committee has used less or more than its 60 minutes (or 20 minutes when a Council meeting is scheduled for the same evening);
  - (ii) subject to the proviso that, upon a majority vote of all the members of Council present, the curfew may be extended by a specific number of minutes.
- (b) A motion to extend a committee curfew is a motion of Council-in-Committee, not of the Standing Committee, and may be moved or seconded by any members of Council present, such motion to include a specific number of minutes by which the curfew is proposed to be extended and shall only be open to discussion and amendment with respect to the number of minutes.
- (c) The Standing Committees shall alternate which Standing Committee goes first by rotation every third meeting:
- Week 1: General Government, Community Services, Engineering & Works
  - Week 2: Community Services, Engineering & Works, General Government
  - Week 3: Engineering & Works, General Government, Community Services
- (d) The Standing Committee Agenda shall be available to the media and the public at the time of the meeting.
- 49.5 (a) All members of a Standing Committee shall sign the report as assenting to or dissenting from the terms thereof.
- (b) In the absence of not more than two (2) members of a Standing Committee another Member of Council may second the Committee Report.
- 49.6 (a) Any report of Standing Committee may be voted upon item by item upon the request of any member.
- (b) Any report of a Standing Committee may be divided into one or more reports upon the request of any member.
- 49.7 No Committee shall have the authority to bind the Corporation.
- 49.8 The rules of Council shall be observed during Standing Committee meetings except that:
- (a) no recommendation has to be moved or seconded or in writing;
  - (b) no motion for the previous question or for an adjournment is allowed; and
  - (c) the names of the members shall not be recorded on a vote;
- 49.9 (a) Questions of order arising during Standing Committee shall be decided by the Chair of the Standing Committee, subject to an appeal to the Council.
- (b) If any disorder shall arise in the Committee, the Presiding Officer shall immediately resume the Chair, without any question being put.
- 49.10 The Chief Administrative Officer may provide an update of the status of matters remaining on Standing Committee files at the end of each Standing Committee meeting. (from 36.1(f)).**

**50. HEARING COMMITTEE**

- 50.1 A Hearing Committee may hear any interested parties or afford them an

opportunity to be heard on any matter where Council is required by law to hold a hearing in relation to any act, by-law or decision where such a hearing is required.

- 50.2 The Hearing Committee shall be comprised of the Mayor, the Chair and the Vice-Chair of the Standing Committee to which the matter relates, or their nominees from the Standing Committee. Any other Councillor may sit to hear the interested parties, but shall not be a member of the Hearing Committee for the purpose of making a recommendation to the Council.
- 50.3 The Hearing Committee shall be bound by the *Statutory Powers Procedure Act*, R.S.O. 1990, c. 22, as amended.
- 50.4 Except as otherwise herein provided this by-law applies mutatis mutandis to the Hearing Committee.
- 50.5 Upon the conclusion of a hearing conducted by the Hearing Committee, the Hearing Committee shall, as soon as practicable, make a written report to Council summarizing the evidence and arguments presented by the parties, the findings of the fact made by the Hearing Committee and the recommendations, if any, of the Hearing Committee with reasons therefore on the merits on the application in respect of which the hearing has been conducted.
- 50.6 After considering the report of the Hearing Committee, Council may thereupon in respect of such application, do any act, pass any by-law or make any decision that it might have done, passed or made, had it conducted the hearing itself.

## 51. **AD HOC COMMITTEES**

- 51.1 Ad Hoc Committees may be established by Council, from time to time for consideration of special projects.
- 51.2 Prior to the establishment of an ad hoc committee which Council has determined will include members of the public, the Clerk shall place an advertisement in a newspaper inviting members of the public to apply to be a member of the committee.
- 51.3 Each ad hoc committee shall be given a clear mandate and well defined terms of reference that shall include:
  - (a) the mandate,
  - (b) the membership,
  - (c) the composition, including the applicable staff members,
  - (d) the reporting relationships,
  - (e) the staff and other resources to be made available, and
  - (f) a start and finish date.
- 51.4 The Chair and Vice-Chair shall be determined and appointed by the Mayor.
- 51.5 The Mayor shall be ex-officio, a Member of all Ad Hoc Committees of Council and shall be entitled to vote and to make motions and amendments.
- 51.6 Any member of Council may attend and participate in meetings of ad hoc committees, but may not vote.
- 51.7 The Ad Hoc Committee shall meet in accordance with the meeting schedule established by the Committee at a location to be determined by the Chair.
- 51.8 The Procedural Rules governing meetings of Council as set out in this by-law shall apply with necessary modifications to any meeting of an ad

hoc meeting.

51.9 The Council may terminate an Ad Hoc Committee at its discretion.

## **PART 8 – BUDGET, REAL ESTATE & INSURANCE**

### **52. FINANCIAL**

52.1. No Committee or officer shall exceed the appropriation made to any department for any purpose, without the prior consent of the Council.

### **53. BUDGET**

53.1 The Treasurer shall provide a monthly financial report to the Council.

### **54. REAL ESTATE**

#### **Qualified Appraisal**

54.1 In this section “qualified appraisal” means an appraisal in writing by an A.A.C.I. or C.R.A. as determined by the professional guidelines of appraisers, unless the Council agrees to deem the assessed value to be the appraised value on the recommendation of the Chief Administrative Officer.

#### **Council Direction**

54.2 Before selling real property other than lanes, the Council shall be consulted in-camera with a recommendation as to the manner of the sale, whether the property is regarded as surplus to municipal needs, whether the property should be rezoned prior to sale and the sale shall proceed as Council directs.

#### **Declaration of Surplus**

54.3 Before selling real property Council shall by resolution passed at a meeting open to the public declare the real property to be surplus.

54.4 Each new Council shall be provided with a list of all surplus properties by the Chief Administrative Officer.

#### **Notice of Surplus**

54.5 Before selling real property Council shall give notice to the public of the location of the surplus land by publication in a newspaper having a general circulation within the municipality at least once, no less than fourteen (14) days prior to the proposed sale, and provide notice in writing to the North Bay real Estate Board.

#### **Appraisals**

54.6 Before selling real property Council shall obtain at least one appraisal of the fair market value of the real property except for the real property listed in subsection 54.7.

54.7 An appraisal is not required for the sale of the following classes of land:

- (a) land 0.3 meters or less in width acquired in connection with an approval or decision under the *Planning Act*;
- (b) closed lanes if sold to an owner of land abutting the closed lanes;
- (c) land assessed with a current value of less than \$10,000.00, upon the recommendation of the Chief Administrative Officer;

- (d) industrial lands sold under sections 107 and 108 of the *Municipal Act, 2001*;
- (e) easements granted to public utilities or to telephone companies;
- (f) land being sold to a municipality;
- (g) land being sold to a local board, including a school board and a conservation authority;
- (h) land being sold to the Crown in right of Ontario or Canada and their agencies.

### **Methods of Sale**

- 54.9 Real property shall be sold by public tender, save and except where:
- (a) the real property is being sold to the abutting or adjacent landowner to a road allowance or lane;
  - (b) the real property cannot be built on as a separate parcel and is being sold to the abutting landowner;
  - (c) the real property is industrial land in an industrial park;
  - (d) for economic development reasons the Council deems it desirable to proceed by way of another method of sale;
  - (e) more than one qualified appraisal is obtained or where a qualified appraisal is peer reviewed by another qualified appraiser and the sale price meets or exceeds the appraised value;
  - (f) Council has approved an alternate public competitive process;
  - (g) where the real property is being sold for tax arrears; or
  - (h) where there is a direct exchange of lands either:
    - (i) of similar size, value and zoning, or
    - (ii) where the land to be exchanged is included as all or part of a bid in response to a tender call, is accompanied by a qualified appraisal satisfactory to the Council and the exchanged land is required for municipal purposes.

### **Commission**

- 54.10 (a) Where a property is offered for sale by placard placed on the property, and where no direct offer is received within three (3) months, then the City may refer the property to the North Bay Real Estate Board.
- (b) Where an offer to purchase is submitted through a real estate agent at any time and the transaction has closed then the City shall pay a commission of 3% to such real estate agent.

### **Notice**

- 54.11 Where a property is to be sold by public tender:
- (a) a placard shall be posted on the subject lands; and
  - (b) notice in writing shall be given to the North Bay Real Estate Board at least fourteen (14) days prior to tender closing.

### **Tax Sales**

- 54.12 Where land is being sold for tax arrears then the Treasurer may either deem the appraised value to be the assessed value according to the last returned assessment roll or may request an appraisal.

### **Register**

54.13 The Clerk shall establish and maintain a public register listing and describing all the real property owned or leased by the municipality.

### **Road Allowance Right of First Refusal**

54.14 In the event that:

- (a) both sides of a road allowance lot or laneway are not acquired by each of the abutting owners within 60 days; and
- (b) one of the abutting owners is not prepared to acquire all of the road allowance lot within 60 days, then the road allowance lot shall be sold by tender as a single lot.

### **Surplus Road Allowance**

54.15 When the Council has declared its intention to return surplus road allowance lands received within the previous ten (10) years by way of a registered plan to the original dedicating owner, then the Council may transfer such lands to the original dedicating owner for \$1.00.

### **Parkland Right of First Refusal**

54.16 In the event that parkland previously dedicated to the City within the previous ten (10) years is deemed surplus then such lands shall be offered first to the developer from which the lands were dedicated based on the current appraised value thereof. In the event such developer does not acquire the lands within sixty (60) days then the lands may be offered for sale as provided for in this by-law.

### **Laneways**

- 54.17 (a) The sale of the whole of a laneway to one (1) abutting owner shall be permitted at the discretion of the Council;
- (b) The transfer of lands for the purpose of a road widening along an arterial or collector road shall be required prior to, or at the same time as, the transfer of the whole or part of the laneway being transferred to the abutting property owner.

## **55. USE OF CITY PROPERTY**

55.1 No property of the Corporation shall be delivered or used outside the limits of the City of North Bay without either Council's or the Chief Administrative Officer's approval.

55.2 No property shall be made available to outside interests except as herein provided.

55.3 Use of real property owned by the Corporation (excepting public highways and lanes) shall only be put to personal or private use upon Council approval of a written agreement.

55.4 The Chief Administrative Officer, or his authorized delegate, may authorize the rental and use of vehicles, equipment or corporate services of the City to local boards, other municipalities, corporations and individuals for specialized work or services, subject to the following conditions:

- (a) that the vehicles and equipment are operated by and the services are rendered by City employees;
- (b) that the vehicles, equipment and services cannot be provided by a

contracting firm or company in North Bay;

- (c) that the rental and use of the vehicles and equipment shall not prejudice or delay work or services required by the City;
- (d) that the rental or service fees shall be fixed and determined by the Chief Administrative Officer or his authorized delegate and they shall include the following:
  - (i) the wages of the operator;
  - (ii) the cost of the necessary public liability insurance;
  - (iii) the cost under the *Workplace Safety and Insurance Act, 1997*;
  - (iv) all other applicable costs and expenses
- (e) The Chief Administrative Officer, or his authorized delegate, shall consider, and if deemed advisable, revise the rental or service fees annually.

55.5 The Chief Administrative Officer may approve the lease of municipal real estate upon terms approved by resolution of the Council either in general terms or on a case by case basis.

## 56. PAYMENT

- 56.1 (a) No contractor or other person engaged on any work for the City shall be paid except according to the Purchasing By-law, the Purchasing Policy or according to written contracts authorized by by-law.
- (b) In all cases, the Treasurer, after making payment, will report without delay, to the next Council meeting by submitting the progress certificate so handled for approval.
- 56.2 (a) No goods or services shall be ordered except upon the authorization of the Chief Administrative Officer or Managing Director, or his authorized delegate.
- (b) No account for goods or services supplied shall be paid, unless the account is authorized by a department head.
- 56.3 (a) Every account for work done or for goods furnished shall be checked and certified by the superior officer under whose superintendence the work was done or goods provided.
- (b) A payment certificate shall refer to the by-law or resolution under which the expenditure was authorized.
- 56.4 After the accounts have been certified by the Treasurer, the responsible Committee Chair may also examine each such account and invoice, following which the Treasurer shall submit an itemized summary of all accounts to be prepared and signed by the Chair of the appropriate Standing Committee.
- 56.5 (a) After the list of accounts has been approved by Council, or a Managing Director or Chief Administrative Officer, the Treasurer shall issue the necessary cheques for payment thereof.
- (b) The list of accounts may include paid and unpaid accounts.

## 57. FRAUD

57.1 The various officers of the Corporation shall forthwith report any frauds or attempted frauds of which any of them may become cognizant to the Chief

Administrative Officer who shall report the same to the Council.

**58. CLAIMS FOR DAMAGES**

- 58.1 The Council shall obtain an investigation and report on all claims for damages, unless such claims are covered by insurance in which case the claim shall be referred to the insurer for disposition according to the law.
- 58.2 Subject to Section 58.1, the Clerk shall forward any notice of claim to the City Solicitor, who shall investigate and report on the same to the Council.

**59. OFFICER'S REPORTS ON CLAIMS**

- 59.1 The City Solicitor may require any officer of the Corporation to report to him upon the claim, and such officer shall immediately inquire into the circumstances and report the facts fully in writing to the City Solicitor.
- 59.2 Subject to Section 59.1, no claim shall be settled without the prior approval of the Council.

**60. SALARY FOR MUNICIPAL OFFICERS**

- 60.1 No member of Council, while retaining his seat therein, shall be eligible for any office to which there is attached any salary, remuneration or emolument payable by the Council except as is provided by statute.

**61. INDEMNITY POLICY**

- 61.1 (a) Subject to the following provision the Council agrees to indemnify and save harmless its members and its non-union employees for necessary and reasonable legal costs incurred in the defence of statutory offence or complaints other than *Criminal Code* or *Municipal Conflict of Interest* offence, arising because of acts performed in good faith in the ordinary course of their employment or office.
- (b) That Council may refuse payment under subsection (a) where in the opinion of the Council, the actions of the member or non-union employee amounted to a gross dereliction of duty or deliberate abuse of the power.
- (c) (i) The Council may elect to provide legal counsel to defend a member or a non-union employee in any legal proceeding, whereupon the cost of such counsel shall be borne by the Corporation regardless of the outcome of the proceedings.
- (ii) Where the Council elects to provide legal counsel under subsection (i), the Corporation shall not be responsible for any other legal costs unless the counsel provided the City Council expresses the written opinion that it would be improper for him to act on behalf of another party to the charge or complaint.
- (d) For greater certainty, the Corporation shall not be liable to indemnify for legal costs arising from:
- (i) the actions or omissions of members of non-union employees acting in their capacity as private citizens;
- (ii) disciplinary or discharge proceedings.
- (e) In this section, necessary and reasonable legal costs shall be

determined in the first instance by the approval of the account by the City Solicitor, or in the case of a dispute by taxation of the costs on a solicitor and client basis.

**PART 9 – GENERAL PROVISIONS**

**62. SEVERABILITY**

62.1 Should any section, subsection, clause, paragraph or provision of this By-law be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof, other than the provisions so declared to be invalid.

**63. REPEAL**

63.1 By-law No. 2007-218 is hereby repealed.

**64. ENACTMENT**

64.1 This By-law shall take force and effect upon being passed.

READ A FIRST TIME IN OPEN COUNCIL THIS <> DAY OF <>, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS <> DAY OF <>, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS <> DAY OF <>, 2011.

\_\_\_\_\_  
MAYOR ALLAN McDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

W:\CLERK\CATHY\PROCEDURAL BY-LAW(2011)(DRAFT).doc



**Affirmation of Confidentiality**

I, \_\_\_\_\_, member of the Council of The Corporation of the City of North Bay, do hereby affirm that I will not disclose to any person any information or document arising from confidential Council meetings of The Corporation of the City of North Bay that come to my knowledge or possession by reason of those meetings, except as I may be legally required or expressly authorized to do so or except as that information or document has otherwise already been properly made public.

Affirmed before me  
At the City of North Bay  
In the District of Nipissing  
This \_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Name:

\_\_\_\_\_  
A Commissioner, etc.

**Confidentiality Agreement**

By signing this document, I agree that:

I will not disclose to any person any information or document communicated to me in a confidential meeting held by the Council of The Corporation of the City of North Bay in connection with any matter designated as confidential by the Procedural By-law except as I may be legally required or expressly authorized to do so or except as that information or document has otherwise already been properly made public.

Signed, sealed and delivered at North Bay, Ontario, this \_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Witness

**#6**

**RECEIVED  
CITY OF NORTH BAY**

JUN 10 2011

**CLERK'S DEPT.**

**City of North Bay  
Report to Council**

**Report No. EESW-2011- 064**

**Date: June 7th, 2011**

**Originator: Al Tomek, Waste Management Co-ordinator**

**Subject: 3R's Maximization Plan/ Recycling and Communication Plans  
- Best Practices Management Practices**

**File No: p09 – Merrick Landfill Certificate of Approval**

---

**RECOMMENDATION**

That the Recycling and Communication Plan prepared by Engineering Environmental Services be adopted and that a copy be forwarded to the Ministry of the Environment in compliance with Environmental Assessment Conditions of Approval for the Merrick Landfill site.

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**BACKGROUND**

Condition F-1 of the Environmental Assessment Act approval for the Merrick Landfill site stipulates:

F-1 "Within 180 days of the approval under the E.A. Act, the proponents shall complete and finalize a 3R's Maximization Plan which includes projections on program activities, costs and funding including an outline on implementation and a schedule for implementation of the plan. The plan will be reviewed in consultation with the WRLC and forwarded to the Regional Director. Upon approval of the Regional Director, the proponents will implement the plan. The plan will be reviewed and updated as necessary in consultation with the WRLC. A copy of the approved plan and any approved amendments is required for the public record".

In the past, staff, in consultation with the Waste Resources Liaison Committee reviewed this 3R's Plan and once accepted, the document is forwarded to City Council.

In 2010, City Council agreed to combine the 3R's Maximization Plan with the Recycling and Communication Plan as both documents were similar in nature.

The Recycling and Communication Plan is prepared in accordance with Waste Diversion Ontario (WDO) and Stewardship Ontario's (SO) Best Management Practices.

Waste Diversion Ontario (WDO), established under the Waste Diversion Act, advises the province on various waste diversion initiatives within the province. The WDO in conjunction with Stewardship Ontario, an Industry Blue Box Funding Organization also established under the Waste Diversion Act, has developed a list of Best Management Practices. The City follows many of the Best Management Practices (BMP's) that are advocated and conducts internal reviews of operations with respect to increasing BMP's that make sense for North Bay. The completion of the Recycling and Communication Plan will assist in increasing diversion rates and maximizing program subsidization.

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## **OPTIONS / ANALYSIS**

The City of North Bay's Recycling and Communications Plan is attached. The plan has been prepared to reflect current practices and strategies used to determine program enhancement opportunities. The Communication Plan explains how the City expends its advertising funds and considers new opportunities for advertising and promoting the Blue Box Program.

Adoption of the Recycling and Communications Plan not only provides direction for the program but can affect program subsidization from Stewardship Ontario. In 2010, Stewardship Ontario's funding for the North Bay Blue Box Program was determined based on an assessment of the City program of which 65% was determined from net operating costs; 30% was based on program performance and 5% is based on the City's implementation of Best Management Practices. The significance of following Best Management Practices in subsequent years has increased. 15% of Stewardship Ontario funding will be based on implementation of Best Practices in 2011 and 25% in 2012.

### **Option 1**

North Bay City Council can adopt the Recycling and Communication Plan as presented. If adopted, the City will apply the information and update it accordingly. By adopting this plan, North Bay will implement several recommended Best Practices developed by the WDO and consequently, the City should receive increased Blue Box funding from Stewardship Ontario in future years.

### **Option 2**

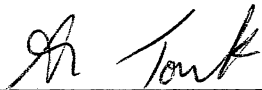
North Bay City Council can opt to not adopt the Recycling and Communication Plan as presented. If not approved, the City would be viewed by Stewardship Ontario as not meeting the BMP criteria and consequently lower Recycling Program subsidization levels could result.

---

## RECOMMENDED OPTION

That the Recycling and Communication Plan prepared by Engineering Environmental Services be adopted and that a copy be forwarded to the Ministry of the Environment in compliance with Environmental Assessment Conditions of Approval for the Merrick Landfill site.

Respectfully submitted,



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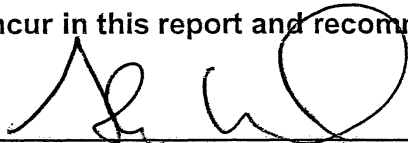
Al Tomek, Waste Management  
Coordinator



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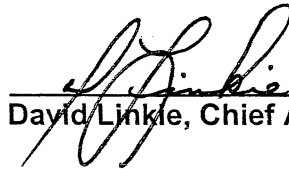
John Severino, Manager of  
Environmental Services

I concur in this report and recommendation.



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Alan Korell, P. Eng., R.P.P., M.C.I.P.  
Managing Director of Engineering,  
Environmental Services & Works



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David Linkie, Chief Administrative Officer

**Personnel designated for continuance: Al Tomek**

wpd/engine/eat/eat3174 – Report to Council Recycling & Communication Plans Best Practices

Copy for: C. Conrad, City Clerk

## **NORTH BAY'S BLUE BOX RECYCLING PLAN AND COMMUNICATIONS PLAN**

### **1. HISTORY**

North Bay's Blue Box Program was launched in 1991. The public soon became accustomed to separating products they viewed to have resource value from their regular waste and it quickly became a way of life for many North Bay residents. When first established, the City only collected basic blue box items as required by the province. The program has grown over the years to collect, process and market additional resource products. The City has adopted a practice to only collect a material when a stable market is established. The City now collects most packaging materials found on grocery store shelves. Council accepts the recommendations of the City's Waste Resources Liaison Committee to expand the program to include additional materials when permanent and stable markets are identified. North Bay segregates all materials collected and ships to individual markets to obtain the highest value possible.

The City contracts for blue box collection, processing and marketing with solid waste collection to make the contract of significant value to entice larger waste management companies to compete over the contract. The advantage of one large contractor is the high level of expertise in all areas, better vehicle selection and fleet management skills, a professional approach to Health and Safety and they have marketing depth and savvy to maximize revenues. This strategy saves the City money because one contractor can better control costs through combining/streamlining maintenance, labour force and administrative functions. The effectiveness of this strategy is borne out by the City's very low recycling and waste management cost on per tonne or per capita basis in Ontario. The City's strategy also benefits surrounding municipalities who take advantage of a large contractor's presence and equipment to receive high quality services at favourable prices.

In 1994, the City moved to bi-weekly recycling collection to reduce operating costs. Recyclables are non destructible and there is no limit on the amount of blue box materials that can be placed at the curb. The City uses a hybrid curb sort program with minimal plant sorting. North Bay's programs are universally offered across the entire community.

In 1999, the City implemented bans on the collection and disposal of corrugated cardboard which increased the amount of this material being diverted. In the past decade, the City has expanded the materials collected and extended the program to schools, multi-residential dwellings and the Downtown Improvement Area (weekly corrugated cardboard collection). The City has also permitted the contractors to process recyclables from other municipalities at the City's Material Recovery Facility. This shared resource approach is cost effective for all parties.

The purpose of the recycling plan is to map out a strategy to continue with program expansion and enhanced participation to increase the amount of recyclables diverted from the City's waste stream. Also, by identifying some of the inherent problems associated with the program, it is anticipated that the costs can be decreased. The recycling plan is part of the City's overall waste diversion strategy which strives to direct all types of waste from the landfill.

North Bay's overall Waste Diversion Plan has continuously expanded over the past 20 years. The following programs are now in place:

- Blue Box Program
- Leaf and Yard Waste
- Waste and Electronic Equipment
- Scrap Metal and White Goods
- Household Hazardous Waste
- Backyard Composting Program
- Waste Reduction Programs – Goods Exchange Day/Electrical Programs/Tools

### **Blue Box Program**

The City's Blue Box Program is now 20 years old and has continuously expanded the range of materials collected from blue boxes. In 2010, the City introduced plastic tubs and lids to the program. Approximately 51,000 tonnes of recyclables have been marketed over the past 20 years.

### **Leaf and Yard Waste**

The City introduced a ban on the collection of grass clippings in 2001 and established an organics drop-off depot a year later for all types of leaf and yard waste.

This depot is extremely popular during the spring/summer and fall period and sees approximately 50-100 vehicles during the slow periods and over 100-300 vehicles during the busy period. The materials collected at this depot are trucked to the composting area at the Merrick landfill then mixed with grinded brush material and composted for 12 to 14 months. Once composted, the material is screened sold to residents and used by City departments. In 2010, approximately 730 tonnes of organic material was composted at the landfill.

## **Electronic Waste**

The City's Electronic Drop-off depot was established in 2001. The depot is adjacent to the Household Hazardous Waste Depot and operated by Hazardous Waste staff. In 2010, the depot diverted approximately 270 tonnes of materials and received approximately \$45,000. in revenue from the Ontario Electric Stewardship. This past December, North Bay City Council banned the landfilling of electronic material from the landfill.

## **Scrap Metal and White Goods**

The City operates two drop-off areas for scrap metal. The Merrick landfill has a special area for large white goods such as refrigerators and freezers and air conditioners. Under provincial legislation, these appliances must have the refrigerants removed before any type of recycling/disposal. Once the refrigerants are removed, the scrap metal is sold off for recycling. A scrap metal container is also available at the Hazardous Waste depot for smaller scrap metal items.

## **Household Hazardous Waste**

The City Household Hazardous Waste Depot opened in 1999, for the first 9 years it was open 7 months of the year, as of 2009, the facility is open year round. Last year, the facility collected 206,000 litres of various types of hazardous waste from approximately 11000 vehicles. Volumes of hazardous and electronic waste are shown the next page.

**YEARLY AND MONTHLY TOTALS FOR 2010**

<b>Hazardous Waste (In Thousands)</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUN</b>	<b>JUL</b>	<b>AUG</b>	<b>SEP</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>
Acetone	2200	2400	7100	8500	1200	15800	8000	9200	10300	10800	8200	4900
Motor Oil	200	200	1400	3000	3000	3800	6000	2600	2000	1100	2000	1000
Flammable Liquids	1000	1000	2900	4100	4300	4200	8100	4300	4200	3700	2500	1800
Solvents	100	200	800	500	1000	1300	2000	700	900	700	700	200
Antifreeze	0	0	400	800	600	600	800	400	600	200	400	200
Refrigerants	400	100	500	1000	900	1000	1500	1000	900	1000	600	400
Paints	100	0	100	0	100	100	200	100	0	100	0	100
Deicers	100	0	0	200	100	200	200	100	100	200	100	
Antifreeze	0	0	400	200	400	800	600	400	400	200	400	
Batteries	200	200	400	600	6400	1200	1800	800	300	500	400	400
Pharmaceuticals	0	100	0	100	0	0	100	0	100	0	100	100
Filters	0	100	100	400	100	200	0	100	100	300	200	100
Pesticides	100	100	100	200	100	0	300	200	400	200	400	
Propane Cylinders	100	0	100	200	200	200	0	400	500	300	200	200
<b>TOTAL</b>	<b>4500</b>	<b>4400</b>	<b>14300</b>	<b>19800</b>	<b>18400</b>	<b>29400</b>	<b>29600</b>	<b>20300</b>	<b>20800</b>	<b>19300</b>	<b>16200</b>	<b>9400</b>

<b>Hazardous Waste</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUN</b>	<b>JUL</b>	<b>AUG</b>	<b>SEP</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>
Propane Cylinders (units)	6	8	31	37	103	84	40	51	102	37	46	
Automotive Batteries (units)	30	46	60	165	222	163	295	170	208	178	88	1
Refrigerants (kg)	15	0	45	75	30	90	120	75	45	90	255	
Extinguishers (units)	0	12	15	23	31	0	0	42	0	32	21	
Gas Cylinders and Monitors (pallets)	26	10	30	74	33	40	51	47	75	70	55	
Accessories (pallets)	2	1	3	5	5	3	5	3	11	5	4	
Other Electronics (pallets)	4	1	6	30	17	12	20	15	39	28	23	
Number of Vehicles (Hazardous Waste)	423	357	811	1058	1268	1365	1036	1109	1081	1086	802	5
Number of Vehicles (Electronics)	341	294	526	564	629	722	543	561	531	703	544	5
Estimated Litres Diverted	0	0	0	865	2235	610	616	190	759	516	0	

ENGIN\ALT\Hazardous  
Yearly and Monthly Totals



## Backyard Composting Program

Since 1990, the City has subsidized the sale of backyard composters to North Bay residents, over this period of time approximately 8100 composters have been sold.

## Waste Reduction Program

The City of North Bay promoted several types of waste reduction programs; these include:

- Goods Exchange day (twice a year)
- Educational Services to schools, organizations and clubs
- Paint exchange area
- Tours of the recycling centre and other waste management facilities
- Waiving of tipping fees for organizations involved with recycling activities
- Waste Audits

### 2010 MUNICIPAL WASTE DIVERSION STATISTICS

	TONNES	% OF TOTALS
Blue Box Recycling All Products	3817	64%
Tire Recycling	60	1%
Wood Waste Chipping	132	2%
Backyard Composting	767	12%
Organic Drop-off/landfill	601	11%
White Goods & Steel	190	3%
Concrete & Boulder Separation	10	1%
Household Hazardous Waste	200	3%
Computer/Electronic Equipment	210	3%
<b>TOTALS</b>	<b>5987</b>	<b>100%</b>

## **North Bay's Blue Box Program**

North Bay's recycling program complies with Ontario Regulation 101/04 which mandates the type of blue box collection system as well as the types of materials required to be collected.

The following types of recyclables are collected on a bi-weekly basis from 16829 single residential property households and 6136 multi residential properties. All elementary and secondary schools are permitted to place up to 15 blue boxes at the curbside on a bi-weekly basis. Corrugated cardboard is collected in the Downtown Improvement Area once a week.

### **2010 BLUE BOX RECYCLING STATISTICS**

The City of North Bay currently collects a comprehensive list of materials which exceeds current provincial regulations including:

- Aluminum cans
- Aluminum foil, pie plates and trays
- Aseptic containers
- Aerosol can (empty)
- Boxboard
- Corrugated cardboard
- High density polyethylene – small mouth containers (HDPE #2)
- Mixed household paper
- Magazines, catalogues and telephone books
- Newsprint including coloured flyers and inserts
- Clear and coloured glass
- Polycoat containers
- Polyethylene terephthalate – small mouth containers (PETE #1)
- Steel beverage and food cans
- Empty paint and stain cans
- Plastic tubs and lids

**Combination of Depot, Curbside and Multi-Residential Collected Recycled Material**

	<b>2010 TONNES</b>	<b>% OF TOTALS</b>	<b>2009</b>
Newsprint (includes magazines and telephone directories)	1565	41%	<b>1528</b>
Clear and coloured glass	348	9%	<b>403</b>
Steel	184	5%	<b>203</b>
Aluminum (includes foil, pie plates and trays)	49	2%	<b>45</b>
PET #1 plastics	139	3%	<b>141</b>
Old corrugated cardboard (includes boxboard) and aseptic and polycoat containers	1467	38%	<b>1368</b>
HDPE #2 plastic	65	1%	<b>60</b>
Fine Paper	0	1%	<b>32</b>
<b>TOTALS</b>	<b>3817</b>	<b>100%</b>	<b>3780</b>

**CURRENT AND POTENTIAL DIVERSION  
BASED ON 2010 TONNAGES AND STEWARDSHIP ONTARIO'S HISTORIC WASTE  
COMPOSITION STUDY CONDUCTED IN 2005 AND 2006**

<b>Material</b>	<b>Total Available in Waste Stream (tonnes/year)</b>	<b>Currently Recycled (tonnes/year)</b>	<b>Potential Increase</b>
Newsprint, magazines telephone books and other printed paper	2538.86	1564.74 - 61%	974.12
Cardboard, boxboard, polycoat and aseptic containers	1709.98	146.79 - 85%	243.19
Aluminum cans and Foil	138.95	47.88 - 34%	91.07
Steel cans, aerosol cans and paint cans	323.88	184.71 - 57%	139.17
Food and beverage glass including LCBO glass	815.31	473.99 - 58%	341.32
Plastic PET #1 bottles	234.86	139.32 - 59%	95.54
Plastic HDPE #2 containers	130.34	65.41 - 50%	64.93
<b>TOTALS</b>	<b>5892.18</b>	<b>3942.84</b>	<b>1949.19</b>

Note: factors that influence the above capture rates

- Stewardship Ontario's Waste Composition Study was conducted in 2005 and 2006 and are only averages among municipalities with similar demographics.

Over the past 5 years, plastic has become the primary packaging material due to decreased manufacturing costs and low transportation costs. Many foods and beverages that were once packaged in glass are now packaged in plastic. Plastic paint cans have become more popular over the past 3 years.

Newsprint is used abundantly in municipalities where many households have wood burning stoves/fireplaces which reduce the capture rate figure.

Aluminum cans in North Bay are collected by numerous organizations that canvas the public for this material to raise funds for various projects.

**2009/2010 Blue Box Financial Data  
Based on Cost Per Tonne**

	<b>North Bay 2009</b>	<b>North Bay 2010</b>	<b>Average</b>
Gross cost per tonne	\$274.07	\$267.57	\$401.06
Revenue per tonne	\$72.22	\$127.84	\$ 66.01
Net cost per tonne	\$197.02	\$139.72	\$331.29

(2010 average figures are not available yet)

- Waste Diversion Ontario has categorized municipalities using various demographic information. North Bay is categorized as a rural regional municipality. There are 14 municipalities in this grouping.

**North Bay's Cost Per Household 2009/2010**

	<b>2009</b>	<b>2010</b>
Gross cost per household	\$47.78	\$44.30
Revenue per household	\$13.43	\$27.17
Net cost per household	\$34.35	\$23.14

- The average net cost per household from 14 municipal programs is \$41.56. This figure is based on information within the Waste Diversion's Actuals for 2006-/2007/2008.

Total annual blue box materials marketed (kilograms) per household in North Bay:

	<b>2009</b>	<b>2010</b>
	174.35 kg	165.57 kg

- The average blue box materials marketed per household from 14 municipal programs is 162.53 kgs. This figure is based on information with Waste Diversion's Actuals for 2006/2007/2008.

## **GOALS**

The Recycling Plan has 3 main goals:

1. Increase participation by those eligible to receive the service.
2. Expanding the scope of eligibility to more users
3. Decrease residue at the recycling facility

### **Increase Participation Rate**

In 2010, the City conducted a blue box participation survey. This survey was conducted with the assistance of summer students. 1600 single family properties were surveyed over a 4 week period. Participation for the purpose of this survey is considered as being homeowners having placed their blue box out to the curb at least once over this 1 month period.

The survey concluded that 70.3% of those surveyed participate in the City's Blue Box Program.

Ideally, the survey would occur at different times of the year to get a more accurate percentage rate. However, due to the lack of resourced, this survey was conducted during the summer months.

It is the City's goal to increase this rate by 2% each year over the next 3 years.

The Province has advocated a 60% diversion rate as a minimum goal for all recycling programs in Ontario. This capture rate is defined as the percentage of acceptable materials that end up in the blue box versus what ends up in the waste stream. It is the City's intention to reduce as many recyclables from the waste stream as possible and strive to meet the provincial target. In order to increase tonnage collected and to improve cost effectiveness, additional focus must be made in encouraging and promoting recycling to multi-residential buildings.

### **Institutions with the focus on schools and businesses.**

Currently, the City offers free collection of recyclables from multi residential building and schools. Within North Bay of 173 multi-residential buildings with 10 or more units, 82 participate in the City's recycling program. The City provides a weekly collection service for corrugated cardboard from the Downtown Improvement Area, and provides a free drop-off area for all business sectors at the recycling center and the landfill.

One problem with recycling at multi-residential building and at the facility where recycling is a shared responsibility between a number of participants is high contamination rates. There is often anonymity and little individual ownership in the success of the recycling effort when many individuals participate in a "communal" type system. It is the intention of the City to concentrate efforts to educate multi-unit building residents and students as to the importance of ensuring that recyclables are properly identified, processed and placed in the correct container.

### **Multi-Residential Buildings**

The City provides free collection of recyclables from multi-residential buildings and each property can have up to 18 – 95 gallon – 360 litre carts. Carts are supplied by the City at cost through the City's contractor.

Under Ontario Regulation 103/94, multi-residential building owners are mandated to provide a recycling service for their tenants, and the service must be equivalent to that offered by the municipality. The City of North Bay currently has no direct authority to enforce provincial legislation, and the City is left to encourage participation through persuasion. City staff will meet with any building owners or attend co-ops and tenant meetings to explain how the program works. The City will provide a collection service to all buildings agreeing to program rules. The number of participating building will increase by the City working in conjunction with the local MOE office.

The City has also received funding from the Continuous Improvement Fund to assist in increasing the participating from this sector.

### **Schools**

The City also provides a curbside collection service to many participating schools with up to 8 blue boxes on a bi-weekly basis. The City can assist in providing guidance in setting up school recycling programs and many schools take this on as a learning experience for the students. This service provided has been adequate for smaller schools, however, for bigger schools; a greater level of service is required. The new waste management contract that commences July 1, 2010 will allow flexibility to increase recycling services for larger schools in North Bay to maximize diversion. Schools will be permitted to place up to 15 blue boxes at the curb for collection. This enhanced service should increase schools recycling diversion rates and net more materials and assist in keeping contamination levels lower. Also, with the newly completed renovations to the City's Recycling Center, tours of the facility can resume to assist in promoting the City's recycling program and help them visualize the large amounts of materials collected and processed in North Bay.

## **ICI**

The City currently offers the ICI sector a 6 day a week drop-off depot for recyclables at its Recycling Centre. This service is heavily used by the ICI sector to divert corrugated cardboard which has been banned at the landfill. It is anticipated that more businesses will take advantage of the recycling drop-off services in the near future.

The City is considering an ICI recycling collection program to enhance ICI diversion rates. Institutional, commercial and industrial properties may soon be able to set compatible blue box recyclables at the curb for collection by the municipality. This collection service is identified as an optional service in the Request for Proposals to provide waste management services to the City for the next decade. The City will have option to introduce this new recycling program anytime throughout the lifetime of the contract.

### **Residue at the Recycling Centre**

The City's residue percentage is 1.5%. Residue in this case is defined as the amount of waste mixed in recyclables collected at the curb and at the drop-off depot. Last year over 72 tonnes of non-recyclables had to be disposed of at the landfill.

Currently, any residue generated at the Recycling facility is the responsibility of Miller Waste, however, it is anticipated that this figure can be decreased to 1% through better education and screening at the curb.

### **Monitoring and Reporting**

Since the commissioning of the Merrick Landfill in 1994, the City has reported annual volumes for waste landfilled and volumes diverted through various waste reduction programs.

One of the conditions of the Environmental Assessment Act for the approval of the Merrick Landfill states that a 3R's Maximization Plan (now referred as the Recycling Plan) will be reviewed and updated as necessary in consultation with the Waste Resources Liaison Committee.

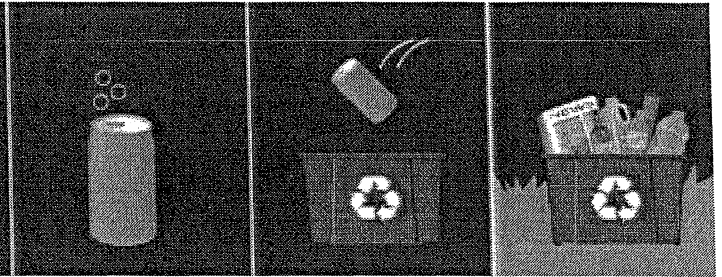
Monitoring and reporting is also considered a Blue Box Program fundamental best practice and is a key component of the Recycling Plan.



**TABLE 3 – Estimated Quantity of Solid Waste and Waste Diverted  
City of North Bay**

Activity	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004		2006	2007	2008	2209	2010	
Total Solid Waste Landfilled	50000	48000	46000	45000	42000	46500	42762	40400	44922	42470	42296	44562	43444	44734	45553	42501	43821	46740	47650	46870	47594	41705	
Blue Box	-	-	1109	1672	770	2812	1844	2682	2823	3036	3092	2855	2540	2753	3112	3014	3079	3341	3520	3506	3559	3513	
Tire Recycling	-	-	-	50	60	100	51	75	72	50	60	60	64	132	107	131	124	59	77	70	72	60	
Wood Waste/Brush processed	-	-	-	90	150	1200	1000	1000	500	500	500	500	500	300	525	385	209	220	942	302	225	132	
Leaves-Composting On-Site & Yard Waste	-	-	-	250	470	577	300	340	480	575	634	616	307	296	310	140	650	650	697	650	750	601	
Grasscycling	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	328	104	82	42	
Home Composters	-	-	720	1220	1440	1521	1594	1637	1637	1637	1637	1680	1680	1700	723	730	737	744	752	759	767	767	
White Good & Steel	-	-	100	190	215	170	123	70	75	73	160	131	76	182	205	297	409	490	156	296	1554	190	
Concrete & Boulder Separation	-	-	20	20	20	20	30	30	30	30	10	10	10	10	20	20	20	20	100	10	10	10	
HHW	-	10	30	60	60	53	63	50	50	50	60	65	65	62	94	107	115	205	158	108	149	200	
Computers/ Electronics	-	-	-	-	-	-	-	-	-	-	-	7	7	4	5	5	12	26	19	27	107	210	
Private Initiatives	-	-	-	300	1000	3000	5000	5000	5000	5000	5000	5000	5000	1200	1500	2500	1500	1500	1500	1500	1500	1500	1500
N.Himsworth Composting	-	-	-	-	-	72	79	79	79	79	79	79	0	0	0	0	0	0	0	0	0	0	0
N.Himsworth Recycling	-	-	-	-	-	-	-	-	-	75	75	75	0	0	0	0	231	199	228	223	221	226	
Total Material Reduced	0	10	1979	3852	6185	9525	10084	10963	10746	11105	11307	11078	10249	6799	6661	7359	7086	7454	8462	7259	8996	7451	
Total Material	5000	48000	47979	48852	48185	56025	52846	51363	55668	53575	59057	55640	53693	58172	52154	49860	50907	54194	56127	54129	56590	49382	
Contaminated Fill & Sludge	-	-	-	1190	1580	3043	5448	2842	6830	3451	7627	5224	50009	21064	2911	22905	14084	94248	15882	8926	7689	4985	

# BLUE BOX P&E PLAN



North Bay 06/04/2011

## Introduction.

Under Waste Diversions Ontario's funding guidelines a Communications Plan is required to obtain maximum funding for municipal blue box programs. Last year a communication's plan was developed, and this is an enhancement to that plan.

Planning and executing consistent and professional Promotional and Education (P&E) activities is an important element, as well as a best practice, of any blue box program with ongoing communications a community becomes more comfortable with recycling, the benefits it offers to the community and the impact it can have on the global environment. Furthermore, residents that are aware of their community's program are more likely to participate in the program; increasing diversion rates and helping the municipality meet program targets and objectives.

This document outlines the strategic and tactical direction for P&E activities for North Bay. The plan is broken down into the following sections:

## P&E Strategy

- **Program Guiding Principles** – This section highlights key marketing principles that will be incorporated in every aspect of the program;
- **Goals** – Defines the overall objectives of the program;
- **Key Messages** – Outlines the main points the program will work to communicate;
- **Target Audiences** – Summarizes the main audiences you hope to influence and educate;
- **Resources** – Provides guidance as to the amount of staff time needed to successfully implement the program;

## P&E Program Implementation

- **Tactics** – Defines the tools recommended for your program;
- **Tracking** – Provides information on how to monitor the success of the program.

## P&E Program Guiding Principles

There are a number of recurring best practices in promotion and education that should be followed when determining and executing North Bay's P&E activities. These guiding principles include:

- Consistency – From design to messaging to the tools used, consistency creates a recognizable campaign with greater impact making audiences aware of the campaign and more likely to change their behaviors.
- Follow a schedule – Plan out P&E activities to meet the fluctuations of the year and the community, and then stick to this schedule. Recurring, regular activity will have a much greater impact than one big activity only one time.
- Tracking – There are ways to see if P&E activities are working. Tracking should be part of any program. This can include tonnage reports, website tracking, incoming call tracking, online surveys and more.
- Take advantage of valuable opportunities – Not all promotion or education must be instigated by the municipality. As opportunities arise such as community events or school presentations, take advantage of them.
- Allow for feedback loop – Community members are more likely to buy into, and participate if they feel their voices are heard. Make sure there is a 360° feedback mechanism in place to allow residents a way to express concerns, give suggestions or simply ask questions.
- Use methods that apply to the audience – No single P&E tactic are perfect for all communities. In fact, very rarely is one tactic perfect for an entire community so consider using a few tactics to meet the needs of all audiences.
- Keep it simple – Too many messages and too much information can be overwhelming. Keep it short and sweet.
- Make it about the audience – People are more receptive to information about them. Make sure the primary message is a personal one, to make it more meaningful.
- Demonstrate the outcome – It is motivating to know the effort is making a difference. Ensure people are aware they are doing a good job.
- Keep the brand pure and clean – The idea of recycling is to keep the environment (large and small) clean. This should be reflected in P&E activities as well as all the communications regarding the program.
- Be green – It is easier to be taken seriously when “walking the talk”. Be sure the whole community is recycling, including the municipal government.

## P&E North Bay's Program Goals

North Bay is working to increase participation in the City's Blue Box recycling program. The general **goals** of the Promotion and Education Programs are:

- Increase awareness on why you should recycle – As part of the education portion of the program, North Bay residents should be made aware of the reasons for recycling and the benefits to the individual, community and the earth.
- Increase education on what is recyclable and how – Only specific items are recyclable and ensuring a clean collection makes the recycling process better, more efficient and easier to manage. Communicating with the community regarding what is and is not recyclable will help to increase tonnage in collection and create a better program overall.
- Increase participation and therefore tonnage – Once North Bay residents understand why they should recycle, and what is recyclable the goal becomes to increase the amount that is recycled in the community. This is diverting waste from landfill and increasing percentages which can be tied to funding.

## North Bay Objectives

### Increase Diversion

Increase diversion by 3% for the next 3 years

### Multi-Residential

Increase participation at multi-residential buildings over a three year period

### Schools

Increase participation and diversion in schools

## Key Messages

Key messages enable a consistent and comprehensive direction for what a program is trying to communicate. Below is a list of key messages for North Bay's recycling program. These key messages are reflected in the tactics provided.

- Recycling is smart and easy – Sorting your household's garbage can be a quick and simple process that is part of your daily routine. By integrating recycling into your home, you can make the process easy, while doing your part to help the environment.
  - Recycling is the fastest way to positively impact the environment. It only requires sorting your waste.
  - Recycling only takes a moment ... just drop it in the blue box. Once you have enjoyed your item, be it a carton of milk or a can of pop, simply drop it into the blue box, rather than a garbage bag, and it is done.
  
- Recycling is good for you – Not only does recycling help the environment, it can have a positive impact on you and your family.
  - A cleaner environment means you and your family have a safe and healthy area in which to live and work. Recycling reduces the amount of waste in landfill, reducing the risks of water and air contamination.
  - By recycling at home, you help ensure your children, and future generations, will enjoy the clean and healthy world you have enjoyed. Children learn by example and when you recycle they will recycle too.
  
- Recycling is good for North Bay – Cleaner air and water, less waste in odorous landfill, improved funding from government groups and greener living for the whole planet, these are some benefits of recycling.
  - All communities need to carefully manage the waste they produce. Recycling helps to keep waste out of landfills that otherwise will grow and reduce the amount of community space available for residential development, parks or commercial uses.
  - When one person makes a change, it can encourage other members to follow. Your actions, and commitment to recycling, have a snowball effect.

## North Bay's Target Audiences

A target audience list reflects those primary audiences P&E activities work to reach. Typically they reflect the largest population groups in the community, and are therefore more highly catered to in communications so that P&E activities have the greatest impact possible. The target audience list reflects all possible audiences. The primary target audiences include a descriptive paragraph for your reference. All other listed audiences are secondary audiences to be kept in consideration. The target audiences for North Bay are:

### Double Income, No Kids

Professional people are attracted to the finer things in life and have the time to commit to things that matter to them. P&E activities should communicate recycling benefits to the individual, community and global environment to reach this audience. Activities undertaken by the community to make the program more progressive and leading-edge will often be quickly adopted and supported by this group.

### Families

Communities with a high representation of families must focus on not only the adults but also the children in the community. Integration of easy to use materials, use of icons and images for communication and keeping materials fun and light will ensure this group can easily participate in the recycling program.

### Single Adults

Households without children create less waste, making the need for recycling less obvious. Reaching this group through a "recycling is simple and easy" message and communicating "What's in it for me" will help to make recycling more personal for this audience

### Students

North Bay has a large influx of post-secondary students each year. Participation by this large group is essential for North Bay's Blue Box program to become as successful as possible.

## Resources

### Budget

Waste Diversion Ontario's Best Practices indicates that for most communities a budget of \$1 per household is a level to meet the needs of a well executed P&E plan.

The budget covers all implementation costs for a P&E program such as outsourcing design and copywriting, printing, media buy and distribution. The City's budget for the blue box program is \$20,000.00. Although it does not meet the \$1.00 per household best practice, this figure does not account for staff costs for developing and coordinating communication programs, conducting presentation and tours, manning displays and overall administration of the communications plan. Once these factors are accounted for, North Bay is within the Best practice guidelines.

### Staffing Resources

Municipal staff that are tasked with the management of a P&E program allows for centralized responsibility for the execution of this plan.

The time devoted to P&E activities include:

- Media relations
- Media buy for advertising
- Coordination with outsource agency (as needed)
- Copy writing
- Program tracking
- Project management
- Website updates and management
- Community liaison
- Trade shows
- Tours of recycling center
- Presentation to schools and local organizations
- Participating on local environmental committees

## Tactics

Below is a recommended list of tactics for North Bay's three year P&E program.

### Year One

- Media Relations
- Radio Advertising
- Tours and Presentations
- Webpage and Social Marketing
- Brochure
- School Programs
- Tradeshows/Farmers Market
- Static displays
- Waste/Recycling Calendar
- WDO in-kind advertising
- Waste Resources Liaison Committee –Public Meetings
- Wasteline

### Year Two

- Newsletter/E-newsletter
- Plus most of year 1 activities

### Year Three

- Newspaper Inserts
- Plus most of year 2 activities



## Budget Work Sheet

The following is a draft budget plan for North Bay's blue box program.

Year One Tactics	Budget	Year Two Tactics	Budget	Year Three Tactics	Budget
Media Relations	\$8000.00	Newsletter/E-newsletter	\$3000.00	Newspaper Advertising	\$3000.00
General Information Piece in Parks and Recreation Leisure Guide	\$1500.00	Plus some of year one tactics		Plus some of year one tactics	
Webpage and Social Marketing	Internal staff cost				
Brochures	\$3000.00				
Blue Box Calendar	\$5000.00				
Newsprint ads	\$1500.00				
Display Costs	\$1000.00				
<b>Total Budget Year One:</b>	20,000.00	<b>Total Budget Year Two:</b>	20,000.00	<b>Total Budget Year Three:</b>	20,000.00

## Year One Tactics

### Media relations

#### *Description*

Ongoing communications and building a relationship with the local media is a critical element to keeping your community informed. Foster good working relationships then use them to spread the word on your blue box program and other waste diversion programs.

### General Information piece

#### *Description*

The Parks and Recreation Spring and Fall Leisure Guide is a useful tool for advertising. The guide is distributed throughout the community and is available at many City facilities. Waste diversion information is promoted twice a year using this medium. The information should also be available at;

- Recreation centers
- Municipal offices
- Libraries
- Recycling Center
- Household hazardous waste depot

## Webpage and Social Marketing

Offering information online is not only a quick and simple way to share information; it is an environmentally-conscious choice which fits with the messaging around recycling. Using the City's website for all P&E activities may potentially reduce the number of callers phoning to ask questions.

Every municipality must have at least one page communicating the details of their Blue Box program in the community. A single, quick resource, the minimum required information includes:

- Collection schedule (for curb side)
- Depot locations and hours (for depot)
- Acceptable recycling containers (blue boxes, bags, etc.)
- Applicable recyclables
- Where to get more information.
- Frequently asked questions page
- Downloadable versions of your P&E materials
- Community recycling statistics
- Recycling tips and tricks to make it easier
- Examples of what things are recycled into
- Tips to increase recycling in your home
- How to shop recycle friendly (what to buy and not buy)
- Links to other recycling resources

## Brochure

North Bay usually mails out an educational blue box brochure once a year. It features tips and tricks to make it easier, profiles incredible products made from recyclables and explains why recycling is good for the community and the environment.

The intention is that the brochure works in partnership with the General Information Piece to create a full educational and promotional package providing all the necessary information. Both pieces also refer to the webpage to provide more information, and the municipality contact numbers for specific questions.

## School Programs

Schools are often including information on the natural world and the effect human's have on their environment. This information, as well as tips on how to live green, is an important part of modern education and children are comfortable with these concepts, often more than their parents or grandparents. The knowledge of students is often taken home and can affect the household's choices and participation in programs such as a Blue Box Recycling Program.

This can include:

- Providing resource information to teachers
- Hosting school trips
- Doing classroom presentations

## Year Two Tactics

### Newsletter/E-newsletter

Ongoing updates about recycling in North Bay are appropriate to communicate to residents proactively. A newsletter or e-newsletter is a simple and effective way to make sure all stakeholders are up to date on the program, its developments and upcoming events or changes.

Delivered no more than four times per year, this newsletter does not necessarily need to be just about recycling. Consider expanding it to information from the entire Environmental Services team to address topics such as:

- Snow removal
- Waste pick up
- Parks and programs
- Road work around town
- Water and waste water

Initiate this kind of ongoing communication through this team to relieve some of the burden for its development and make the newsletter more valuable to residents overall.

The newsletter can either be printed or delivered to residents in paper format, and/or, should an email distribution list be available, via email. The email option is recommended and a sign up form can be placed on your website. This not only makes the development less expensive (through eliminating printing and mailing/distribution costs), it also is environmentally appropriate since it creates less waste.

## Year Three Tactics

### Newspaper Advertising

Local papers are often well read, as they feature the information that is of specific interest to local residents.

Newspapers should be used for:

- Promoting recycling in the community
- Changes to the recycling program
- Updates on program progress

- Special events or days
- Ongoing recycling awareness

## Newspaper Inserts

Local newspapers get high level of readership and should be taken advantage of.

Inserting special information into the newspaper will bring high profile to information being distributed as newspapers often have a level of trust from readers, even when the information is clearly not editorial content.

Inserts into newspapers can be accomplished in two formats:

1. Insert of existing materials: much like a flyer insert, this is an excellent way to distribute P&E information. Be it a brochure, info guide or other materials, stuffing them in newspapers can help to reach often over 80% of the intended audience (see your local paper for exact readership rates).
2. Participation in a special insert: Throughout the year there are often special sections created for a paper to highlight a special time of year. Around Earth Day there is often an insert that focuses on the eco-friendly activities in the area. Consider being part of this insert or assisting in its development including articles about recycling.

## Tactics Roll-Out Schedule

Activity	Year One				Year Two				Year Three			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Media Relations	X	X	X	X	X	X	X	X	X	X	X	X
General Information Piece		X		X		X		X		X		X
Webpage and Social Marketing	X	X	X	X	X	X	X	X	X	X	X	X
Brochure		X		X		X		X		X		X
Tours of recycling center	X	X	X	X	X	X	X	X	X	X	X	X
School Programs	X	X	X	X	X	X	X	X	X	X	X	X
Newsletter/E-newsletter					X		X		X		X	
Waste Resources Liaison Committee meetings	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper Advertising	X	X	X	X	X	X	X	X	X	X	X	X
Newspaper Inserts									X		X	
<b>WDO In-kind newsprint advertising</b>	X	X	X	X	X	X	X	X	X	X	X	X
<b>Tradeshows/farmers market</b>		X	x		X	x			X	x		
<b>Presentation to groups</b>	X	X	X	X	X	X	X	X	X	X	X	X

## Tracking Options

Tracking the effectiveness of North Bay's P&E activities allows for a clear Return on Investment (ROI) calculation on the funds and hours invested in the program. Best practices indicate that this is an important part of the project and integration into the P&E program.

There are a number of low to no cost ways to track P&E activities and the number of impressions they made or actions they inspired.

A number of different tracking options for all P&E programs can be considered. These methods allow for a wide range of inputs to feed into the results which indicate the overall effectiveness of the program. These options include:

- Hits on website – load an analytics program onto your website to allow for tracking the traffic to your site. This information can be useful in tracking how effective the site is, or how effective other P&E activities, that direct audiences to your site, have been.
- Tonnage changes – it is already required that tonnage is tracked for the Ministry of environment and Waste Diversion Ontario's Datacall. This information will be reviewed for trends in your recycling program.
- Incoming calls or inquiries – any changes to your program, be it P&E or otherwise, often drives more inquiries. The following information may be captured:
  - Number of inquiries
  - Method of contact: email or phone
  - Subject of the inquiry
- Event participation – keeping track of how many people visit events you host/participate in.
  - Kids contest (colouring, creative writing, etc.
  - Draw for a gift basket of recycled items
- Community surveys – it is important to get the opinions of North Bay's community on a regular basis. Conducting community surveys is an effective way to get this done. Surveys should be conducted in a variety of ways to ensure a diverse section of the population is reached. Some options include:
  - Online surveys sent out via email and posted to your webpage
  - Short survey for all incoming calls
  - Survey cards at events
  - Outbound telephone surveys completed by administrative staff



# Program Analysis

The following table will be used to track the effectiveness of North Bay's program.

Activity	Date Executed	Effective	Not Effective	Unsure	Notes
Media Relations					
General Information Piece					
Webpage and Social Marketing					
Brochure					
School Programs					
Newsletter/E-newsletter					
Newspaper Advertising					
Tours					
Presentations					
Tradeshows/Mall Displays					

## Appendix A: Other P&E Activity

### Calendars

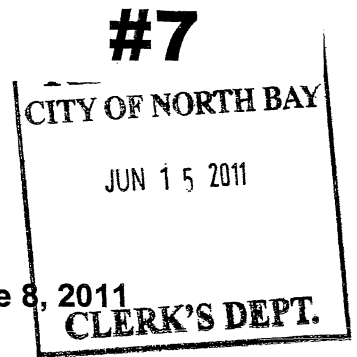
Calendars are a good way to keep recycling top-of-mind. Consider including tips, tricks and fun facts in addition to important information such as a contact phone number and website.

### Events

Opening the doors of your recycling facilities and offices can not only attract residents who want to learn more, it can help to build buy-in for recycling throughout the community. Research has shown that for some residents not understanding how recycling works, and the benefits it brings to the community, is a major hurdle in program participation. Hosting open house events and other community events can work to overcome this issue.

Earth Day, tradeshow and festivals can assist in promoting North Bay's recycling program.

**CITY OF NORTH BAY  
REPORT TO COUNCIL**



**Report No.:** EESW-2011-065

**Date:** June 8, 2011

**Originator:** Dave Euler, Director of Engineering

**Subject:** Award of Contract  
Contract 2010-125

**File No:** F18 Contract 2010-125  
**Septage Receiving and Water Dispensing System**

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**RECOMMENDATION**

1. That North Bay City Council approve a contract to be awarded to Metcon Sales and Engineering Limited, in the amount of \$157,675.00 (not including HST), for the Supply, Installation of a Septage Receiving and Water Dispensing System.
- 

**BACKGROUND**

Currently, independent contractors pay a fee of (\$20.00 per 1000 gallons ) to dump septage into a sanitary sewer manhole located between Foran St. and Memorial Dr. The current system does not have any lockout mechanism and is used on an honour system by contractors. As most of the septage dumping activity takes place during the summer months, the new location adjacent to the Recycling Center on Patton Street will be more appropriate.

Currently, independent contractors pay an annual lump sum fee (\$ 1050.00) to take potable water from an access point at Public Works yards on Franklin St. The current system does not have any lockout mechanism and is used on an honour system by contractors. The new water dispensing system will also be located adjacent to the Recycling Center on Patton Street and will be more appropriate.

Both, the septage receiving system and the water dispensing systems will be automated with card lock access. The new systems will provide enhanced security and be capable of a more equitable billing structures based on usage.

Preparation of infrastructure at the new site will be completed by Public Works staff. The scope of work for this contract includes the supply and installation of septage receiving equipment, the water dispensing equipment and the associated hardware and software and radio network for system management, billing and controls.

The contract was tendered in accordance to the Purchasing By-Law and only one bid was submitted.

Funding (\$300,000) for project 3071WS was approved under by-law 2010-211

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## OPTIONS

The following options are available:

### Option 1 – Award the Contract

Award the contract to the contractor that represents the best overall value to the City in accordance with the City of North Bay Purchasing By-Law.

### Option 2 – Not Award the Contract

Council could choose to not award the contract and maintain the existing conditions. This option is not recommended.

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## RECOMMENDED OPTION

That North Bay City Council approve a contract to be awarded to Metcon Sales and Engineering Limited, in the amount of \$157,675.00 (not including HST), for the Supply, Installation of a Septage Receiving and Water Dispensing System.

Respectfully submitted,



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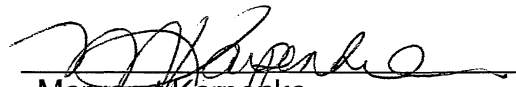
Dave Euler, P. Eng., PMP  
Director of Engineering

We concur with this report and recommendations.



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Alan Korell, P. Eng., RPP MCIP  
Managing Director Engineering,  
Environmental & Works



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Margaret Karpenko,  
Chief Financial Officer



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David Linkie  
Chief Administrative Officer

Personnel designated for continuance David Euler P. Eng

W:\Engin\CONTRACTS\Contracts 2011\Bulk Water & Septage Receiving system 3071WS

**#8**

CITY OF NORTH BAY

JUN 15 2011

CLERK'S DEPT.

City of North Bay

Report to Council

Report No.: EEWS-2011-061

Date: June 15, 2011

Originator: David Euler, Director of Engineering

Subject: EESW-2011-061 Report to Council - Improvements to Laurentian Ave at Trout Lake Road

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### RECOMMENDATION

That Council not consider any changes to the Laurentian Avenue at Trout Lake Rd intersection, since the recommended plan for the North Bay Expressway calls for considerable changes to the Laurentian Avenue intersection.

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### BACKGROUND

Concerns have been raised about the intersection of Laurentian Avenue at Trout Lake Road. As part of the resurfacing contract in 2010, the City took steps to improve safety by paving the boulevards on both sides of Trout Lake Rd from the by-pass to Connaught Ave.

MTO is currently in the process of selecting the detailed design consultant for the North Bay Expressway (formally known as Route 6). The recommend plan for the expressway calls for a Single-Point Urban Interchange just to the east of the existing Laurentian Avenue intersection.

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### ANALYSIS/OPTIONS

#### Option 1

Do not consider any changes to the current Laurentian Avenue at Trout Lake Rd intersection, since the recommended plan for the Expressway calls for considerable changes to the Laurentian Avenue intersection and the detailed design stage is to begin within the next few months. This option is recommended.

#### Option 2

Prepare tender for a consultant to independently study the current conditions and prepare a design for making temporary changes to the intersection. Changes to the intersection would cost hundreds of thousands of dollars, create considerable traffic disruption and would only be temporary until the Expressway is constructed. This option is not recommended.

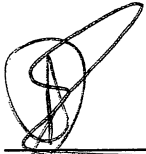
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**RECOMMENDED OPTION**

That Council not consider any changes to the Laurentian Avenue at Trout Lake Rd intersection, since the recommended plan for the North Bay Expressway calls for considerable changes to the Laurentian Avenue intersection.

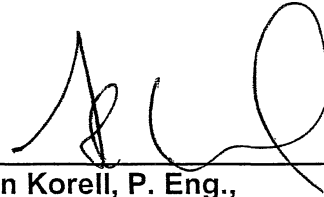
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Respectfully submitted,



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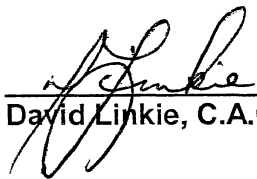
David Euler, P. Eng.,  
Director of Engineering



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Alan Korell, P. Eng.,  
Managing Director Engineering, Works  
and Environment

I concur in this report and recommendation.



---

David Linkie, C.A.O.



---

Peter Leckie, City Solicitor

**CITY OF NORTH BAY****REPORT TO COUNCIL**

Report No: EESW-2011-066

June 14, 2011

Originator: David Euler

Subject: Drinking Water Quality Management Standard – North Bay Water Treatment Plant &amp; Distribution System Operational Plan

---

**RECOMMENDATIONS:**

That North Bay City Council endorse the North Bay Drinking Water System Operational Plans

---

**BACKGROUND:**

As noted in previous reports to council EESW-2009-029 the Ministry of the Environment released legislation requiring that the City of North Bay have a documented “Quality Management System” as per Ontario Regulation 188. On December 1, 2009, the City was required to submit a completed Operational Plan and application for Drinking Water Works Permit (DWWP) and Drinking Water License. The Operational Plan and associated procedures must adhere to all 21 requirements of the Ministry of the Environment’s Drinking Water Quality Management Standard. These submissions were required in order to obtain accreditation and a Municipal Drinking Water License under the Safe Drinking Water Act (2002).

The City’s Water and Wastewater Department in consultation with Ontario Clean Water Agency developed two separate Operational Plans. One for the Water Treatment Plant and one for the distribution system as there were two separate operating authorities. The City of North Bay is currently in the process of assuming operation of the water treatment plant and facilities. Therefore the operational plan has been re-developed to combine both the Water Treatment Plant/Facilities and the distribution system.

The North Bay Water and Wastewater Operations is responsible for developing, implementing, maintaining and continually improving the QMS and will do so in a manner that ensures compliance with applicable legislation. Through the endorsement of this Operational Plan, Council and the City of North Bay commits to cooperating in any reasonable request of the North Bay Water Operations to facilitate this goal.

---

**ANALYSIS/OPTIONS:****Option 1**

That Council endorse the new North Bay Drinking Water System Operational Plans.

**Option 2**

This Council has the option of not endorsing the developed Operational Plans. This option is not recommended as commitment and endorsement by the Owner is a legislative requirement.

---

**RECOMMENDED OPTION:**

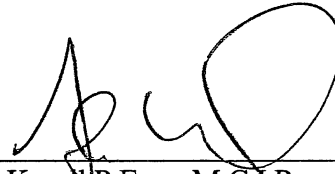
It is recommended that North Bay City Council endorse the North Bay drinking water plant and distribution system Operational Plans.

Respectfully submitted,



---

David Euler P.Eng.  
Director, Water and Wastewater



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Alan Koren P.Eng., M.C.I.P.  
Managing Director of Engineering,  
Environmental Services & Works



---

David Linkie  
Chief Administrative Officer

We concur with this recommendation.

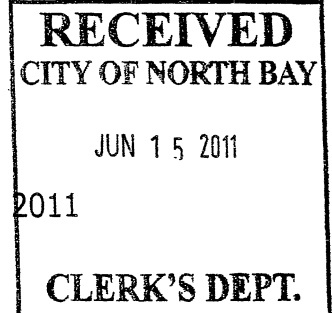
Personnel designated for continuance: Managing Director Engineering, Environmental and Public Works

Attachments: North Bay Water Treatment Plant Operational Plan, North Bay Distribution System Operational Plan, North Bay Wastewater Collection System Operational Plan.



City of North Bay

Report to Council



**Report No:** CORP 2011-115

**Date:** June 15, 2011

**Originator:** Michael B. Burke

**Subject:** Nipissing University – Cedar Heights Booster Pumping Station

---

## RECOMMENDATIONS

That:

1. Council approve an Easement Agreement to acquire easement rights for a water pumping station from Nipissing University in return for construction of a 4 meter wide, paved walkway within the College Drive road allowance; and
  2. The Execution By-law authorizing the Easement Agreement be presented to Council for three (3) readings at the June 20, 2011 Regular Meeting of Council.
- 

## BACKGROUND

A new water pumping station is required in order to boost water to the new water tower for the Cedar Heights area and to significantly improve the reliability of the existing water service to the University/College complex.

In discussions with Nipissing University over this issue, a proposed resolution was developed, whereby Nipissing University would provide an easement for the pumping station, in return for the construction of a multi use trail along the east side of College Drive, to facilitate pedestrian and bicycle traffic up the hill. The City will need to build a new sewer main in this location anyway, so the cost to provide the trail is minimal if included in the sewer line construction project. The final design location of the pumping station has not yet been determined, so the agreement simply identifies a footprint of the area where the pumping station could be provided.

A form of the Easement Agreement has been accepted by the University in the attached format. The only additional out-of-pocket cost to the City is the required reference plan to designate the exact location of the pumping station.

---

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## ANALYSIS/OPTIONS

- Option No. 1: To approve the easement agreement
- Option No. 2: Not to approve the easement agreement.  
This would necessitate negotiating an appraised value of the subject lands and may jeopardize the development of a desirable pedestrian trail to the University/College complex.

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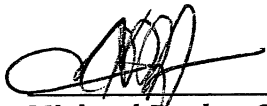
## RECOMMENDED OPTION

That:

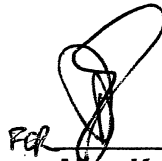
1. Council approve an Easement Agreement to acquire easement rights for a water pumping station from Nipissing University in return for construction of a 4 meter wide, paved walkway within the College Drive road allowance; and
2. The Execution By-law authorizing the Easement Agreement be presented to Council for three (3) readings at the June 20, 2011 Regular Meeting of Council.

---

Respectfully submitted,




Michael Burke, City Solicitor



Alan Korell, P.Eng., R.P.P., M.C.I.P.  
Managing Director/City Engineer  
Engineering, Environmental Services &  
Works

I concur with this report and recommendations.

  
\_\_\_\_\_  
David G. Linkie  
Chief Administrative Officer

Personnel designated for continuance: Michael Burke, City Solicitor  
Attachments: Easement Agreement

**THIS AGREEMENT MADE THIS 9<sup>TH</sup> DAY OF JUNE, 2011**

BETWEEN:

**THE CORPORATION OF THE CITY OF NORTH BAY**  
(Hereinafter referred to as "North Bay")

- and -

**NIPISSING UNIVERSITY**  
(Hereinafter referred to as "University")

**WHEREAS** the City requires property to locate and construct a Cedar Heights Booster Pumping Station for the benefit of the University and the development of the area north of Cedar Heights Road;

**AND WHEREAS** the University requires the construction of a walkway along College Drive to provide access from the new hospital entrance to the University entrance as set out on Schedule "A" attached.

**NOW THEREFORE** the parties hereto do hereby covenant and agree as follows:

1. Nipissing University agrees to convey to the City for the sum of \$1.00, an interest in the nature of an Easement over part of Part 2, Plan NR-169 being the remainder of Parcel 7504 Widdifield and Ferris as is reasonably required by the City, in the opinion of the City Engineer, for the purpose of the construction of a Cedar Heights Booster Pumping Station.
2. Nipissing University agrees to convey this Easement interest to the City upon 30 days notice in writing from the City to the University for the sum of \$1.00.
3. The City shall pay the cost of the required reference plan to define the limits of the Booster Pumping Station.
4. On or before completion of the Booster Pumping Station, the City agrees to construct a four (4) meter wide, paved walkway as shown on the attached drawing, Cedar-1, from the new hospital entrance to the University entrance, within and along College Drive, North Bay.
5. The City agrees to consult with Nipissing University on the design for the pedestrian walkway herein.

6. This Agreement shall be binding upon the parties hereto, their successors and assigns.

**IN WITNESS WHEREOF THE PARTIES HERETO HAVE HEREUNTO CAUSED TO BE AFFIXED THEIR CORPORATE SEALS IN EXECUTION HEREOF DULY ATTESTED BY THE HANDS OF THEIR PROPER OFFICERS AND AUTHORIZED IN THAT BEHALF.**

**THE CORPORATION OF THE CITY OF NORTH BAY**

\_\_\_\_\_  
Mayor, Allan McDonald

\_\_\_\_\_  
City Clerk, Catherine Conrad

**NIPISSING UNIVERSITY**

\_\_\_\_\_  
**Name:**  
**Title:**

\_\_\_\_\_  
**Name:**  
**Title:**

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Pt. Rem. Pcl. 1123 W&F

Rem. Pcl. 1123 W&F

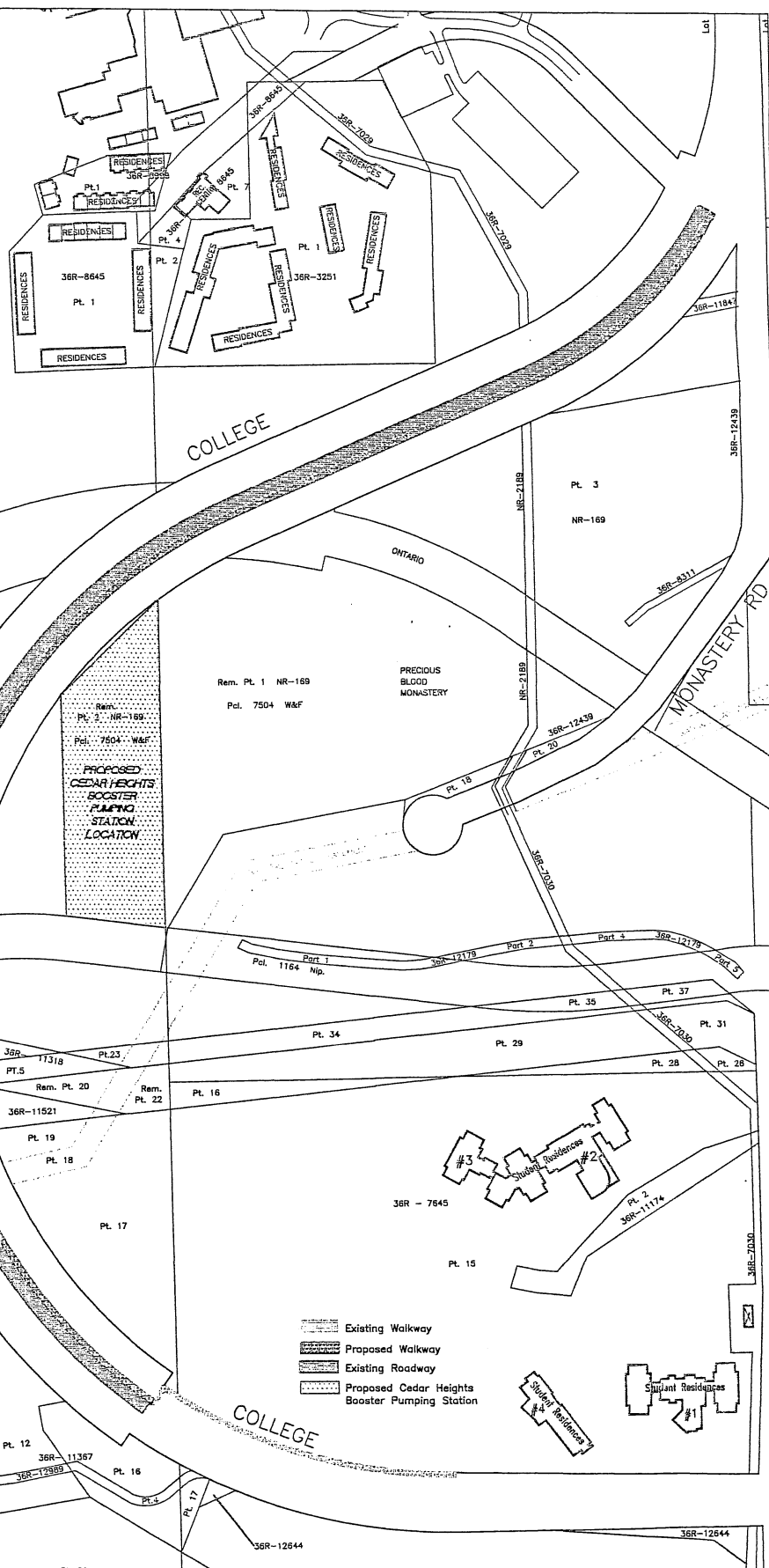
10957 Part 5

9957 Part 2

36R-10957 Part 1

HWY. NO. 17 WEST

I:\Drafting\Plotter\Walkway College Dr.dwg, 3/14/2011 1:40:17 PM



Rem. Pt. 1 NR-169  
 Pcl. 7504 W&F  
**PROPOSED  
 CEDAR HEIGHTS  
 BOOSTER  
 PUMPING  
 STATION  
 LOCATION**

- Existing Walkway
- Proposed Walkway
- Existing Roadway
- Proposed Cedar Heights Booster Pumping Station

<b>CITY OF NORTH BAY</b>		
Engineering And Environmental Services		
<b>CEDAR HEIGHTS STANDPIPE AND BOOSTER PUMPING STATION</b>		
<b>4.0M PEDESTRIAN WALKWAY LOCATION PLAN</b>		
Drawn By	r.j.o.	Scale N.T.S.
Ch'd. By	Don. N.	Date March 2011
Drawing No.		CEDAR -1

## CITY OF NORTH BAY

### REPORT TO COUNCIL

Report No: CORP 2011-114

June 15, 2011

Originator: Al Lang

Subject: Tender No. 2011-64 - Sidewalk Replacement Program

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#### RECOMMENDATION:

That North Bay City Council approve a contract be awarded to Battano Construction in the estimated amount of \$132,775.00 (HST included), to replace sidewalks on a requested basis from the date of contract to October 31, 2011.

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#### BACKGROUND:

The tender was advertised publicly as per the City of North Bay Purchasing Policy. The Purchasing Manager distributed seven (7) tender packages. The tender closed on June 8, 2011 and three (3) tenders were received, evaluated by the Manager of Roads & Traffic and reviewed by the Director of Financial Services. The tender was based on estimates of the work required and the current unit costs. The quantities to be ordered will be managed within the budget allocations. Payment will be made only for the amount of material requested and delivered. The work will repair and replace trip hazards on sidewalks in various locations as directed by the Manager of Roads & Traffic. The results of the evaluation are as follows:

<u>Firm</u>	<u>Price (HST Included)</u>
Battano Construction	\$132,775.00
First North Enterprise Inc.	\$160,460.00
Handy Man Plus	\$174,585.00

The cost is considered fair and reasonable.

---

#### ANALYSIS / OPTIONS:

1. Award the tender to the low bidder who meets the specifications in accordance with the Purchasing By-Law.
2. Do not proceed with the work which will result in unsafe sections of sidewalks and increased liability to the City.

---

**RECOMMENDED OPTION / FINANCIAL IMPACTS:**

Option 1 is recommended as follows:

That North Bay City Council approve a contract be awarded to Battano Construction in the estimated amount of \$132,775.00 (HST included), to replace sidewalks on a requested basis from the date of contract to October 31, 2011.

An allocation of \$155,000 for the Sidewalk Replacement Program, Capital Budget Project No. 6010RD, was approved with the passing of By-Law No. 2011-41 on March 7, 2011.

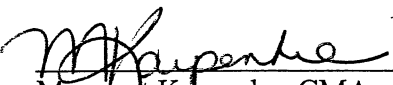
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Respectfully submitted,


  
\_\_\_\_\_  
Al Lang, CGA  
Director of Financial Services

We concur in this report and recommendation.

  
\_\_\_\_\_  
Laura Boissonneault, CGA  
Supervisor of Budgets & Financial Reporting

  
\_\_\_\_\_  
Margaret Karpenko, CMA  
Chief Financial Officer/Treasurer

  
\_\_\_\_\_  
for Alan Korell  
Managing Director of Engineering  
Environmental Services and Works

  
\_\_\_\_\_  
for David Linkie,  
Chief Administrative Officer

Personnel designated for continuance: Manager of Roads & Traffic

Attachments: Tenders

Report to Council

Report No: CSBU 2011-67

Date: June 16, 2011

Originator: Ian Kilgour  
Director of Parks, Recreation & Leisure Services

Subject: Community Services Capital Budget Project Line No. 83, Project No. 6016RF  
Arenas – Memorial Gardens Rehabilitation Program

---

**RECOMMENDATION**

That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the Memorial Gardens Rehabilitation Program being 2011 Community Services Capital Budget Project Line No. 83, Project No. 6016RF, at a net debenture cost of \$245,000.00.

---

**BACKGROUND**

Reallocation of 2011 Budgeted Items

The 2011 Capital Budget included an amount of \$350,000 for the Memorial Gardens Rehabilitation Program being Community Services Capital Budget Project Line No. 83, Project No. 6016RF. This program was to address Memorial Gardens' Dehumidification and Installation and improvements to the accessible parking lot at the Gardens.

Arena Dehumidification Design & Installation was presented to Council during budget deliberations and approved by Council. The justification for dehumidification was that humidity can cause fog over the ice surface which can impair player visibility and minimally impact ice quality. Humidity was also identified as a cause for rust on roof trusses and peeling paint on the ceiling. Dehumidification would address these issues and therefore it was presented as a solution.

Staff has determined since then, that fog on the ice in the spring and fall can be dealt with by other means such as large industrial fans when needed. A 2010 Structural Integrity Inspection noted that rust was developing on the steel roof trusses. It has been confirmed since then that a cleaning and painting of the roof and trusses will ensure the structural integrity without dehumidification.

Other priorities have also arisen. Inspections of the stairs, catwalk and gondola at the Gardens have indicated that upgrades are necessary to ensure structural integrity and safety to today's standards. A cost of \$40k has been budgeted for this work.

A compressor unit at Pete Palangio needs to be replaced after an inspection indicated its lifecycle is advanced beyond repairs being prudent. The new compressor is budgeted at a cost of \$40k. An opportunity has also presented itself for the City to capitalize on the Rural Road paving contract to use recycled asphalt at the City public works yards for paving Memorial Gardens' parking lot. This work and other incidentals for site preparation etc., is budgeted at a cost of \$150k.

After these works are completed, it will leave approximately \$100K remaining in this budget item. Another Capital Expenditure By-law will be prepared for Council's approval if these funds are required for other unforeseen capital works. Otherwise, these remaining funds will be turned back if not required.



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Accessible Parking Lot Improvements

This project was contemplated during budget deliberations and approved by Council. The accessible area along the front of Memorial Gardens is in need of repair. The front sidewalk and lawn area will also be addressed to allow for better accessibility.

A Schedule to the proposed by-law is submitted for consideration of Council:

Memorial Gardens Rehabilitation Costs	\$ 190,000
Pete Palangio Compressor	40,000
Financing Costs	<u>15,000</u>
<b>NET DEBENTURE COST</b>	<b>\$ 245,000</b>

---

**ANALYSIS / OPTIONS**

Option 1 – That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the Memorial Gardens Rehabilitation Program being 2011 Community Services Capital Budget Project Line No. 83, Project No. 6016RF, at a net debenture cost of \$245,000.00.

Under this option, City Council would authorize the necessary repairs and improvements to Memorial Gardens to ensure the continued safe and efficient operation and programming of the arena and facilities.

Option 2 – Continue with dehumidification design and installation. It has been determined since budget planning that dehumidification is not required and this option is no longer required.

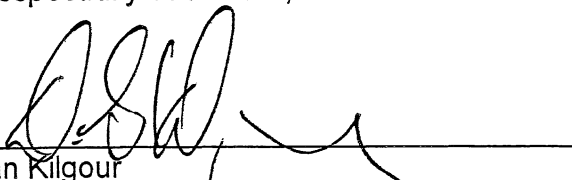
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**RECOMMENDED OPTION / FINANCIAL IMPLICATIONS**

Option 1 – That a Capital Expenditure By-law be prepared for the consideration of City Council to authorize the Memorial Gardens Rehabilitation Program being 2011 Community Services Capital Budget Project Line No. 83, Project No. 6016RF, at a net debenture cost of \$245,000.


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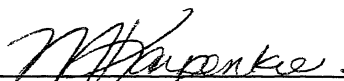
Respectfully submitted,

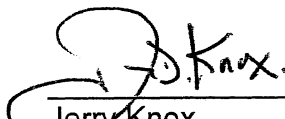
  
\_\_\_\_\_  
Ian Kilgour  
Director of Parks, Recreation & Leisure Services

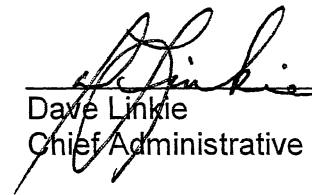
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We concur in this report and recommendation.

  
\_\_\_\_\_  
Laura Boissonneault, CGA  
Supervisor of Budgets & Financial Reporting

  
\_\_\_\_\_  
Margaret Karpenko, CMA  
Chief Financial Officer / Treasurer

  
\_\_\_\_\_  
Jerry Knox  
Managing Director, Community Services

  
\_\_\_\_\_  
Dave Linkie  
Chief Administrative Officer

Persons designated for continuance:

Facilities & Parking Supervisor  
Arenas & Facilities Manager



## CITY OF NORTH BAY CAPITAL PROJECT INFORMATION SHEET

LINE#:  TITLE:   
 PROJECT #:  AMOUNT:  USEFUL LIFE:  EST. COMPLETION DATE:

DESCRIPTION: This program provides for the continued rehabilitation of plant and property for the Memorial Gardens Arena as per the 2005 Building Condition Report, Arena's Lifecycle Plan and operational and programming requirements.  
 2011 Dehumidification Design & Install / Accessible parking lot/sidewalk repair      2013 Rink ceiling rehab / gondola / dressing room renos / fire suppression  
 2012 Lobby box office and entrance design & renovation / building accessibility      2014 Rink boards north & south end / heating units

TYPE:  Operating     New TCA     TCA Replacement     TCA Betterment     Future Operating Impact

CATEGORY:  Roads     Sewer     Parks     Parking     Waste Disposal     General Government  
 Water     Storm     Recreational Facilities     Transit     Waste Collection     Other

DIVISION:  Land     Land Improvements     Infrastructure     Buildings     Equipment     Vehicles

BUDGET:	FUNDING										
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021+
Grants											
Contributions											
Reserves											
Debitures											
Levy	\$350,000	\$400,000	\$300,000	\$250,000	\$250,000	\$250,000	\$250,000	\$400,000	\$1,100,000	\$400,000	As Required
Other											
<b>Total</b>	<b>\$350,000</b>	<b>\$400,000</b>	<b>\$300,000</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$400,000</b>	<b>\$1,100,000</b>	<b>\$400,000</b>	<b>\$0</b>

BUDGET:	COSTS										
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021+
Operating	\$332,500	\$380,000	\$285,000	\$237,500	\$237,500	\$237,500	\$237,500	\$380,000	\$1,045,000	\$380,000	
Construction											
Land											
Consultants											
Labour											
Vehicles											
Equipment											
Contingency											
Financing	\$17,500	\$20,000	\$15,000	\$12,500	\$12,500	\$12,500	\$12,500	\$20,000	\$55,000	\$20,000	
<b>Total</b>	<b>\$350,000</b>	<b>\$400,000</b>	<b>\$300,000</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$250,000</b>	<b>\$400,000</b>	<b>\$1,100,000</b>	<b>\$400,000</b>	<b>\$0</b>

COMMENTS:

DEPARTMENT:

PROJECT LEAD:

## REPORT TO COUNCIL

Report No: CORP 2011-116

June 15, 2011

Originator: Margaret Karpenko

Subject: Tender No. 2011-21 – Landscaping Services

**RECOMMENDATION:**

1. That North Bay City Council terminate services with 2252466 Ontario Ltd, o/a The Grounds Guys relating to Landscaping Services.
2. That North Bay City Council approve a contract be awarded to 2212880 o/a Canor, in the estimated amount of \$123,108 (HST extra), for Landscaping Services. The service shall be performed on an as and when requested basis from the date of contract to October 31, 2012, with the provision of a one year option if mutually agreeable to both parties.

**BACKGROUND:**

On May 3, 2011 City Council approved a recommendation that 2252466 Ontario Inc, o/a The Grounds Guys perform services relating to landscaping. Subsequent to the recommendation of May 2, 2011 The Grounds Guys was unable to meet the performance requirements identified. Several performance meetings took place with a final notification meeting on June 3, 2011. The City of North Bay is required to repeal By-law 2011- and award the contract to the next qualified bidder. Formal written communications to 2252466 Ontario Inc o/a The Grounds Guys relating to this issue have also occurred.

The tender was advertised publicly as per the City of North Bay Purchasing Policy. The Purchasing Manager distributed twelve (12) tender packages. Six (6) tenders were received and evaluated by the Manager of Roads and Traffic and the Purchasing Manager. The results are as follows:

Grounds Guys	\$ 64,775.00 (non performance)
2212880	\$123,108.00
207162 On. Inc	\$126,700.00
Green Acre Contracting	\$143,500.00
Dominion Construction	\$257,768.00
Aultman Rental	\$987,490.00

The cost is considered fair and reasonable.

---

**ANALYSIS / OPTIONS:**

**Option #1**

1. That North Bay City Council terminates services with 2252466 Ontario Inc. relating to landscaping services.
2. That North Bay City Council approve a contract be awarded to 2212880, in the estimated amount of \$123,108 (HST extra), for Landscaping Services. The service shall be performed on an as and when requested basis from the date of contract to October 31, 2012, with the provision of a one year option if mutually agreeable to both parties.

**Option #2**

Do not award a contract for the purchase of landscaping services. This will result no landscaping services and deteriorate the esthetics of our community.

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**RECOMMENDED OPTION / FINANCIAL IMPACTS:**

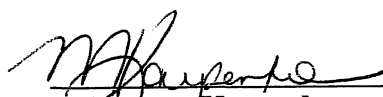
Option 1 is recommended as follows:

That North Bay City Council terminate the contract with The Ground Guys and approve a contract be awarded to 2212880 Ontario Inc o/a Canor, in the estimated amount of \$123,108 (HST extra), for Landscaping Services. The service shall be performed on an as and when requested basis from the date of contract to October 31, 2012, with the provision of a one year option if mutually agreeable to both parties.

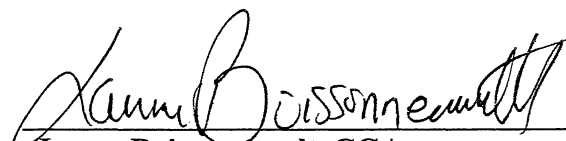
An amount of \$123,000 has been included in the 2011 Public Works and Services Operating Budget for the above referenced tender. The level of work requested will be adjusted to work within the budget allocation. Payment will be made only for the amount of work requested and delivered.

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Respectfully submitted,




**Margaret Karpenko**  
Chief Financial Officer / Treasurer




**Laura Boissoneault, CGA**  
Supervisor of Budgets & Financial Reporting

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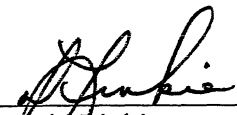
*per*   
**Peter Leckie**  
City Solicitor

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*for*   
**Alan Korell, P. Eng, MCIP**  
Managing Director of Engineering,  
Environmental & Public Works

I concur in this report and recommendation.

---

  
**David Linkie**  
Chief Administrative Officer

## CITY OF NORTH BAY

### REPORT TO COUNCIL

Report No: CORP 2011- 117

June 15, 2011

Originator: Margaret Karpenko

Subject: Water / Wastewater Chemical Purchases and Sludge Hauling

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#### **RECOMMENDATION:**

That North Bay City Council contract with the suppliers listed in Appendix A for chemical purchases and sludge hauling for a period of up to twelve (12) months.

---

#### **BACKGROUND:**

On April 18, 2011 City Council approved a recommendation that the City of North Bay assume direct operation of its Water and Wastewater Treatment Facilities beginning July 1, 2011 and, that staff are directed to make all necessary preparations to ensure the transition and City operations begin on July 1, 2011. In order to achieve this goal the chemical suppliers have been contacted and have submitted in writing, quotes and letters that acknowledge that the pricing in place with OCWA will be extended to the City of North Bay.

Individually several of the chemicals are within Administration's signing authority, however, due to the magnitude and non competitive nature of the chemical purchases, Administration found it prudent to obtain Council's approval. Administration is also committed to ensuring a competitive process will take place over the next 12 months. Given the requirements of the transition and the timelines required to obtain competitive procurement for the number of goods required, it is in the City's best interest to assume the contracts in place for the supply of chemicals and sludge hauling as attached in Appendix A.

---

#### **ANALYSIS / OPTIONS:**

##### **Option #1**

That North Bay City Council contract with the suppliers listed in Appendix A for chemical purchases for a period of up to twelve (12) months.

##### **Option #2**

Do not award a contract with the various suppliers listed in Appendix A and complete a competitive process for obtaining chemicals for the water and wastewater functions. This may put the City's services at risk with required legislative guidelines.

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**RECOMMENDED OPTION / FINANCIAL IMPACTS:**

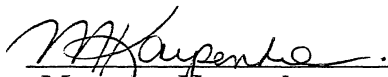
Option 1 is recommended as follows:

That North Bay City Council contract with the suppliers listed in Appendix A for chemical purchases for a period of up to twelve (12) months.

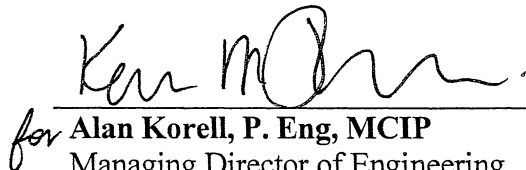
The business case presented to City Council on April 18, 2011 contained the assumption that the cost of chemicals would be equal to the current value of contracts currently in place with OCWA. With the receipt of letters and confirmation of price guarantees from the various suppliers the transition costs are in line with the original business case model.

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Respectfully submitted,



**Margaret Karpenko**  
Chief Financial Officer / Treasurer



**for Alan Korell, P. Eng, MCIP**  
Managing Director of Engineering,  
Environmental & Public Works

I concur in this report and recommendation.



**David Linkie**  
Chief Administrative Officer

Attachment: Appendix A



## Appendix A

### Summary of chemical suppliers stating that they will continue with the current chemical supply contracts.

#### Water Treatment Plant

Chemical	Supplier	Delivery Method	2010 Usage	UNIT	Cost/Unit	Estimated 2011 Cost
Sodium Hypochloride 12% (WTP)	Dutch Products Inc.	Bulk - Tanker Truck	219300	L	\$ 0.20	\$ 43,860.00
Sodium Hypochloride 12% (Ellendale Reservoir)	Reliable Industrial Supply	Totes	31900	L	\$ 0.60	\$ 19,140.00
Sodium Hydroxide 50%	FloChem	Bulk - Tanker Truck	45079	L	\$ 0.45	\$ 20,285.55
HFS - Hydrofluorosilicic Acid - 19.8%	Min-Chem Canada Inc.	Bulk - Tanker Truck	15500	kg	\$ 1.50	\$ 23,250.00
Citric Acid - 50%	Reliable Industrial Supply	Pump into Totes	18520	L	\$ 1.96	\$ 36,299.20
CAPTOR - 30%	Reliable Industrial Supply	Pump into Totes	5200	L	\$ 1.69	\$ 8,788.00

#### Wastewater Treatment Plant

Chemical	Supplier	Delivery Method	2010 Usage	UNIT	Cost/Unit	Estimated 2011 Cost
Ferric Sulphite (coagulant) (12%)	Kemira	Bulk	58363	kg	\$ 2.38	\$ 138,903.94
Polymer (sludge thickening) Zetag 7563	BASF - Canada	Pallets	7428	kg	\$ 5.04	\$ 37,437.12
Chlorine Gas	Brenntag	tonners	8387	kg	\$ 1.11	\$ 9,309.57
Sodium Bisulphite 38%	FloChem	Tanker Truck	10820	kg	\$ 1.40	\$ 15,148.00

Sludge	Supplier	Delivery Method	Cost/Unit	Estimated 2011 Cost
Sludge Hauling to Merrick	Canor	Trucking	\$225 per trip	60,000

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2011-148**

**BEING A BY-LAW TO STOP UP, CLOSE AND CONVEY  
A PORTION OF THE LANEWAY LOCATED IN A BLOCK BOUNDED BY MORIN  
STREET, LORNE AVENUE, DOUGLAS STREET AND LANSDOWNE AVENUE  
IN THE CITY OF NORTH BAY**

**WHEREAS** it is deemed expedient and in the interest of The Corporation of the City of North Bay that part of the laneway abutting Lots 1 and 2, Plan M-164, Lots 19 and 20, Plan M-164 and Lots 230 to 234, both inclusive, Plan M-177, be closed, stopped up and sold to the abutting owners;

**AND WHEREAS** by Resolution No. 2011-105 passed on the 22<sup>nd</sup> day of February, 2011, Council approved the closure of the laneway;

**AND WHEREAS** the laneway abutting Lots 1 and 2, Plan M-164, Lots 19 and 20, Plan M-164 and Lots 230 to 234, both inclusive, Plan M-177 is hereby declared to be surplus;

**AND WHEREAS** notice of this by-law was published once a week for two consecutive weeks in the North Bay Nugget, published in the City of North Bay;

**AND WHEREAS** no person has claimed that his lands will be prejudicially affected by the passing of this by-law nor applied to be heard in person or by his counsel, solicitor, or agent, the Council of the City nor a Committee of said Council;

**NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF  
NORTH BAY HEREBY ENACTS AS FOLLOWS:**

1. That certain part of the laneway abutting Lots 1 and 2, Plan M-164, Lots 19 and 20, Plan M-164 and Lots 230 to 234, both inclusive, Plan M-177 designated as Parts 1 and 2 on Reference Plan 36R-13079 is hereby closed, stopped up and conveyed.
2. The City shall transfer Parts 1 and 2, Plan 36R-13079 to the owners of the lands abutting thereon, their successors or assigns, upon receipt of the consent in writing of the abutting registered owner, if the transfer is to be to a person other than the abutting registered owner.
- 3.(a) Subject to paragraph (b), in the event that an abutting owner to the said laneway does not consent to the disposition of the laneway within 60 days of the date of the passing of this by-law, then the clerk shall, upon request of an abutting owner of the opposite side of the laneway, give 30 days notice by prepaid registered mail to the abutting owner of the laneway to the effect that if the abutting owner does not agree to purchase one-half of the abutting laneway at a pro-rata share of the survey, legal, advertising costs and purchase price incurred in the laneway closing, then the said one-half of the laneway may be transferred to the opposite owner for the same cost.  
  
(b) Upon receipt of an Irrevocable Consent of the disposition of the laneway from the adjacent owner then that portion of the laneway may be transferred upon registration of the by-law.
4. This by-law comes into force and effect upon a certified copy of the by-law being registered in the Land Titles Office for the District of Nipissing.

READ A FIRST TIME IN OPEN COUNCIL THE 20<sup>TH</sup> DAY OF JUNE, 2011.

READ A SECOND TIME IN OPEN COUNCIL THE 20<sup>TH</sup> DAY OF JUNE, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THE 4<sup>TH</sup> DAY OF JULY, 2011.



\_\_\_\_\_  
MAYOR ALLAN McDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

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## LANE CLOSING BY-LAW

The Council of The Corporation of the City of North Bay will consider and, if approved, will pass and enact at its meeting to be held on the 4<sup>th</sup> day of July, 2011, at the hour of 7:00 o'clock in the evening at the Council Chambers, City Hall, 200 McIntyre Street East, a by-law to close a portion of the **laneway located in a block bounded by Morin Street, Lorne Avenue, Douglas Street and Lansdowne Avenue**, located in the City of North Bay as shown on the key map below and described as follows:

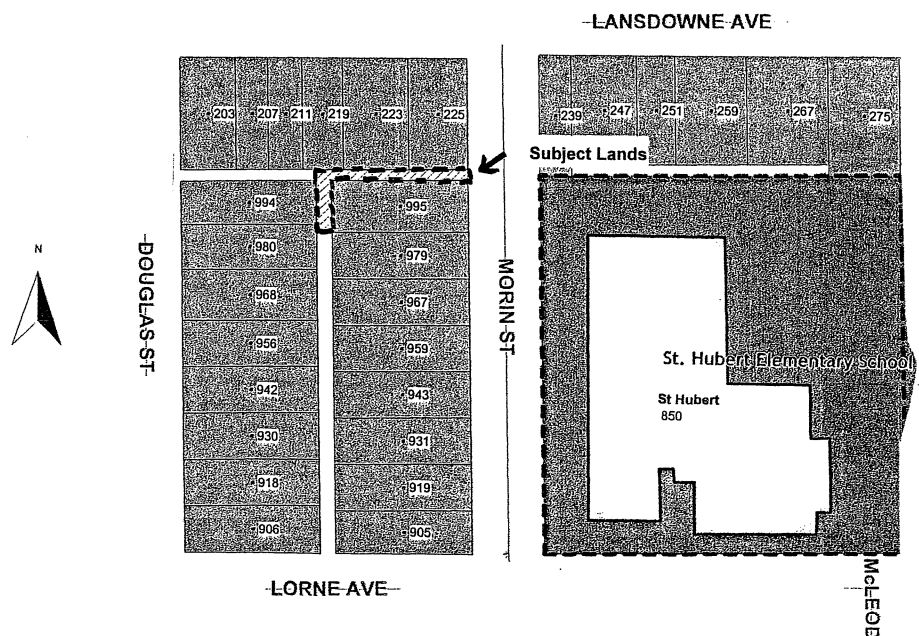
That portion of the **laneway located in a block bounded by Morin Street, Lorne Avenue, Douglas Street and Lansdowne Avenue**, and bounded on the west by Lots 1 and 2, Plan M-164, on the east by Lots 19 and 20, Plan M-164 and on the north by Lots 230 to 234, both inclusive, Plan M-177, designated as Parts 1 and 2, on Reference Plan 36R-13079, in the City of North Bay, in the Land Titles Division of Nipissing is to be closed, stopped up and conveyed to the owners of lands abutting the said laneway.

The appropriate plan may be examined at the Office of the City Clerk at the City Hall, 200 McIntyre Street East, North Bay, Ontario.

The Council will, at the said meeting hear in person or by his Counsel, Solicitor or Agent, any person who claims that his or her lands will be prejudicially affected by the by-law and who applies to be heard.

Dated and first published at the City of North Bay this 11<sup>th</sup> day of June, 2011.

Catherine Conrad  
City Clerk



**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2011-152**

**BEING A BY-LAW TO STOP UP, CLOSE AND CONVEY  
A PORTION OF THE WATER STREET ROAD ALLOWANCE, PLAN M-149  
IN THE CITY OF NORTH BAY**

**WHEREAS** it is deemed expedient and in the interest of The Corporation of the City of North Bay that part of the Water Street Road Allowance, Plan M-149 abutting Lots 21, 22 and 23, Plan M-161, and Lots 75 and 76, Plan M-161, and by Lots 980, 981 and 982, Plan M-165 be closed, stopped up and sold to the abutting owner;

**AND WHEREAS** by Clause 2 of General Government Committee Report No. 2011-11 passed by Council on the 3<sup>rd</sup> day of May, 2011, Council approved the closure of the Water Street Road Allowance, Plan M-149 abutting Lots 21, 22 and 23, Plan M-161, and Lots 75 and 76, Plan M-161, and by Lots 980, 981 and 982, Plan M-165;

**AND WHEREAS** the Water Street Road Allowance, Plan M-149 abutting Lots 21, 22 and 23, Plan M-161, and Lots 75 and 76, Plan M-161, and by Lots 980, 981 and 982, Plan M-165 is hereby declared to be surplus;

**AND WHEREAS** notice of this by-law was published once a week for two consecutive weeks in the North Bay Nugget, published in the City of North Bay;

**AND WHEREAS** no person has claimed that his lands will be prejudicially affected by the passing of this by-law nor applied to be heard in person or by his counsel, solicitor, or agent, the Council of the City nor a Committee of said Council;

**NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:**

1. That certain part of the Water Street Road Allowance, Plan M-149 abutting Lots 21, 22 and 23, Plan M-161, and Lots 75 and 76, Plan M-161, and by Lots 980, 981 and 982, Plan M-165 designated as Part 1 on Reference Plan 36R-13001 is hereby closed, stopped up and conveyed.
2. The City shall transfer Part 1, Plan 36R-13001 to the owners of the lands abutting thereon, their successors or assigns.
3. This by-law comes into force and effect upon a certified copy of the by-law being registered in the Land Titles Office for the District of Nipissing.

READ A FIRST TIME IN OPEN COUNCIL THE 20<sup>TH</sup> DAY OF JUNE, 2011.

READ A SECOND TIME IN OPEN COUNCIL THE 20<sup>TH</sup> DAY OF JUNE, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THE 18<sup>TH</sup> DAY OF JULY, 2011.



\_\_\_\_\_  
MAYOR ALLAN McDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

## ROAD CLOSING BY-LAW

The Council of The Corporation of the City of North Bay will consider and, if approved, will pass and enact at its meeting to be held on the 18<sup>th</sup> day of July, 2011, at the hour of 7:00 o'clock in the evening at the Council Chambers, City Hall, 200 McIntyre Street East, a by-law to close a portion of the **Water Street Road Allowance, Plan M-149**, located in the City of North Bay as shown on the key map below and described as follows:

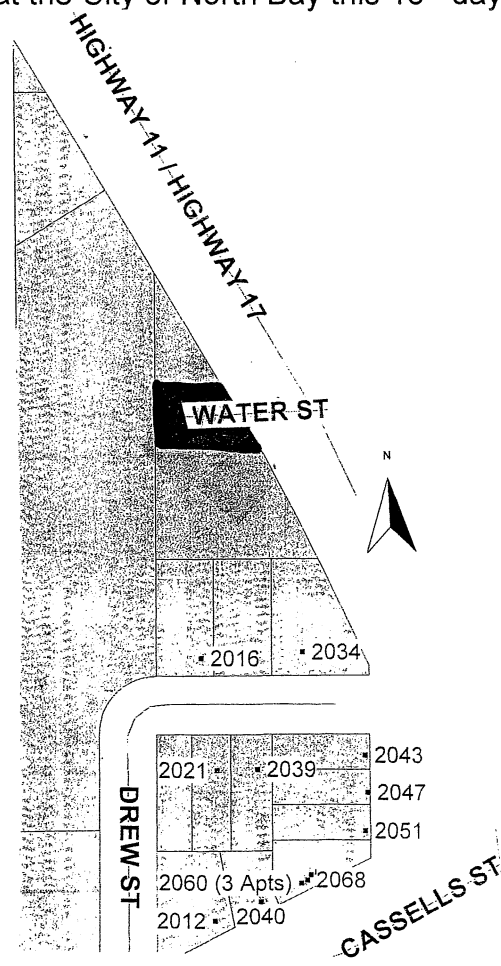
That portion of the **Water Street Road Allowance, Plan M-149**, and bounded on the north by Lots 75 and 76, Plan M-161, on the south by Lots 21, 22 and 23, Plan M-161 and on the west by Lots 980, 981 and 982, Plan M-165 designated as Part 1, on Reference Plan 36R-13001, in the City of North Bay, in the Land Titles Division of Nipissing is to be closed, stopped up and conveyed to the owners of lands abutting the said laneway.

The appropriate plan may be examined at the Office of the City Clerk at the City Hall, 200 McIntyre Street East, North Bay, Ontario.

The Council will, at the said meeting hear in person or by his Counsel, Solicitor or Agent, any person who claims that his or her lands will be prejudicially affected by the by-law and who applies to be heard.

Dated and first published at the City of North Bay this 18<sup>th</sup> day of June, 2011.

Catherine Conrad  
City Clerk



**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2011-147**

**BEING A BY-LAW TO APPOINT THE  
MANAGING DIRECTOR OF CORPORATE  
SERVICES**

**WHEREAS** by Resolution No. 2011-445 passed by Council at its Regular Meeting held on Monday, June 6, 2011, Council approved the appointment of Lea Janisse to the position of Managing Director of Corporate Services, effective the 1<sup>st</sup> day of July, 2011.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:**

1. That Lea Janisse be appointed to the position of Managing Director of Corporate Services, effective the 1<sup>st</sup> day of July, 2011.

READ A FIRST TIME IN OPEN COUNCIL THIS 20<sup>TH</sup> DAY OF JUNE, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 20<sup>TH</sup> DAY OF JUNE, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 20<sup>TH</sup> DAY OF JUNE, 2011.



\_\_\_\_\_  
MAYOR ALLAN McDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2011-155**

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION  
OF AN AGREEMENT WITH DARREN DAVIES,  
OPERATING AS DS CONTRACTING RELATING TO  
WEST FERRIS ARENA LOBBY WASHROOM  
UPGRADES**

**WHEREAS** the Agreement with Darren Davies, operating as DS Contracting for West Ferris Arena Lobby washroom upgrades was approved by Resolution No. 2011-419 passed by Council on the 6<sup>th</sup> day of June, 2011;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:**

1. That The Corporation of the City of North Bay enter into an Agreement dated the 7<sup>th</sup> day of June, 2011 with Darren Davies, operating as DS Contracting relating to West Ferris Arena Lobby washroom upgrades.
  
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement between The Corporation of the City of North Bay and Darren Davies, operating as DS Contracting and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 20<sup>TH</sup> DAY OF JUNE, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 20<sup>TH</sup> DAY OF JUNE, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 20<sup>TH</sup> DAY OF JUNE, 2011.

*AK.*

\_\_\_\_\_  
MAYOR ALLAN McDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2011-135**

A BY-LAW TO AMEND BY-LAW NO. 2002-133  
(BEING A BY-LAW TO CONFIRM THE ROADS AND  
STREETS MAINTAINED BY THE CITY OF NORTH  
BAY)

**WHEREAS** Section 31(2) of the *Municipal Act*, S.O. 2001, as amended, authorizes a Municipality to pass a By-Law to establish a highway;

**AND WHEREAS** by Resolution No. 2011-354 passed on Monday, May 16<sup>th</sup>, 2011, Council authorized the re-opening of the Patton Street extension to Station Road.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:**

1. By-Law 2002-133 is hereby amended by adding the attached Schedule "F".
2. This By-Law comes in effect upon being passed.

READ A FIRST TIME IN OPEN COUNCIL THE 20<sup>TH</sup> DAY OF JUNE, 2011.

READ A SECOND TIME IN OPEN COUNCIL THE 20<sup>TH</sup> DAY OF JUNE, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 20<sup>TH</sup> DAY OF JUNE, 2011.

AS -

\_\_\_\_\_  
MAYOR ALLAN McDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD



THIS IS SCHEDULE "F" TO THE CORPORATION OF THE CITY OF NORTH BAY  
BY-LAW NO. 2002-133, AS AMENDED BY BY-LAW NO. 2011-135

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1. Patton Street Extension

PIN 49142 – 0087 LT  
Parcel 18241 Widdifield & Ferris  
Part of the north half of Lot 18, Concession "D"  
Part 1, Plan 36R-8621  
City of North Bay  
District of Nipissing

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2011-149**

**BEING A BY-LAW TO REPEAL  
CITY OF NORTH BAY BY-LAW NO. 2011-111**

**WHEREAS** Council passed Resolution 2011-430 at its Regular Meeting held on the 6<sup>th</sup> day of June, 2011, to authorize the repeal of By-Law No. 2011-111, being a by-law to authorize the execution of an Agreement with 2212880 Ontario Ltd. relating to the supply of aggregate materials.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:**

1. That the Corporation of the City of North Bay By-Law 2011-111 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THIS 20<sup>TH</sup> DAY OF JUNE, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 20<sup>TH</sup> DAY OF JUNE, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 20<sup>TH</sup> DAY OF JUNE, 2011.

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\_\_\_\_\_  
MAYOR ALLAN McDONALD

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CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2011-153**

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION  
OF AN AGREEMENT WITH THE CORPORATION OF  
THE MUNICIPALITY OF CALLANDER RELATING TO  
USE OF THE MERRICK LANDFILL SITE**

**WHEREAS** the Agreement with The Corporation of the Municipality of Callander for the continuation of use of the Merrick Landfill Site was approved by Resolution No. 2011-254 passed by Council on the 4<sup>th</sup> day of April, 2011;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:**

1. That The Corporation of the City of North Bay enter into an Agreement dated the 21<sup>st</sup> day of December, 2010 with The Corporation of the Municipality of Callander relating to the continuation of use of the Merrick Landfill Site.
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement between The Corporation of the City of North Bay and The Corporation of the Municipality of Callander and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 20<sup>TH</sup> DAY OF JUNE, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 20<sup>TH</sup> DAY OF JUNE, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 20<sup>TH</sup> DAY OF JUNE, 2011.



\_\_\_\_\_  
MAYOR ALLAN McDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2011-154**

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF NORTH BAY AND NIPISSING UNIVERSITY (RELATING TO A NEW WATER PUMPING STATION)

**WHEREAS** the Agreement with Nipissing University was approved by Resolution No. 2011-\_\_\_ passed on the 20<sup>th</sup> day of June, 2011;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTHBAY HEREBY ENACTS AS FOLLOWS:**

1. That the Corporation of the City of North Bay enter into an Agreement with Nipissing University dated the 9th day June, 2011, relating to allow the use of the water pumping station.
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement between The Corporation of the City of North Bay and Nipissing University and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THE 20TH DAY OF JUNE, 2011.

READ A SECOND TIME IN OPEN COUNCIL THE 20TH DAY OF JUNE, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 20TH DAY OF JUNE, 2011.

AS.

\_\_\_\_\_  
MAYOR ALLAN MCDONALD

\_\_\_\_\_  
CITY CLERK CATHERINE CONRAD

**MOTION**

North Bay, Ontario June 20, 2011

**Subject:** Harmonized Sales Tax (H.S.T.) revenue and a new funding mechanism for transportation infrastructure

**File No.** F00/2011/GENER/GENERAL

**Res. No.** 2011-\_\_\_\_\_

**Moved by Councillor:** Anthony \_\_\_\_\_

**Seconded by Councillor:** Vaillancourt \_\_\_\_\_

WHEREAS the introduction of the Harmonized Sales Tax (H.S.T.) on July 1, 2010, and its application to gasoline and diesel sales will result in new revenue for the Government of Ontario;

AND WHEREAS based on 2010 average price levels of gasoline and diesel, and 2009 average consumption levels in Ontario, the Government of Ontario's projected new revenue will be approximately \$1.53 billion annually;

AND WHEREAS the Provincial-Municipal Fiscal and Service Delivery Review identified a transportation infrastructure investment gap between the Government of Ontario and Ontario's municipalities of approximately \$3.8 billion;

AND WHEREAS a lack of sufficient funding for essential transportation infrastructure construction, maintenance and rehabilitation has created a situation where many of Ontario's municipalities do not have the financial capacity to construct new transportation infrastructure and conduct the maintenance and rehabilitation needed to sustain existing transportation infrastructure;

BE IT THEREFORE RESOLVED THAT the Council of the City of North Bay request that the Government of Ontario consider directing a portion of the revenue derived from H.S.T. charged on gasoline and diesel sales to a new predictable funding mechanism that will allow Ontario's municipalities to make the critical investments needed to be effective stewards of transportation infrastructure;

AND FURTHER THAT a copy of this resolution be forwarded to Premier Dalton McGuinty; Hon. Dwight Duncan, Minister of Finance; Hon. Kathleen Wynne, Minister of Transportation; Hon. Bob Chiarelli, Minister of Infrastructure; Leaders of the Opposition Parties; the Ontario Good Roads Association, CAA Ontario; the Association of Municipalities of Ontario, the Federation of Northern Ontario Municipalities and to the North Bay & District Chamber of Commerce.

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Carried

Carried as amended

Lost

Conflict \_\_\_\_\_

Endorsement of Chair \_\_\_\_\_

Record of Vote (Upon Request of Councillor \_\_\_\_\_)

Signature of Clerk \_\_\_\_\_