



Council

Agenda

Regular Meeting of Council

August 29, 2011

at 7:00 p.m.

MEETINGS

**FOR THE WEEK OF
AUGUST 29, 2011**

Monday, August 29, 2011

6:00 p.m.

Committee Meeting of Council
Council Chambers, 2nd Floor

7:00 p.m.

Regular Meeting of Council
Council Chambers, 2nd Floor

**THE CORPORATION OF THE CITY OF NORTH BAY
REGULAR MEETING OF COUNCIL HELD
MONDAY, AUGUST 29, 2011**

PUBLIC PRESENTATIONS:

Nil

PUBLIC MEETING MINUTES:

Monday, August 15, 2011

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

Nil

COMMITTEE REPORTS:

Nil

CORRESPONDENCE:

1. Report from Christina Murphy dated August 5, 2011 re Parking Enforcement at the North Bay Regional Health Centre (C00/2011/PARKI/PRIVATE).
2. Report from Christina Murphy dated August 15, 2011 re Amending Traffic and Parking By-Law No. 2002-001 (C00/2011/BYLAW/TRAFFIC).
3. Report from Christina Murphy dated August 5, 2011 re Set Fines and Short Form Wordings for Open Air Burning By-Law No. 2011-130 (C00/2011/BYLAW/OPENAIR).
4. Report from Beverley Hillier and Steve McArthur dated August 12, 2011 re Fairway Drive / Cranberry Road Renaming (T09/2011/STREN/CRANBERY).
5. Report from Peter Leckie dated August 16, 2011 re 9 Metre Smoking Ban at Entrances (C00/2009/BYLAW/SMOKING).
6. Report from Peter Leckie dated August 17, 2011 re Smoke Free North Bay Regional Health Centre Properties (C00/2011/BYLAW/SMOKING).
7. Report from Steve McArthur dated August 11, 2011 re Request for Exemption from the Condominium Approval Process by Nipissing Condominium Corporation No. 8 – William Place – 425 William Street (D07/2011/WILLPL/425WILL).
8. Report from Grant Love dated August 22, 2011 re Capital Budget Project No. 3111FD – Replacement of Emergency Generator (F05/2011/FIRE/3111FD).

9. Report from Catherine Conrad dated August 16, 2011 re 2012 Council and Standing Committees Meeting Schedule (C00/2012/COU/MEETINGS).
10. Report from Paul Valenti dated August 22, 2011 re Tender 2011-82, Supply and Hauling of Bulk Road Salt (F18/2011/TENDE/GENERAL).
11. Report from Paul Valenti dated August 22, 2011 re Tender 2011-83, Supply, Treat and Stockpile Screened Sand (F18/2011/TENDE/GENERAL).
12. Report from Ron Mimee & Laura Boissonneault dated August 22, 2011 re Year-End Financial Projection – June 30, 2011 (F05/2011/OPEBU/GENERAL).
13. Report from Peter Carello dated August 24, 2011 re Proposed Radio Antenna Tower – North Bay Regional Health Centre (A12/2011/TELEC/GENERAL).
14. Report from Jennifer McDonald & Laura Boissonneault dated August 17, 2011 re Capital Projects Status Report – June 2011 (F05/2011/CPSR/GENERAL).
15. Report from Al Lang dated August 23, 2011 re Tender 2011-76, Pearce Street Reconstruction, Phase I – Airport Road to Francis Street (F05/2011/ROADS/2825SL).

BY-LAWS FOR CONSIDERATION:

General Government - First, second and third readings:

By-Law No. 2011-192 to confirm proceedings of the Meeting of Council on August 15, 2011.

By-Law No. 2011-186, being the Procedural By-Law.

By-Law No. 2011-188 to authorize the Treasurer to establish and maintain a Petty Cash Fund and Cash Floats and to repeal By-Law No. 2009-95.

By-Law No. 2011-193 to authorize the execution of an Agreement with The Canadian Corps of Commissionaires (Ottawa Division) relating to Parking and Security Services.

By-Law No. 2011-196 to authorize the 2011 Information Systems Technology Capital Projects and Water & Sanitary Sewer Capital Projects.

Community Services - First, second and third readings:

By-Law No. 2011-184, being the Residential Rental Housing Licensing By-Law.

By-Law No. 2011-195 to authorize the execution of an Agreement with Metal-Air Mechanical Systems Ltd. relating to a dehumidification system at Pete Palangio Arenas.

By-Law No. 2011-200 to authorize the execution of an Agreement with Engineered Management Systems Inc. relating to Inspection of King's Landing Wharf.

Engineering & Works - First, second and third readings:

By-Law No. 2011-194 to authorize the execution of an Agreement with Bruman Construction Inc. relating to Main Street East Reconstruction.

By-Law No. 2011-197 to amend Traffic and Parking By-Law No. 2002-001 (Schedule 18 – No Parking Areas at Any Time).

By-Law No. 2011-198 to authorize the execution an Agreement with Stewardship Ontario, Waste Diversion Ontario relating to the Continuous Improvement Funding Program Grant.

By-Law No. 2011-199 to authorize the execution of an Agreement with Metcon Sales and Engineering Limited relating to the supply and installation of a septage receiving and water dispensing system.

MOTIONS:

MOTION TO ADJOURN IN-CAMERA:

IN-CAMERA CORRESPONDENCE:

16. *Confidential* report from Peter Leckie dated August 24, 2011 re Property Matter.

MOTION TO RECONVENE:

MOTION FOR RECONSIDERATION:

GIVING NOTICE:

ADJOURNMENT:

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, AUGUST 15TH, 2011**

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

PUBLIC PRESENTATION:

Dale Lalonde re Waterline Rupture – 757 Galt Street

CORRESPONDENCE:

The Salvation Army re Christmas Kettle Campaign (585)

REPORTS FROM OFFICERS:

Bradford, S.	re Information Systems Technology Capital Project	(590)
Conrad, C.	re Election Campaign Signs	(584)
Kilgour, I.	re Paid Parking Lot No. 8 – City Hall Administration Short Term Parking	(591a)
Leckie, P.	re Dominion Lending Centres – 205 Main Street East – Canopy	(586)
Rochefort, L.	re Petty Cash Fund & Cash Floats	(587)
Valenti, P.	re Tender No. 2011-81, City Hall Financial Services – Interior Upgrades	(588)
Valenti, P.	re Tender 2011-70, Surrey Drive to Airport Road Overflow Storm Sewer System	(589)

Res. #2011-579: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That minutes for the public meeting held on:

- Tuesday, August 2, 2011

be adopted as presented.

"CARRIED"

Res. #2011-580: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That minutes for the closed meeting held on:

- Tuesday, August 2, 2011

be adopted as presented.

"CARRIED"

Res. #2011-581: Moved by Councillor Chirico, seconded by Councillor Koziol
That General Government Committee Report No. 2011-16 relating to:

- Procedural By-Law

be adopted as presented.

"CARRIED"

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2011-16

August 15, 2011

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2011-16 and recommends:

1. That the amended Procedural By-Law be presented to Council for three (3) readings.

All of which is respectfully submitted.

ASSENTS
 CHIRICO
 KOZIOL
 ANTHONY
 MAROOSIS
 McDONALD

DISSENTS

Res. #2011-582a: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Community Services Committee Report No. 2011-18 relating to:

- Residential Rental Housing Licensing By-Law

be adopted as presented.

Councillor Koziol declared a conflict of interest as her property management company will be affected by this by-law.

"CARRIED AS AMENDED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-18

August 15, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-18 and recommends:

1. That
 - a) the Residential Rental Housing Licensing By-Law as described in Report to Council CSBU 2011-74 and attached as Appendix A, be approved;
 - b) the Residential Rental Housing Licensing By-Law be made effective January 1, 2012 for the first licenses to be issued from May 1, 2012 to May 1, 2014;
 - c) Traffic & Parking By-Law No. 2002-001, Schedule 18 (No Parking Areas At Any Times) Section 28, be amended as follows:

<u>Road</u>	<u>Side</u>	<u>From</u>	<u>To</u>
<u>SECTION N</u>			
Nancy Drive	south & east	Champlain Street	Oakdale Road
<u>SECTION O</u>			
Oakdale Road	north	Champlain Street	Cartier Street

SECTION P

Paul Street north Nancy Drive Champlain Street

SECTION S

Sherryl Crescent even McNamara Street McNamara Street

- d) the Set Fines and Short Form Wording attached to Report to Council CSBU 2011-74 as Appendix B, for front yard parking and other Zoning By-Law parking offences be adopted to enhance enforcement.”

All of which is respectfully submitted.

ASSENTS
 LAWLOR
 MENDICINO
 VAILLANCOURT
 McDONALD

DISSENTS

Res. #2011-582b: Moved by Councillor Vaillancourt, seconded by Councillor Vrebosch-Merry That Community Services Committee Report No. 2011-18 be amended as follows:

- 1. 5 units to 4 units
- 2. an annual licensing fee
- 3. to be implemented September 1, 2011
- 4. the by-law to be implemented City-wide; rather than a phased in approach

In accordance with Section 33.6 (a) of Procedural By-Law No. 2007-218, Councillor Vaillancourt requested that the motion be divided into parts to be ruled on separately.

Councillor Koziol declared a conflict of interest as her property management company will be affected by this by-law.

“LOST”

Res. #2011-582c: Moved by Councillor Vaillancourt, seconded by Councillor Vrebosch-Merry Amendment #1:

5 units to 4 units

Councillor Koziol declared a conflict of interest as her property management company will be affected by this by-law.

“LOST”

Res. #2011-582d: Moved by Councillor Vaillancourt, seconded by Councillor Vrebosch-Merry Amendment #2:

An annual licensing fee

Councillor Koziol declared a conflict of interest as her property management company will be affected by this by-law.

“LOST”

Res. #2011-582e: Moved by Councillor Vaillancourt, seconded by Councillor Vrebosch-Merry Amendment #3:

Implementation date – September 1, 2011

Councillor Koziol declared a conflict of interest as her property management company will be affected by this by-law.

"LOST"

Res. #2011-582f: Moved by Councillor Vaillancourt, seconded by Councillor Vrebosch-Merry Amendment #4:

Implemented City-wide; rather than a phased in approach.

Councillor Koziol declared a conflict of interest as her property management company will be affected by this by-law.

"LOST"

Res. #2011-582g: Moved by Councillor Mendicino, seconded by Councillor Vrebosch-Merry That Community Services Committee Report No. 2011-18 be amended to include the following:

- (e) That staff report to Council in one year's time on the effectiveness of the Residential Rental Housing Licensing By-Law.

Councillor Koziol declared a conflict of interest as her property management company will be affected by this by-law.

"CARRIED"

Res. #2011-583: Moved by Councillor Lawlor, seconded by Councillor Mendicino That Community Services Committee Report No. 2011-19 relating to:

- Annual Heritage Advocacy Award
- be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-19

August 15, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-19 and recommends:

1. That Report to Council CSBU 2010-63 dated September 14, 2010 relating to an Annual Heritage Advocacy Award be noted and filed.

All of which is respectfully submitted.

ASSENTS
LAWLOR
MENDICINO
VAILLANCOURT
McDONALD

DISSENTS

Res. #2011-584: Moved by Councillor Chirico, seconded by Councillor Koziol That Report to Council CORP 2011-136 from Catherine Conrad relating to Election Campaign Signs be referred to General Government Committee.

"CARRIED"

Res. #2011-585: Moved by Councillor Chirico, seconded by Councillor Koziol
That Council consent to The Salvation Army Christmas Kettle Campaign commencing on Thursday, November 17, 2011 and running daily to Saturday, December 24, 2011 (excluding Sundays).

"CARRIED"

Res. #2011-586: Moved by Councillor Chirico, seconded by Councillor Koziol
That Council approve a 35 foot canopy fronting on Main Street and a 21 foot canopy fronting onto Wyld Street located at 205 Main Street East, on the corner of Main Street East and Wyld Street.

Councillor Lawlor and Councillor Mendicino both declared a conflict of interest as the applicant is their employer.

"CARRIED"

Res. #2011-587: Moved by Councillor Chirico, seconded by Councillor Koziol
That 1) a by-law be prepared to authorize the Treasurer to establish and maintain a Petty Cash Fund and Cash Floats; and
2) the by-law be given three (3) readings on August 29, 2011.

"CARRIED"

Res. #2011-588: Moved by Councillor Chirico, seconded by Councillor Koziol
That City Council approve the award of a contract to Kenalex Construction Company Limited in the amount of \$261,200.00 (plus HST), for interior renovations to the Financial Services Department, First Floor, City Hall.

Councillor Maroosis declared a conflict of interest as his son-in-law is employed by Kenalex Construction Company Limited.

"CARRIED"

Res. #2011-589: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That City Council approve the award of a contract to MX Constructors Inc. in the amount of \$706,713.80 (plus HST), for the construction of an overflow storm sewer system from Surrey Drive to Airport Road.

Councillor Anthony declared a conflict of interest as MX Constructors Inc. is a potential client of his employer.

"CARRIED"

Res. #2011-590: Moved by Councillor Chirico, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the 2011 Information Systems Technology Capital Project and the Water and Sanitary Sewer Capital Budget Project, at a combined net debenture cost of \$660,000.00.

"CARRIED"

Res. #2011-591a: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) Parking Lot No. 8, beside City Hall become paid parking for the purpose of improving parking availability to City Hall visitors by charging for a parking space when the visitor is in the building longer than fifteen minutes by way of "Pay and Display" machine, excluding accessible parking spaces which will remain 2 hour free parking; and
2) By-Law No. 2007-90, being a by-law to regulate parking in Municipal Parking Lots, be amended accordingly.

"CARRIED AS AMENDED"

Res. #2011-591b: Moved by Councillor Lawlor, seconded by Councillor Vrebosch-Merry
That Report to Council CSBU 2011-83 from Ian Kilgour be referred to
Community Services Committee.

"CARRIED"

Res. #2011-592: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-laws be read a first and second time:

By-Law No. 2011-187 to confirm proceedings of the Meeting of Council on
August 2, 2011.

By-Law No. 2011-189 to establish a Records Management Policy and to
provide a schedule of retention periods for the records of the City of North
Bay.

"CARRIED"

Res. #2011-593: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:

By-Law No. 2011-187 to confirm proceedings of the Meeting of Council on
August 2, 2011.

By-Law No. 2011-189 to establish a Records Management Policy and to
provide a schedule of retention periods for the records of the City of North
Bay.

"CARRIED"

Res. #2011-594: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2011-191 to execute an Agreement with Campus
Development Corp., The Board of Governors of the Canadore College of
Applied Arts and Technology and Nipissing University relating to the
exemption of Development Charges for the new six (6) storey student
residence.

Councillor Anthony declared a conflict of interest as Canadore College and Nipissing
University are both clients of his employer.

"CARRIED"

Res. #2011-595: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2011-191 to execute an Agreement with Campus
Development Corp., The Board of Governors of the Canadore College of
Applied Arts and Technology and Nipissing University relating to the
exemption of Development Charges for the new six (6) storey student
residence.

Councillor Anthony declared a conflict of interest as Canadore College and Nipissing
University are both clients of his employer.

"CARRIED"

Res. #2011-596: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2011-183 (to amend By-Law No. 1996-35), being a by-law
to regulate the use of public parks within the City of North Bay, (Part II –
Conduct).

By-Law No. 2011-185 to establish standards respecting exterior property maintenance and grass control on residential lands.

"CARRIED"

Res. #2011-597: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed:

By-Law No. 2011-183 (to amend By-Law No. 1996-35), being a by-law to regulate the use of public parks within the City of North Bay, (Part II – Conduct).

By-Law No. 2011-185 to establish standards respecting exterior property maintenance and grass control on residential lands.

"CARRIED"

Res. #2011-598: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2010-08 to rezone certain lands on Fisher Street and Second Avenue East (John & Judith O'Rourke – 719 Fisher Street and 414 & 420 Second Avenue East).

"CARRIED"

Res. #2011-599: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-law be read a first and second time:

By-Law No. 2011-190 to execute an Agreement with Lafarge Canada Inc. relating to the supply of ready mix concrete.

"CARRIED"

Res. #2011-600: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-law be read a third time and passed:

By-Law No. 2011-190 to execute an Agreement with Lafarge Canada Inc. relating to the supply of ready mix concrete.

"CARRIED"

Res. 2011-601: Moved by Councillor Bain, seconded by Councillor Vrebosch-Merry
WHEREAS several communities in Canada, large and small, have created a honorary position of Poet Laureate;

AND WHEREAS members of the North Bay poetry, language and arts community wish to have an advocate;

BE IT THEREFORE RESOLVED THAT the City of North Bay establish an Ad Hoc Committee for the selection of a Poet Laureate on the following terms:

- (a) Mandate – to select a Poet Laureate who will serve as the City's literary ambassador and as an advocate for poetry, language and the arts. This will be an unpaid volunteer position. He or she will attend events across the city to promote and attract people to the literary world. The term of the Poet Laureate will be for the term of Council;
- (b) Membership – the Ad Hoc Committee shall be comprised of three (3) members;
- (c) Composition – the Ad Hoc Committee will be composed of one member from the North Bay Public Library, one member from the Capitol Centre and Mayor McDonald;

- (d) Reporting relationship – the Ad Hoc Committee will report their recommendation to Council;
- (e) Staff and other resources to be made available – the Clerk's Department will provide administrative and clerical resources;
- (f) Start and finish date – three (3) months. A recommendation to be made to Council by not later than November 30, 2011. The Committee's term will end on November 30, 2011.

"CARRIED"

Res. #2011-602: Moved by Councillor Mendicino, seconded by Councillor Bain WHEREAS there are still significant unanswered questions regarding the process in which the contract from Metrolinx was awarded to CAD;

AND WHEREAS the Auditor General has advised the City of North Bay that the *Auditor General Act*, Section 17 does permit the Auditor General to undertake special assignments BUT ONLY if they are formally requested by the Assembly, the Standing Committee on Public Accounts, or by a Minister of the Crown;

AND WHEREAS under the Ontario Ministry of Finance's Supply Chain Code of Ethics it states, "contracting and purchasing activities must be fair, transparent and conducted with a view to obtaining the best value for public money";

BE IT THEREFORE RESOLVED THAT the City of North Bay request that our MPP, the Hon. Minister Monique Smith request the Auditor General to review the awarding of the contract to CAD to determine if the Province followed its own procurement policies;

AND FURTHER THAT a copy of this resolution be sent to all affected Northern Ontario communities; Association of Municipalities of Ontario; the Federation of Northern Ontario Municipalities; Premier Dalton McGuinty; all Ministers of the Provincial Government; Leaders of the Opposition Parties; Metrolinx; the City of Toronto and the District Municipalities.

"CARRIED"

Record of Vote (*Upon Request of Councillor Mendicino*)

Yeas: Councillors Mendicino, Vrebosch-Merry, Bain, Chirico, Koziol, Lawlor, Anthony, Vaillancourt, Marroosis, Mayne, Mayor McDonald

Nays : Nil

Res. #2011-603: Moved by Councillor Vaillancourt, seconded by Councillor Marroosis That this Regular Meeting of Council do now adjourn at 8:15 p.m.

"CARRIED"

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

#1

AUG 17 2011

**City of North Bay
Report to Council**

Report No.: CORP-2011-64

Date: August 5, 2011
CLERK'S DEPT.

Originator: Christina A. (Tina) Murphy, Assistant City Solicitor/City Prosecutor

Subject: Parking Enforcement at the North Bay Regional Health Center

RECOMMENDATION

That Council authorize an amendment to the Private Property Parking By-Law No. 1990-201 attached as Schedule "A" to Report to Council No. CORP-2011-64 to add the North Bay Regional Health Centre as a designated area.

BACKGROUND

The North Bay Regional Health Centre ("NBRHC") opened for patient care on January 30, 2011.

The City's Private Property Parking By-Law No. 1990-201, as amended, does not currently permit regulating parking at NBRHC.

In order to authorize the City's By-Law Enforcement Officer and security guards at the hospital to enforce parking restrictions on the site, Schedule A of By-law 1999-201 must be amended to include the property occupied by the NBRHC. The proposed amendment is attached as Schedule A to this report. This has been done for a variety of other locations such as the various Canadore College sites and the previous hospital sites.

OPTIONS/ANALYSIS

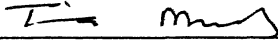
Option # 1: To amend the Private Property Parking By-Law to authorize its enforcement at the NBRHC.

Option # 2: Not to amend the Private Property Parking By-Law to authorize its enforcement at the NBRHC.

RECOMMENDED OPTION

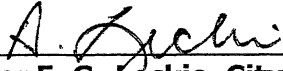
That Council authorize an amendment to the Private Property Parking By-Law No. 1990-201 attached as Schedule "A" to Report to Council No. CORP-2011-64 to add the North Bay Regional Health Centre as a designated area.

Respectfully submitted,



Christina A. (Tina) Murphy, Assistant City Solicitor/City Prosecutor

We concur in this report and recommendation.



Peter E. G. Leckie, City Solicitor



David Linkie, C.A.O.

Personnel designated for continuance: Christina A. (Tina) Murphy, Assistant City Solicitor/City Prosecutor

Attachments: (1) Draft By-Law Amendment

TM/vgh

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THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-XX

**BEING A BY-LAW TO AMEND BY-LAW NO. 201-90,
AS AMENDED BEING A BY-LAW TO PROHIBIT UNAUTHORIZED
PARKING ON PRIVATE OR MUNICIPAL PROPERTY**

WHEREAS Council passed Resolution No. 2011-____ at its meeting held _____, adopting Corporate Services Report No. CORP-2011-64 which amended By-Law No. 1990-201 which prohibits unauthorized parking on Private or Municipal property.

AND WHEREAS Section 210, subsection 124 of the Municipal Act, R.S.O. 1990, Chapter M-45, provides that by-laws may be passed by the Council of a municipality for prohibiting the parking or leaving of motor vehicles on private or municipal property;

AND WHEREAS it is deemed desirable to include the parking areas at the North Bay Regional Health Centre;

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

1. That Schedule "A" to By-law No. 201-90 be amended to include the following property to the attached Schedule "A" and forming part of this By-law.
2. This by-law comes into force upon passing.

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

Schedule "A"

LEGAL DESCRIPTION OF PARKING AREAS TO BE REGULATED:

6. NORTH BAY REGIONAL HEALTH CENTRE

- FIRSTLY: Parcel 19012, section of Widdifield & Ferris;
Part of Lot 23, Concession B Township of Widdifield, now City of North Bay, District of Nipissing, parts 1 to 5 of Plan 36R10957 & parts 9 & 10, of plan 36R11367;
Part of Lot 24, Concession B, Township of Widdifield, now City of North Bay, parts 6 to 15 of plan 36R10957 and parts 1, 2, 3 & 5 of plan 36R11367;
Except parts 1 & 2 of plan 36R11522;
Subject to LT77541 partially released by LT406505;
Subject to LT405939, City of North Bay in the District of Nipissing.
- SECONDLY: Parcel 19063 section of Widdifield & Ferris;
Part of lot 23, Concession B, Township of Widdifield, now City of North Bay, parts 11, 12, 13, 14, 15, 16 & 17 of plan 36R11367;
Subject to LT405939, LT77541, North Bay, District of Nipissing
- THIRDLY: Part of lot 1, Concession B, of the Township of Commanda, parts 16 to 25 of plan 36R10957;
Subject to CD118, CD120 and NB162482, City of North Bay In the District of Nipissing

#2

**RECEIVED
CITY OF NORTH BAY**

AUG 17 2011

CLERK'S DEPT.

**City of North Bay
Report to Council**

Report No.: CORP-2011-86

Date: August 15, 2011

Originator: Christina A. (Tina) Murphy, Assistant City Solicitor/City Prosecutor

Subject: Amending Traffic and Parking By-Law No. 2002-01

RECOMMENDATION

That Traffic and Parking By-Law No. 2002-01 be amended to reduce the speed limit on a portion of Ski Club Road which conforms with the current 40 km/hr signs which are in place on Ski Club Road. The proposed amending by-law is attached as Schedule "A" to Report to Council No. CORP-2011-86.

BACKGROUND

As a result of Report to Council EESW-2010-059 by Adam Lacombe, Capital Works Engineer, the speed limit on Ski Club Road between 853 Ski Club Road and Bolton Drive was reduced from 50 km/hr to 40 km/hr.

New 40 km/hr speed zone signs were placed on Ski Club Road as a result of this amendment, however they were placed in front of 715 Ski Club Road instead of 853 Ski Club Road. This information was brought to the attention of Lauren Scully, the previous City Prosecutor, by a resident of Ski Club Road and was later confirmed by the current traffic officer at the North Bay Police Service, Cst. J. Whitehead. As a result of the current placement of the signs not conforming with the current by-law, the new 40 km/hr speed area is unenforceable.

Cst. J. Whitehead monitored speeds in this area of Ski Club Road for a couple of weeks in April of 2011 and felt that it was desirable to leave the 40 km/hr sign posted in front of 715 Ski Club Road in order to slow people down. He said it was not uncommon for people to be doing 70 km/hr in this area. While monitoring traffic in this area he has been approached by residents who indicated they were happy to see the reduced speed zones in that area.

OPTIONS/ANALYSIS

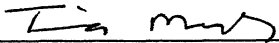
1. Amend the by-law to reflect the current location of the 40 km/hr speed zone sign in front of 715 Ski Club Road. This option would allow the current location of the signs to be enforced. It also appears to be supported by some of the area residents and is supported by the North Bay Police Traffic Officer who observed high speeds in this area. This would address the high speeds which are currently being seen between 715 Ski Club Road and Bolton drive on Ski Club Road.
2. Move the signs from their present location to the location at 853 Ski Club Road in order to conform with amending By-Law No. 2010-233 which was amended on December 13, 2010 as a result of Resolution No. 2010-659 in response to Report to Council No. EESW-2010-059. This option would allow the enforcement between 853 Ski Club Road and Bolton Drive but would not reduce the speeds to 40 km/hr between 715 Ski Club Road and 853 Ski Club Road.

3. Do nothing. This option is not recommended as the entire 40 km/hr speed zone, which is currently indicated by the signs as being between 715 Ski Club Road and Bolton Drive on Ski Club Road is unenforceable.
-

RECOMMENDED OPTION

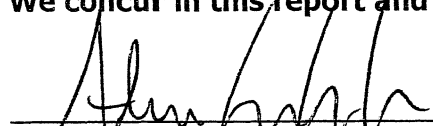
That Traffic and Parking By-Law No. 2002-01 be amended to reduce the speed limit on a portion of Ski Club Road which conforms with the current 40 km/hr signs which are in place on Ski Club Road. The proposed amending by-law is attached as Schedule "A" to Report to Council No. CORP-2011-86.

Respectfully submitted,



Christina A. (Tina) Murphy, Assistant City Solicitor/City Prosecutor

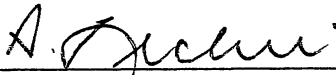
We concur in this report and recommendation.



**Adam Lacombe, P.Eng.
Capital Works Engineer**



**David Euler, P.Eng.
Director of Engineering**



Peter E. G. Leckie, City Solicitor



David Linkie, C.A.O.

Personnel designated for continuance: Christina A. (Tina) Murphy, Assistant City Solicitor/City Prosecutor

Attachments: (1) Proposed Amending By-Law

TM/vgh

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AUG 17 2011

**City of North Bay
Report to Council****Report No.: CORP-2011-137****Date: August 5, 2011****Originator: Christina A. (Tina) Murphy, Assistant City Solicitor/City Prosecutor****CLERK'S DEPT.****Subject: Set Fines and Short Form Wordings for Open Air Burning By-law No. 2011-130**

RECOMMENDATION

That Council authorize an application for approval of set fines and short form wordings for offences contrary to the Open Air Burning By-Law No. 2011-130 as set out in Schedule "A" of Report to Council No. CORP-2011-137.

BACKGROUND

The Open Air Burning By-Law was passed May 24, 2011 and came into effect this same day. The proposed set fines of \$400.00 are reasonable and are in line with the set fines of other municipalities.

The purpose of seeking approval for set fines and short form wordings is to allow the City of North Bay to enforce the Open Air Burning By-Law by writing Certificate of Offence Notices (tickets) under Part I of the *Provincial Offences Act*. This ticketing process is the same process that occurs when a person receives a speeding ticket. It allows for a more expeditious process and allows the defendant the opportunity to pay the fine out of court if they wish. The City of North Bay always has the option not to use the ticketing process despite the availability of set fines and short form wordings and would then proceed to charge pursuant to Part III of the *Provincial Offences Act* which requires the issuing of an Information and a Summons to the Defendant. This process does require the defendant to appear in court. This process can be used for a variety of reasons instead of a Part I ticket (ie: 30 day time limitation period for issuing a Part I ticket has passed; the City of North Bay expects to seek a greater fine due to the seriousness of the offence; a repeat offender; etc.)

In order to use set fines the City of North Bay must obtain approval from the Regional Senior Justice of the Ontario Court of Justice for the Northeast Region. The proposed set fines must first be sent to the Ministry of the Attorney General, Crown Law Office – Criminal prior to being sent to the Regional Senior Justice. The entire approval process can take anywhere from one month to six months.

ANALYSIS/OPTIONS

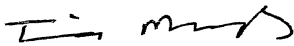
1. To authorize an application for the approval of set fines and short form wordings. This would allow The Corporation of the City of North Bay to enforce the Open Air Burning By-Law by writing Certificate of Offence Notices (tickets) under Part I of the *Provincial Offences Act*.

2. Not to authorize an application for the approval of set fines and short form wordings. The Corporation of the City of North Bay would be unable to enforce the Open Air Burning By-Law by writing Certificate of Offence Notices (tickets) under Part I of the *Provincial Offences Act*. The By-Law could still be enforced by the laying of an Information pursuant to Part III of the *Provincial Offences Act*. However, the Part III option is normally more time consuming for the enforcement officer and it does not allow the defendant to pay the fine out of court.

RECOMMENDED OPTION

That Council authorize an application for approval of set fines and short form wordings for offences contrary to the Open Air Burning By-Law No. 2011-130 as set out in Schedule "A" of Report to Council No. CORP-2011-137.

Respectfully submitted,



Christina A. (Tina) Murphy, Assistant City Solicitor/City Prosecutor

We concur in this report and recommendation.



Peter E. G. Leckie, City Solicitor



David Linkie, C.A.O.

Personnel designated for continuance: Christina A. (Tina) Murphy, Assistant City Solicitor/City Prosecutor

Attachments: (1) Set Fines and Short Form Wordings

CM/vgh

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THE CORPORATION OF THE CITY OF NORTH BAY – SET FINES
S.7.1 of the *Fire Prevention and Protection Act*

OPEN AIR BURNING BY-LAW NO. 2011-130

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Offence Creating Provision or Defining Offence	COLUMN 3 Set Fine (Including costs)
1.	Burn without a permit	Section 4.1(b)	\$400.00
2.	Burn during Fire Ban	Section 4.1(c)	\$400.00
3.	Fail to have suitable means of extinguishment	Section 4.2(b)	\$400.00
4.	Fail to supervise burn	Section 4.2(c)	\$400.00

Note: The penalty provision for the offences indicated above is Section 8.1 of By-Law No. 2011-130, a certified copy of which has been filed.

City of North Bay

Report to Council

#4

RECEIVED
CITY OF NORTH BAY

Date: August 12, 2011
AUG 23 2011

Report No: CSBU 2011 - 85

Originator: Beverley Hillier, Manager, Planning Services
Steve McArthur, Senior Planner

Subject: Fairway Drive / Cranberry Road Renaming

CLERK'S DEPT.

RECOMMENDATION

That Council approve the renaming of a portion of Fairway Drive to Cranberry Road in order to be consistent with the Municipality of Callander (formerly the Township of North Himsforth).

BACKGROUND

Cranberry Road and a portion of Fairway Drive currently occupy the road allowance that represents the southern boundary of the City of North Bay and the northern boundary of the Municipality of Callander. Fairway Drive extends west some 175 metres from the intersection at Pinewood Park Drive before turning south towards Osprey Links Golf Course.

When the Callander Bay Developments subdivision was constructed approximately 13 years ago, this portion of Boundary Road (as it was known then) was renamed Fairway Drive. The remaining portion of Boundary Road was later named Cranberry Road by the Municipality of Callander. The Municipality of Callander has renamed the portion of Fairway Drive between Cranberry Road and Pinewood Park Drive to Cranberry Road.

This road allowance is split evenly between the Municipality of Callander and the City of North Bay with 10 metres of the road allowance lying within the limits of Callander and 10 metres lying within the limits of North Bay. It is recommended that the north half of the road allowance be renamed to Cranberry Road be consistent with the south half of the road. Schedule A depicts the road names that will result with the approval of the recommendation contained within this report.

In 2009 North Bay City Council approved a Rural Residential Estate (RRE) subdivision fronting on Fairway Drive and Cranberry Road. New homes are currently under construction in this subdivision and the dual road names have caused issues for the municipal and emergency services staff. It is recommended that the road be renamed to Cranberry Road along this 175 meter stretch in order to be consistent with the Municipality of Callander and to resolve any issues for municipal and emergency services staff.

ANALYSIS/OPTIONS

Option 1:

Do not approve the renaming of a portion of Fairway Drive to Cranberry Road. This option is not recommended as it has caused confusion and issues for municipal and emergency services staff.

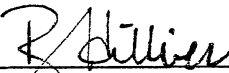
Option 2:

That Council approve the renaming of a portion of Fairway Drive to Cranberry Road, as shown on Schedule A, in order to be consistent with the Municipality of Callander (formerly the Township of North Himsforth) and to resolve any issues for municipal and emergency services staff.


RECOMMENDED OPTION

Option 2 is the recommended option. The renaming of a portion of Fairway Drive (approximately 175 metres west of the intersection with Pinewood Park Drive) to Cranberry Road will ensure that the City of North Bay is consistent with the Municipality of Callander (formerly the Township of North Himsforth) and should resolve any issues for municipal and emergency services staff.

Respectfully submitted,



Beverley Hillier, MCIP, RPP
Manager, Planning Services

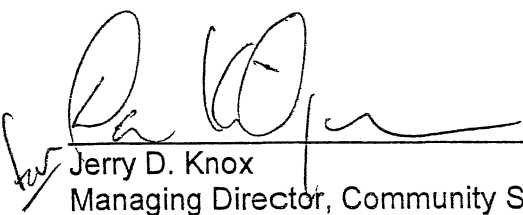


for Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

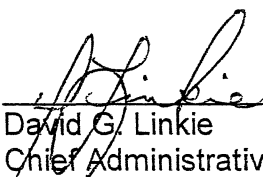
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attach.

We concur with this report and recommendations.



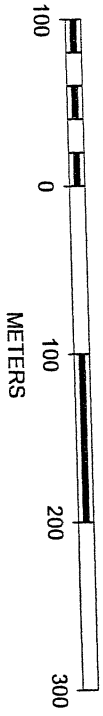
Jerry D. Knox
Managing Director, Community Services



David G. Linkie
Chief Administrative Officer

Personnel designated for continuance: Manager, Planning Services

SCHEDULE A



SCALE 1 : 4,543



**CITY OF NORTH BAY
REPORT TO COUNCIL**

Report No: CORP 2011-142

Date: August 16, 2011

Originator: PETER E.G. LECKIE

Subject: 9 METRE SMOKING BAN AT ENTRANCES

RECOMMENDATION

That Schedules "B" and "C" to By-Law No. 2003-05 (being a by-law to regulate smoking in public places and workplaces) be amended to include those workplaces and apartment buildings identified in Report to Council No. CORP 2011-142 dated August 16, 2011.

BACKGROUND

The City's By-Law Enforcement Officer, Ron Melnyk, has received the following additional requests to prohibit smoking within nine metres of entrances of workplaces and apartments:

Workplaces:

True North Chevrolet Cadillac, 1370 Seymour St, all doors and entrances;

The North Bay Food Bank, 1319 Hammond Street, main entrance;

PT Works, 1831 Cassells Street, employee entrance facing Shaw Street, customer door facing Olive Street;

Shopper's Home Health Care, 1883 Cassells Street, shipping door facing Shaw Street, customer entrance facing Olive Street;

The Lighthouse, 975 McKeown Avenue, front entrance;

Martel & Mitchell Physiotherapy, 130 King Street West, front entrance; and

First Choice Hair Cutters, 975 McKeown Avenue, front entrance.

Apartments:

Bay Manor, 648 Main Street West, front entrance facing Main Street;

Douglas Court, 820 Douglas Street, front entrance facing Douglas Street;

Elizabeth Court, 19 Johnston Road, front entrance facing Johnston Road; and

OPTIONS ANALYSIS

Option # 1: To add all applicant properties to the schedule for the nine metre ban at entrances.

Option # 2: Not to amend the by-law.

RECOMMENDED OPTION

That Schedules "B" and "C" to By-Law No. 2003-05 (being a by-law to regulate smoking in public places and workplaces) be amended to include those workplaces and apartment buildings identified in Report to Council No. CORP 2011-142 dated August 16, 2011.

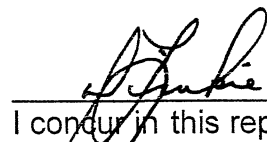


Respectfully submitted,
PETER E.G. LECKIE
CITY SOLICITOR



RON MELNYK,
BY-LAW ENFORCEMENT COORDINATOR

PEGL/rm
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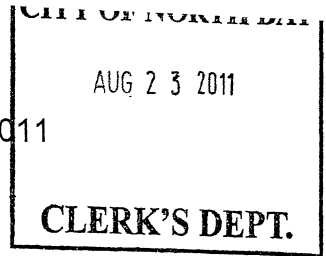


I concur in this report and recommendation.
DAVID G. LINKIE
CHIEF ADMINISTRATIVE OFFICER

Personnel designated for continuance: Peter Leckie

CITY OF NORTH BAY
REPORT TO COUNCIL

#6



Report No: CORP 2011-143

Date: August 17, 2011

Originator: PETER E.G. LECKIE

Subject: SMOKE FREE NORTH BAY REGIONAL HEALTH CENTRE PROPERTIES

RECOMMENDATION

That Schedule "G" to By-Law No. 2003-05 (being a by-law to regulate smoking in public places and workplaces) be amended to include those properties identified in Report to Council No. CORP 2011-143 dated August 17, 2011.

BACKGROUND

The City's By-Law Enforcement Officer, Ron Melnyk, has received a request from David Smits of the North Bay Regional Health Centre to add the following additional properties to Schedule "G" where Schedule "G" lists those properties owned or solely leased by the North Bay Regional Health Centre and that are to be 100% smoke free:

Parcel 6-2, Section 36M540; Part Block 6, Plan 36M540 West Ferris being designated as Part 1, Plan 36R7158, North Bay; District of Nipissing, P.I.N. # 49177-0026, municipally known as 35 Ferris Drive and 43 Ferris Drive;

Lots 89-92, Lots 121-124, Plan 57 Widdifield; Part Lots 125, 88 Plan 57 Widdifield; Part Lane, Plan 57 Widdifield abutting Lots 121-131 and Lots 82-92 as closed by NB53093 as in NB159210; subject to NB159210; together with NB159210; North Bay; District of Nipissing, P.I.N. # 49155-0398, municipally known as 120 King Street West; and

Block A Plan 116 Widdifield except MRO; North Bay; District of Nipissing, P.I.N. # 49161-0003 and Block A Plan 116 Widdifield except SRO; North Bay; District of Nipissing, P.I.N. # 49161-0004, municipally known as 1765 Jane Street.

OPTIONS ANALYSIS

Option # 1: To add all listed properties to the schedule for properties owned or solely leased by the North Bay Regional Health Centre to be 100% smoke free.

Option # 2: Not to amend the by-law.

RECOMMENDED OPTION

That Schedule "G" to By-Law No. 2003-05 (being a by-law to regulate smoking in public places and workplaces) be amended to include those properties owned or solely leased to the North Bay General Health Centre to be 100% smoke free as in Report to Council No. CORP 2011-143 dated August 17, 2011.



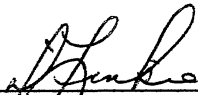
Respectfully submitted,
PETER E.G. LECKIE
CITY SOLICITOR



RON MELNYK
BY-LAW ENFORCEMENT COORDINATOR

PEGL/rm

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I concur in this report and recommendation.
DAVID G. LINKIE
CHIEF ADMINISTRATIVE OFFICER

Personnel designated for continuance: Peter Leckie



August 22, 2011

Mr. Ron Melnyk
By-Law Enforcement Coordinator
Corporation of the City of North Bay
200 McIntyre St. E., PO Box 360
North Bay, ON P1B 8H8

Dear Mr. Melnyk,

When By-Law 2011-106 (Smoking on Hospital Property) was passed a number of properties that are owned and solely leased by the North Bay Regional Health Centre were not included in Schedule "G".

We would like to add the following properties to Schedule "G" of By-Law 2011-106:

120 King Street East
1765 Jane Street
35 Ferris Drive
43 Ferris Drive

We are in the process of severing the ambulance base at the Scollard Site from the main site. We will notify you in writing when this has been completed so it can be added to the Schedule "G".

If you require any further information, please contact Dave Smits, VP Facilities and Clinical Support Services at extension 2510 or David.Smits@nbrhc.on.ca

Sincerely,

Mark Hurst
President and CEO

City of North Bay**Report to Council****Report No.:** CSBU 2011 - 84**Date:** August 11, 2011**Originator:** Steve McArthur, Senior Planner – Current Operations**Subject:** Request for Exemption from the Condominium Approval Process by Nipissing Condominium Corporation No. 8 (William Place – 425 William St., City of North Bay)**File No.:** D07/2011/WILLPL/425WILI (48CDM-11101)

RECOMMENDATIONS

- 1) That the Request for Exemption from the Condominium Approval Process by Nipissing Condominium Corporation No. 8 for the property legally described as Registered Plan No. M-211, Lots 21-25 and 156-160, Block 49808 in the former Township of West Ferris, known locally as William Place Condominium, 425 William Street in the City of North Bay, as represented on Schedules "A" & "B" to Report to Council No. CSBU 2011-84, be approved.

BACKGROUND

An application has been made by Nipissing Condominium Corporation No. 8 for an Exemption from Approval of a Plan of Condominium for lands described as Registered Plan No. M-211, Lots 21-25 and 156-160, Block 49808 in the former Township of West Ferris, known locally as William Place Condominium, 425 William Street in the City of North Bay.

The subject property is located on William Street in the City of North Bay and has a frontage of approximately 53.7 metres (176.2 feet) on the shoreline of Lake Nipissing, and a total area of approximately 0.37 hectares (0.91 acres). The building was constructed as a condominium in 1982 and consists of a five (5) storey, twenty-nine (29) unit building, as shown on Schedules "A" and "B" attached hereto.

The Condominium design also includes a Superintendent's Suite in the lower level as part of the Common Elements. Nipissing Condominium Corporation No. 8 has made application to convert this Common Element (Superintendent's Suite) into a thirtieth (30th) Condominium Unit. The Condominium plans are to be amended for the purpose of creating a transferable Condominium Unit, and to provide this Unit with a Parcel Identification Number (PIN) that will allow it to be sold and transferred as a thirtieth (30th) Unit within Nipissing Condominium Corporation No. 8.

ANALYSIS/OPTIONS

Applications for Approval of a Plan of Condominium can be dealt with in two ways:

Option 1

The Applicant could apply for a Plan of Condominium, which is similar to subdivision approval, where the Applicant receives conditional approval, and upon satisfying the conditions of approval

the Applicant receives final approval and registers the Condominium Plan. This process is used primarily where no prior approvals have been given under the Planning Act, R.S.O. 1990, c. P. 13.

Option 2

Section 9 of the Condominium Act, 1998, allows a second process where the approval of the Condominium is exempt from Section 51 of the Planning Act. Section 9 of the Condominium Act permits the Municipality to grant an exemption if it deems it appropriate in the circumstance.

The criteria for granting such an exemption relates to the fact that the development has already undergone a full public planning process and that there are no matters of municipal concerns outstanding. Nipissing Condominium Corporation No. 8 went through a full approval process prior to its construction in 1982. The building conforms to the City's Official Plan and Zoning By-law No. 28-80.

RECOMMENDED OPTION / FINANCIAL IMPLICATION

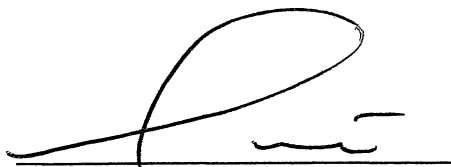
Option 2 is the recommended option.

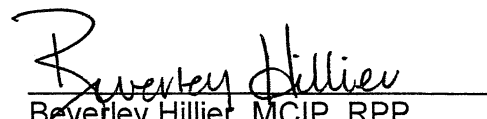
In my professional opinion, the exemption process is appropriate for the subject application for the aforementioned reasons.

The development conforms to the residential policies of the Official Plan. The existing zoning on the property permits the five (5) storey, thirty (30) unit condominium building. The condominium approval went through the planning process prior to construction in 1982, involving both agency and public review, and was approved by the City Council of the day.

Planning Services has reviewed the application and has no issues with the proposal. Building Services has attended the site and the Fire & Engineering Departments have been consulted. They have offered no objection or concerns with regards to the application.

Respectfully submitted,


Steve McArthur, MCIP, RPP
Senior Planner, Current Operations


Beverley Hillier, MCIP, RPP
Manager, Planning Services

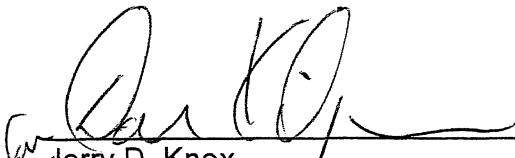
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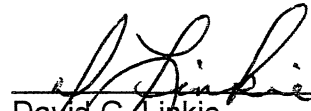
We concur with this report and recommendations.


Peter Leckie
City Solicitor


Alan Korell
Managing Director, Engineering,
Environmental Services and Public Works



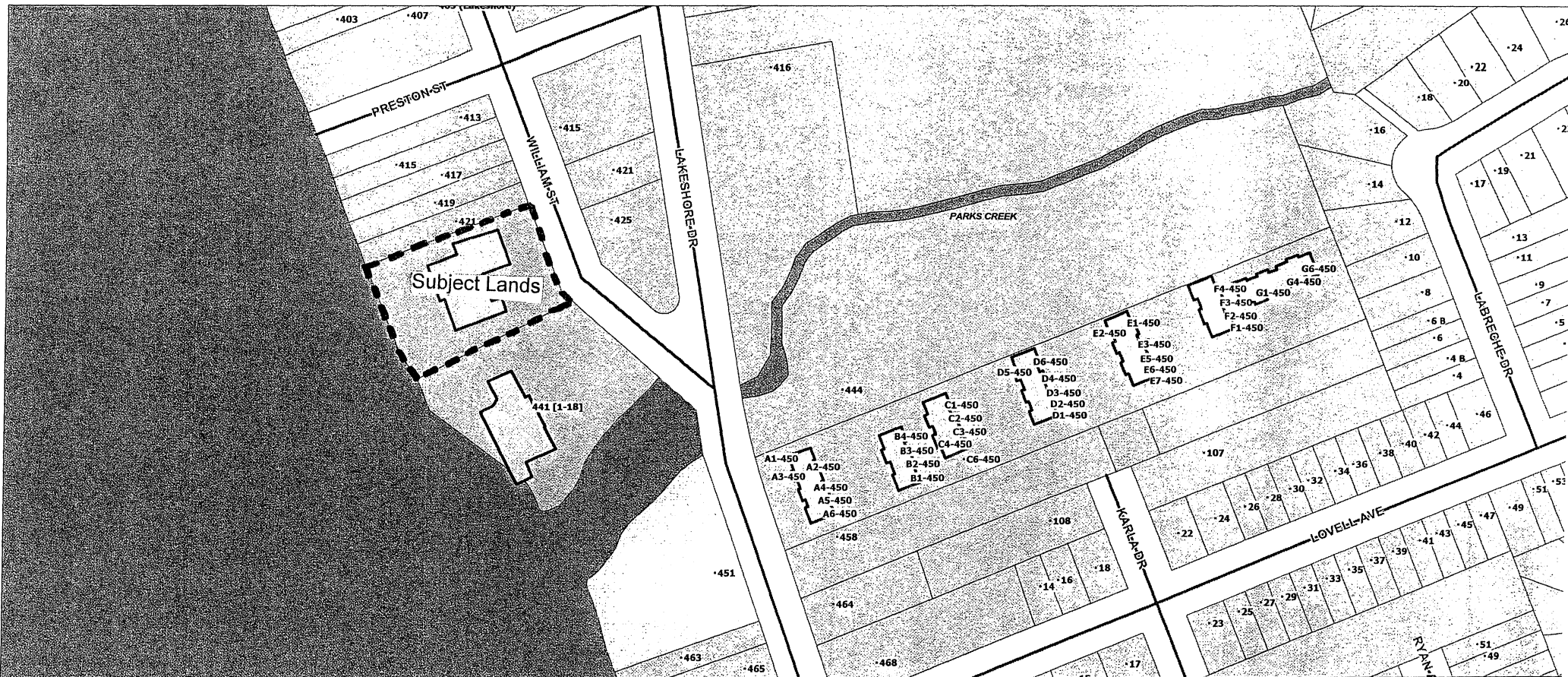
Jerry D. Knox,
Managing Director, Community Services



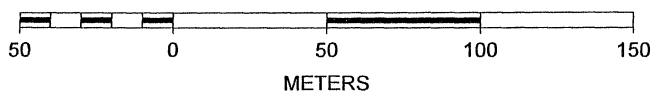
David G. Linkie
Chief Administrative Officer

Personnel designated for continuance: Steve McArthur - Senior Planner, Current Operations
Attach(s).

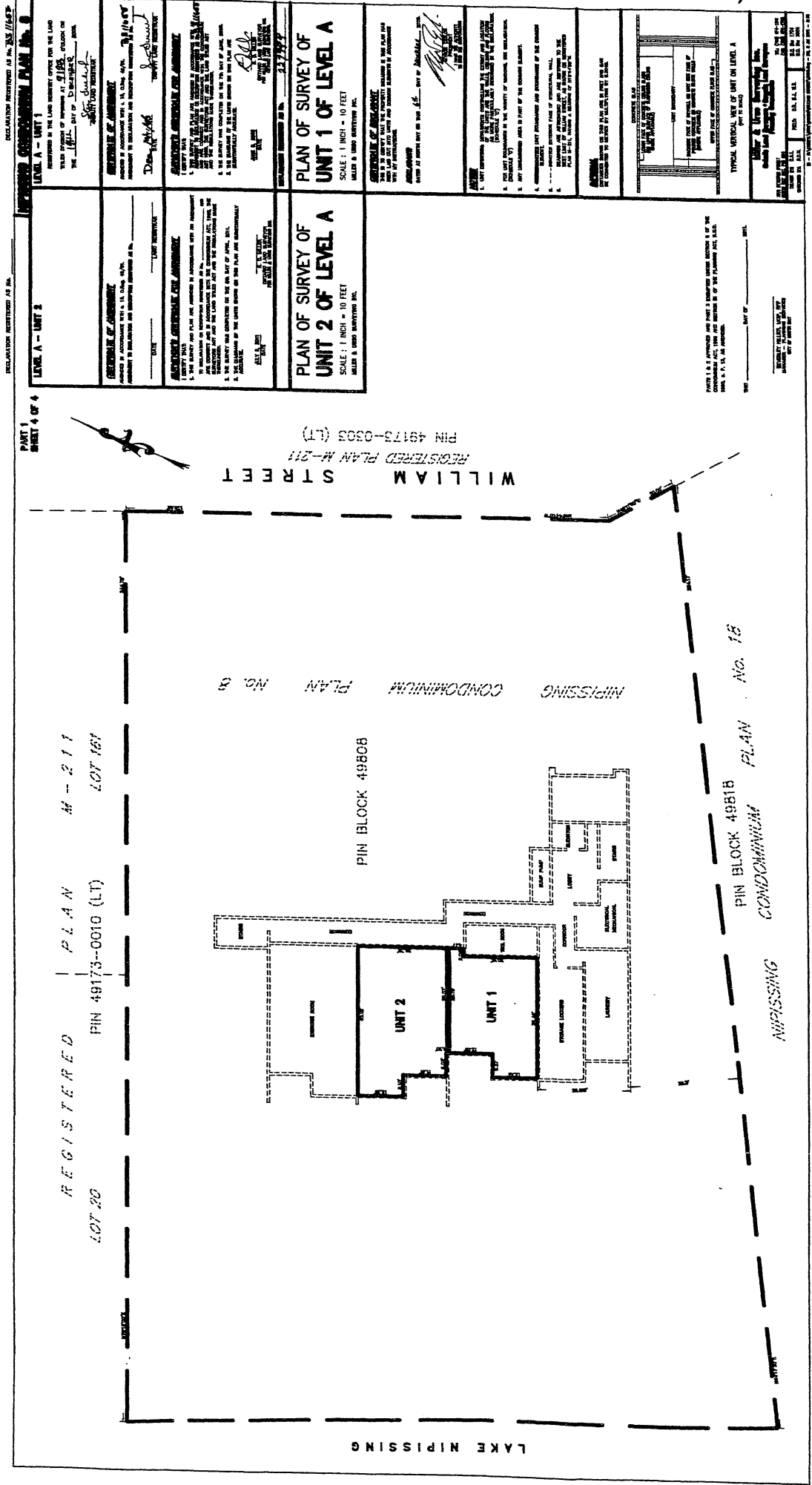
SCHEDULE A



SCALE 1 : 2,483



SCHEDULE B



LEVEL A - UNIT 2
 REGISTRATION NUMBER AS IN: 237977

GENERAL NOTES
 1. ALL WORK SHALL BE ACCORDING TO THE APPROVED SET OF ARCHITECTURAL DRAWINGS.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

GENERAL NOTES
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 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

PLAN OF SURVEY OF UNIT 2 OF LEVEL A
 SCALE: 1/8" = 10 FEET
 WALTER S. LINDSAY ARCHITECTS INC.

PLAN OF SURVEY OF UNIT 1 OF LEVEL A
 SCALE: 1/8" = 10 FEET
 WALTER S. LINDSAY ARCHITECTS INC.

GENERAL NOTES
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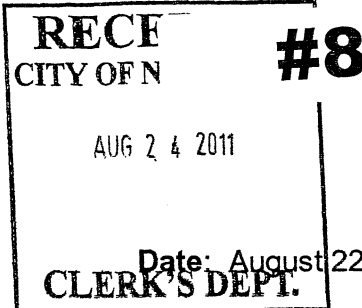
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 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

TYPICAL WALL SECTION OF UNIT ON LEVEL A
 (SEE SECTION)

WALTER S. LINDSAY ARCHITECTS INC.
 1000 WEST 10TH AVENUE, SUITE 100
 DENVER, CO 80202

City of North Bay

Report to Council



Report No: CSBU 2011 - 87

Originator: Fire Chief Grant J. Love

Subject: Capital Budget Project No. 3111FD – Fire Department – Replacement of Emergency Generator

RECOMMENDATION

That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Replacement of Emergency Generator, being 2011 Capital Budget, Line 69, Project No. 3111FD, at a net debenture cost of \$120,000.

BACKGROUND

The 2011 Capital Budget included an amount of \$120,000 for the replacement of the emergency generator at Station 3, being Capital Budget, Line 69, Project No.3111FD.

The emergency generator at Station 3 is the original piece of equipment purchased at the time the station was built. An inspection by a service representative has indicated regulations have changed since the design of the building and the current location of the emergency generator is no longer acceptable. By replacing the generator with a more portable solution, we can meet the new standards while upgrading the equipment. The existing generator at Station 3 is unreliable and requires frequent emergency maintenance.

A Schedule to the proposed By-Law is submitted for consideration of Council:

Emergency Generator replacement \$ 120,000

Fire Facility Maintenance	\$114,000
Financing	\$6,000
Net Debenture Cost	\$120,000

ANALYSIS / OPTIONS

Option 1:

Approve the drafting of the necessary By-law for 2011 Capital Budget, Line 69, Project No. 3111FD, which will authorize the emergency generator replacement for Station 3 as required at a net debenture cost of \$120,000.

Under this option, City Council would authorize the required replacement of the emergency generator for Station 3.

Option 2:

Not approve the replacement.

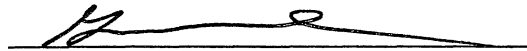
This option would have the potential to affect the normal operations of Fire Facilities during a loss of normal electrical power.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Option 1:

Approve the drafting of the necessary By-law for 2011 Capital Budget, Line 69, Project No. 3111FD, which will authorize the emergency generator replacement for Station 3 as required at a net debenture cost of \$120,000.

Respectfully submitted,



Grant J. Love
Fire Chief

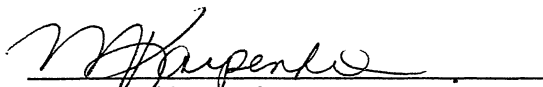
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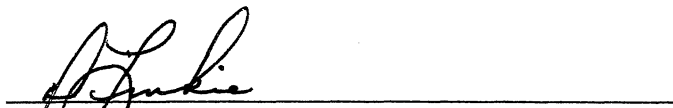
We concur in this report and recommendation.



Laura Boissonneault
Financial Reports Coordinator



Margaret Karpenko
Chief Financial Officer / Treasurer



David G. Linkie
Chief Administrative Officer

Person designated for continuance: Deputy Chief Mike Bechard

**CITY OF NORTH BAY
CAPITAL PROJECT INFORMATION SHEET**

LINE#:

TITLE:

PROJECT #:

AMOUNT:

USEFUL LIFE:

EST. COMPLETION DATE:

DESCRIPTION:

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											
Expenditures											
Levy	\$120,000			\$120,000							
Other											
Total	\$120,000	\$0	\$0	\$120,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0

COSTS	COSTS										
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021+
Operating											
Construction											
Land											
Consultants											
Labour											
Vehicles											
Equipment	\$114,000			\$114,000							
Emergency											
Financing	\$6,000			\$6,000							
Total	\$120,000	\$0	\$0	\$120,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0

REMARKS:

DEPARTMENT:

PROJECT LEAD:

CITY OF NORTH BAY**REPORT TO COUNCIL**

Report No: CORP 2011-141

Date: August 16, 2011

Originator: Catherine Conrad, City Clerk

Subject: 2012 Council and Standing Committees Meeting Schedule

RECOMMENDATION

That City Council adopt the "2012 Council and Standing Committees Meeting Schedule" attached to Report to Council No. CORP 2011-141, dated August 16, 2011.

BACKGROUND

A schedule for Regular Meetings of Council and its Standing Committees has been adopted and followed annually since 1997. The Schedule has been found to be of benefit to the members of Council, the City administration and to the public in planning the presentation of matters to and the consideration of matters by both Council and its Committees.

In the past, Council has had combined meetings (Committee and Council) during the months of July and August. Since 2009 the combined meeting schedule has been extended to include the month of June.

ANALYSIS / OPTIONS

The adoption of an annual schedule would not restrict the ability of Council or its Committees to meet as needed when they deem it appropriate (subject to the provisions of the City's Procedural By-law and the statutes). The attached schedule is essentially the same as the 2011 schedule with the exception of the recommendation of an "expanded summer schedule" and except where calendar variations (e.g., five-Monday months) require adjustments.

The proposed Schedule provides for the usual regular bi-weekly Monday meetings, except as follows:

1. Any meeting that would otherwise be held on a holiday (or a day upon which a holiday is to be observed) has been re-scheduled to the next available weekday.

2. No meetings are scheduled for:
 - January 3 (holiday season);
 - May 28, June 11, June 25, July 9, July 23, August 7 and August 20 (summer schedule); or
 - December 24 (holiday season).
 3. The May 22, June 4, June 18, July 3, July 16, July 30, August 13 and August 27 meetings would be “combined meetings” of Committees (beginning at 6:00 p.m.) and Council (beginning at 7:00 p.m.).
-

Option 1 – Adopt the Meeting Schedule as Proposed

Adopting the proposed meeting schedule would enable the members of Council to plan their time and will enable the public and the City administration to plan the presentation of matters to (and the consideration of matters by) both Council and Committees. This schedule is essentially the same as those used for the last fourteen years, with the exception of the expanded summer schedule. The previous schedules have been well-accepted by both Council and the public.

Option 2 – Adopt a Different Meeting Schedule

Adopting a different meeting schedule would still enable the members of Council to plan their time, and enable the public and the City administration to plan presentations to both Council and the Committees. Depending upon the number and nature of any changes, we may need to undertake a communication plan and/or adjust the scheduling of some presentations.

Option 3 – Do Not Adopt a Meeting Schedule

Declining to adopt a meeting schedule at this time would require Council to pass resolutions from time to time throughout the year to set the dates of its regular Council and Standing Committee meetings. This would affect the long-range planning of presentations and submissions, and, depending upon the number and nature of such resolutions, may require a communication plan.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Option 1 ("adopt the meeting schedule as proposed") is recommended. Adopting the Meeting Schedule will meet the needs of the members of Council, the public and the City administration in planning City-related business, in accordance with established practice.

There are no financial implications to the approval of this recommendation.

Respectfully submitted,



Catherine Conrad
City Clerk

We concur in this report and recommendation.



Managing Director of Corporate
Services – Lea Janisse



Chief Administrative Officer –
David Linkie

Person designated for continuance: Catherine Conrad, City Clerk

Attachment: Proposed 2012 Council and Standing Committees Meeting Schedule

2012 Council and Standing Committees Meeting Schedule

<u>Tuesday</u> , January 3	No meeting	<u>Tuesday</u> , July 3	Committees / Council
Monday, January 9	Council	Monday, July 9	No meeting
Monday, January 16	Committees	Monday, July 16	Committees / Council
Monday, January 23	Council	Monday, July 23	No meeting
Monday, January 30	Committees	Monday, July 30	Committees / Council
Monday, February 6	Council	<u>Tuesday</u> , August 7	No Meeting
Monday, February 13	Committees	Monday, August 13	Committees / Council
<u>Tuesday</u> , February 21	Council	Monday, August 20	No meeting (AMO)
Monday, February 27	Committees	Monday, August 27	Committees / Council
Monday, March 5	Council	<u>Tuesday</u> , September 4	Council
Monday, March 12	Committees	Monday, September 10	Committees
Monday, March 19	Council	Monday, September 17	Council
Monday, March 26	Committees	Monday, September 24	Committees
Monday, April 2	Council	Monday, October 1	Council
<u>Tuesday</u> , April 10	Committees	<u>Tuesday</u> , October 9	Committees
Monday, April 16	Council	Monday, October 15	Council
Monday, April 23	Committees	Monday, October 22	Committees
Monday, April 30	Council	Monday, October 29	Council
Monday, May 7	Council	Monday, November 5	Committees
Monday, May 14	Committees	Monday, November 12	Council
<u>Tuesday</u> , May 22	Committees / Council	Monday, November 19	Committees
Monday, May 28	No meeting	Monday, November 26	Council
Monday, June 4	Committees / Council	Monday, December 3	Committees
Monday, June 11	No meeting	Monday, December 10	Council
Monday, June 18	Committees / Council	Monday, December 17	Committees
Monday, June 25	No meeting	Monday, December 24	No meeting

CITY OF NORTH BAY

REPORT TO COUNCIL

Report No: CORP 2011-145

August 22, 2011

Originator: Paul Valenti

Subject: Tender # 2011-82 - Supply and Hauling of Bulk Road Salt

RECOMMENDATION:

That North Bay City Council approves a contract be issued to Sifto Canada Corp., in the estimated amount of \$684,075.00 (HST included), for the supply and hauling of Bulk Road Salt on an as and when requested basis from the date of contract to April 30, 2012, with the provision of an option year, if mutually agreeable to both parties.

BACKGROUND:

The tender was based on estimates of the quantity of material required. The quantities to be ordered will be adjusted to work within the budget allocation. Payment will be made only for the amount of material requested and delivered.

The tender was publicly advertised in accordance with the City of North Bay Purchasing Policy. Six (6) tender packages were distributed. The tender closed on August 10, 2011. Three (3) responses were received and evaluated for compliance by the Purchasing Manager and Manager, Roads and Traffic. The results are as follows with Sifto Canada Corp. providing the lowest bid:

Sifto Canada Corp.	\$684,075.00
The Canadian Salt Company Limited	\$728,775.00
P.D. Brooks Haulage	\$843,000.00

The price is considered fair and reasonable. The estimated net cost of the contract, net of the HST rebate, will be \$616,031.93.

ANALYSIS / OPTIONS:

Option #1

That North Bay City Council approves a contract be issued to Sifto Canada Corp., in the estimated amount of \$684,075.00 (HST included), for the supply and hauling of bulk road salt on an as and when requested basis from the date of contract to April 30, 2012, with the provision of an option year, if mutually agreeable to both parties.

Option #2

Not award a contract and purchase in small quantities when needed. This option is not recommended as we would pay a premium for the product and will not be guaranteed supply at a critical time during the winter.

RECOMMENDED OPTION/FINANCIAL IMPACTS:

Option #1 is recommended as follows:

That North Bay City Council approves a contract be issued to Sifto Canada Corp., in the estimated amount of \$684,075.00 (HST included), for the supply and hauling of Bulk Road Salt on an as and when requested basis from the date of contract to April 30, 2012, with the provision of an option year, if mutually agreeable to both parties.

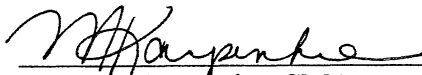
An amount of \$454,100.00 has been included in the 2011 Public Works and Services Operating Budget for Bulk Road Salt and Screened Sand. Bulk Road Salt is ordered throughout the winter based on requirements. If the demand is very high this winter season, funds will be taken from the winter maintenance reserve.

Respectfully submitted,

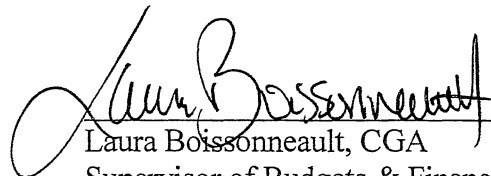


Paul Valenti,
Purchasing Manager

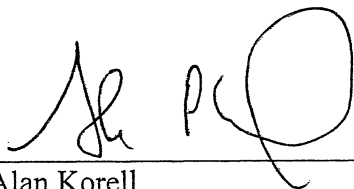
We concur in this report and recommendation.



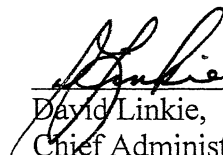
Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Alan Korell
Managing Director of Engineering,
Environmental Services & Works



David Linkie,
Chief Administrative Officer

Personnel designated for continuance: Managing Director of Engineering
Environmental Services & Works

CITY OF NORTH BAY REPORT TO COUNCIL

Report No: CORP 2011-146

August 22, 2011

Originator: Paul Valenti

Subject: Tender # 2011-83 – Supply, Treat and Stockpile Screened Sand

RECOMMENDATION:

That North Bay City Council approves a contract be issued to Bruman Construction Inc., in the estimated amount of \$147,295.50 (HST included), to supply, treat and stockpile screened sand for the year ending December 31, 2011, with the provision of a one year option if mutually agreeable to both parties.

BACKGROUND:

The material is required for winter maintenance of roads and sidewalks. The estimated quantity for the tender was based on historical use. The City will pay only for the quantity ordered and delivered. The tender was publicly advertised in accordance with the City of North Bay Purchasing Policy. Six (6) tender packages were distributed. The tender closed on August 10, 2011. Five (5) responses were received and evaluated for compliance by the Purchasing Manager and Manager, Roads and Traffic. The results are as follows with Bruman Construction Inc. providing the lowest bid:

Bruman Construction Inc.	\$147,295.50
2212880 Ontario Limited	\$157,974.00
Miller Paving Limited	\$160,177.50
P.D. Brooks Haulage & Const. Ltd.	\$169,330.50
A. Miron Topsoil Ltd.	\$176,280.00

The price is considered fair and reasonable. The estimated net cost of the contract, net of the HST Rebate, will be \$132,644.16.

ANALYSIS / OPTIONS:

Option #1

That North Bay City Council approves a contract be issued to Bruman Construction Inc., in the estimated amount of \$147,295.50 (HST included), to supply, treat and stockpile screened sand for the year ending December 31, 2011, with the provision of a one year option if mutually agreeable to both parties.

Option #2

Not award a contract and purchase in small quantities when needed. This option is not recommended as the City would pay a premium for the product and will not be guaranteed supply at a critical time during the winter.

RECOMMENDED OPTION/FINANCIAL IMPACTS:

Option #1 is recommended as follows:

That North Bay City Council approves a contract be issued to Bruman Construction Inc., in the estimated amount of \$147,295.50 (HST included), to supply, treat and stockpile screened sand for the year ending December 31, 2011, with the provision of a one year option if mutually agreeable to both parties.

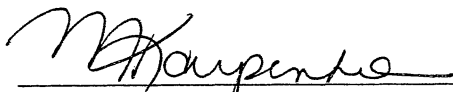
An amount of \$454,100.00 has been included in the 2011 Public Works and Services Operating Budget for Bulk Road Salt and Screened Sand. The actual amount spent will not exceed the budgeted amount.

Respectfully submitted,

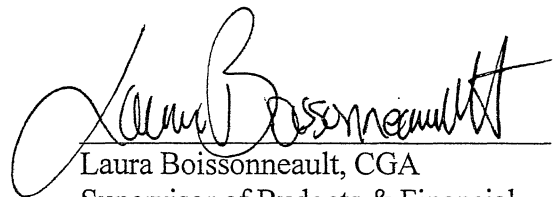


Paul Valenti,
Purchasing Manager

We concur in this report and recommendation.



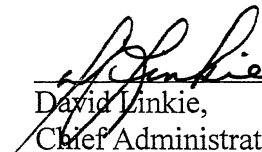
Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



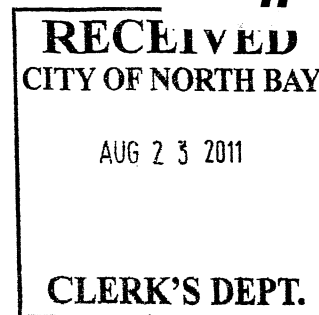
Alan Korell
Managing Director of Engineering,
Environmental Services & Works



David Linkie,
Chief Administrative Officer

Personnel designated for continuance: Managing Director of Engineering
Environmental Services & Works

CITY OF NORTH BAY
REPORT TO COUNCIL



Report No: CORP 2011-133

Date: August 22, 2011

Originator: Ron Mimee & Laura Boissonneault

Subject: Year-end Financial Projection, as at June 30, 2011

RECOMMENDATION:

That the City of North Bay's Year-end Financial Projection for the period ending June 30th, 2011 be received and filed.

BACKGROUND:

The City of North Bay 2011 Year-end Financial Projection, as at June 30, 2011, is attached to this memorandum. It highlights year-end financial projections for each of the **Business Units**, the **General Government activities** and the **Local Agencies, Boards and Commissions**. Year-to-date (YTD) budgets are included to allow for some indication of whether budgets are on target for the year. The variance between 'year-to-date budgets' and 'year-to-date June 30th actuals' shows that the City's direction is on track. Based on this current analysis and comparisons with past trends, the **year-end financial projection** is that the City will end the year **on budget**.

Business Units are projected to end the year on budget, resulting from:

Corporate Services expected to end the year **on budget**. Higher salary and benefit costs resulting from employee retirement gapping and lower lottery license revenues is offset by higher P.O.A. fine revenues.

Engineering, Environmental Services and Works expected to end the year with a **surplus of \$50,000**. Higher fleet usage revenue, higher blue box sales revenue and lower utility costs are partially offset by higher fuel costs, higher street light power costs and lower tipping fee revenues.

Community Services expected to end the year with a **deficit of \$150,000**. Higher fuel costs and higher sick leave costs in transit are partially offset by higher parking revenues.

Fire Department expected to end the year with a **surplus of \$100,000**. Lower complement for part of the year is partially offset by higher overtime costs.

General Government activities are projected to end with a **deficit of \$90,000**. Lower interest rates on cash and short-term investments, a reduction in the 2011 provincial educational tax rates thereby reducing the portion of educational taxes retained by the City, and higher rebates provided to charities will be partially offset by higher supplemental tax revenues, lower assessment and capping adjustments and lower debt repayments.

Local Agencies, Boards and Commissions are projected to end the year with a **surplus of \$42,000** resulting from distribution of The North Bay / Parry Sound District Health Unit's 2010 year end surplus.

2011 Tax Levy is projected to end the year with a **surplus of \$48,000**.

OPTIONS / ANALYSIS:

Option # 1 – Report received and filed

Accept the report as presented. The 2011 year-end financial projection will be reviewed again in detail and an updated report will be submitted to Council towards the end of September, 2011. Given the current projection that the City of North Bay will end the year **on budget**, this is the recommended option at this time.

Option # 2 – Discretionary Spending Controls

Accept the report as presented and implement discretionary spending controls. The 2011 year-end financial projection as at the end of June 2011 is projecting the City to end the year **on budget**. Given the conservative nature of the estimates used for this report, it is deemed that there is no immediate requirement for the CAO to issue any directives to curtail discretionary spending at this time.

Option # 3 – Use of Reserve Funds to Offset Any Projected Deficit

Accept the report as presented and authorize the use of Reserve Funds to offset any projected deficit. In 2005, City Council authorized the establishment of '**Operating Expenditure Stabilization**' (#99552R) and '**Operating Revenue Stabilization**' (#99551R) Reserve Funds for future operating deficits. The need for these Reserve Funds was identified in the 2004/2005 Reserve Fund Annual Report, dated October 11, 2005. Through these two Reserve Funds, the City has at its disposal on the date of this report, \$1,676,080 to offset any annual expenditure overages or revenue deficits, if authorized by City Council. At this time there is no immediate requirement for Council to authorize the use of Reserve Funds in 2011.

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Given the current projection that the City's overall operations will end the year 2011 on budget, **Option #1** is being recommended at this time.

The 2011 approved operating budget represented management's educated projections using trend analysis and business expertise. Despite best efforts, projected targets may not be met due to factors beyond the City's control. As at June 30, 2011, the City of North Bay is facing budgetary challenges in the following areas:

- The high cost of fuel
- Street lights power consumption
- Lower tipping volumes at Merrick landfill
- Lower short-term interest revenues

These increases are offset by expected:

- Higher supplementary tax revenues
- Lower tax assessment write-offs
- Higher fleet usage revenue.

Given the uncontrollable nature of these items, the Financial Services Department will continue to monitor the accounts and work closely with the Business Unit Managing Directors to ensure spending remains under control.

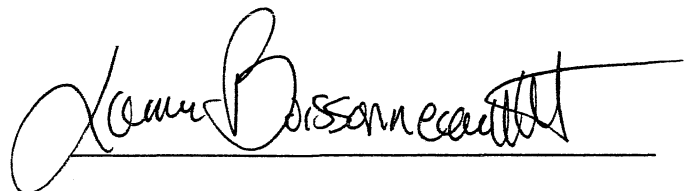
After the establishment of the 'Operating Expenditure Stabilization' and the 'Operating Revenue Stabilization' Reserves in 2005 and the subsequent increases in these reserve fund balances, the City finds itself in a sound financial position to absorb any operational deficits should the need arise.

An updated review of the 2011 Approved Operating Budget will be made, as at August 30, 2011 month end and an updated year-end financial projection report will be available towards the end of September.

Respectfully submitted,

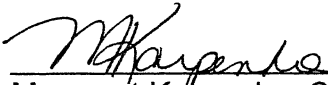


Ron Mimee
Accounting and Budget Manager




Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting

We concur in this report and recommendation.



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



David Linkie
Chief Administrative Officer

Personnel designated for continuance: Accounting and Budget Manager

Attachments: Five page 'Year End Projections' Report for the period ending June 30, 2011

W:/FINSERV/Ron/BudgetReportJune30,2011

**CITY OF NORTH BAY SUMMARY
2011 YEAR END FINANCIAL PROJECTION**

	June - Actual	June - Budget	June - Variance	YTD Actual	YTD Budget	YTD Variance	Year-End Projection Surplus / (Deficit)
Total City Revenue	\$33,121,351	\$32,225,004	\$918,738	\$115,529,724	\$115,430,203	\$142,316	\$268,000
Total City Expense	\$7,244,190	\$6,911,346	(\$332,844)	\$41,063,565	\$40,988,806	(\$74,759)	(\$268,000)
Balance	(\$25,877,161)	(\$25,313,658)	\$563,503	(\$74,466,160)	(\$74,441,397)	\$67,558	\$0

Corporate Services Revenue	\$549,325	\$231,883	\$317,442	\$1,619,593	\$1,579,745	\$39,848	\$30,000
Corporate Services Expense	\$719,067	\$618,658	(\$100,409)	\$3,527,428	\$3,528,011	\$583	(\$30,000)
Balance	\$169,741	\$386,775	\$217,034	\$1,907,835	\$1,948,266	\$40,431	\$0

Projected to end the year on budget resulting from:
*Higher salary and benefit costs and lower lottery license revenues
partially offset by higher P.O.A. fine revenues.*

Engineering & Works Revenue	\$1,127,253	\$738,713	\$388,540	\$3,727,575	\$3,597,686	\$129,889	\$300,000
Engineering & Works Expense	\$1,330,961	\$1,303,213	(\$27,748)	\$7,751,633	\$7,663,789	(\$87,844)	(\$250,000)
Balance	\$203,708	\$564,500	\$360,792	\$4,024,058	\$4,066,103	\$42,045	\$50,000

Projected to end the year with a surplus of \$50,000, resulting from:
*Higher fleet usage revenue, higher blue box sales revenue and
lower utility costs partially offset by higher fuel costs, higher street lights
power costs and lower tipping fee revenues.*

Community Services Revenue	\$596,344	\$378,684	\$217,660	\$2,787,786	\$2,763,712	\$24,074	\$40,000
Community Services Expense	\$1,447,270	\$1,240,837	(\$206,433)	\$7,359,483	\$7,271,033	(\$88,450)	(\$190,000)
Balance	\$850,926	\$862,153	\$11,227	\$4,571,697	\$4,507,321	(\$64,376)	(\$150,000)

Projected to end the year with a deficit of (\$150,000) resulting from:
Higher transit fuel and sick leave costs.

**CITY OF NORTH BAY SUMMARY
2011 YEAR END FINANCIAL PROJECTION**

	June - Actual	June - Budget	June - Variance	YTD Actual	YTD Budget	YTD Variance	Year-End Projection Surplus / (Deficit)
Fire Department Revenue	\$6,437	\$13,465	\$7,028	\$84,391	\$80,790	(\$3,601)	\$0
Fire Department Expense	\$857,509	\$835,423	(\$22,086)	\$5,119,020	\$5,168,445	\$49,425	\$100,000
Balance	\$851,072	\$821,958	(\$29,114)	\$5,034,629	\$5,087,655	\$45,823	(\$100,000)

Projected to end the year with a surplus of \$100,000 resulting from:
Lower wage & benefit costs partially offset by higher overtime costs.

General Government Revenue	\$24,905,125	\$24,921,225	(\$16,100)	\$71,689,176	\$71,762,068	(\$72,892)	(\$150,000)
General Government Expense	\$113,991	\$134,365	\$20,374	\$653,648	\$684,425	\$30,777	\$60,000
Balance	(\$24,791,134)	(\$24,786,860)	\$4,274	(\$71,035,528)	(\$71,077,643)	(\$42,115)	(\$90,000)

Projected to end the year with a deficit of (\$90,000) resulting from:
Lower interest rates on cash and short-term investments, lower education taxes retained on P.I.L. federal properties and higher rebates to charities partially offset by higher supplementary tax revenues, lower assessment and capping adjustments and lower debt repayments.

ABC's Expense	\$2,775,392	\$2,778,850	\$3,458	\$16,652,353	\$16,673,103	\$20,750	\$42,000
Balance	\$2,775,392	\$2,778,850	\$3,458	\$16,652,353	\$16,673,103	\$20,750	\$42,000

Note: 2010 surplus distribution by North Bay / Parry Sound District Health Unit.

Tax Levy	\$5,936,867	\$5,941,034	\$4,167	\$35,621,203	\$35,646,202	\$24,999	\$48,000
Balance	\$5,936,867	\$5,941,034	\$4,167	\$35,621,203	\$35,646,202	\$24,999	\$48,000

City of North Bay

Report to Council

Report No: CSBU 2011-086

Date: August 24, 2011

Originator: Peter Carello, Senior Policy Planner

Subject: Proposed Radio Antenna Tower
North Bay Regional Health Centre Site

RECOMMENDATION

That Council offer no objections to the proposed telecommunication tower at the North Bay Regional Health Centre Site. In the review of the proposed tower it will appear to have minimal impact on the surrounding properties, or on the aesthetic appearance of the surrounding property.

BACKGROUND

Rogers Communications Incorporated has declared its intention to install a new radiocommunication tower. The proposed new tower will be located on the new North Bay Regional Health Centre site (50 College Drive).

A schedule showing the proposed location of the tower and the notification package from Rogers Communications and has been attached for Council's consideration.

OPTIONS ANALYSIS / FINANCIAL IMPLICATIONS

Under the City of North Bay's Zoning By-law 28-80 radio, television or similar telecommunication towers regulated by CRTC or Industry Canada are exempt from the Zoning By-law, providing that the structures located on the property, associated with the tower, meet the setbacks in the zone they are located.

Rogers Communications is proposing a 40 metre, "flagpole style" radiocommunication tower. The company has provided an example of the type of tower being proposed in the attached notification package. The proposed tower would provide telecommunication services to the new North Bay Regional Health Centre.

The property is quite large, approximately 100 acres in size. It is occupied by the recently constructed North Bay Regional Health Centre, which encompasses both the North Bay Regional Hospital and the North East Mental Health Centre.

The subject property lies to the south of the escarpment and to the east of vacant lands under the jurisdiction of Nipissing First Nation. The adjacent property to the south is an abandoned industrial site (formerly Nordfibre). To the east are additional institutional uses (Nipissing University and Canadore College residences). The nearest low density residential properties are over 1 kilometer from the proposed tower.

The subject property is zoned "Institutional (N)" through Zoning By-law 28-80. The proposed tower and cabinet meet the setback requirements of the Institutional (N) zone. The proposed tower would be located 32 metres from the property line, which exceeds the minimum setback of 7.6 metres.

In 2008, the City of North Bay amended its Radiocommunication and Broadcasting Antenna Systems policy to reflect the fact that the Federal Government is ultimately the approval authority for these types of applications. The City's Radiocommunication and Broadcasting Antenna Systems policy outlines a consultation process requiring proponents to host a neighbourhood public meeting. Neighbours within 120 metres of the subject property are to be notified and the proponent is to place an advertisement in the North Bay Nugget to notify the community of this meeting.

The proponents of this tower, Rogers Communications, has scheduled a public meeting on Wednesday September 7th between 6PM and 8M at the Best Western North Bay Hotel and Conference Centre (700 Lakeshore Drive). Rogers has also stated within their information package that they will place a notice in the North Bay Nugget. Once these actions are completed, Rogers Communications will have met the City's requirements under its Radiocommunication and Broadcasting Antenna Systems policy.

The intent of this Report to Council is to allow Council to comment on the proposed tower. However, as the Federal Government is the approval authority for radiocommunication towers, Council does not have the ability to approve or deny the application.

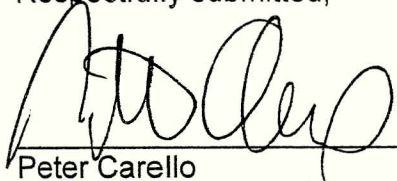
Option 1 – Not support the proposed Radio Communication Tower.

Option 2 – That Council offer no objections to the proposed telecommunication tower. In the review of the proposed tower it will appear to have minimal impact on the surrounding properties, or on the aesthetic appearance of the surrounding property.

RECOMMENDED OPTION

That Council offer no objections to the proposed telecommunication tower at the North Bay Regional Health Centre Site. In the review of the proposed tower it will appear to have minimal impact on the surrounding properties, or on the aesthetic appearance of the surrounding property.

Respectfully submitted,



Peter Carello
Senior Policy Planner

PC

We concur in this report and recommendation.



Beverley Hillier, MCIP, RPP
Manager, Planning Services



Jerry D. Knox
Managing Director
Community Services Business Unit



David G. Linkie
Chief Administrative Officer

Personnel designated for continuance: Peter Carello, Senior Policy Planner

W:\PLAN\RMS\C00\2011\CSBU\RTC\0086-RadioAntennaTowerNBRegionalHC.docx

SCHEDULE A

SUBJECT PROPERTY PLAN

SCALE 1 : 4000
BOUNDARY DIMENSIONS COMPILED FROM PLANS 368-10957, 368-11087 AND 368-11522, ASTROLOGIC BEARINGS.

PROPOSED COMPOUND LAYOUT PLAN

SCALE 1:100

ELEVATION PLAN

NOT TO SCALE

NOTES

- (1) PROPOSED CIRCULAR STEEL TELECOM FLAG POLE ON CONCRETE CAISSON. FOUNDATION DESIGN PENDING SOE REPORT.
- (2) PROPOSED RADIO EQUIPMENT CABINETS ON CAST IN PLACE REINFORCED CONCRETE SLAB.
- (3) HYDRO AND FIBRE CONNECTIONS AND BURRED ROUTING TO BE DESIGNED BY QUALIFIED PERSONNEL IN CONSULTATION WITH LOCAL AUTHORITY.
- (4) RESTORE GROUND SURFACE TO PRE-CONSTRUCTION CONDITION.
- (5) PROVIDE LANDSCAPE IMPROVEMENTS IN VICINITY OF COMPOUND.
- (6) INSTALL CONCRETE-FILLED STEEL BOLLARDS.

DETAIL

SCALE 1:200



SCALE		
PART	PART OF LOT	CONCESSION
1	24	8
2		

TOPOGRAPHIC PLAN OF S AND SITE LAYOUT DESIGN OF PROPOSED TELECOM PART OF LOT CONCESSION TOWNSHIP OF WOODFIELD CITY OF NORTH DISTRICT OF NIPISSING

SEXTON McKay LIMITED
SURVEYING ENGINEERS
CANADA LAND SURVEYOR
SCALE 1 : 750

METRIC DISTANCES AND/OR COORDINATES METRES AND CAN BE COMBINED

NOTES
BEARINGS ARE GRID, DERIVED FROM OBSERVATION AND ADJUSTED TO THE NETWORK OBSERVATION DATA (NODS) (2007/08).
DISTANCES SHOWN ON THIS PLAN ARE GRID, AND DISTANCES BY MEASUREMENT BY THE CONTRACTOR SHALL BE TO THE SCALE FACTOR OF 0.99974. FOR BEARING COMPARISONS, A ROTATION OF 0.0007° (EAST) (EAST-TO-EAST) WAS APPLIED TO BEARINGS ON PLAN 368-11087 TO CONVERT TO GRID BEARINGS.

ELEVATION NOTE
ELEVATIONS SHOWN ON THIS PLAN ARE RELATED TO GEODETIC DATUM AND ARE DERIVED FROM THE GDS BEARING AND DISTANCE SURVEY (ELEVATION 212.87m, AND N. 801993018 ELEVATION 220.87m).

LEGEND

□	DENOTES MONUMENT PLANTED	WH	DENOTES WIREMESH
W	DENOTES MONUMENT FOUND	CB	DENOTES CATCHPOLE
SB	DENOTES STANDARD IRON BARR	WT	DENOTES WATER VALVE
SSB	DENOTES SHORT STANDARD IRON BARR	MLS	DENOTES METAL LIGHT STANDARD
CB	DENOTES CONCRETE MONUMENT	CP	DENOTES CANADA POLE
WH	DENOTES WIREMESH	CS	DENOTES CURBED GAS SERVICE
CB	DENOTES CONCRETE MONUMENT	UW	DENOTES UNDERGROUND HYDRO SERVICE
WT	DENOTES WATER VALVE	DU	DENOTES UNDERGROUND WATER SERVICE
SSB	DENOTES SHORT STANDARD IRON BARR	UW	DENOTES UNDERGROUND WATER SERVICE
CB	DENOTES CONCRETE MONUMENT	MS	DENOTES METAL LIGHT STANDARD
WT	DENOTES WATER VALVE	SI	DENOTES SANITARY SEWER SERVICE
SSB	DENOTES SHORT STANDARD IRON BARR	MTD	DENOTES MINISTRY OF TRANSPORTATION OF ONTARIO

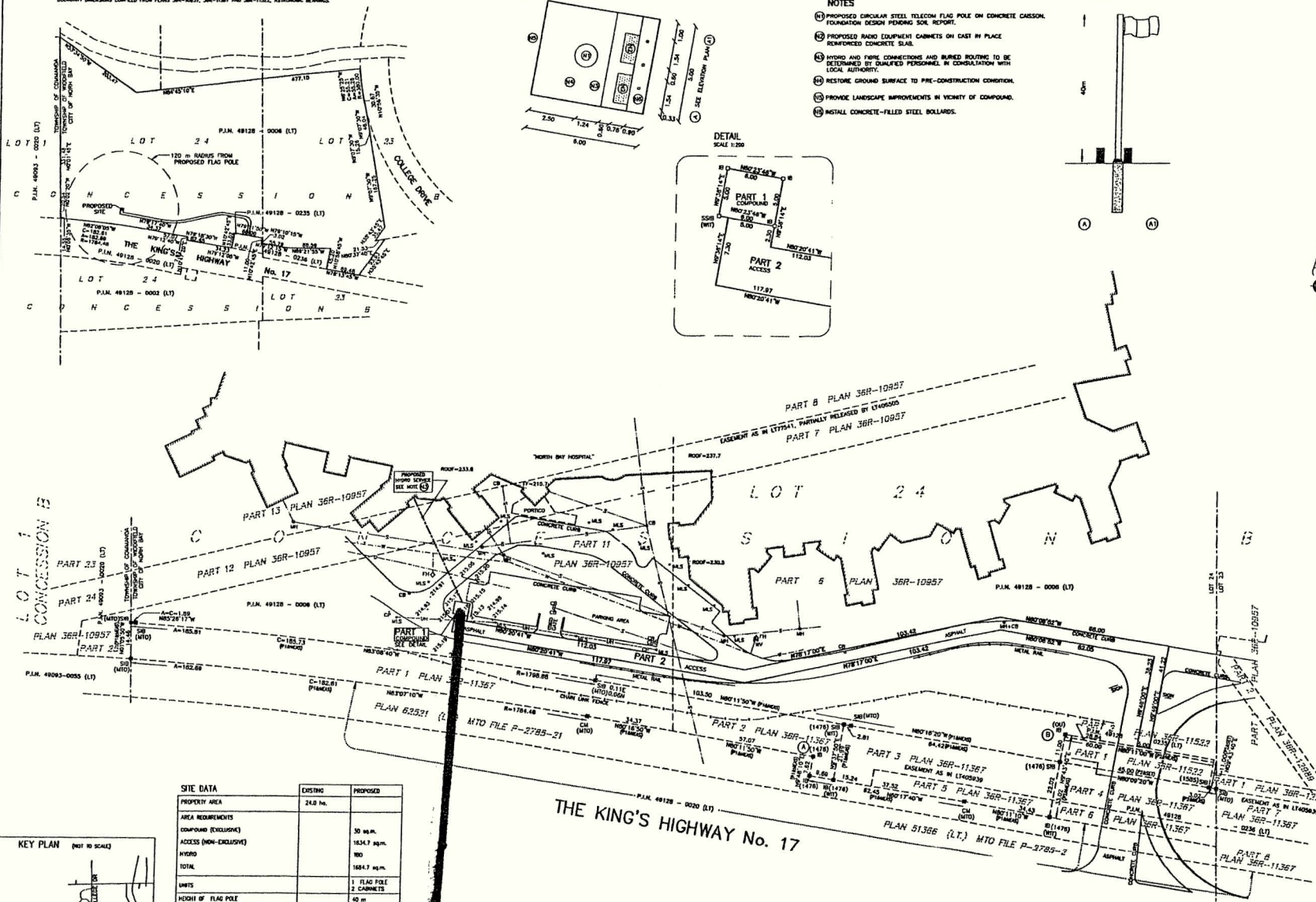
SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THE SURVEY WAS COMPLETED ON 14th DAY OF JUNE 2011.
DATE: *June 14, 2011*

CAUTION.
LOCATIONS OF ANY UNDERGROUND SERVICES ARE APPROXIMATE. OTHER BURIED UTILITIES MAY EXIST WHICH ARE NOT SHOWN BECAUSE OF DIFFICULTY. CONTRACTORS SHOULD CONTACT ALL POTENTIAL OWNERS OF UNDERGROUND UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION.

ROGERS
SITE: NORTH BAY HOSPITAL C4502

SEXTON McKay LIMITED
A wholly owned subsidiary of J.D. Sexton Limited
Ontario Land Surveyors | Canada Land Surveyor
110 RUPPER DRIVE, SUITE 100, BARRABEE, ON L3R 0E2
T: (905) 477-3600 F: (905) 477-3882 www.sextonmckay.com

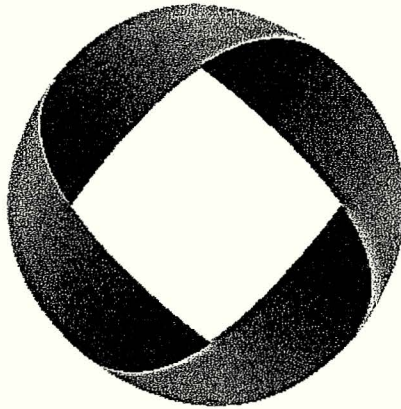
REVISION 2: REVISED TO SHOW NEW COMPOUND, JULY 11, 2011.
REVISION 1: REVISED TO SHOW NEW COMPOUND, JUNE 27, 2011.



SITE DATA	EXISTING	PROPOSED
PROPERTY AREA	24.8 ha	
AREA REQUIREMENTS		
COMPOUND (EXCLUSIONS)		30 sq.m.
ACCESS (NON-EXCLUSIONS)		1434.7 sq.m.
HYDRO		900
TOTAL		1584.7 sq.m.
UNITS		1 FLAG POLE 2 CABINETS
HEIGHT OF FLAG POLE		40 m
SETBACKS (PROPOSED FLAG POLE)		
FRONT		34.2 m
SIDE		130.5 m
REAR		228 m ±
SETBACKS (PROPOSED CABINET)		
FRONT		32.0 m
SIDE		131.9 m
REAR		220 m ±



Location of Proposed Tower



ROGERS™

Your World Right Now

Site Selection Report – Wireless Communications Installation

**North Bay General Hospital, 4700 Hwy. 11/17 N., North Bay
Rogers Site: C4502**

**Rogers Communications Inc.
Tatyana Moro, Municipal Relations Specialist
8200 Dixie Road
Brampton, ON
L6T 0C1
Phone: (647) 747-2351**

Introduction

The on-going increase in the use of personal cellular phones and other wireless devices such as Blackberry, I-Phone and broadband internet for personal, business and emergency purposes requires the development of new wireless communications infrastructure including new antennas and their support structures to meet the demands of increased capacity and broadening services areas. Canadians currently use more than 24 million wireless devices on a daily basis. More importantly, each year Canadians place more than 6 million calls to 911 or other emergency numbers from their mobile phones.

Rogers Communications Inc. "Rogers" constantly strives to improve coverage and network quality for the sake of their clients. In the recent past, due to subscriber feedback, our Network Planning and Engineering departments have become aware of coverage deficiencies in the area north of Main St. W., along Trans Canada Hwy.17/11, west of Gormanville Rd., east of Little Lakes Rd. In order to provide acceptable wireless coverage in the area, Rogers identified a site at 4700 Hwy.17/11 N. on the property of North Bay General Hospital/Northeast Mental Health Centre suitable to achieve the necessary engineering coverage objectives for our network.

The site as proposed will achieve the necessary engineering coverage objectives for our network. The proposed flag-pole installation would provide the North Bay General Hospital with reliable wireless coverage inside and outside of their facilities as well provide local subscribers with Rogers' 3.5G wireless network coverage and capacity for products and services such as BlackBerry, iPhone, cellular phone and wireless internet through the Rogers Rocket Stick technology in the surrounding area.

Network Requirements and Site Selection

The selection of a wireless communications site works similarly to fitting a piece into a puzzle. In this case, the puzzle is a complex radio network, situated in a rural setting. Client demand, radio frequency engineering principles, local topography and land use opportunities working in concert with one another direct the geography of our sites.

In order to achieve a reliable wireless network, carriers must provide a seamless transmission signal to alleviate any gaps in coverage. Gaps in coverage are responsible for dropped calls, and unavailable service to clients. Rogers Communications Inc. would utilize the following proposed site location in order to provide high quality network signal for its high speed wireless voice and data network.

Our current coverage in the area north of Main St. W., along Trans Canada Hwy.17/11, west of Gormanville Rd. and east of Little Lakes Rd. is well below our acceptable standards and we need to respond to our customers' requests for improved coverage in these areas.

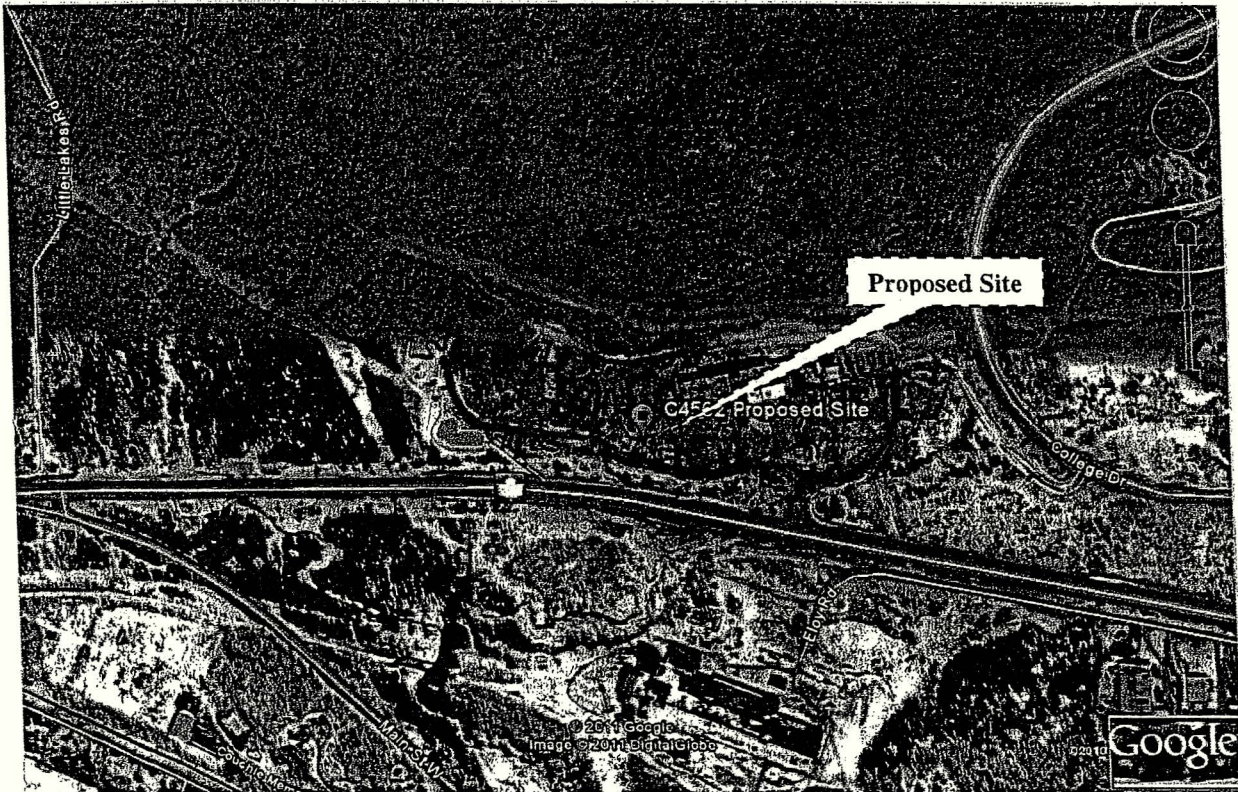
The main objectives of this site are to provide in-building coverage for the North Bay General Hospital and improve our wireless signal quality for the surrounding area for the local residents and those members of the community that use wireless devices.

Proposed Location

The proposed wireless communication structure will be located approximately 80 metres north of Trans Canada Hwy. 17/11 on the Subject Property; approximately 45 metres from the main hospital building, approximately 600 metres west of College Dr., 955 metres east of Little Lake Rd.

The Subject Property, with an approximate area of 24.0 ha. is known municipally as 4700 Hwy.11/17 N., and legally as Part of Lot 24 Concession B, Township of Widdifield, City of North Bay, District of Nipissing

Figure 1 - Location Map



The geographic coordinates for the site are as follows:

Latitude (NAD 83) N 46° 20' 4.9"

Longitude (NAD 83) W 79° 30' 5.4"

Description of Proposed System

In an attempt to enhance sight-lines of the general vicinity, Rogers is proposing to construct a flag-pole structure with its required antenna equipment mounted on the interior of the structure. No antennas or wireless equipment would be visible at the proposed site. The design, construction and installation of the structure will be consistent with the required engineering practices including structural adequacy.

The structure is an aesthetic flag-pole structure, 40 metres tall (approx. 131 feet), and would occupy a ground compound area of approximately 30 sq. m. (5 m x 6 m).

The site facility would include two locked, alarmed and electronically monitored mechanical equipment cabinets with an exterior finish that will blend in with its surroundings on a cast in place reinforced concrete slab. No fencing will be installed around the base of the tower and equipment shelters. Concrete-filled steel bollards will be installed around the site. The cabinets will contain radio equipment, backup battery power, maintenance tools, manuals and a first aid kit.

The proposed flag pole design for this location would best blend in with surrounding areas and have the least impact from the highway and will not impede on the enjoyment of neighbouring properties as well as add quality public services to this area.

Rogers proposes to install three (3) sectored 1900/850 MHz HSPA (High Speed Packet Access) service antennas.

Figure 2 – Sample image of proposed installation



Identification and Evaluation of Co-location Options

Rogers does not undertake new site development lightly. Rogers makes every effort to accommodate the needs of local residents when we construct the infrastructure that provides mobile wireless services to our customers and the communities in which they live and work. Rogers puts forth best efforts to find an appropriate location and design while still meeting the technical requirements of the network.

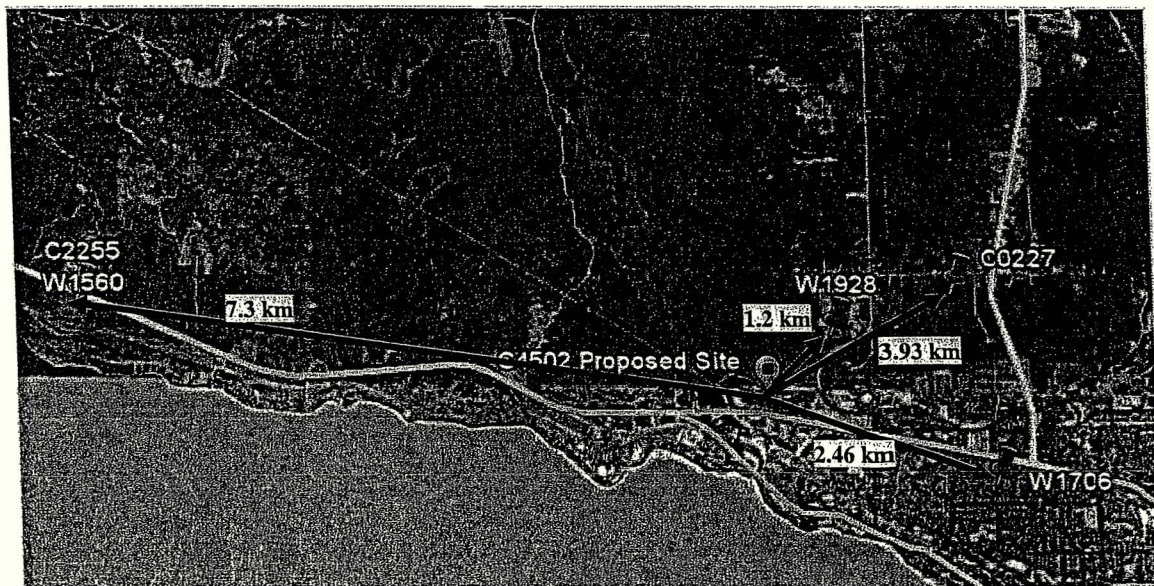
Part of initial site selection, Roger's primary effort is to co-locate on existing structures. Apart from being encouraged by Industry Canada, co-location is one of the cornerstones of Rogers' site development philosophy.

As shown in Figure 3, the closest structure available for co-location is situated 1.2 km north east on S. Access Rd., on the property of Nipissing University. However, due to the height of this structure being 14 metres the co-location on this installation will not allow Rogers to meet its coverage needs as Rogers' antennas outlined in this proposal are to be installed at 40 metres height in order to address the coverage objectives.

Other wireless communication structures identified on the map below are also all beyond the distance required in order to address the coverage deficiencies in the North Bay General Hospital and the surrounding area; are not suitable for our network needs and would not improve our existing signal coverage to the expected quality levels.

As an appropriate alternative structure was not readily available, Rogers Communications Inc. had to consider the construction of its own installation.

Figure 3 – Surrounding wireless communication installations



LEGEND:

Red pin - (C) Rogers Structures
Blue pin - (W) Bell Structures

Municipal Consultation Process

Rogers Wireless is regulated and licensed by Industry Canada to provide inter-provincial wireless voice and data services. As a federal undertaking, Rogers is required by Industry Canada to consult with land-use authorities in siting antenna locations.

The consultation process established under Industry Canada's authority is intended to allow the local land-use authorities the opportunity to address land-use concerns while respecting the federal government's exclusive jurisdiction in the siting and operation of wireless voice and data systems.

As the provisions of the Ontario Planning Act and other municipal by-laws and regulations do not apply to federal undertakings, wireless communication facilities are not required to obtain municipal permits of any kind. Rogers is however required to follow established and documented wireless protocols or processes set forth by land-use authorities.

The City of North Bay has adopted a process for establishing telecommunication facilities in the City, under amendment of the Zoning By-Law requirement in conjunction with the Industry Canada's Default Public Consultation Process requirements. In accordance with Industry Canada's CPC-2-0-03, Issue 4 and in fulfillment of the City of North Bay's request for public notification, Rogers will be providing an information package and an invitation to an Information Open House to all those property owners located within a radius of 120 metres from the property of the proposed structure. Concurrent to the mailing of this invitation, Rogers will place a notice in the local community newspaper, North Bay Nugget. Copy of this information package and an invitation to the Information Open House will be provided to the City of North Bay and Industry Canada as part of the municipal consultation process.

Federal Requirements

In addition to the requirements for consultation with municipal authorities and the public, Rogers must also fulfill other important obligations including the following:

Canadian Environmental Assessment Act

Rogers attests that the radio antenna system as proposed for this site will comply with the Canadian Environmental Assessment Act, as this facility is excluded from assessment.

Engineering Practices

Rogers attests that the radio antenna system as proposed for this site will be constructed in compliance with the Canadian Standard Association and comply with good engineering practices including structural adequacy.

Health Canada's Safety Code 6 Compliance

Health Canada is responsible for research and investigation to determine and promulgate the health protection limits for Exposure to the RF electromagnetic energy. Accordingly, Health Canada has developed a guideline entitled "Limits of Human Exposure to Radiofrequency Electromagnetic Field in the Frequency Range from 3kHz to 300 GHz – Safety Code 6". The exposure limits specified in Safety Code 6 were established from the results of hundreds of studies over the past several decades where the effects of RF energy on biological organisms were examined.

Radiocommunication, including technical aspects related to broadcasting, is under responsibility of the Department of Industry (Industry Canada), which has the power to establish standards, rules, policies and procedures. Industry Canada, under this authority, has adopted Safety Code 6 for the protection of the general public. As such, Industry Canada requires all proponents and operators to ensure that their installations and apparatus comply with the Safety Code 6 at all times.

Rogers Communications Inc. attests that the radio antenna system described in this notification package will at all times comply with Health Canada's Safety Code 6 limits, as may be amended from time to time, for the protection of the general public including any combined effects of additional carrier co-locations and nearby installations within the local radio environment. In fact, emissions levels of Roger's wireless communication installations are far below the limits outlined in Safety Code 6.

More information in the area of RF exposure and health is available at the following web site:
Safety Code 6: http://www.hc-sc.gc.ca/ewh-semt/pubs/radiation/radio_guide-lignes_direct-eng.php and <http://www.hc-sc.gc.ca/ewh-semt/radiation/cons/stations/index-eng.php>

Transport Canada's Aeronautical Obstruction Marking Requirements

Aerodrome safety is under the exclusive jurisdiction of NAV Canada and Transport Canada. NAV Canada and Transport Canada will assess the proposal with respect to any NAV CANADA potential impact of the proposed physical structure on the national air navigation system, facilities and other services located off-airport prior to construction. A copy of NAV Canada and Transport Canada clearance letters will be made available to the City as required.

Due to the proximity to an airport in the immediate area (approx. 5 km west-southwest of boundary of the North Bay Jack Garland Airport and about 500 m west of the heliport serving the North Bay Regional Health Centre), Rogers has retained the services of AeroCan Aviation Specialists to conduct an aeronautical analysis of the potential effects of the proposed site location. Based on the study undertaken, the structure location has been deemed acceptable.

The Proposed Site may require markings and lighting in accordance with the provisions of Canadian Aviation Regulation Standard 621.19.

Rogers attests that the radio antenna system described in this notification package will comply with Transport Canada / NAV CANADA aeronautical safety requirements. Rogers will make all necessary applications to Transport Canada and NAV CANADA.

For additional detailed information, please consult Transport Canada at:
<http://www.tc.gc.ca/eng/civilaviation/regserv/cars/part6-standards-standard621-512.htm>

Industry Canada's Spectrum Management

Please be advised that the approval of this site and its design is under the exclusive jurisdiction of the Government of Canada through Industry Canada.

For more information on Industry Canada's public consultation guidelines including CPC-2-0-03 contact (<http://www.ic.gc.ca/epic/site/smt-gst.nsf/en/sf08777e.html>) or the local Industry Canada office at spectrum.sault-ste-marie@ic.gc.ca:

Northern Ontario District Office

70 Foster Dr.
6th Floor, Suite 600
Sault Ste-Marie, Ontario
P6A 6V4
Phone: 705-941-4139
Fax: 705-941-4607

General information relating to antenna systems is available on Industry Canada's Spectrum Management and Telecommunications website (<http://www.ic.gc.ca/epic/site/smt-gst.nsf/en/home>)

Conclusion

Access to reliable wireless communications services is of great importance to residents' and travelers' safety and well-being in today's society. Wireless technology has fast become the preferred method of conducting business and personal communications among a large part of the population.

Rogers feels that the proposed site is well located to provide and improve wireless voice and data services in the targeted area. The proposed site is also situated and designed to have minimal impact on surrounding land uses.

In order to proceed with this land use consultation and meet Industry Canada's requirements, Rogers Communications Inc. is requesting that the City of North Bay review this proposal and provide the names of the property owners within the required radius and an appropriate newspaper for the purpose of placing the public notice as per the requirements outlined by City of North Bay and Industry Canada's CPC Default Consultation Process.

Rogers looks forward to working with City of North Bay in providing better wireless services. Kindly review the site information package; if you require further information about this matter, please contact me at 647-747-2351 or Tatyana.Moro@rci.rogers.com.

Best regards,
Tatyana Moro
Municipal Relations Specialist
Rogers Communications Inc.
Network Implementation

City of North Bay Report to Council

Report No: CORP 2011-144

Date: August 17, 2011

Originator: Jennifer McDonald and Laura Boissonneault

Subject: Capital Projects Status Report – June 2011

RECOMMENDATIONS:

- 1) That the Capital Projects Status Report – June 2011 Report No. CORP 2011-144 from the Chief Financial Officer be received; and,
 - 2) That the 22 projects listed on **Appendix 'A'** attached to Report No. CORP 2011-144 be closed and that the estimated surplus balance of **\$317,831** be transferred as follows: **\$37,819** to the Completed Capital Works Reserve Fund and **\$280,012** to the Water and Sanitary Sewer Reserve Fund as at June 30, 2011; and,
 - 3) That the 2 projects listed on **Appendix 'B'** attached to Report No. CORP 2011-144 be closed and that the estimated surplus balance of **\$168,586** be transferred to other open capital projects as noted on Appendix 'B' as at June 30, 2011.
-

BACKGROUND:

On February 24, 2010, City Council passed Resolution No. 2010-121 amending Resolution No. 2001-532, authorizing the Capital Projects Status Reports to be filed on a semi-annual basis as at June 30th and December 31st of each year. Attached is the semi-annual Capital Projects Status Report as at June 30, 2011. Each project has been reviewed in detail with the Site Authority and any comments are reflected at the bottom of each Capital Project Status Sheet.

The Capital Works Reserve Fund balance, estimated to grow from \$2,668,602 (as at December 31, 2010) to \$3,048,147 by the end of this reporting period, is allocated as follows:

- Completed Capital Works Reserve Fund (#99537R), with a balance of \$1,291,237
 - Water & Sanitary Sewers Reserve Fund (#99522R), with a balance of \$1,756,910
-

ANALYSIS:

The Summary of 'Capital Projects Status Report' to June 30, 2011 is attached. The 121 'open' projects are summarized as follows:

Funding completed to June 2011 - Column 'A'	\$ 76,395,675
Outstanding funding Pre 2011 - Column 'D'	9,026,992
Outstanding funding 2011 Approvals - Column 'E'	25,274,000
Future funding - Column 'F'	41,100,000
Other outstanding funding sources - Column 'G'	<u>37,586,576</u>
Total projected funding - Column 'H'	<u>\$189,383,243</u>
Expenditures incurred to June 2011 - Column 'B'	\$ 73,508,156
Projected future expenditures	<u>115,803,014</u>
Total projected expenditures - Column 'I'	<u>\$189,311,170</u>
Projected Surplus / (Deficit) - Column 'J'	<u>\$ 72,073</u>

Column 'J' summarizes the projected final surplus or (deficit) for all open projects. Most open projects are expected to be completed on budget or with surplus funds available. The total current projected surplus for the 121 open projects is estimated to be \$72,073. Upon completion of the projects, a request will be made for the actual surplus or (deficit) to be transferred to or (from) the capital project reserve.

Appendix 'A' summarizes 22 projects that are now complete and can now be closed as at June 30, 2011. In total, these projects are over funded or under spent by an estimated \$317,831 and the recommendation is to transfer this projected balance as follows:

- \$37,819 to the Completed Capital Works Reserve Fund
- \$280,012 to the Water and Sanitary Sewer Reserve Fund

Appendix 'B' summarizes 2 projects that are recommended to be closed with balances transferred to other open projects as at June 30, 2011. These transfers represent authorizations for the same or similar on-going projects. Funds have accumulated from projects being either over funded or under spent, totaling an estimated \$168,586.

The closure and transfer of the above noted projects is in accordance with the policy established and with Council Resolution #2001-532 and will simplify daily management of the growing number of open projects, for both the site authorities and the Financial Services Department.

OPTIONS:

Option #1

- 1) That the Capital Projects Status Report – June 2011 Report No. CORP 2011-144 from the Chief Financial Officer be received; and,
- 2) That the 22 projects listed on **Appendix 'A'** attached to Report No. CORP 2011-144 be closed and that the estimated surplus balance of **\$317,831** be transferred as follows: **\$37,819** to the Completed Capital Works Reserve Fund and **\$280,012** to the Water and Sanitary Sewer Reserve Fund as at June 30, 2011; and,
- 3) That the 2 projects listed on **Appendix 'B'** attached to Report No. CORP 2011-144 be closed and that the estimated surplus balance of **\$168,586** be transferred to other open capital projects as noted on Appendix 'B' as at June 30, 2011.

Option #2

- 1) That the Capital Projects Status Report – June 2011 Report No. CORP 2011-144 from the Chief Financial Officer be received; and,
 - 2) That the 22 projects listed on **Appendix 'A'** attached to Report No. CORP 2011-144 be closed and that the estimated surplus balance of **\$317,831** be used to fund similar 2011 capital projects at the discretion of the Chief Financial Officer; and,
 - 3) That the 2 projects listed on **Appendix 'B'** attached to Report No. CORP 2011-144 be closed and the balance of **\$168,586** be used to fund similar 2011 capital projects at the discretion of the Chief Financial Officer.
-

RECOMMENDATIONS / FINANCIAL IMPLICATIONS:

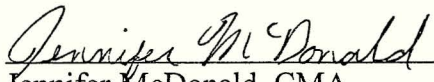
In summary we are recommending that **Option #1** be accepted as follows:

- 1) That the Capital Projects Status Report – June 2011 Report No. CORP 2011-144 from the Chief Financial Officer be received; and,
- 2) That the 22 projects listed on **Appendix 'A'** attached to Report No. CORP 2011-144 be closed and that the estimated surplus balance of **\$317,831** be transferred as follows: **\$37,819** to the Completed Capital Works Reserve Fund and **\$280,012** to the Water and Sanitary Sewer Reserve Fund as at June 30, 2011; and,
- 3) That the 2 projects listed on **Appendix 'B'** attached to Report No. CORP 2011-144 be closed and that the estimated surplus balance of **\$168,586** be transferred to other open capital projects as noted on Appendix 'B' as at June 30, 2011.

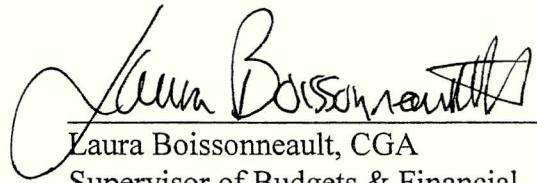
Following the adoption in 2001 of the current capital project reporting requirements and expenditure controls, the majority of capital projects have been completed on or under budget and reserve funds with projected balances totaling \$3,048,147 are estimated to be created by the end of this reporting period. Subject to possible reallocations, final account adjustments and/or transfers out of the reserves to other capital projects via Council approval, the aforementioned transfers are expected to result in reserve balances of \$1,291,237 in the Completed Capital Project Reserve Fund and \$1,756,910 in the Water & Sanitary Sewer Reserve Fund. The total in these two reserve funds is deemed low but does allow the City some flexibility should additional funds be required for existing or emergency capital projects. In the past, these requirements have been deferred or funded by deferring other planned capital projects.

The goal in the Reserve Fund Policy is to have reserves balances directly related to capital concerns, equal to 40% of the annual Capital Funding Policy Expenditure Limit. As of June 30, 2011, the balance of total reserves dollars directly related to capital concerns is approximately 37% of the 2011 Capital Funding Policy Expenditure Limit.

Respectfully submitted,

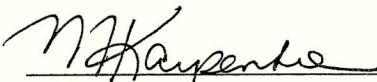


Jennifer McDonald, CMA
Financial Reports Coordinator




Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting

I concur with this report and recommendations.



Margaret Karpenko, CMA
Chief Financial Officer



David Linkie
Chief Administrative Officer

Personnel designated for continuance: Financial Reports Coordinator

Attachments: Summary of Capital Project Status Reports, Appendix A, Appendix B.

Copy for: Senior Management Team

**CITY OF NORTH BAY
SUMMARY OF CAPITAL PROJECT STATUS REPORTS
ANALYSIS OF COSTS AND FUNDING
As At June 30, 2011**

Pro#	Description	A Funding Completed To Jun-11	B Costs Incurred To Jun-11	C = A-B Funding Available (Required)	D Approved Funding Pre-2011	E Approved Funding 2011	F Future Funding Authority	G Other Funding Forecast	H Total Funding For Project	I Projected Expenditures Incurred	J = H-I Projected Surplus/ (Deficit)
To Completed Capital Works Reserve Fund:											
12975PR	Parks - Park Vehicle and Equipment Replacement Program (On-going)	\$295,000	\$289,143	\$5,857					\$295,000	(\$289,143)	\$5,857
2987FD	Fire Department - Facilities Management Program (On-going)	\$70,000	\$69,525	\$475					\$70,000	(\$69,525)	\$475
2988FD	Fire Department - Bunker Gear Replacement Program	\$198,000	\$121,308	\$76,692					\$198,000	(\$198,000)	\$0
43012PC	Landfill Site (Merrick) - Methane Collection System - Energy Utilization	\$0	\$22,329	(\$22,329)				\$22,329	\$22,329	(\$22,329)	\$0
53031RF	Arenas - Memorial Gardens Rehabilitation Program (On-going)	\$500,000	\$480,962	\$19,038					\$500,000	(\$480,962)	\$19,038
63040PR	Parks - Downtown Sidewalk Rehabilitation Program (On-going)	\$74,250	\$128,966	(\$54,716)	\$85,000				\$159,250	(\$158,476)	\$774
73041PR	Parks - Aquatic Centre Rehabilitation Program (On-going)	\$331,771	\$338,724	(\$6,953)					\$331,771	(\$331,771)	\$0
83042PR	Parks - Kings Landing and Marina Rehabilitation Program (On-going)	\$17,613	\$181,978	(\$164,365)	\$165,000				\$182,613	(\$181,978)	\$635
93054LB	North Bay Public Library Board (On-going)	\$150,000	\$143,014	\$6,986					\$150,000	(\$143,014)	\$6,986
103082GG	PCA Courtroom Renovations	\$441,744	\$439,805	\$1,939					\$441,744	(\$439,805)	\$1,939
113100PC	Recycling Centre - Relocation of Organic Collection	\$0	\$0	\$0					\$0	\$0	\$0
123106RD	Street Reconstruction - McKeown Ave. (Gormanville to Fire Station)	\$0	\$0	\$0		\$750,000			\$750,000	(\$750,000)	\$0
133107RD	Street Reconstruction - Trout Lake Road (Connaught to Giroux)	\$152,942	\$6,310	\$146,632		\$418,368			\$571,310	(\$571,310)	\$0
146006RD	Pedestrian Safety Program Including New Sidewalks (On-going)	\$0	\$0	\$0		\$103,000			\$103,000	(\$103,000)	\$0
156007RD	Road Culvert Replacement / Rehab - Rural Roadways (On-going)	\$0	\$42,885	(\$42,885)		\$155,000			\$155,000	(\$152,885)	\$2,115
Total Surplus to Completed Capital Works Reserve Fund (Reserve #99537R):											\$37,819

To Water & Sanitary Sewer Capital Works Reserve Fund:											
162960WS-SS	Systems Technology Program - Water & Sewer (on-going)	\$277,132	\$902	\$276,230					\$277,132	(\$902)	\$276,230
173004WS	Street Reconstruction - Main St	\$100,000	\$100,102	(\$102)					\$100,000	(\$100,102)	(\$102)
183079WS	Water Main Looping - Automatic Flow Program (On-going)	\$102,211	\$102,211	\$0					\$102,211	(\$102,211)	\$0
193107SS-WS	Street Reconstruction - Trout Lake Road (Connaught to Giroux)	\$0	\$0	\$0					\$0	\$0	\$0
206043SS-WS	Sewers - Water Reconstruction Program (On-going)	\$0	\$101,984	(\$101,984)		\$103,000			\$103,000	(\$101,687)	\$1,313
216046WS	Water Main Replacement - Reaming or Relining Program (On-going)	\$0	\$152,429	(\$152,429)		\$155,000			\$155,000	(\$152,429)	\$2,571
226047WS	Water Main Looping - Automatic Flow Program (On-going)	\$0	\$103,000	(\$103,000)		\$103,000			\$103,000	(\$103,000)	\$0
Total Surplus to Water & Sewer Completed Capital Works Reserve Fund (Reserve #99522R):											\$280,012

Projects to be Closed and Transferred to Other Open Projects at June 30, 2011 - Appendix B:											
12449WS	Water Main Looping - Regina St (Oak St. E to Memorial Dr)	\$150,000	\$4,420	\$145,580					\$150,000	(\$4,420)	\$145,580
23015RD-ST	City Share of New Development Costs (On-going)	\$274,014	\$251,008	\$23,006					\$274,014	(\$251,008)	\$23,006
Total Surplus to other Capital Projects:											\$168,666

Open On-Going Projects:											
12610RD-ST	Street Reconstruction [NBRHC] - Jane St, Eloy Rd, College Dr. & Gormanville Rd.	\$11,964,318	\$10,657,057	\$1,307,262					\$11,964,318	(\$11,964,318)	\$0
22616RD	Street Reconstruction - McKeown Ave. Gormanville to Algonquin	\$6,314,064	\$6,135,602	\$178,462					\$6,314,064	(\$6,314,064)	\$0
32699GG	Administrative & Overhead Charges	\$2,123,593	\$1,614,198	\$509,395			\$4,833,119		\$6,956,712	(\$6,942,960)	\$13,753
42702WS, 2801WS	Airport Hill Zone 3 & 4/CFB Reservoir Water System Upgrade and Expansion	\$8,400,000	\$7,788,540	\$611,460					\$8,400,000	(\$8,400,000)	\$0
52724SS	Sewage Treatment Plant Automation (On-going)	\$407,855	\$285,856	\$121,999					\$407,855	(\$407,855)	\$0
62793RD	Maintenance Management Software System	\$36,968	\$67	\$36,901					\$36,968	(\$36,968)	\$0
72802RD	Bridge Reconstruction - Trout Lake Road (ONR overpass)	\$82,000	\$62,432	\$19,568		\$500,000	\$1,350,000		\$1,932,000	(\$1,932,000)	\$0
82803WS-SS	Cedar Heights Standpipe	\$600,000	\$273,938	\$326,062		\$1,500,000	\$3,000,000	\$13,500,000	\$18,600,000	(\$18,600,000)	\$0
92814WS	Water Meter Strategy Implementation	\$1,501,371	\$189,593	\$1,311,778	\$1,000,000			\$4,640,966	\$7,142,337	(\$7,142,337)	\$0
102825SL	Traffic Signals/Intersection (Pearce/Airport to Francis)	\$105,587	\$59,477	\$46,110		\$800,000		\$94,413	\$1,000,000	(\$1,000,000)	\$0
112825SS-WS	Intersection (Pearce/Airport to Francis) Improvements	\$0	\$0	\$0		\$750,000			\$750,000	(\$750,000)	\$0
122831ST	Francis Street Storm Outlet	\$600,000	\$355,733	\$244,267	\$250,000			\$285,000	\$1,135,000	(\$1,135,000)	\$0
132891TR	Transit - One Time Funding	\$807,356	\$667,288	\$140,068					\$807,356	(\$807,356)	\$0
142915RD-ST	Front St (Douglas to Ann) with 2nd Ave Realignment & Ann Reconnect	\$11,183,528	\$10,574,622	\$608,906					\$11,183,528	(\$11,183,528)	\$0
152915WS-SS	Front St (Douglas to Ann) with 2nd Ave Realignment & Ann Reconnect	\$2,146,053	\$3,093,553	(\$947,500)	\$500,000			\$1,620,615	\$4,266,668	(\$4,266,668)	\$0
162916GD	Landfill Site (Merrick) - Leachate Management - Cell 6 & Wells	\$1,600,000	\$1,417,467	\$182,533			\$200,000		\$1,800,000	(\$1,800,000)	\$0
172919RD-ST	Street Reconstruction - Pearce (Francis to Greenhill)	\$110,000	\$41,265	\$68,735		\$1,600,000			\$1,710,000	(\$1,710,000)	\$0
182919SS-WS	Street Reconstruction - Pearce (Francis to Greenhill)	\$200,000	\$11,736	\$188,264		\$1,100,000			\$1,300,000	(\$1,300,000)	\$0
192930RD	Traffic Signalized Pedestrian Crossings	\$200,000	\$157,449	\$42,551					\$200,000	(\$200,000)	\$0
202934ST	Chippewa Creek / Airport Heights Stormwater Retention	\$100,000	\$87,769	\$12,231			\$500,000		\$600,000	(\$600,000)	\$0
212937WS-SS	Asset Management Program/ Infrastructure Sustainability	\$500,000	\$262,894	\$237,106		\$250,000	\$250,000		\$1,000,000	(\$1,000,000)	\$0
222942RE	Recycling Depot	\$1,548,350	\$1,587,112	(\$38,762)		\$200,000			\$1,748,350	(\$1,748,350)	\$0
232960GG	Systems Technology Program (on-going)	\$795,278	\$755,531	\$39,746	\$135,254				\$930,531	(\$930,531)	\$0
242961PK	Parking - Lot Maintenance and Improvement Program	\$174,379	\$22,689	\$151,689	\$65,485				\$239,864	(\$239,864)	\$0
252967GG	City Hall Building Rehabilitation - 7th Floor	\$930,000	\$849,714	\$80,286					\$930,000	(\$930,000)	\$0
262970RF	Arenas - Pate Palangio / West Ferris Rehabilitation Program (on-going)	\$390,000	\$429,680	(\$39,680)	\$160,000				\$550,000	(\$491,680)	\$58,320
272971PR	Facilities - Park Building Rehabilitation (On-going) (Circle Lake)	\$312,649	\$226,442	\$86,207					\$312,649	(\$312,649)	\$0
282973RF	Facilities - Sport Field Complex	\$8,389,518	\$10,376,634	(\$1,987,116)				\$4,335,482	\$12,725,000	(\$12,725,000)	\$0
292978PR	Parks - Trail & Supporting Hard Services Rehabilitation Program (on-going)	\$150,000	\$116,254	\$33,746					\$150,000	(\$150,000)	\$0
303001RD	Bridge Reconstruction - Lakeshore Dr. Bridge over Lavase River - Study	\$100,000	\$38,353	\$61,647		\$950,000			\$1,050,000	(\$1,050,000)	\$0
313002RD	Bridge Reconstruction - Hammond & Stanley St. Bridges - EA and Removal	\$50,000	\$18,882	\$31,118			\$200,000		\$250,000	(\$250,000)	\$0
323004RD-ST	Street Reconstruction - Main St / Seymour St. / Ski Club	\$100,000	\$283,969	(\$183,969)		\$200,000			\$300,000	(\$300,000)	\$0
333005RD-ST	Street Reconstruction - Jane St. (Murray to Timmins) (Design)	\$0	\$38,919	(\$38,919)	\$180,000		\$1,500,000		\$1,680,000	(\$1,680,000)	\$0
343005SS-WS	Street Reconstruction - Jane St. (Murray to Timmins) (Design)	\$180,000	\$29,011	\$150,989			\$1,400,000		\$1,580,000	(\$1,580,000)	\$0
		\$2,067	\$27,638	(\$25,570)				\$500,000	\$502,067	(\$502,067)	\$0

**CITY OF NORTH BAY
SUMMARY OF CAPITAL PROJECT STATUS REPORTS
ANALYSIS OF COSTS AND FUNDING
As At June 30, 2011**

		A	B	C = A-B	D	E	F	G	H	I	J = H-I
		Funding Completed To Jun-11	Costs Incurred To Jun-11	Funding Available (Required)	Approved Funding Pre-2011	Approved Funding 2011	Future Funding Authority	Other Funding Forecast	Total Funding For Project	Projected Expenditures Incurred	Projected Surplus/ (Deficit)
Pro#	Description										
36	3008PK-RD-ST	Heritage North Bay Parkland - Environmental Protection, Grading &	\$1,093,038	\$2,534,788	(\$1,441,751)	\$2,100,000		\$3,450,975	\$6,644,013	(\$6,644,013)	\$0
37	3010RD	CN Lands-Preparation for Sale-Embankment Removal (Fund from Land Sales)	\$0	\$97,439	(\$97,439)			\$200,000	\$200,000	(\$200,000)	\$0
38	3013SS	Street Lighting Upgrades	\$220,333	\$58,980	\$161,353	\$579,667	\$1,600,000		\$2,400,000	(\$2,400,000)	\$0
39	3014SS-WS	Design Work - Next Year's Projects (On-going)	\$599,568	\$323,556	\$276,013				\$599,568	(\$599,568)	\$0
40	3015SS-WS	City Share of New Development Costs (Ongoing)	\$338,026	\$219,605	\$118,421				\$338,026	(\$338,026)	\$0
41	3020RD	Pedestrian Safety Program Including new Sidewalks (On-going)	\$100,000	\$40,309	\$59,691				\$100,000	(\$100,000)	\$0
42	3025RD	Bridge Rehabilitation (On-going)	\$71,532	\$63,081	\$8,452				\$71,532	(\$71,532)	\$0
43	3027GG	System Technology Program (On-going)	\$0	\$115,375	(\$115,375)	\$550,000			\$550,000	(\$550,000)	\$0
44	3027SS-WS	Systems Technology Program (on-going)	\$90,000	\$900	\$89,100				\$90,000	(\$90,000)	\$0
45	3028PK	Parking - Vehicle & Equipment Replacement (on-going)	\$5,272	\$54,222	(\$48,950)	\$100,000			\$105,272	(\$105,272)	\$0
46	3032RF	Arenas - Pete Palangio / West Ferris Rehabilitation Program (On-going)	\$443,896	\$487,838	(\$43,942)	\$50,000			\$493,896	(\$493,896)	\$0
47	3033RF	Facilities - Park Building Rehabilitation (On-going)	\$0	\$186,967	(\$186,967)	\$250,000			\$250,000	(\$250,000)	\$0
48	3034RF	Facilities - Recreation Facilities Rehabilitation and Development (On-going)	\$250,000	\$159,363	\$90,637				\$250,000	(\$250,000)	\$0
49	3037PR	Parks - Waterfront Rehabilitation Program (On-going)	\$0	\$60,943	(\$60,943)	\$90,000			\$90,000	(\$90,000)	\$0
50	3043PR	Parks - Long Term Needs Study (Cultural Plan)	\$90,000	\$46,464	\$43,536				\$90,000	(\$90,000)	\$0
51	3044TR	Transit Coach Replacement Program (On-going)	\$920,000	\$846,979	\$73,021	\$110,000			\$1,030,000	(\$1,030,000)	\$0
52	3046AT	North Bay Jack Garland Airport	\$0	\$224,700	(\$224,700)	\$274,000			\$274,000	(\$274,000)	\$0
53	3048FD	Fire Department - Vehicle and Equipment Replacement Program (On-going)	\$50,000	\$88,877	(\$38,877)	\$45,000			\$95,000	(\$95,000)	\$0
54	3050FD	Fire Department - New Radio System	\$0	\$29,631	(\$29,631)	\$50,000			\$50,000	(\$50,000)	\$0
55	3060WS	Main City Trunk Rehabilitation (Hughes Rd / Hillview / Ski Club)	\$147,609	\$126,855	\$20,754	\$152,391	\$4,000,000		\$4,300,000	(\$4,300,000)	\$0
56	3061SS	Sanitary Sewer Upsize - Main St. (Gormanville Rd. to Memorial Dr.)	\$100,000	\$1,008	\$98,992		\$2,600,000		\$2,700,000	(\$2,700,000)	\$0
57	3063WS	Street Reconstruction - Ski Club Road (Lakeside Dr. to Johnston Rd.)	\$397,955	\$78,618	\$319,337	\$1,200,000	\$800,000	\$800,000	\$3,197,955	(\$3,197,955)	\$0
58	3064WS	Water Main Replacement-Lakeshore Dr (Phase I-Marshall to Jessops Creek)	\$200,000	\$2,864	\$197,136		\$800,000		\$1,000,000	(\$1,000,000)	\$0
59	3066SS	Sanitary Sewer - Rehabilitation Program	\$300,000	\$21,317	\$278,683				\$300,000	(\$300,000)	\$0
60	3069WS	Drinking Water Quality Management Maintenance System (HANSEN)	\$1,027,837	\$688,854	\$338,983	\$185,195			\$1,213,032	(\$1,213,032)	\$0
61	3070SS	Sanitary Sewer - Inflow / Infiltration Reduction / Flow Monitoring Program	\$100,000	\$1,000	\$99,000		\$500,000	\$500,000	\$1,100,000	(\$1,100,000)	\$0
62	3071SS	Bulk Water / Septage Disposal	\$300,000	\$287,900	\$12,100				\$300,000	(\$300,000)	\$0
63	3072SS	Manhole and Catchbasin Repair Program	\$100,000	\$69,664	\$30,336				\$100,000	(\$100,000)	\$0
64	3078WS	Water Treatment Plant and Facilities Maintenance Program (On-going)	\$303,941	\$80,258	\$223,682				\$303,941	(\$303,941)	\$0
65	3080WS	Water Main Replacement, Reaming or Relining Program (On-going)	\$150,000	\$117,043	\$32,957				\$150,000	(\$150,000)	\$0
66	3103RD	Public Works Admin Building Roof Repairs	\$0	\$0	\$0	\$250,000			\$250,000	(\$250,000)	\$0
67	3104RD	Street Reconstruction - Ferguson St. (McIntyre to Chippawa)	\$0	\$0	\$0	\$300,000	\$9,000,000		\$9,300,000	(\$9,300,000)	\$0
68	3105RD	Street Reconstruction - Main St (Sherbrooke St to Overpass)	\$0	\$820	(\$820)	\$1,200,000	\$1,500,000		\$2,700,000	(\$2,700,000)	\$0
69	3105SS-WS	Street Reconstruction - Main St (Sherbrooke to Overpass)	\$0	\$0	\$0	\$1,600,000	\$400,000		\$2,000,000	(\$2,000,000)	\$0
70	3108GD	Landfill Site (Merrick) - Leachate Treatment	\$0	\$26,196	(\$26,196)	\$300,000	\$4,700,000		\$5,000,000	(\$5,000,000)	\$0
71	3110ST	Storm Water Management - Ski Club Relocation of Storm Sewer Outlet	\$0	\$0	\$0			\$350,000	\$350,000	(\$350,000)	\$0
72	3114PR	Arenas - Multi-Use Recreational Feasibility Study	\$0	\$0	\$0	\$50,000		\$50,000	\$100,000	(\$100,000)	\$0
73	3115GG	City Hall - First Floor Renovations	\$0	\$0	\$0	\$250,000		\$40,000	\$290,000	(\$290,000)	\$0
74	3116SS	Premier Rd Sewer Extension (Jessop's Creek to Birchs Rd.)	\$0	\$610,860	(\$610,860)	\$1,000,000	\$2,000,000		\$3,100,000	(\$3,100,000)	\$0
75	3117SS	Sanitary Sewer - Rehab Program	\$0	\$107,788	(\$107,788)	\$300,000			\$300,000	(\$300,000)	\$0
76	3119WS	Watermain - Cathodic Protection Program	\$0	\$0	\$0	\$200,000			\$200,000	(\$200,000)	\$0
77	3300RD	Bridge Reconstruction - John Street Bridge & Creek Rehab	\$0	\$0	\$0	\$565,000	\$3,000,000	\$565,000	\$4,130,000	(\$4,130,000)	\$0
78	4620WS-SS	Street Reconstruction - Jane, Eloy, Colledge & Gormanville	\$6,034,101	\$5,294,358	\$739,743				\$6,034,101	(\$6,034,101)	\$0
79	6000RD-ST	Design Work - Next Year's Projects (On-going)	\$0	\$30,588	(\$30,588)	\$52,000			\$52,000	(\$52,000)	\$0
80	6000SS-WS	Design Work - Next Year's Projects (On-going)	\$0	\$0	\$0	\$103,000			\$103,000	(\$103,000)	\$0
81	6001RD-ST	City Share of New Development Costs (On-going)	\$0	\$0	\$0			\$198,006	\$198,006	(\$198,006)	\$0
82	6001SS-WS	City Share of Development Costs (On-going)	\$0	\$3,793	(\$3,793)			\$120,000	\$120,000	(\$120,000)	\$0
83	6002FL	Public Works Vehicle & Equipment Replacement Program (On-going)	\$0	\$307,058	(\$307,058)	\$1,200,000			\$1,200,000	(\$1,200,000)	\$0
84	6002SS-WS	Public Works Vehicle & Equipment Replacement Program (On-going)	\$231,863	\$11,981	\$219,883	\$800,000			\$1,031,863	(\$1,031,863)	\$0
85	6003RD	Asphalt Resurfacing Program (On-going)	\$0	\$306	(\$306)	\$2,300,000		\$1,253,000	\$3,553,000	(\$3,553,000)	\$0
86	6003SS-WS	Asphalt Resurfacing Program (Water & Sanitary) (On-going)	\$0	\$120	(\$120)	\$206,000			\$206,000	(\$206,000)	\$0
87	6004RD	Asphalt Resurfacing Program - Sheelting (On-going)	\$0	\$0	\$0	\$103,000			\$103,000	(\$103,000)	\$0
88	6005RD-ST	Residential Street Rehab (On-going)	\$0	\$677	(\$677)	\$258,000			\$258,000	(\$258,000)	\$0
89	6005SS-WS	Residential Street Rehab (Water & Sanitary) (On-going)	\$0	\$26,772	(\$26,772)	\$258,000			\$258,000	(\$258,000)	\$0
90	6008RD	Street Reconstruction - Rural Roadways (On-going)	\$0	\$177,096	(\$177,096)	\$715,000			\$715,000	(\$715,000)	\$0
91	6009SL	Traffic Control Signal Upgrade (On-going)	\$0	\$80,447	(\$80,447)	\$155,000			\$155,000	(\$155,000)	\$0
92	6010RD	Sidewalk Replacement Program (On-going)	\$0	\$380	(\$380)	\$155,000			\$155,000	(\$155,000)	\$0
93	6011RD	Bridge Rehab (On-going)	\$0	\$0	\$0	\$103,000			\$103,000	(\$103,000)	\$0
94	6012RD	Downtown Roads Maintenance (On-going)	\$0	\$0	\$0	\$77,000			\$77,000	(\$77,000)	\$0
95	6014FD	Fire Department - Facilities Management Program (On-going)	\$0	\$0	\$0	\$90,000			\$90,000	(\$90,000)	\$0
96	6015FD	Fire Department - Vehicle & Equipment Replacement Program (On-going)	\$0	\$22,357	(\$22,357)	\$546,000			\$546,000	(\$546,000)	\$0
97	6016RF	Arenas - Memorial Gardens Rehab Program (On-going)	\$0	\$0	\$0	\$245,000			\$245,000	(\$245,000)	\$0
98	6017RF	Arenas - Pete Palangio / West Ferris Rehab Program (On-going)	\$0	\$9,659	(\$9,659)	\$400,000			\$400,000	(\$400,000)	\$0
99	6018MR	Parks - Kings Landing & Marina Rehab Program (On-going)	\$0	\$74,476	(\$74,476)	\$250,000			\$250,000	(\$250,000)	\$0
100	6019PR	Facilities - Parks Building Rehab (On-going)	\$0	\$6,102	(\$6,102)	\$750,000			\$750,000	(\$750,000)	\$0
101	6020RF	Facilities - Recreation Facilities Rehab & Development (On-going)	\$0	\$43,022	(\$43,022)	\$275,000			\$275,000	(\$275,000)	\$0
102	6022PR	Parks - Park & Playground Rehab Program (On-going)	\$0	\$22,379	(\$22,379)	\$211,000			\$211,000	(\$211,000)	\$0
103	6023PR	Parks - Waterfront Rehab Program (On-going)	\$0	\$4,486	(\$4,486)	\$93,000			\$93,000	(\$93,000)	\$0

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Pro#	Description										
104	6024PR	Parks - Downtown Sidewalk Rehab Program (On-going) - Streetscaping	\$0	\$0	\$0	\$90,000			\$90,000	(\$90,000)	\$0
105	6025PR	City Hall Grounds Rehab Program (On-going)	\$0	\$0	\$0	\$88,000			\$88,000	(\$88,000)	\$0
106	6026PR	Parks - Trail System Development Program (On-going)	\$307,135	\$0	\$307,135	\$200,000			\$507,135	(\$507,135)	\$0
107	6027PR	Parks - Trail & Supporting Hard Surfaces Rehab Program (On-going)	\$0	\$0	\$0	\$165,000			\$165,000	(\$165,000)	\$0
108	6028PR	Parks - Park Vehicle & Equipment Replacement Program (On-going)	\$0	\$210,699	(\$210,699)	\$350,000			\$350,000	(\$350,000)	\$0
109	6029PR	Parks - Aquatic Centre Rehab Program (On-going)	\$0	\$0	\$0	\$250,000			\$250,000	(\$250,000)	\$0
110	6030PK	Parking - Lot Maintenance & Improvement Program	\$0	\$2,513	(\$2,513)	\$300,000	\$800,000		\$1,100,000	(\$1,100,000)	\$0
111	6031AT	North Bay Jack Garland Airport	\$0	\$62,127	(\$62,127)	\$260,000			\$260,000	(\$260,000)	\$0
112	6034GG	City Hall Building Rehab (On-going)	\$43,580	\$0	\$43,580	\$82,000			\$125,580	(\$125,580)	\$0
113	6036OC	Capitol Centre (On-going)	\$0	\$0	\$0	\$200,000			\$200,000	(\$200,000)	\$0
114	6037CA	North Bay / Mattawa Conservation Authority (On-going)	\$0	\$245,701	(\$245,701)	\$730,000			\$730,000	(\$730,000)	\$0
115	6038PD	North Bay Police Services Board (On-going)	\$68,841	\$274,075	(\$205,234)	\$344,000			\$412,841	(\$412,841)	\$0
116	6039LB	North Bay Public Library Board (On-going)	\$0	\$101,051	(\$101,051)	\$150,000			\$150,000	(\$150,000)	\$0
117	6040SS	Digester Cleaning & Grit Removal (On-going)	\$206,212	\$0	\$206,212	\$77,000			\$283,212	(\$283,212)	\$0
118	6041SS	Sewage Plant & Pump Station Improvement Program (On-going)	\$0	\$16,322	(\$16,322)	\$309,000			\$309,000	(\$309,000)	\$0
119	6042WS	Hydrant & Water Valve Rehab Program (On-going)	\$0	\$25,074	(\$25,074)	\$155,000			\$155,000	(\$155,000)	\$0
120	6044WS	Unidirectional Flushing of City Watermains (On-going)	\$0	\$56,110	(\$56,110)	\$206,000			\$206,000	(\$206,000)	\$0
121	6045WS	Water Treatment Plant & Facilities Maintenance Program (On-going)	\$0	\$0	\$0	\$258,000			\$258,000	(\$258,000)	\$0
Open Project Totals		\$76,395,675	\$73,508,156	\$2,887,519	\$9,026,992	\$25,274,000	\$41,100,000	\$37,586,576	\$189,383,243	(\$189,311,170)	\$72,073
TOTAL OF ALL PROJECTS		\$79,256,337	\$76,338,154	\$2,918,185	\$9,276,992	\$27,061,368	\$41,100,000	\$37,608,906	\$194,303,602	(\$193,768,120)	\$558,489
						Total Commitments In Columns D & E		\$36,338,359			

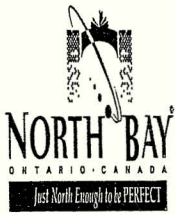


APPENDIX A

PROJECTS TO BE CLOSED

As At JUNE 30, 2011

Project Number	Project Description	Estimated Surplus or (Deficit)
2975PR	Parks-Park Vehicle and Equipment Replacement Program (on-going)	\$5,857
2987FD	Fire Department - Facilities Management Program (on-going)	\$475
2988FD	Fire Department - Bunker Gear Replacement Program	\$0
3012PC	Landfill Site (Merrick) - Methane Collection System - Energy Utilization	\$0
3031RF	Arenas - Memorial Gardens Rehabilitation Program (On-going)	\$19,038
3040PR	Parks - Downtown Sidewalk Rehabilitation Program (On-going)	\$774
3041PR	Parks - Aquatic Centre Rehabilitation Program (On-going)	\$0
3042PR	Parks - Kings Landing and Marina Rehabilitation Program (On-going)	\$635
3054LB	North Bay Public Library Board (On-going)	\$6,986
3082GG	POA Courtroom Renovations	\$1,939
3100PC	Recycle Centre - Relocation of Organic Collection	\$0
3106RD	Street Reconstruction - McKeown Ave. (Gormanville to Fire Station)	\$0
3107RD	Street Reconstruction - Trout Lake Road (Connaught to Giroux)	\$0
6006RD	Pedestrian Safety Program Including New Sidewalks (On-going)	\$0
6007RD	Road Culvert Replacement / Rehab - Rural Roadways (On-going)	\$2,115
Transfer to/(from) Completed Capital Works Reserve (Reserve #99537R)		\$37,819
2960WS-SS	Systems Technology Program - Water & Sewer (on-going)	\$276,230
3004WS-SS	Street Reconstruction – Main St.	(\$102)
3079WS	Water Main Looping - Automatic Flow Program (On-going)	\$0
3107SS-WS	Street Reconstruction - Trout Lake Road (Connaught to Giroux)	\$0
6043SS-WS	Sewer & Water Reconstruction Program (On-going)	\$1,313
6046WS	Water Main Replacement, Reaming or Relining Program (On-going)	\$2,571
6047WS	Water Main Looping - Automatic Flow Program (On-going)	\$0
Transfer to/(from) Water & Sewer Capital Works Reserve (Reserve #99522R)		\$280,012
TOTAL Projects To Be Closed - Total Surplus/(Deficit)		\$317,831

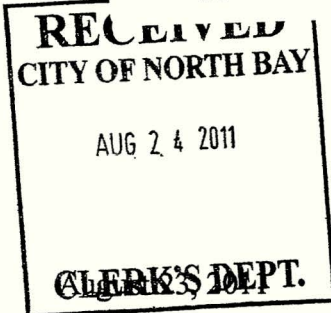


APPENDIX B

PROJECTS TO BE CLOSED AND TRANSFERRED
TO OTHER OPEN PROJECTS

As At JUNE 30, 2011

Project Number	Project Description	Estimated Surplus or (Deficit)
2449WS	Watermain Looping - Regina St. (Oak St. E to Memorial Dr.) Merge with 2011 Project #3105WS - Street Reconstruction - Main St (Sherbrooke to Overpass)	\$145,580
3015RD-ST	City Share of New Development Costs (On-going) Merge with 2011 Project #6001RD-ST - City Share of New Development Costs (On-going)	\$23,006
Total to be Closed & Transferred to Other Open Capital Projects		<u>\$168,586</u>



CITY OF NORTH BAY
REPORT TO COUNCIL

Report No: CORP 2011-148

Originator: Al Lang

Subject: Tender 2011-76 - Pearce Street Reconstruction, Phase 1 – Airport Road to Francis Street

RECOMMENDATION:

That North Bay City Council approve the award of a contract to Gap Construction Co. Ltd. in the amount of \$1,268,740.75 (excluding HST) for the reconstruction of Pearce Street, Phase 1 – Airport Road to Francis Street.

BACKGROUND:

Pearce Street has evolved into a main collector route with significant volumes of traffic and increasing safety concerns for vehicular and pedestrian activities. The project will involve the installation of new traffic signals on Airport Road, sanitary and storm sewers, watermains, road subgrade, asphalt, new curb and gutters and new sidewalk on Pearce Street, all to a collector road standard. In addition to servicing the existing development in the Airport Hill area, the new traffic signals will also service the Highland Woods subdivision development. Additionally, Pearce Street was identified as the desired location for a trunk watermain to improve service to the entire Airport Hill development area. This contract will include the installation of a new 600 mm watermain to accommodate this improvement.

The tender was publicly advertised in accordance with the City of North Bay Purchasing Policy. Sixteen (16) tender packages were distributed directly to vendors. Tenders closed on August 17, 2011. Four (4) responsive tenders were received and were opened publicly at 2:00 p.m. on the date of tender closing. The tenders were evaluated by the consultant engineering firm of C.C. Tatham & Associates Ltd. and submitted to the City. The results are as follows:

Firm	Tender Price (excluding HST)
Gap Construction Co. Ltd	\$1,268,740.75
R.M. Belanger Limited	\$1,287,579.00
Kenalex Construction Company Limited	\$1,353,680.00
Bruman Construction Inc.	\$1,497,557.55

All four tenderers provided the required tender documents. The price is very competitive and is considered fair and reasonable.

ANALYSIS / OPTIONS:

1. Low bidder meets the specifications and is recommended for award.
 2. Do not award a contract. This option is not recommended as the infrastructure improvements will upgrade services to the area and safety concerns will be addressed.
-

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option 1 is recommended as follows:

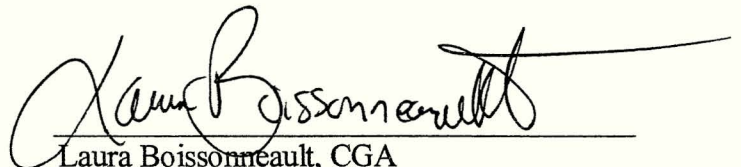
That North Bay City Council approve the award of a contract to Gap Construction Co. Ltd. in the amount of \$1,268,740.75 (excluding HST) for the reconstruction of Pearce Street, Phase 1 – Airport Road to Francis Street.

There are sufficient funds available in the 2011 Engineering, Environmental Services and Works Capital Budget Line No. 2, Project No. 2825SL – Traffic Signals/Intersection Improvements – Pearce Street at Airport Road to Francis Street totaling \$900,000 and Line W2, Project No 2825WS totaling \$750,000 authorized by Council under By-law No. 2011-97.

Respectfully submitted,

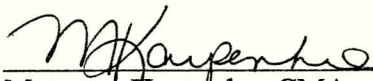


Al Lang, CGA
Director of Financial Services

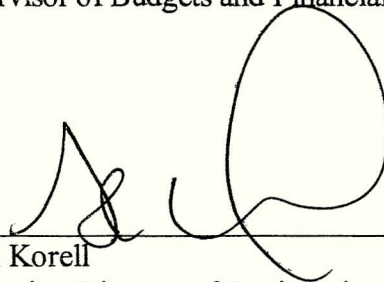


Laura Boissonneault, CGA
Supervisor of Budgets and Financial Reporting

We concur in this report and recommendation.



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Alan Korell
Managing Director of Engineering
Environmental Services and Works



David Linkie,
Chief Administrative Officer

Personnel designated for continuance: Capital Works Engineer

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-192

**BEING A BY-LAW TO CONFIRM PROCEEDINGS
OF THE MEETING OF COUNCIL ON
AUGUST 15, 2011**

WHEREAS the *Municipal Act, R.S.O. 2001*, Chapter 25, (the "Act") Section 5(1), provides that the powers of a municipal corporation shall be exercised by Council;

AND WHEREAS Section 5 (3) of the Act provides a municipal power, including a municipality's capacity, rights, powers and privileges under section 9 of the Act, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise and any of the matters shall be implemented by the exercise of the natural person powers;

AND WHEREAS in many cases action which is taken or authorized to be taken by Council does not lend itself to the passage of an individual by-law;

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

1. That the actions of the Council of The Corporation of the City of North Bay at its meeting held on August 15, 2011 in respect of each motion, resolution and other action passed and taken by the Council at is said Meeting is, except where the prior approval of the Ontario Municipal Board or other authority is by law required, hereby adopted, ratified and confirmed.
2. That where no individual by-law has been passed with respect to the taking of any action authorized in or by the Council mentioned in Section 1 hereof or with respect to the exercise of any powers of the Council, then this by-law shall be deemed for all purposes to the by-law required for approving and authorizing the taking of any action authorized therein or thereby required for the exercise of any powers therein by Council.
3. That the Mayor and the proper officers of The Corporation of the City of North Bay are hereby authorized and directed to do all things necessary to give effect to the said actions or to obtain approvals where required, and to execute all documents as may be necessary and directed to affix the corporate seal to all such documents as required.

READ A FIRST TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 29TH DAY OF AUGUST, 2011.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

AK

THE CORPORATION OF THE CITY OF NORTH BAY

PROCEDURAL BY-LAW NO. 2011-186

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THE CORPORATION OF THE CITY OF NORTH BAY

PROCEDURAL BY-LAW NO. 2011-186

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 2nd day of July, 2011 and the 9th day of July, 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 2nd day of August, 2011;

AND WHEREAS Council approved the Procedural By-law by General Government Committee Report No. 2011-15 passed on the 15th day of August, 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"** shall mean 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"** shall mean that the vote on the motion shall be taken.
- 1.3 **"Chair"** shall mean the Mayor or the Presiding Officer of a meeting.
- 1.4 **"Chief Administrative Officer"** shall mean the Chief Administrative Officer (CAO) of the Corporation.
- 1.5 **"Clerk"** shall mean the City Clerk or the Deputy City Clerk of the Corporation.
- 1.6 **"Closed Session"** shall mean that part of a meeting closed to the public in accordance with the provisions of the *Municipal Act*.
- 1.7 **"Corporation"** shall mean The Corporation of the City of North Bay.
- 1.8 **"Council in Committee meeting"** shall mean 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, shall mean 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**" shall mean 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**" shall mean the Councillor appointed by Council to act in the absence of the Mayor in accordance with this By-law.
- 1.12 "**Emergency Meeting**" shall mean a meeting where the health or welfare of the community is involved.
- 1.13 "**Ex-officio**" shall mean 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**" shall mean conduct which offers any obstruction to the deliberations or proper action of Council.
- 1.16 "**In-Camera**" shall mean a closed session of Council or Standing Committee which is closed to the public in accordance with the *Municipal Act*.
- 1.17 "**Inaugural Meeting**" shall mean the first meeting of Council held after a municipal election in a regular election year.
- 1.18 "**Local Board**" shall mean a local board as defined in the *Municipal Act, 2001*.
- 1.19 "**Majority Vote**" shall mean the vote of more than half of the Members present at a properly constituted meeting at which a quorum is present.
- 1.20 "**Mayor**" shall mean the Head of Council acting as the Chief Executive Officer of the Corporation.
- 1.21 "**Meeting**" shall mean 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**" shall mean any Councillor or the Mayor of the Council.
- 1.23 "**Motion**" shall mean a proposal by a Member for the Council to adopt a resolution.
- 1.24 "**Municipal Act**" shall mean 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, 1996*.
- 1.26 "**Newspaper**" shall mean 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**" shall mean 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"** shall mean any part of a meeting not in "closed session".
- 1.30 **"Pecuniary Interest"** shall mean a direct or indirect interest within the meaning of the *Municipal Conflict of Interest Act, R.S.O, 1990, Ch. M.50*, as amended, and any subsequent legislation thereto.
- 1.31 **"Petition"** shall mean a written request signed by one or more persons.
- 1.32 **"Point of Order"** shall mean 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"** shall mean a matter that a Member of Council considers to impugn the integrity of the Council or the individual Member.
- 1.34 **"Presiding Officer"** shall mean:
- (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"** shall mean 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"** shall mean a public notice published in accordance with the City's Notice By-law.
- 1.37 **"Published"** shall mean 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"** shall mean the minimum number of Members who must be present at the meetings for business to be legally transacted.
- 1.39 **"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"** shall mean a scheduled business meeting held in accordance with the approved calendar/schedule of meetings.
- 1.41 **"Resolution"** shall mean 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"** shall mean 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 agencies, boards and committees shall be appointed for the term of the Council unless otherwise provided by statute or by law; and
 - (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 three (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 of 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 any 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, R.S.O., 1990.*

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; and
- (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*

- 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.
- 6.13 **Confidentiality**
- (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.
- 6.14 **CAO Briefings**
- (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.
- 6.15 **Educational or Training Sessions**
- (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*, 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*.

6.16 **Closed Meeting Investigator**

Effective January 1, 2008, Council entered into an Investigator Services Agreement with Local Authority Services of the Association of Municipalities of Ontario 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 to 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 to 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 (10) 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 (15) 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, 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 all Standing Committees 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 the *Municipal Act* 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 Agency, 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.
- 21.4 Emergency Provision
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 THE 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 lastly 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 Officer 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 (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.
- 30.7 Any Member may require the motion under discussion to be read at any time, but not so as to interrupt a Member speaking.
- 30.8 (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 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, as amended.
- 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.

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.

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 a matter of municipal jurisdiction for up to ten (10) minutes.
- (b) An unregistered public presentation of up to five (5) minutes may be made at the Regular Council meeting to address a 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 unanimous consent 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.
- 40.3 First Reading
The first reading of a by-law shall be decided by resolution without amendment or debate.
- 40.4 Second Reading
- (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.

40.6 **Third Reading**

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.

40.7 **Records**

- (a) The Clerk shall endorse on every by-law the dates of the three readings thereof.
- (b) 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 all 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, when required, be referred by the Clerk in consultation with the Chief Administrative Officer to the appropriate staff for response to the Council within six (6) 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 Agencies, 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 an Ex-officio Member of each Standing Committee.
 - (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 Regular 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	Administrative Approvals
By-law Enforcement	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	
Parking Administration	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	
Roads and Traffic	Service Contract Administration
Sewage Collection and Treatment	Stormwater System
Survey and Inspection	Traffic Planning and Engineering
Waste Management and Recycling	Water Distribution
Water Treatment	Winter Control and Snow Dump

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
Parking Maintenance	
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).
- (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.
- (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 Regular 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 |
- 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 a 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.

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 Ad Hoc 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 Committee 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

54.1 Qualified Appraisal

In this section "qualified appraisal" shall mean 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.

54.2 Council Direction

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.

54.3 Declaration of Surplus

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.

54.5 Notice of Surplus

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.

54.6 Appraisals

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.

54.8 **Methods of Sale**

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 is 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.

54.9 **Commission**

- (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.

54.10 **Notice**

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.

54.11 **Tax Sales**

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.

54.12 **Register**

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

54.13 **Road Allowance Right of First Refusal**

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.

54.14 **Surplus Road Allowance**

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.

54.15 **Parkland Right of First Refusal**

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.

54.16 **Laneways**

- (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 Administrator 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's 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*; and
 - (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 29TH DAY OF AUGUST, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF AUGUST, 2011.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

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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

AR.

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-188

**BEING A BY-LAW TO AUTHORIZE THE TREASURER
TO ESTABLISH AND MAINTAIN A PETTY CASH FUND
AND CASH FLOATS AND TO REPEAL BY-LAW NO. 2009-95**

WHEREAS the Corporation of the City of North Bay, pursuant to Section 8 of the *Municipal Act 2001*, S.O. 2001, c.25, as amended, has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act.;

AND WHEREAS Council deems it desirable to establish and maintain petty cash funds and cash floats;

AND WHEREAS by Resolution No. 2011-587 passed at its Regular Meeting held on Monday, August 15th, 2011 Council authorized a by-law to establish and maintain petty cash funds and cash floats;

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

1. The Treasurer is hereby authorized to establish and maintain petty cash funds and cash floats at the maximum aggregate amount of \$20,000.00.
2. That the limit of expenditures from the petty cash fund at any one time be \$300.00.
3. By-Law No. 2009-95 is hereby repealed.
4. This By-Law shall come into full force and effect upon being passed.

READ A FIRST TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF AUGUST, 2011.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-193

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION
OF AN AGREEMENT WITH THE CANADIAN CORPS
OF COMMISSIONAIRES (OTTAWA DIVISION)
RELATING TO PARKING AND SECURITY SERVICES**

WHEREAS the Agreement with The Canadian Corps of Commissionaires (Ottawa Division) for Parking and Security Services was approved by Resolution No. 2011-501 passed by Council on the 4th day of July, 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 7th day of July, 2011 with The Canadian Corps of Commissionaires (Ottawa Division) relating to Parking and Security Services.
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 Canadian Corps of Commissionaires (Ottawa Division) and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

SC READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF AUGUST, 2011.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-196

**BEING A BY-LAW TO AUTHORIZE THE 2011 INFORMATION
SYSTEMS TECHNOLOGY CAPITAL PROJECTS AND
WATER & SANITARY SEWER CAPITAL PROJECTS**

WHEREAS the *Municipal Act, 2001* (S.O. 2001, c-25), Section 326 authorizes the Council to pass a by-law for the purposes therein stated;

AND WHEREAS the *Municipal Act, 2001* (S.O. 2001, c-25), Section 401 authorizes the Council to pass a by-law for the purposes herein stated;

AND WHEREAS the Council passed Resolution 2011-590 at its meeting held Monday, August 15, 2011, authorizing the expenditure of funds for the 2011 Information Systems Technology Projects, being Corporate Services' Capital Budget Line No. 105 (Project No. 6035GG) and being 2011 Water and Sanitary Sewer Capital Budget Line No. W45 (Project No. 6035WS), with a combined net debenture cost of \$660,000.00;

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

1. That the expenditure of \$660,000.00 for the 2011 Information Systems Technology and Water & Sanitary Sewer Projects for the following be hereby authorized:

Corporate & Departmental Priorities	\$538,650.00
Financing & Contingency Costs	<u>28,350.00</u>
	\$567,000.00
Water & Sanitary Sewer Priorities	88,350.00
Financing & Contingency Costs	<u>4,650.00</u>
Net Amount to be Debentured	\$660,000.00

2. That the Treasurer of the City of North Bay is hereby authorized to borrow from time to time from any bank or person by way of promissory note or notes temporary advances of money to meet the cost of work as aforesaid pending the completion thereof and pending the issue and sale of the debentures hereinafter referred to but in no event shall the aggregate of such borrowings exceed the amount of \$660,000.00 limited in this by-law.
3. Any promissory note or notes issued pursuant to paragraph 2 hereof shall be sealed with the seal of The Corporation of the City of North Bay and signed by the Mayor or Deputy Mayor and the Treasurer of the City of North Bay.
4. That the cost of the works be funded first from the water rates, and if required the balance be funded by debentures to be issued to pay for the cost of such work shall bear interest at such rate as the Council may determine and shall be made payable within fifteen (15) years and shall be a charge against all rateable property in the Urban Service Area of The Corporation of the City of North Bay, to such an extent as to repay the principal and interest on a principal amount not to exceed \$93,000.00.

READ A FIRST TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF AUGUST, 2011.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW No. 2011-184

Residential Rental Housing Licensing By-law

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THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-184

**BEING A BY-LAW TO PROVIDE FOR THE
LICENSING AND REGULATION OF RESIDENTIAL
RENTAL UNITS IN THE CITY OF NORTH BAY**

WHEREAS subsection 5(3) of the *Municipal Act, 2001* S.O. 2001, c.25 provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001*, provides that a municipality may pass by-laws respecting: in paragraph 5, Economic, social and environmental well-being of the municipality; in paragraph 6, Health, safety and well-being of persons; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1); in paragraph 8, Protection of persons and property; in paragraph 11 Business Licensing;

AND WHEREAS subsection 151(1) of the *Municipal Act, 2001*, provides that, without limiting sections 9 and 10 of the Act, a municipality may: provide for a system of licences with respect to a business;

AND WHEREAS subsection 151(5) of the *Municipal Act, 2001*, provides that subsection 151(1) applies necessary modifications to a system of licences with respect to any activity, matter or thing for which a by-law may be passed under sections 9, 10 and 11 as if it were a system of licences with respect to a business;

AND WHEREAS the Council for The Corporation of the City of North Bay considers it necessary and desirable for the public to regulate the renting of residential premises for the purpose of protecting the health and safety of the persons residing in residential rental premises by ensuring that certain regulations are met, that the required essentials such as plumbing, heating and water are provided, for ensuring that the residential rental premises do not create a nuisance to the surrounding properties and neighbourhood and to protect the residential amenity, character and stability of residential areas;

AND WHEREAS section 34(3) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, permits a municipality to regulate the minimum and maximum density of development in the municipality or in the area or areas defined in a Zoning By-law;

AND WHEREAS section 23.2 of the *Municipal Act, 2001*, permits a municipality to delegate certain legislative and quasi-judicial powers;

AND WHEREAS subsection 391(1) of the *Municipal Act, 2001*, provides that a municipality may impose fees and charges on persons for services or activities provided or done by or on behalf of it.

AND WHEREAS section 444 of the *Municipal Act, 2001*, provides that the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity, and any person who contravenes such an order is guilty of an offence;

AND WHEREAS the Council of The Corporation of the City of North Bay has ensured that sufficient information has been made available to the public and has held at least one public meeting after due notice of the purpose of informing the public of this By-law;

AND WHEREAS the Council of The Corporation of the City of North Bay passed Community Services Committee Report No. 2011-18 on August 15, 2011, to approve the adoption of a by-law to provide for the licensing and regulation of Rental Units in the City of North Bay;

AND WHEREAS it is deemed expedient to pass this by-law;

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

1 INTERPRETATION

1.1 For the purposes of this By-law:

“Apartment Building” means a building consisting of four or more dwelling units, which units have a common entrance from the street level and the occupants of which have the right to use, in common, halls, stairs, elevators, yards or any combination of the above;

“Applicant” means a person applying for a licence under this By-law;

“Bedroom” means a room or area within a Rental Unit used, designed, equipped or intended for sleeping;

“Building” means any structure, whether temporary or permanent, used or built for the shelter, accommodation or enclosure of persons, animals or chattels, other than a lawful boundary wall or fence, and shall include any structure, loading dock, staging gallery, wall, excavation, storage tank, gasoline pump, pump island, bleacher, fence, swimming pool, grandstand, tent, awning, bin, bunker or platform, vessel or vehicle used for any of the said purposes is deemed a building;

“By-law Enforcement Coordinator” means the By-law Enforcement Coordinator of the City or a person delegated by him or her for the purposes of this By-law;

“Chief Building Official” means the Chief Building Official as appointed by Council pursuant to the Building Code Act;

“City” means The Corporation of the City of North Bay;

“City Clerk” means the Clerk of The Corporation of the City of North Bay or a person delegated by him or her for the purposes of this By-law.

“Converted Dwelling” means a building which has been altered by the creation of more dwelling units than existed originally, with each dwelling unit having its own sanitary facilities and cooking facilities;

“Council” means the Municipal Council of The Corporation of the City of North Bay;

“Dwelling Unit” means a suite of habitable rooms which:

- i) is in a building;
- ii) is used or intended to be used by one or more persons as a single, independent and separate household unit;
- iii) contains food preparation and sanitary facilities for the exclusive common use of the occupants, and;
- iv) has a means of egress directly to the outside of the building or structure in which it is located, which may be a means of shared egress with another residential unit.

“Fire Chief” means the Chief of North Bay Fire & Emergency Services of the City or a person delegated by him or her for the purposes of this By-law;

“Gross Floor Area” means the sum of all floor areas above grade, except in the case of an apartment building where part of the area of the basement is used for a dwelling unit(s), in which case the said area constitutes part of the gross floor area measured between the internal faces of the exterior walls of the building at the level of each floor, including any part of the building above grade used for the storage or parking of motor vehicles, locker storage and laundry facilities, but excluding any part of the building used for mechanical purposes which are an integral part of the building;

“Inspectors” means:

- i) a member of the Fire Prevention Division of the Fire & Emergency Services of the City and includes the Fire Chief and any other member of the Fire & Emergency Services designated by the Fire Chief;
- ii) Chief Building Official;
- iii) Building Inspectors;
- iv) Property Standards Inspectors;
- v) Zoning Administrator; or
- vi) By-law Enforcement Coordinator and any By-law Enforcement Officers designated by the By-law Enforcement Coordinator.

“Issuer of Licences” means a person appointed by the Council to issue the licences as set out in this By-law;

“Landlord” includes:

- i) each owner of a Rental Unit; and,
- ii) each person who permits occupancy of a Rental Unit.

“Licensee” means any person, corporation or partnership licensed under this By-law;

“Lot” means any parcel of land with frontage on a road which is a separate parcel of record or is shown as a whole lot on a registered Plan of Subdivision, including any part of which is subject to an easement or right-of-way. (Section 44, By-law No. 165-80);

“Medical Officer of Health” means the Medical Officer of Health for the North Bay Parry Sound District Health Unit or a person delegated by him or her for the purposes of this By-law;

“Municipality” means the land within the geographic limit of the City of North Bay;

“Owner” includes:

- i) each person owner of a Rental Unit; and,
- ii) each person who permits occupancy of a Rental Unit.

“Person” includes:

- i) individuals;
- ii) corporations; and
- iii) partnerships.

“Rent” includes the amount of any consideration paid or required to be paid or given by or on behalf of a Tenant to a Landlord or the Landlord’s agent for the right to occupy a Rental Unit and for any privilege, accommodation or thing that the Landlord provides for the Tenant in respect of the occupancy of the Rental Unit;

“Rental Area” means each Lot as depicted in Schedule “B” of this By-law;

“Rental Property” includes each Building containing a Rental Unit and the Lot on which the Rental Unit is situated.

“Rental Unit” means a Building or part of a Building:

- i) consisting of one or more rooms;
- ii) containing toilet and cooking facilities;
- iii) designed for use as a single housekeeping establishment; and
- (iv) used or intended for use as a rented residential premises.

“Tenant” includes a person who pays rent or provides services in lieu of paying rent, in return for the right to occupy a Rental Unit.

“Zoning Administrator” means the Zoning Administrator of the City or a person delegated by him or her for the purposes of this By-law;

2 PROHIBITIONS

- 2.1 No person shall operate a Rental Unit without holding a current valid licence issued under the provisions of this By-law.
- 2.2 No person shall hold himself, herself or itself out to be licensed under this By-law if they are not.
- 2.3 No person shall contravene or fail to comply with a term or condition of his, her or its licence imposed under this By-law.
- 2.4 No person shall operate a Rental Unit while the licence issued under this By-law is under suspension.

3 SCOPE

- 3.1 This By-law applies to the specified geographical area as depicted in Schedule “B” of this By-law for those properties that are zoned for low density residential use, which, for the purpose of this By-law, are: “Residential First Density (R1)”, “Residential Second Density (R2)”, “Residential Third Density (R3)”, “Residential Multiple First Density (RM1)”, “Residential Multiple Second Density (RM2)”, or have a legal non-conforming R1, R2, R3, RM1 or RM2 property according to the City’s Comprehensive Zoning By-law No. 28-80, as amended.
- 3.2 This By-law will be phased in according to the following schedule and as shown on Schedule “C” of this By-law:

Remainder of Pinewood/Cedar Heights:	January 2013
West Ferris:	January 2013
Laurentian / Airport Heights:	January 2014
Central Business District/Old City:	January 2015
Circle Lake/Rural:	January 2016
- 3.3 This By-law does not apply to:
 - 3.3.1 a “Housing project” as that term is defined in the *Social Housing Reform Act, 2000*, S.O. 2000, c.27;
 - 3.3.2 an Apartment Building;
 - 3.3.3 a Rental Unit that is occupied by one (1) Tenant, in which no more than one (1) other Bedroom is occupied by a Tenant; or to
 - 3.3.4 a Rental Unit that is occupied by the owner of the Rental Unit as their sole residence and in which no more than two (2) bedrooms are occupied by Tenants.

4 ADMINISTRATION

- 4.1 The administration of this By-law is assigned to the City Clerk who shall generally perform all of the administrative functions conferred upon him or her by this By-law and without limitation may:
- 4.1.1 receive and process all applications for all licences and renewals of licences under this By-law;
 - 4.1.2 issue licences in accordance with the provisions of this By-law;
 - 4.1.3 impose terms and conditions on licences in accordance with this By-law; and,
 - 4.1.4 refuse to issue or renew a licence or revoke or suspend a licence in accordance with this By-law.

5 APPLICATION FOR AND RENEWAL OF A LICENCE

- 5.1 Every application for a licence and renewal licence shall be made to the Issuer of Licences on the forms provided by the Issuer of Licences.
- 5.2 Without limitation, every application for a licence or a renewal shall include the following information:
- 5.2.1 the name, municipal address and telephone number of each Landlord;
 - 5.2.2 the municipal address and legal description of the Rental Unit;
 - 5.2.3 if a Landlord is a corporation, the name, address and telephone number of each director and officer; and shareholder;
 - 5.2.4 if a Landlord is a partnership, the name address and telephone number of each partner;
 - 5.2.5 the number of bedrooms;
 - 5.2.6 a statement by each Landlord certifying the accuracy, truthfulness and completeness of the application; and
 - 5.2.7 each Landlord's signature or of any duly authorized Landlord's agents that would bind the Landlord.
- 5.3 Every person applying for a licence or renewal of a licence shall provide in full at the time the application is submitted all of the information requested on the application form as well as:
- 5.3.1 payment of the prescribed fee as set out in Schedule "A" of this By-law;
 - 5.3.2 a copy of the transfer/deed evidencing a Landlord's ownership;
 - 5.3.3 if a Landlord is a corporation, a copy of:
 - 5.3.3.1 the Landlord's articles of incorporation; and
 - 5.3.3.2 a corporate profile report issued by the Ontario Ministry of Consumer and Business Services;
 - 5.3.4 a floor plan of the Rental Unit, including, for each room, its dimensions and its proposed use;

- 5.3.5 a maintenance plan identifying measures that the Landlord will implement for the purpose of complying with the City's Waste Management and Property Standards By-laws;
- 5.3.6 a parking plan that complies with the City's Zoning By-law, as amended, and that shows the location and dimensions of all parking spaces for vehicles on the Rental Property;
- 5.3.7 proof of Placement of insurance that:
 - 5.3.7.1 includes a limit of liability of not less than \$2,000,000.00 (two million dollars) per occurrence for property damage and bodily injury;
 - 5.3.7.2 identifies the proposed use as residential rental; and that
 - 5.3.7.3 requires that the Issuer of Licences be notified of any intended cancellation by the insurer no fewer than fifteen (15) days prior to such cancellation;
- 5.3.8 a statement from or on behalf of the City's Fire Chief confirming that the Rental Property and its proposed use comply with the *Fire Protection and Prevention Act, 1997* (Ontario) and its regulations;
- 5.3.9 an initial certificate issued by the Electrical Safety Authority (ESA) confirming that the Rental Property and its proposed use comply with the *Electrical Safety Code, O. Reg. 164/99*, and such further certificates as may be required by an Inspector;
- 5.3.10 a statement from or on behalf of the City's Chief Building Official confirming that the Rental Property and its proposed use comply with the *Building Code Act, 1992* (Ontario) and its regulations;
- 5.3.11 a statement from or on behalf of the City's Zoning Administrator confirming that the subject property is in conformity and compliance with the City's Zoning By-law, No. 28-80, as amended;
- 5.3.12 a statement from or on behalf of the By-law Enforcement Coordinator as to any noise by-law convictions during the previous year at this location and comments thereon; and
- 5.3.13 proof of payment of any fine, fee or property taxes owed to the City by any Landlord respecting any Rental Property; and
- 5.4 All documents and information required by Sections 5.2 and 5.3 must be submitted at the time of the application for or renewal of a licence under this By-law.
- 5.5 The Issuer of Licences may refuse an application for a licence or its renewal where any of the documents required by Sections 5.2 and 5.3 of this By-law are incomplete or lacking in any way.
- 5.6 The Issuer of Licences may also refuse to accept an application for a licence where any of the documents required by clause 5.3.3 and by paragraphs 5.3.7, 5.3.8, 5.3.9 and 5.3.10 of this By-law was issued prior to the sixtieth (60th) day preceding the date on which the application is submitted.

6 LICENCE ISSUANCE

- 6.1 Each licence shall include the following:
 - 6.1.1 The licence number;
 - 6.1.2 Date the licence was issued and the date it expires;
 - 6.1.3 The municipal address of the Rental Unit;
 - 6.1.4 The name, address and telephone number of each Landlord;
 - 6.1.5 Where a Landlord is a corporation, the name address and telephone number of each director and each officer of the Landlord or of their duly authorized agent; and
 - 6.1.6 Where a Landlord is a partnership, the name, address and telephone number of each partner.
- 6.2 A licence issued under this By-law shall be valid only for the period of time for which it was issued.
- 6.3 Each license shall only be valid for a two (2) year period from the date of issuance, unless suspended or revoked under Section 8.3.
- 6.4 The issuance of a licence or renewal thereof under this By-law is not intended and shall not be construed as permission or consent by the City for the Licensee to contravene or fail to observe or comply with any law of Canada, Ontario or any by-law of the City.
- 6.5 Every licence, at all times, is owned by and is the property of the City and is valid only in respect of the person and for the Rental Unit on the Rental Property named therein. A separate licence shall be required for each Rental Property.
- 6.6 No licence issued under this By-law may be sold, purchased, leased, mortgaged, charged, assigned, pledged, transferred, seized, distrained or otherwise dealt with.
- 6.7 The Licensee shall notify the City Clerk of any change in ownership of the Rental Unit or Rental Property within seventy-two (72) hours of the completion of such change in ownership.
- 6.8 Within seventy-two (72) hours of a change in ownership for a Dwelling Unit, the new owner shall provide the following information and documentation to the City Clerk in order to have a licence reissued:
 - 6.8.1 the name, municipal address and telephone number of each Landlord;
 - 6.8.2 a copy of the transfer/deed evidencing the new ownership;
 - 6.8.3 proof of Placement of insurance according to section 5.3.7 of this By-law;
 - 6.8.4 a statement by each Landlord certifying no changes have been made to documents submitted according to sections 5.3.4, 5.3.5 and 5.3.6 of this By-law;
 - 6.8.5 a statement by each Landlord certifying the Rental Unit conforms with section 7 of this By-law; and
 - 6.8.6 each Landlord's signature or of any duly authorized Landlord's agent that would bind the Landlord.

- 6.9 Following a change in ownership, a reissued licence under this By-law shall be valid only for the period of time for which it was originally issued.
- 6.10 Following a change in ownership of a Dwelling Unit, no fee shall be required to reissue a licence under this By-law.
- 6.11 All licence fees paid under this By-law are non-refundable.

7 LICENCE CONDITIONS

- 7.1 No Landlord shall permit Rent to be collected except for a Rental Unit in respect of which a licence has been issued pursuant to this By-law and except pursuant to the following conditions, each of which is a condition as a requirement of continuing to hold the licence.
- 7.1.1 Subject to paragraph 7.1.2, 7.1.3 and 7.1.4 of this By-law, the number of Bedrooms occupied by Tenants in the Rental Unit does not exceed five (5);
- 7.1.2 No more than 40% of the Rental Unit's Gross Floor Area – Residential below the average elevation of the finished surface of the ground where it meets the exterior of the Building may be comprised of Bedrooms provided that each such Bedroom must have been constructed in accordance with and must comply with all applicable law;
- 7.1.3 No room within the Rental Unit is used as a Bedroom except a Bedroom depicted in the licence;
- 7.1.4 No more than 40% of the Gross Floor Area – Residential of the Rental Unit's ground floor may be comprised of Bedrooms;
- 7.1.5 Each Tenant is a party to a written tenancy agreement with a Landlord;
- 7.1.6 A Landlord does not directly or indirectly require or cause a Tenant to refuse or consent to lawful entry and inspection of a Rental Unit for the purpose of determining compliance with this By-law;
- 7.1.7 A Landlord notifies the Issuer of Licences in writing within two (2) days of any change to any information provided pursuant to section 5 and 6 of this By-law;
- 7.1.8 A legible copy of the licence is posted and maintained prominently and visibly within one (1) meter of the interior of the Rental Unit's main entrance door;
- 7.1.9 A Landlord maintains insurance respecting the Rental Unit that:
- 7.1.9.1 includes a limit of liability of not less than \$2,000,000.00 (two million dollars) per occurrence for property damage and bodily injury;
- 7.1.9.2 identifies the use as residential rental; and
- 7.1.9.3 requires that the Issuer of Licences be notified of any intended cancellation by the insurer no less than fifteen (15) days prior to such cancellation;
- 7.1.10 The Landlord and the Rental Property comply with all applicable law including:
- 7.1.10.1 the *Health Protection and Promotion Act* (Ontario) and its regulations, as amended;

- 7.1.10.2 the *Fire Protection and Prevention Act, 1997* (Ontario) and its regulations, as amended;
 - 7.1.10.3 the *Electrical Safety Code*, O. Reg. 164/99, as amended;
 - 7.1.10.4 the *Building Code Act, 1992* (Ontario) and its regulations, as amended;
 - 7.1.10.5 the City's *Carbon Monoxide Alarm By-law*, as amended;
 - 7.1.10.6 the City's *Zoning By-law*, as amended;
 - 7.1.10.7 the City's *Property Standards By-law*, as amended; and
 - 7.1.10.8 the City's *Waste Management By-law*, as amended.
- 7.1.11 No fine, administrative penalty or fee is owed to the City by any Landlord;
- 7.1.12 The Landlord and the Rental Property comply with the maintenance plan submitted pursuant to section 5.3.5 of this By-law; and
- 7.1.13 No vehicle may be stopped or parked on any part of the Rental Property except within a parking space identified on the parking plan pursuant to section 5.3.6 of this By-law.

8 POWERS OF THE ISSUER OF LICENCES

- 8.1 The power and authority to issue or renew a licence, refuse to issue or refuse to renew a licence, to cancel, revoke or suspend a licence, to impose terms and conditions, including special conditions, on a licence, are delegated to the City Clerk.
- 8.2 The City Clerk shall issue a licence or renew a licence where the requirements or conditions of this By-law have been met.
- 8.3 The City Clerk may refuse to issue, refuse to renew or revoke or suspend a licence or impose a term or condition on a licence on the following grounds:
 - 8.3.1 the conduct of the Applicant or Licencee, or any partner, officer, director, employee or agent of the Applicant or Licencee, affords reasonable cause to believe that the Applicant or Licencee will not carry on or engage in the operation of the Rental Unit in accordance with the law or with honesty or integrity;
 - 8.3.2 there are reasonable grounds to believe that an application or other documents provided to the City Clerk by or on behalf of the Applicant or a Licencee contains a false statement;
 - 8.3.3 an Applicant or Licencee is carrying on activities that are in contravention of this By-law; or,
 - 8.3.4 an Applicant or Licencee does not meet all of the requirements of this By-law or that the Rental Unit or Rental Property does not comply with the provisions of this By-law.
- 8.4 Notwithstanding any other provision of this By-law, the City Clerk may impose terms and conditions on any licence at issuance, renewal or any time during the term of the licence, including special conditions, as are necessary in the opinion of the City Clerk to give effect to this By-law.

- 8.5 Where the City Clerk is of the opinion that:
- 8.5.1 an application for a licence or renewal of a licence should be refused;
 - 8.5.2 a reinstatement should not be made;
 - 8.5.3 a licence should be revoked;
 - 8.5.4 a licence should be suspended, or,
 - 8.5.5 a term or condition of a licence should be imposed;
- the City Clerk shall make that decision.
- 8.6 Where the City Clerk has made a decision under subsection 8.5, the City Clerk's written notice of that decision shall be given to the Applicant or the Licencee by regular mail to the last known address of that person and shall be deemed to have been given on the third day after it is mailed. Service on a corporation can be affected by registered mail to the address of the corporation's registered head office.
- 8.7 The written notice to be given under subsection 8.6 shall:
- 8.7.1 set out the grounds for the decision;
 - 8.7.2 give reasonable particulars of the grounds;
 - 8.7.3 be signed by the City Clerk; and,
 - 8.7.4 state that the Applicant or Licencee is entitled to a hearing by the Hearing Committee if the Applicant or Licencee delivers to the City Clerk, within ten (10) days after the notice in subsection 8.6 is served, and the appeal fee as set out in Schedule "A" of this By-law.
- 8.8 Where no appeal is registered within the required time period, the decision of the City Clerk shall be final.
- 8.9 Despite subsection 8.7 where a licence is voluntarily surrendered by the Licencee for revocation, the City Clerk may revoke the licence without notice to the Licencee.

9 VARIANCE

- 9.1 The City of North Bay may authorize variances from this By-law with respect to the number of Bedrooms if:
- 9.1.1 in the opinion of the City the general intent and purpose of this By-law are maintained; and
 - 9.1.2 the single detached dwelling was originally constructed to contain more than the maximum number of bedrooms as permitted by this By-law
- 9.2 Applications for variances shall be submitted to the Planning Department and shall be made by completing and submitting:
- 9.2.1 A written request to vary the By-law with respect to the number of bedrooms
 - 9.2.2 Documented proof of the original construction of the single detached dwelling, showing the original number of bedrooms

9.2.3 A completed License Application including such information as the applicant is required to provide under Section 5

9.2.4 The full variance fees and application fees as set out on Schedule A

9.3 Where an application under Section 9.2 is incomplete, the Planning Department may refuse to accept the application. For the purpose of this section, an application is incomplete where it does not contain the information as set out in Section 9.2

9.4 All Variance requests shall be heard and determined by Council, unless Council delegates such approval. All decisions of Council or its delegate shall be considered final and binding.

9.4.1 Section 10, Hearings before the Hearing Committee does not apply for the purpose of a request for variance from the By-law.

9.5 In considering the application for variance, the City shall have regard for:

9.5.1 special circumstances or conditions applying to the land, building or use referred to in the variance application;

9.5.2 whether such special circumstance or conditions are pre-existing and not created by the Owner or applicant;

9.5.3 whether the property that is subject of the variance application will negatively alter the character of the general area in which the property is located; and

9.5.4 that all applicable requirements under the Ontario Building Code and Ontario Fire Code are being met.

9.5.5 Whether the Owner has submitted all other information and plans required under this by-law to show strict compliance with this by-law in all other respects.

10 HEARINGS BEFORE THE HEARING COMMITTEE

10.1 The power and authority to conduct hearings of appeals under this By-law are hereby delegated to the Hearing Committee as set out in the City's Procedural By-law.

10.2 The provisions of the *Statutory Powers Procedure Act*, R.S.O. 1990, c. S.22, except sections 17, 17.1 and 19, applies to all hearings conducted by the Hearing Committee under this By-law.

10.3 When the Applicant or Licencee, who has been given written notice of the hearing, does not attend at the appointed time and place, the Hearings Committee may proceed with the hearing in his or her absence and the Applicant or Licencee shall not be entitled to any further notice of the proceeding.

10.4 At the conclusion of the hearing, the Hearing Committee may give its decision orally or in writing but in each case it shall provide its decision in writing, with reasons, within thirty (30) days of the hearing to the Applicant or Licencee and the Issuer of Licences.

10.5 The Hearing Committee may uphold or vary the decision of the Issuer of Licences or make any decision that the Issuer of Licences was entitled to make in the first instance.

10.6 The decision of the Hearing Committee is final.

- 10.7 Notwithstanding anything in this By-law to the contrary, where an Applicant or Licencee appeals against or requests a review of a decision concerning a Rental Housing licence, no decision in the appeal or review shall be made unless each Owner of a Lot situated within thirty (30) meters of the Rental Property subject of the appeal or review has been given no fewer than seven (7) days notice of the hearing of the appeal or review and has been given an opportunity to be heard at the hearing of the appeal or review which hearing shall be open to the public.

11 ENFORCEMENT

- 11.1 Inspectors, acting under the Fire Chief's, Chief Building Official's, Zoning Administrator's or By-law Enforcement Coordinator's instructions, may enforce this By-law.
- 11.2 Subject to section 437 of the *Municipal Act, 2001*, as to entry of dwelling units, the Inspector may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not:
- 11.2.1 this By-law is being complied with;
 - 11.2.2 a direction or order of the City made pursuant to the *Municipal Act, 2001*, or any successor thereof or made pursuant to a By-law of the City is being complied with;
 - 11.2.3 a condition of a licence issued under a by-law of the City is being complied with; or
 - 11.2.4 an order made pursuant to Section 431 of the *Municipal Act, 2001*, which prohibits the continuation or repetition of an offence is being complied with.
- 11.3 An Inspector may for the purpose of an inspection:
- 11.3.1 require the production for inspection of documents or things relevant to the inspection;
 - 11.3.2 inspect or remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - 11.3.3 acquire information from any person concerning a matter related to the inspection ; and
 - 11.3.4 alone or in conjunction with a person possessing special or expert knowledge, make examinations or take test samples or photographs necessary for the purpose of the inspection.
- 11.4 The Inspector may undertake inspections pursuant to orders which are made pursuant to section 438(2) of the *Municipal Act, 2001*.
- 11.5 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this By-law, including carrying out an inspection.

12 PENALTIES

- 12.1 Any person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine, penalty or order as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, or in the *Municipal Act, 2001*, S.O. 2001, c.25, as amended or any successor thereof.
- 12.2 A director or officer of a corporation who knowingly concurs in the contravention of any provision of this By-law is guilty of an offence.

- 12.3 A person convicted under this By-law is liable to a maximum fine of \$25,000.00 upon a first conviction and a maximum fine of \$50,000.00 for any subsequent conviction.
- 12.4 Despite section 12.3, where the person convicted is a corporation, the corporation is liable to a maximum fine of \$50,000.00 upon a first conviction and a maximum fine of \$100,000.00 for any subsequent conviction.
- 12.5 If this By-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by this By-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order,
- 12.5.1 prohibiting the continuation or repetition of the offence by the person convicted; and,
 - 12.5.2 requiring the person convicted to correct the contravention in the manner and within the period that the court considers appropriate.

13 ADMINISTRATIVE PENALTIES

- 13.1 Each person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with this section 13, be liable to pay to the City an administrative penalty in the amount of \$250.
- 13.2 An Officer who finds that a person has contravened any provision of this By-law may issue a penalty notice addressed to the person.
- 13.3 The penalty notice shall be given to the person to whom or to which it is addressed as soon as is reasonably practicable and shall include the following information:
- 13.3.1 Particulars of the contravention;
 - 13.3.2 The amount of the administrative penalty;
 - 13.3.3 Information respecting the process by which the person may exercise the person's right to request a review of the administrative penalty; and
 - 13.3.4 A statement advising that an administrative penalty will, unless cancelled or reduced pursuant to the review process, constitute a debt of the person to the City.
- 13.4 No Officer may accept payment of an administrative penalty.
- 13.5 A person who receives a penalty notice may request a review of the administrative penalty by the Hearing Committee in accordance with this paragraph 13.5.
- 13.5.1 The person's right to request a review expires on the tenth (10th) day after the penalty notice is given to the person.
 - 13.5.2 The person's right to request that the Hearing Committee extend the time to request a review expires on the twentieth (20th) day after the penalty notice is given to the person at which time the administrative penalty shall be deemed to be affirmed.
 - 13.5.3 The person shall be given seven (7) days notice of the date, time and place of the hearing of a review request under clause 13.5.1 or an extension request under clause 13.5.2.

- 13.5.4 The Hearing Committee shall not make a determination with respect to a review request under clause 13.5.1 or an extension request under clause 13.5.2 unless the Hearing Committee has given to the Licencee, the Issuer of Licences and the Officer who issued the penalty notice an opportunity to be heard.
- 13.5.5 The Hearing Committee may affirm the administrative penalty or extend the time to request a review of an administrative penalty.
- 13.5.6 The Hearing Committee may cancel or reduce the administrative penalty or may extend the time for payment of the administrative penalty only where the Hearing Committee is satisfied that doing so would maintain the general intent and purpose of this By-law and that
- 13.5.6.1 there is reason to doubt that the person contravened this By-law;
 - 13.5.6.2 the person took all reasonable steps to prevent the contravention; or that
 - 13.5.6.3 the cancellation, reduction or extension of the time for payment is necessary to relieve undue financial hardship.
- 13.5.7 The decision of a Hearing Committee is final and not subject to review including review by any Court.
- 13.5.8 The Issuer of Licences may at any time cancel, reduce or extend the time for payment of an administrative penalty, including the cancellation or reduction of any late payment fee imposed pursuant to paragraph 13.5.12 of this By-law where he or she is satisfied that doing so would maintain the general intent and purpose of this By-law.
- 13.5.9 An administrative penalty that is deemed to be affirmed pursuant to clause 13.5.2 or that is affirmed or reduced or in respect of which the time for payment has been extended pursuant to clause 13.5.5 or paragraph 13.5.6 constitutes a debt to the City of each person to whom or to which the penalty notice was given.
- 13.5.10 Where a person has paid an administrative penalty that is then cancelled or reduced pursuant to clause 13.5.5 or paragraph 13.5.6, the City shall refund the amount cancelled or reduced.
- 13.5.11 Where an administrative penalty is paid within fifteen (15) days after the date that it becomes due and payable, no person to whom the penalty notice was given shall be liable for an offence in respect of the contravention described in the penalty notice.
- 13.5.12 Where an administrative penalty is not paid within fifteen (15) days after the date that it becomes due and payable, each person to whom the penalty notice was given shall pay to the City a late payment administrative fee pursuant to Schedule "A" of this By-law.

14 MISCELLANEOUS

- 14.1 This by-law may be referred to as the "Residential Rental Housing Licensing By-law".
- 14.2 This By-law shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the City or by any governmental authority having jurisdiction to make such restrictions or regulations.

14.3 If there is a conflict between a provision of this By-law and a provision of any other City By-law, the provision that establishes the higher standard shall apply.

14.4 This by-law shall come into force and effect on January 1, 2012.

READ A FIRST TIME IN OPEN COUNCIL THE 29th DAY OF AUGUST, 2011.

READ A SECOND TIME IN OPEN COUNCIL THE 29th DAY OF AUGUST, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29th DAY OF AUGUST, 2011.

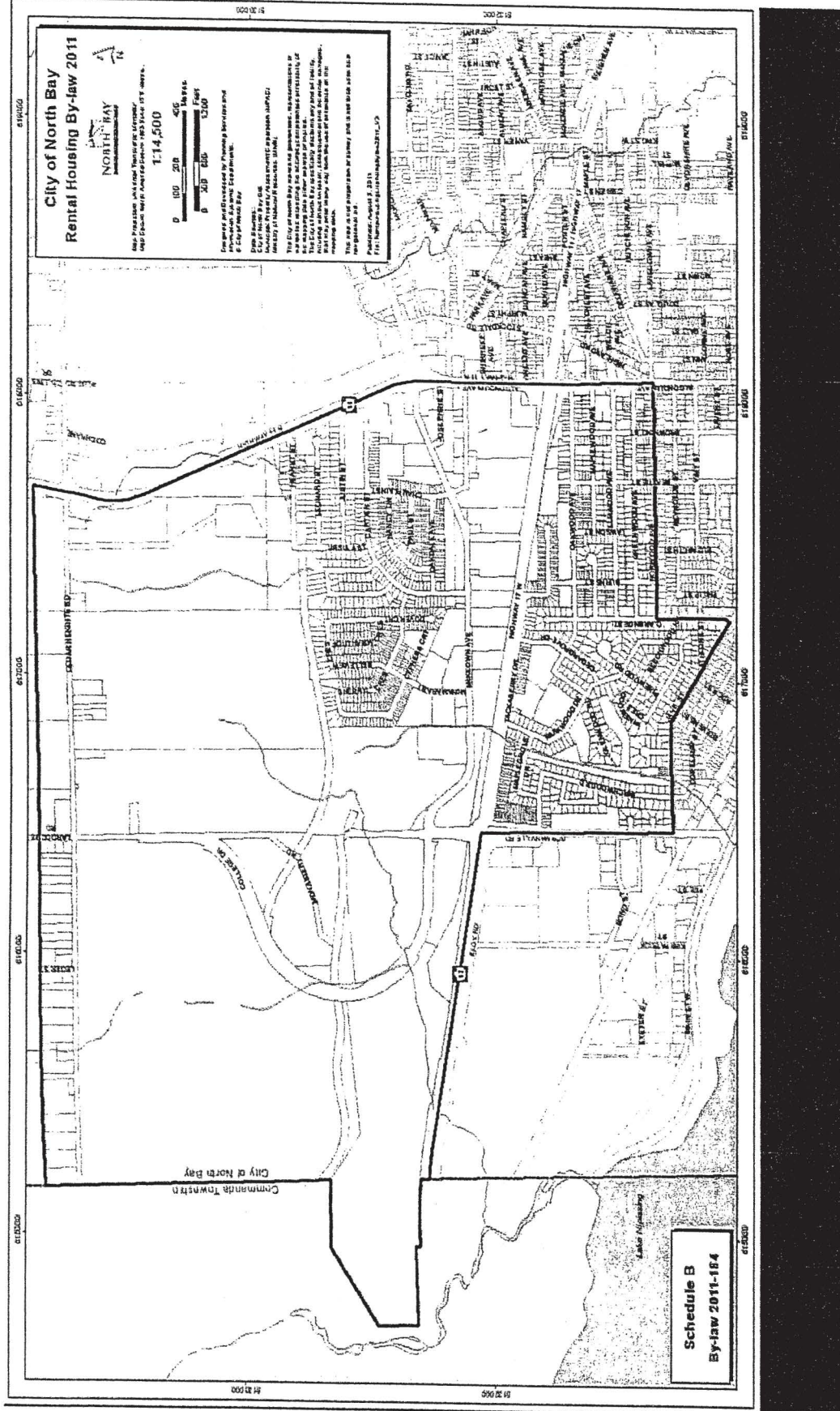
MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

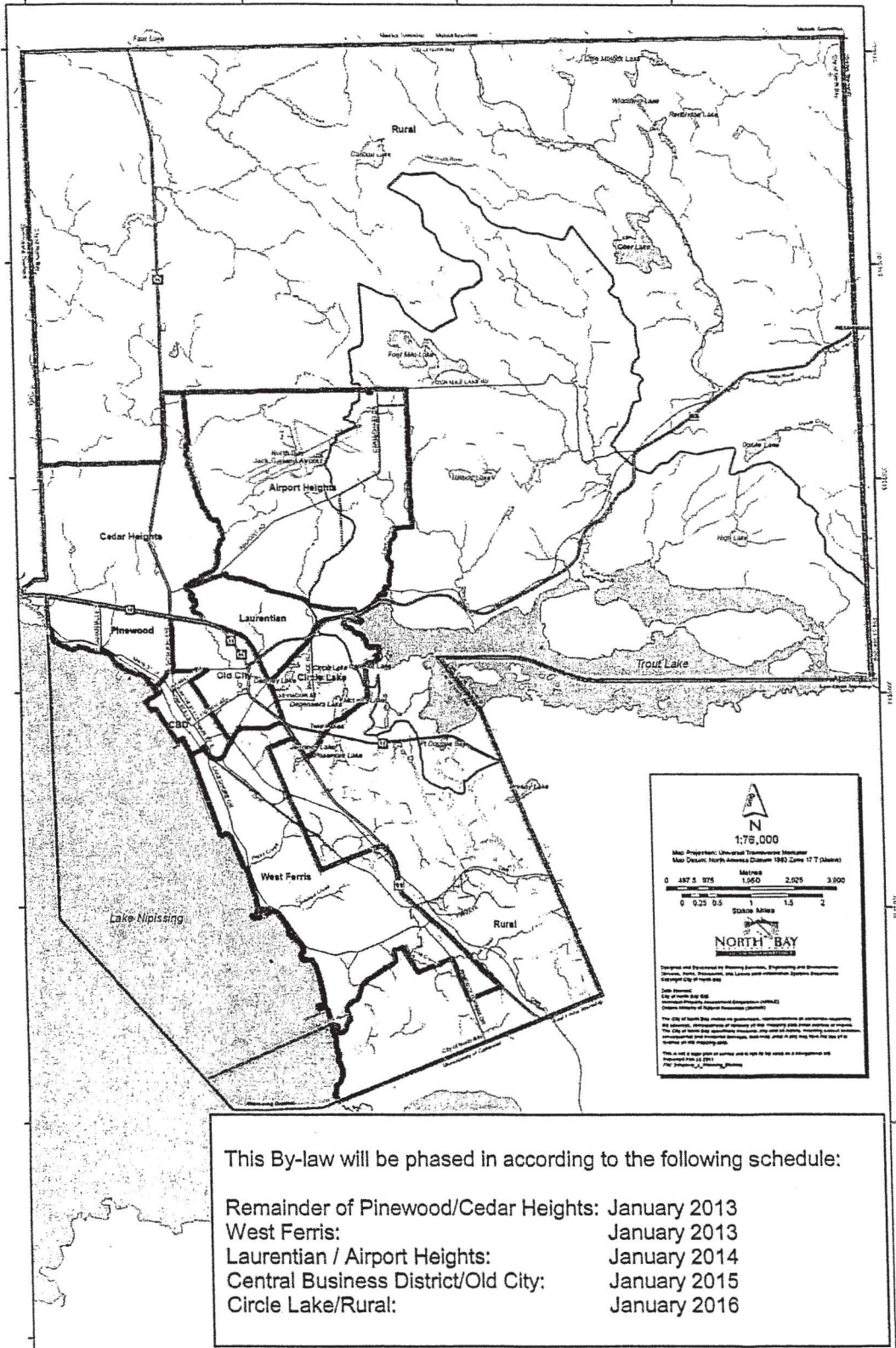
FEES

Licence Fee for a licence for each Rental Property	\$ 300.00
Licence Renewal Fee for each licence renewed under this By-law	\$ 300.00
Late Payment Fee	\$ 25.00
Appeal Fee	\$ 50.00
Variance Application Fee	\$300.00

Applicable Area



Phase In Area



This By-law will be phased in according to the following schedule:

Remainder of Pinewood/Cedar Heights:	January 2013
West Ferris:	January 2013
Laurentian / Airport Heights:	January 2014
Central Business District/Old City:	January 2015
Circle Lake/Rural:	January 2016

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-195

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION
OF AN AGREEMENT WITH METAL-AIR
MECHANICAL SYSTEMS LTD. RELATING TO A
DEHUMIDIFICATION SYSTEM AT PETE PALANGIO
ARENAS**

WHEREAS the Agreement with Metal-Air Mechanical Systems Ltd. for the supply and installation of a dehumidification system at Pete Palangio Arenas was approved by Resolution No. 2011-562 passed by Council on the 2nd day of August, 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 9th day of August, 2011 with Metal-Air Mechanical Systems Ltd. relating to the supply and installation of a dehumidification system at Pete Palangio Arenas.
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 Metal-Air Mechanical Systems Ltd. and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

OC READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF AUGUST, 2011.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-200

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION
OF AN AGREEMENT WITH ENGINEERED
MANAGEMENT SYSTEMS INC. RELATING TO
INSPECTION OF KING'S LANDING WHARF**

WHEREAS the Agreement with Engineered Management Systems Inc. for inspection of King's Landing Wharf and subsequent drawings, tendering and contract administration for rehabilitation of the wharf was approved by Resolution No. 2011-557 passed by Council on the August 2, 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 11th day of August, 2011 with Engineered Management Systems Inc. relating to inspection of the King's Landing Wharf and subsequent drawings, tendering and contract administration for rehabilitation of the wharf.
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 Engineered Management Systems Inc. and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

u READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF AUGUST, 2011.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-194

**BEING A BY-LAW TO AUTHORIZE THE EXECUTION
OF AN AGREEMENT WITH BRUMAN
CONSTRUCTION INC. RELATING TO MAIN STREET
EAST RECONSTRUCTION**

WHEREAS the Agreement with Bruman Construction Inc. for the Main Street East reconstruction was approved by Resolution No. 2011-502 passed by Council on the 4th day of July, 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 26th day of July, 2011 with Bruman Construction Inc. relating to the Main Street East reconstruction.
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 Bruman Construction Inc. and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF AUGUST, 2011.

cc

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

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THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-197

**A BY-LAW TO AMEND TRAFFIC & PARKING BY-LAW NO. 2002-001
(SCHEDULE 18 – NO PARKING AREAS AT ANY TIME)**

WHEREAS the *Municipal Act, 2001*, (S.O. 2001, c.25) authorizes the Council to pass By-Laws regulating or prohibiting certain traffic on highways and regulating or prohibiting parking on highways;

AND WHEREAS the *Highway Traffic Act*, R.S.O. 1990, Chapter H-8, as amended, authorizes the Council to pass By-laws regulating traffic on highways;

AND WHEREAS the Council passed Community Services Committee Report No. 2011-18 at its meeting held Monday, August 15, 2011, authorizing that the Traffic & Parking By-law No. 2002-001 be amended with respect to no parking areas.

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

1. That Schedule 18 (No Parking Areas at Any Time) to Traffic & Parking By-Law No. 2002-001 is hereby amended to add the following:

<u>"Road</u>	<u>Side</u>	<u>From</u>	<u>To</u>
<u>SECTION N</u>			
Nancy Drive	south & east	Champlain Street	Oakdale Road
<u>SECTION O</u>			
Oakdale Road	north	Champlain Street	Cartier Street
<u>SECTION P</u>			
Paul Street	north	Nancy Drive	Champlain Street
<u>SECTION S</u>			
Sherryl Crescent	even	McNamara Street	McNamara Street"

2. That this by-law comes into effect upon being passed.

READ A FIRST TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF AUGUST, 2011.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-198

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN STEWARDSHIP ONTARIO, WASTE DIVERSION ONTARIO AND THE CORPORATION OF THE CITY OF NORTH BAY RELATING TO THE CONTINUOUS IMPROVEMENT FUNDING PROJECT GRANT

WHEREAS the agreement with Stewardship Ontario and Waste Diversion Ontario for the Continuous Improvement Funding Project Grant was approved by Resolution No. 2011-536 passed on the 18th day of July, 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 with Stewardship Ontario and Waste Diversion Ontario dated the 29th day of August, 2011 relating to the Continuous Improvement Funding Project Grant.
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain agreement between Stewardship Ontario and Waste Diversion Ontario and The Corporation of the City of North Bay and to affix thereto the corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF AUGUST, 2011.



MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2011-199

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH METCON SALES AND ENGINEERING LIMITED RELATING TO THE SUPPLY AND INSTALLATION OF A SEPTAGE RECEIVING AND WATER DISPENSING SYSTEM

WHEREAS the agreement with Metcon Sales and Engineering Limited for the supply and installation of a Septage Receiving and Water Dispensing System was approved by Resolution No. 2011-458 passed by Council on the 20th 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 10th day of August, 2011 with Metcon Sales and Engineering Limited relating to the supply and installation of a Septage Receiving and Water Dispensing System.

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 Metcon Sales and Engineering Limited and to affix thereto the corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A SECOND TIME IN OPEN COUNCIL THIS 29TH DAY OF AUGUST, 2011.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 29TH DAY OF AUGUST, 2011.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD