

The Corporation of the City of Kenora

By-Law Number 33 – 2023

A By-Law to Establish Terms of Reference for the City of Kenora Accessibility Advisory Committee

Whereas Section 7(2) of the Municipal Act, 2001, as amended authorizes a municipality to enact by-laws respecting matters within the spheres of jurisdiction; and

Whereas the City of Kenora adopted Accessibility Policy number LS-4-2 intended to create a culture of accessibility awareness and action by striving for continuous improvement in accessibility awareness of all departments, services, and activities of the City; and

Whereas the Council of the City of Kenora will also encourage and enable its citizens and businesses to promote accessibility friendly practices to make their businesses accessible to all.

Now Therefore the Council of the Corporation of the City of Kenora hereby enacts as follows: -

1.0 Purpose

The purpose is to establish an Accessibility Advisory Committee for the City of Kenora under the following structure.

2.0 Role of the Committee

The role of the Accessibility Advisory Committee is to provide advice and direction to the City Council on a wide range of accessibility and inclusion matters. Generally, the role of the Committee will be to advise the City on the development and implementation of the annual Municipal Accessibility Plan and advising Council on issues relating to citizens with a disability. Duties of the Committee include:

- Advise Council on the preparation, implementation and effectiveness of the annual accessibility plan to ensure that it addresses the identification, removal and prevention of barriers to persons with disabilities in the City's by-laws, policies, programs, practices, facilities, and services;
- Advise Council on all accessibility and inclusion related issues within the City of Kenora including the review of site plans relating to identified buildings within the municipality;
- Advocate for the elimination of barriers including physical, attitudinal and social for citizens with disabilities;
- Promote the goals and objectives of the Ontarians with Disabilities Act by providing visible leadership within the community and the Corporation

3.0 Definitions

“Barrier” – is anything that stops a person with a disability from fully taking part in society because of that disability. Some barriers include:

- Physical barriers, for example a step at the entrance to a store;
- Architectural barriers, for example no elevators in a building of more than one floor;
- Information or communication barriers, for example: sign language interpreter at a public meeting
- Attitudinal barriers, for example assuming people with a disability can't perform a certain task when in fact they can;
- Technological barriers such as traffic lights that change too quickly before a person with a disability has time to get through the intersection;
- Barriers created by policies or practices, for example not offering different ways to complete a test as part of job hiring
- Alternate formats for low vision, blindness, and low literacy

“Disability” – Ontario Human Rights Code defines disability as: Any degree of physical disability, infirmity, malformation, or disfigurement caused by bodily injury, birth defect or illness and includes, but is not limited to:

- Diabetes mellitus;
- Epilepsy;
- A brain injury;
- Any degree of paralysis;
- Lack of physical co-ordination;
- Blindness or visual impediment;
- Deafness or hearing impediment;
- Amputation
- Muteness or speech impediment; or
- Physical reliance on a guide dog on a guide dog or other animal, or a wheelchair or other remedial appliance or device
- A condition of mental impairment or a developmental disability;
- A learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- A mental disorder; or
- An injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

4.0 Committee Membership

4.1 The Accessibility Advisory Committee may consist of ten (10) voting members and would include members from the following:

- Developmental disability (and possibly 1-2 support people)
- culturally deaf (2 reps but 1 vote)
- mental illness
- mobility
- hard of hearing and deafened
- visually impaired and/or blind
- brain injured
- senior with a disability
- City Councillor(s) (1 Primary and 1 Alternate, 1 Vote Shared)
- Citizen at large
- Service agency
- parent/guardian with a child with a disability who is under 18 years of age

4.2 The majority of the members of the committee should include persons with a disability, where this is not possible the members may include those with experience with disabilities professionally or personally.

4.3 Member Qualifications:

4.3.1 The following qualifications should be considered for appointing members to the Accessibility Advisory Committee:

4.3.2 Awareness and knowledge of the Accessibility for Ontarians with Disabilities Act and its Standards. 5.1.2 Have relevant work and volunteer experience, demonstrated expertise, and interest and participation in accessibility and community matters. This may include a family member of a person with a disability, or represents a skill set or interest in areas including youth, adults or seniors.

4.3 The City's Staff Resource shall act as Secretary for the Committee and duly record and administer the agendas and minutes for the committee. Agendas will be developed through the Chair and Staff Resource for circulation prior to the meeting.

4.4 In addition to the above City positions acting as Ex-Officio on the Committee, other positions that may act in an advisory capacity are: Regional Services with the Ministry of Citizenship.

4.5 At any meetings of this Committee, the presence of a majority of the membership is necessary for a quorum and for the transaction of business. A quorum is 50% +1.

4.6 Committee selection will occur within the context of the City's policy for appointment to the Committees of Council

5.0 Chair

The Committee shall elect a chairperson from its members at the first meeting of each year and hold the office for one year. The Committee shall elect a co-chairperson from among its members at its first meeting, in the case of absence of the chairperson,

6.0 Meetings and Administration

Regular meeting dates are to be established by the Committee at the first meeting of the calendar year. The location and frequency of meetings will be at the discretion of the Committee.

Members of the Committee should strive to attend committee meetings in order to provide for effective participation. The failure of any committee member to attend three (3) consecutive meetings without giving written notice to the Chairman will result in the termination of membership from the committee.

The City of Kenora will provide sufficient resources and staff for conducting the business of the Committee. This will include, but not be limited to; taking meeting minutes, assisting the Chairman in developing an agenda, the circulation of meeting notices and minutes and the advertisement and organization of public meetings.

The City of Kenora will also provide administrative support in any media releases, reports and recommendations developed by the committee.

7.0 Term of Committee

The term for membership on the Committee shall be as appointed by Council. Members shall be appointed by Council, and Council may replace members on the Committee at any time. Council may be requested to amend the Terms of Reference for the Committee at any time, or they may be amended subsequent to the election of a new Council.

8.0 Meeting Format

The Committee will strive for an optimal level of accessibility and inclusion at all meetings including physical access and access to the meeting contents and proceedings. Accessibility Ontario's "Planning for Accessible Meetings" will be used as a guideline.

9.0 Committee Operation Expenses

In order to attract proper representation from citizens with a disability, a budget will be assigned to the Committee for consideration of the accommodation(s) required for people with disabilities to fully participate in meetings. The budget will cover costs such as meeting room rentals, additional expenses for accessible transportation such as Handi Transit costs, Attendant Care, and communication supports such as sign language interpreters, computerized note-takers, audio and/or visual documentation, large print documents, and braille translation.

10.0 Conflict of Interest

The Municipal Conflict of Interest Act will govern the Committee. The City Clerk's Office provides copies of the Act to the Committee Members at the inaugural meeting of the Committee along with a brief overview.

11.0 Communications and Additional Resources

The Chairman of the Committee shall be key contact and spokesperson for the Committee, as well as reporting the work of the Committee back to the City of Kenora Council.

12.0 Commencement

That this by-law shall take effect and come into force upon third and final reading.

By-law read a First & Second Time this 19th Day of April, 2023

By-law read a Third & Final Time this 19th Day of April, 2023

The Corporation of the City of Kenora:

Andrew Poirier, Mayor

Heather Pihulak, City Clerk