



AGENDA / ORDRE DU JOUR
SPECIAL COUNCIL MEETING / RÉUNION SPÉCIALE DU CONSEIL

Wednesday, December 19, 2018 at 6:00pm / mercredi le 19 décembre 2018 à 18:00
Council Chambers / Salle du conseil

Special Meeting to address items relating to the New Term of Council

1. **Call to Order and Roll Call / Ouverture de la réunion et présence**
2. **Adoption of Agenda / Adoption de l'ordre du jour**
3. **Disclosure of Pecuniary Interest / Déclarations d'intérêts pécuniaires**
4. **New Term of Council Items**
 - 4.1 **Appointments**
 - 4.1.1 Resolution to appoint 2 Council Members to the Sudbury East Planning Board (SEPB)
 - 4.1.2 Resolution to appoint the Mayor, 1 Councillor and one alternate Councillor to the Sudbury East Municipal Association (SEMA)
 - 4.1.3 Resolution to appoint 1 Council Member to the Community Policing Advisory Committee (CPAC)
 - 4.1.4 Resolution to appoint 1 Council Member to the Manitoulin-Sudbury District Services Board (MSDSB)
 - 4.1.5 Resolution to appoint 1 Council Member to the Public Health Sudbury & District Board
 - 4.1.6 Resolution to appoint 1 Council Member, 1 Member of Education and 5 Members of the Public to the French River Library Board
 - 4.1.7 Resolution to appoint 4 Council Members to the Public Works & Environmental Committee (PWEC)
 - 4.1.8 Resolution to adopt a By-law to appoint all Members of Council to the Committee of Adjustment for 2019 **p.3**
 - 4.1.9 Resolution to appoint 2 Council Members to the Sudbury-East Chamber of Commerce
 - 4.2 **Conferences and Training Opportunities**
 - 4.2.1 Schedule of 2019 Conferences **p.4**
 - Resolution to approve the attendees at Conferences being held in 2019
 - ROMA Conference January 27-29, 2019 in Toronto
 - OGRA Conference, February 24-27, 2019 in Toronto
 - 4.2.2 Schedule of Council Training Opportunities (AMO, AMCTO) **p.9**
 - Resolution to approve attendees for training
 - 4.3 **Governance**
 - 4.3.1 Report - Governance Structure **p.15**
 - 4.3.2 Orientation of the Municipal Website, App, new Meeting Management & Portal

4.4 Other Items

4.4.1 Proposed 2019 Budget Process and Meeting Schedule p.22

4.4.2 Report - Municipal Cannabis Retail Stores p.23 (new info on p. 39)

**decision expected at Meeting being held January 16th, 2019*

5. Correspondence / Correspondance

5.1 Resolution to declare the Noëlville Family Hockey Tournament (NFHT) being held February 8, 9, 10 as a community event of municipal significance

6. Closed Session / Session à huis clos

- under section 239 (2) (i) “a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization” with respect to information relating to a potential business expansion in the community and to seek preliminary support

7. Adjournment / Ajournement

Resolution to adopt Confirmation By-law / Résolution pour adopter le règlement de confirmation p.42

Resolution to adjourn / Résolution d’ajournement

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2018-59

BEING A BY-LAW TO APPOINT THE COMMITTEE OF ADJUSTMENT FOR THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

WHEREAS, under Section 44(1) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, the Council of a municipality may appoint a committee of adjustment for the municipality;

AND WHEREAS Section 44(3) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, states that the members of the committee who are members of a municipal council shall be appointed annually;

AND WHEREAS it is deemed expedient to appoint the Committee of Adjustment, as provided for under Section 44(1) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended;

NOW THEREFORE THE COUNCIL FOR THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER HEREBY ENACTS AS FOLLOWS:

1. THAT the Committee of Adjustment for the Municipality of French River shall have all statutory duties listed under Sections 44 and 45 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended;
2. THAT Mayor Gisèle Pageau, Councillors Renée Carrier, Ronald Garbutt, Randy Hazlett, Richard Malette, David Viau, Dean Wenborne be appointed to the Committee of Adjustment for the Municipality of French River for the term of office of January 1, 2019 to December 31, 2019.
3. THAT the Clerk of the Municipality of French River be appointed to act as Secretary-Treasurer for the Committee of Adjustment for the Municipality of French River;
4. THAT the Clerk shall send to the Minister of Municipal Affairs a certified copy of this By-law passed under Section 44(1) of the Planning Act, within 30 days of passing as provided for in Chapter P13, R.S.O. 1990, Section 44(2).
5. THAT any and all by-laws on the same subject matter which is inconsistent with this by-law are hereby repealed.
6. THAT this by-law shall come into force and take effect on January 1st, 2019.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 19th DAY OF SEPTEMBER, 2018**

MAYOR

CLERK

COUNCIL CONFERENCES

AFMO (<http://www.afmo.on.ca/en/>)

Conference details

The date for the 2019 AFMO Conference has not been confirmed yet, but is usually held mid-September.

Approximate Cost per person: \$1,500 (depending on location)

Background /History

The Francophone Association of Municipalities of Ontario (AFMO) was founded, in 1989, by Gisèle Lalonde, then Mayor of the City of Vanier. Her goal was to uphold and improve municipal services delivery and governance, in both French and English, in the regions of Ontario designated under the French Language Services Act of Ontario.

Mission

Provide French-speaking elected municipal officers and directors a public forum and relevant services in French, and act as representative and advisor to ministries and organizations related to municipal affairs in Ontario.

Objectives

- Act as representative for members in matters of common interest;
- Foster professional development and ongoing training of its members;
- Serve as a forum for sharing information and opinions by its members;
- Liaise with other municipal stakeholders in Ontario and throughout Canada;
- Promote and encourage the use of French in municipal affairs;
- Promote the immigration of Francophones to Ontario and support the integration of racial and ethno-cultural minorities within various Francophone communities in Ontario.

Notes:

Conference details

The 2019 AMO Annual Conference will be held August 18 - 21, 2019 in Ottawa.

Approximate Cost per person: \$2,600

Background /History

AMO works to make municipal governments stronger and more effective. Through AMO, Ontario’s 444 municipalities work together to achieve shared goals and meet common challenges.

Through our policy development, cost-saving programs, conferences and training opportunities, AMO provides municipal officials with tools to succeed, and programs to help maximize taxpayer dollars.

AMO’s Vision Statement

In Ontario’s municipalities, people and families can live, thrive and prosper in the communities they call home, and children will have the choice and opportunity to live and work in the communities where they were raised.

Mandate

The mandate of the organization is to support and enhance strong and effective municipal government in Ontario. It promotes the value of the municipal level of government as a vital and essential component of Ontario and Canada's political system.

The Mandate is delivered in a variety of ways. Of particular importance is the Memorandum of Understanding (MOU) between AMO and the Province. The MOU provides the opportunity for municipal input and reaction to provincial policy ideas (pre-consultation) so that they are fully informed as part of any provincial policy making process. The MOU also includes a Protocol that obligates the Province to consult with AMO and municipalities on matters that are of a federal-provincial nature that could affect municipal services and finances. The Protocol also sets out the Province’s commitment to pursue a federal-provincial-municipal framework where municipalities have a ‘seat at the federal-provincial table.

Notes:

FONOM/MMA Northeastern Municipal Conference

(<http://www.fonom.org/news>)

Conference details

The 2019 Annual Conference will be held May 8-10, 2019 in Sudbury.

Approximate Cost per person: \$1,300 (depending on location)

Background /History

The Federation of Northern Ontario Municipalities (NWMO) is the unified voice of Northeastern Ontario. It represents and defends the interests of 110 cities, towns and municipalities in this region. Its mission is to improve the quality of economic and social life of all people living in the North and to ensure the future of our young people.

The NWMO is a membership-based association with membership from Northeastern Ontario

Notes:

Conference details

The 2019 OGRA Conference will be held February 24-27, 2019 in Toronto.

Approximate Cost per person: \$2,200

Background /History

2019 marks OGRA’s quasiquicentennial: 125th anniversary of their founding in 1894. The 2019 OGRA Conference will highlight this milestone and much more.

Mandate

The mandate of the Ontario Good Roads Association is to represent the transportation and public works interests of municipalities through advocacy, consultation, training and the delivery of identified services.

This mandate translates into four main business objectives:

- To advocate the collective interests of municipal transportation and public works departments through policy analysis, assessment of legislation and consultation with partners and stakeholders.
- To provide affordable and accessible education and training services.
- To promote leadership with regard to infrastructure asset management.
- To develop plans, programs and partnerships for the delivery of services that meet the needs of municipal transportation and public works departments, while recognizing the contribution of the corporate sector.

Notes:

Conference details

The 2019 ROMA Annual Conference will be held January 27 - 29, 2019 in Toronto.

Approximate Cost per person: \$2,000

Background /History

The Rural Ontario Municipal Association (ROMA) is the rural arm of the Association of Municipalities of Ontario (AMO). The association is an integral part of AMO and a number of its Executive Members serve on the AMO Board of Directors. Policy, research and advocacy activities are undertaken by ROMA through AMO. Matters which affect rural communities are brought to the attention of the provincial and federal governments, and include, for example:

- The Rural and Northern Plan, that deals with actions that can strengthen these communities and their place in Ontario’s economy
- Infrastructure investment
- Affordable rural drinking water systems
- Nutrient management regulations affecting both the farm community and municipal environmental planning, minimum distance separation and biosolids
- Support for federal fairness to Ontario

ROMA takes pride in promoting, supporting and enhancing strong and effective rural governments. Leadership is provided by the Chair and the Executive Committee. The Executive Committee meets approximately eight times a year at the AMO offices in Toronto.

The Rural Executive members, along with AMO and Association staff, value and respect:

- Rural municipal government, the rural lifestyle, and the diversity of interests within rural municipalities
- The autonomy of rural municipalities
- Fairness and equity for rural municipalities
- Consultation and cooperation with member municipalities

The Rural Executive undertakes a range of activities on behalf of its membership:

- Develops policy positions and reports on issues having an impact on, and of interest to rural municipalities in particular
- Represents and expresses the rural municipal viewpoint within AMO and to other levels of government and authorities
- Represents the rural municipalities in intergovernmental discussions and negotiations
- Informs rural municipal governments, the media and the public on municipal issues.

Notes:

COMMUNICATIONS 101 FOR ELECTED OFFICIALS

Elected officials live in the spotlight. The rise of social media and decline of local news have changed the communications landscape. This session will help you learn how to promote good news, manage issues professionally, and to leverage traditional and social media. Most of all, this session will help elected officials communicate effectively and sleep soundly.

ON THE AGENDA

This half-day session will cover:

- general theory on why media relations is important,
- the different types of media,
- the changing media landscape,
- what makes news and why,
- interview preparation,
- how to answer questions well, and
- how to deliver strong photo and video images.

WORKSHOP DETAILS

- **Cost:** Registration includes all all materials - \$360 plus HST (\$406.80)
- **Registration Open to:** Newly-elected and returning elected officials and municipal staff. We encourage municipal staff in attendance to accompany an elected official.
- **Dates and Locations:** Registration opens at 8:30 am with sessions running from 9:00 am to 12:00 pm
 - **January 27: Toronto (Sheraton Hotel Toronto)**
 - Session prior to ROMA Conference
 - **May 1: Pembroke (Best Western Pembroke Inn)**
 - Session prior to OSUM Conference
 - **August 18: Ottawa (Westin Hotel Ottawa)**
 - Session prior to AMO Conference

AMO presents this course in partnership with Redbrick Communications.
[Click here to check out what else they offer, let them know AMO sent you.](#)

WE ALSO OFFER:

LAND USE PLANNING: BEYOND THE BASICS

ON THE AGENDA

Aimed at both seasoned and first-term councillors, the land-use planning module of AMO's municipal councillor training program is designed to build upon the Association's on-line primer on planning. This three-hour workshop is presented back to back with *As a Member of Council What You Need to Know*. It is also available as a stand-alone educational session.

The workshop will reinforce the central role that municipalities play in implementing and managing the land use policy framework in Ontario. It will include a review of the relevant elements of the Ontario Planning Act as well as a run-down of the key planning tools and how they are applied in the municipal context. The module will identify the nature and role of the Provincial Policy Statement as the overall roadmap for land use management in Ontario. The program will also update participants on the conversion of the Ontario Municipal Board to the new Local Planning Appeal Tribunal and the implications of this new regime on how municipal councils take decisions on planning matters.

REGISTRATION OPTIONS

Register for this session and *As a Member of Council What You Need to Know* and an automatic 10% discount will be applied to your overall purchase. Discount applies for multiple course registrations made on one print and submit form. Discounts cannot be applied retroactively.

WORKSHOP DETAILS

- **Cost:** Registration includes all all materials and automatic access to AMO's Land Use Planning: The Basics available at MunicipalEducation.ca - \$200 plus HST (\$226.00)
- **Registration Open to:** Newly-elected and returning elected officials and municipal staff.
- **Dates and Locations:** Registration opens at 8:30 am and the session runs from 9:00 am to 12:00 pm
 - February 8: Toronto
 - March 2: Sault Ste. Marie
 - March 7: Thunder Bay
 - March 9: North Bay
 - March 21: Kingston
 - March 22: Peterborough
 - March 23: Orillia
 - March 28: Owen Sound
 - March 29: London

MUNICIPAL LEADERSHIP ESSENTIALS

ON THE AGENDA

This full-day interactive sessions builds on the skills you already have and will provide you with the tools you need to lead your council.

- What makes a good leader?
- What tools do you need to navigate complex new expectations?
- What tricks can you use to be a more effective communicator?
- What you need to know about financial planning, budgeting and asset management

WORKSHOP DETAILS

- **Cost:** Registration includes all all materials, and lunch - \$425 plus HST (\$480.25)
- **Registration Open to:** Heads of Council and Deputy Heads of Council.
- **Dates and Locations:** Registration and light breakfast at 8:00 am, session runs from 8:30 am to 4:00 pm
 - (complete) November 16: Orillia/Barrie - Best Western Mariposa Inn
 - (complete) November 17: North Bay - Best Western North Bay
 - November 23: Kingston - Four Points by Sheraton
 - November 26: London - Doubletree by Hilton

WE ALSO OFFER:



- > eLearning
- > New Council Training



AS A MEMBER OF COUNCIL WHAT YOU NEED TO KNOW

ON THE AGENDA

This day and half training, when coupled with Land Use Planning: Beyond the Basics, will prepare Members of Council for the term ahead. Topics on the agenda include:

- The ABC's of Municipal Government
- Limiting Your Risk - The Rules
- Making a Difference
- Managing Differences
- Improved Budgeting and Planning...
- and more...

REGISTRATION OPTIONS

Register for both this workshop and Land Use Planning: Beyond the Basics and an automatic 10% discount will be applied to your overall purchase. Discount applies for multiple course registrations made on one 'print and submit' form. Discounts cannot be applied retroactively.

WORKSHOP DETAILS

- **Cost:** Registration includes all all materials, lunch, and automatic access to AMO's So You Want to Run for Council available at MunicipalEducation.ca - \$340 plus HST (\$384.20)
- **Registration Open to:** Newly-elected and returning elected officials in Ontario
- **Dates and Locations:** Registration opens at 8:00 am with the session running from 8:30 am to 4:00 pm
 - February 7: Toronto
 - March 1: Sault Ste. Marie
 - March 6: Thunder Bay
 - March 8: North Bay
 - March 20: Kingston
 - March 21: Peterborough
 - March 22: Orillia
 - March 27: Owen Sound
 - March 28: London

WE ALSO OFFER:

AMCTO's Corporate Training

AFTER ELECTION - ORIENTATION FOR YOUR ELECTED OFFICIALS AND SENIOR MANAGEMENT

AMCTO Municipal Governance Training for Elected Officials and Senior Management

Following the October 2018 Municipal Elections municipalities will need to quickly get their elected and appointed leadership team up and running effectively to meet the challenges of running the municipal corporation, and providing responsive service to their community. Municipalities that struggle with integrating council and staff into a cohesive professional unit, and defining and understanding their respective roles, will face significant operational and strategic challenges.

By bringing this innovative AMCTO workshop to your municipality, you will learn proven tools and techniques to make your collective leadership team significantly more productive and successful at setting and attaining organizational goals. This workshop will identify proactive and remedial strategies for conflict management and resolution, as well as address systemic issues which can lead to an ineffective governance team.

This is an interactive session that is designed to bring both your elected and appointed leadership together in one session to:

- Review best practices and effective Governance models
- Facilitate dialogue to assess what's working and areas for improvement
- Working through a case study unique to the group
- Breakout sessions that will demonstrate collaboration and team approach

AMCTO is pleased to offer this program developed and facilitated by **Mike Galloway**. Mike draws on his **unique background as an accomplished municipal CAO AND a former Elected Official**. Mike has been asked to present this workshop in Municipalities across Ontario to provide a platform for elected and appointed officials to work seamlessly as a leadership team.

This program is only being offered by AMCTO from November 2018 to February 2019 and we are taking a limited number of bookings.

Why attend

The election year is one of the most challenging for municipal management. Learn strategies and tools right at the beginning of the new term to prepare your elected and appointed leadership teams to work as a cohesive, professional unit.

Who should attend?

Elected Officials along with CAOs, Clerks and Your Senior Management Team

About the Trainer

Mike Galloway: *A senior municipal leader for 20 years, Mike has been a Chief Administrative Officer (CAO) since 2006 and currently serves in the Region of Peel with Caledon. Mike also spent 15 years on the AMO Board and served on the Executive Committee as the associations Treasurer. He brings his unique perspective to topics related to staff/council relations, as he is also a former elected official with the City of Kitchener.*

REGISTRATION FORM

AMCTO - MUNICIPAL GOVERNANCE TRAINING FOR ELECTED OFFICIALS and SENIOR MANAGEMENT

Refer to attached AMCTO course outline for all details pertaining to the session content.

Workshop Date: Friday, January 11th, 2019

Time: 4:00 PM to 9:00 PM

Location: Municipality of West Nipissing (Sturgeon Falls Library Auditorium)

Participant Name:	
Title:	
Municipality / City:	
Mailing Address:	Postal Code:
Phone:	
Participant E-mail:	

PRICE:

\$226.00 (\$200.00 + \$26.00 HST)

Price includes: Materials and
Light Supper

LOCATION:

**West Nipissing
Public Library Auditorium**

(Lower Level)
225 Holditch Street
Sturgeon Falls, ON

PARKING:

Public parking available next to LCBO
and also down the street across from
Giant Tiger

REGISTRATION and CHEQUE PAYMENT

E-mail your completed registration form to reserve your seat ASAP
and send payment directly to :

Melanie Ducharme, Clerk
Tel: 705-753-6926
mducharme@westnipissing.ca

Janice Dupuis, Deputy Clerk
Tel: 705-753-6907
jdupuis@westnipissing.ca

Municipality of West Nipissing
101- 225 Holditch Street
Sturgeon Falls, ON P2B 1T1

Please make cheque payable to : Municipality of West Nipissing

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Municipality of French River

Report CL-18-2018
of the Clerk's Department
For Consideration by Council

RE: Governance Structure

OBJECTIVE: To present Council with information and the background of the Municipality's governance structure.

BACKGROUND:

Governance is the process in which an organization's objectives are set and pursued and how decisions are made and implemented.

It is typical in a new Term of Council to review the Municipality's committee and meeting structure.

The intent of this report is to provide preliminary information, to outline and elaborate on processes, meeting structures, committees, policies and procedures that provides for the current governance and to explore and propose a new meeting structure based on feedback received to date.

ANALYSIS:

Since most decisions and affairs are dealt with directly at Meetings, it is important to have policies and processes in place to ensure that goals, objectives and services are produced in an effective, efficient, consistent and timely manner.

At this time, the following procedures and processes make up how the Municipality governs its business:

Procedure By-law

The Procedure By-law is the most important policy that Municipalities must adopt to govern the calling, place and proceedings of meetings and any other procedure deemed necessary by Council.

The Procedure By-law outlines roles, duties, where meetings are held, how and when we give notice of meetings, when the agenda is prepared and released to Council and to the public, the types of meetings, how meetings proceed, how members of the public can get on the agenda, rules of conduct and debate, types of motions, voting and types of committees.

Reports to Council

The types of reports listed below are included in the Agenda Packages submitted to Council 4 business days (6 days) prior to a meeting to allow sufficient time for Members to consider the matter and to be ready to make a decision at the meeting the report is being presented or by another time as specified in the report.

Quarter Reports - Since 2015, staff have developed a consistent reporting format to provide Council information on initiatives, activities and statistics of each department. These reports also assist in tracking performance measures and ensure openness and transparency.

Action Reports - Reporting format used by staff that includes comprehensive information required for consideration when Council is expected to make a decision. In relation to the matter being presented, these reports include a Background, an Analysis (options), Budget/Legal Implications, Interdepartmental Impacts, how it links to the Strategic Plan, a Conclusion and/or Recommendation and when appropriate supporting documents.

Information Reports - Reporting format used by staff to inform or update Council on a specific matter that does not require a decision of Council.

Meeting Types

Advisory Committee

-committee that is advisory or consultative in nature with jurisdiction for providing advice and recommendations to Council in relation to a specific subject, can be composed of stakeholders, citizens and Members of Council

-reporting relationship: reports/recommends through a Standing Committee or COW to Council

-typical advisory committees: Accessibility, Agriculture, Arts, Culture & Recreation, Environmental Stewardship

Ad hoc Committee

-special purpose committee with a limited duration, appointed by Council to carry out a specific task and which is dissolved automatically upon submitting its final report to Council, unless otherwise directed by Council

-reporting relationship: reports/recommends through a Standing Committee to Council

Committee of the Whole (COW)

-committee composed of all Members of Council to facilitate and allow all Members to become fully informed, to discuss, debate and consider all matters in a less formal manner

-reports for action cannot be approved, or any adoption of resolutions or by-laws

-reporting relationship: reports/recommends directly to Council

Standing Committee

-committee which has a continuing existence, comprised of, appointed by and directly reporting to Council, with jurisdiction for providing advice and recommendations to Council in relation to specific organizational departments, and with regularly scheduled meetings

-reporting relationship: reports/recommends directly to Council

-examples of standing committees: Administration, Audit, Finance, Personnel, Planning, Protection Services, Public Works, Transit, Transportation.

Past and Current Meeting Structure

Legend of acronyms:

RCM= Regular Council Meeting

COW= Committee of the Whole

EDC= Economic Development Committee (Advisory Committee with Members of Public)

PWC= Public Works Committee (Standing Committee)

FAC= Finance & Admin Committee (Standing Committee)

EAC= Environmental Advisory Committee (Advisory Committee with Members of Public)

PWEC= Public Works & Environmental Committee (Standing Committee)

CCM=Combined Council Meeting (Committee of the Whole within a Regular Council Meeting)

Prior to January 1, 2013, both a Committee of the Whole system and Standing/Advisory Committee structure was used as follows:

-COW, First Wednesday of the month at 7pm

-RCM, Third Wednesday of the month at 7pm

-PWC, First Wednesday of the month at 5pm

-EAC, held once a month at 2pm

-EDC, held once a month at 6pm

As of January 1, 2013, a Standing/Advisory Committee structure was used as follows:

EAC, Second Tuesdays at 10am

FAC, Second Wednesday at 10am

PWC, Second Wednesday at 2pm

EDC, Second Monday at 6pm (was dissolved April 2016)

RCM, Third Wednesday at 7pm

Current structure since January 21, 2015, a Standard Committee structure is being used as follows:

CCM, First Wednesday at 6pm

RCM, Third Wednesday at 6pm

PWEC, bi-monthly, on the Second Wednesday at 6pm (Standing Committee)

BUDGET/LEGAL IMPLICATIONS:

Not applicable

INTERDEPARTMENTAL IMPACTS:

Not applicable

LINKS TO STRATEGIC PLANS:

Not applicable

CONCLUSION/RECOMMENDATIONS:

Based on recent feedback from the newly elected Council Members, the following structure is being proposed. A new structure could be established for April 2019, the timing would allow for additional feedback, the development of the Terms of Reference and the composition of the committees.

Resulting from the discussion, draft Terms of Reference could be prepared and presented in time for the February 6, Combined Council Meeting for Council consideration.

Proposed Committees and Council Meeting Structure

Environmental Advisory Committee (appoint Members of Council and Members of Public)
-matters relating to the environmental services department (including the mandate of CARE)

Public Works Advisory Committee (appoint Members of Council and Members of Public)
-matters relating to the public works department

Economic Development Advisory Committee (appoint Members of Council and Members of Public)
-matters relating to economic development, business, tourism

Recreation & Community Advisory Committee (RCAC), (appoint Members of Council and Members of Public)
-matters relating to programs, activities and services in the area of arts, recreation and culture

Strategic Planning Ad-hoc Committee (appoint Members of Council and Members of Public)
-to perform a Community Strategic Plan

Combined Council Meeting (All Members of Council)
- to consider all recommendations emanating from committees, Finance & Corporate (Administration) matters and all other matters that are not mandated as a responsibility of a committee
- Finance and Corporate matters (overall municipal operations) are typically dealt with directly at Council to involve all Members of Council
- CCM and RCM allow two opportunities per month to make final decisions, having the COW combined with RCM allows matters to be either adopted at the following Regular Council Meeting or adopted at the current meeting once resolved in the regular session when items are either time sensitive or do not merit being delayed
-agenda broken down by subject/department and assign chair for each (see proposed agenda)

Proposed Schedule: (4 meetings per month)
CCM, Monthly on the First Wednesday at 6pm
RCM, Monthly on the Third Wednesday at 6pm

Advisory Committees composed of Members of Council and Members of Public, to be held bi-monthly, 2 committees per month alternating every month:
PWC, Bi-monthly during the second week at 6pm
EDC, Bi-monthly during the second week at 6pm
EAC, Bi-monthly during the second week at 6pm
RCAC, Bi-monthly during the second week at 6pm

*Please note that there are no CCM meetings scheduled for July and August, could follow same schedule for all other committees established.

ATTACHMENTS: Draft Agendas for proposed changes

Respectfully submitted:

Approved:

Mélanie Bouffard, Clerk
Date: December 14, 2018

Marc Gagnon, Chief Administrative Officer



**AGENDA / ORDRE DU JOUR
COMBINED COUNCIL MEETING / RÉUNION COMBINÉE DU CONSEIL**

Wednesday, March 1, 2017 at 6pm / mercredi le 1 mars 2017 à 18h
Council Chambers / Salle du conseil

1. **Call to Order and Roll Call / Ouverture de la réunion et présence**
2. **Adoption of Agenda / Adoption de l'ordre du jour (*and Additions if applicable*)**
3. **Disclosure of Pecuniary Interest / Déclarations d'intérêts pécuniaires**
4. **Delegations / Délégations**
5. **Resolution to resolve into Committee**

COMMITTEE OF THE WHOLE / COMITÉ PLÉNIER

6. **Reports and Items for Consideration / Rapports et sujets pour considération**

6.1 **Finance & Corporate Services**

*Chaired by Councillor ***

Items, Reports, Recommendations relating to:

Finance, Budget...

Corporate, Governance...

6.2 **Recreational & Community Services**

*Chaired by Councillor ***

Items, Reports, Recommendations relating to:

Recreation & Community Advisory Committee

Parks, Recreation, Facilities, activities, events...

Library Board

6.3 **Public Works Services**

*Chaired by Councillor ***

Items, Reports, Recommendations relating to:

Public Works Advisory Committee

Public Works, roads, equipment, streetlights...

6.4 **Environment Services**

*Chaired by Councillor ***

Items, Reports, Recommendations relating to:

Environmental Advisory Committee

Environmental Services, Landfill, Sanitary Sewers...

6.5 **Economic Development & Planning**

*Chaired by Councillor ***

Items, Reports, Recommendations relating to:
Economic Development Advisory Committee
Planning Board

6.6 Emergency & Protection Services

*Chaired by Councillor ***

Items, Reports, Recommendations relating to:
Manitoulin-Sudbury District Services Board
Fire Department
Building & By-law Department
Police, Health...

7. Correspondence / Correspondance

REGULAR MEETING / RÉUNION RÉGULIÈRE

8. Verbal Motion to return into the Regular Meeting / Motion verbale pour retourner en réunion régulière

9. Consideration of the adoption of recommendations from Committee of the Whole / Résolutions pour adopter les procédures du Conseil en comité

10. Consent Agenda / Ordre du jour regroupé

10.1 Adoption of Minutes / Procès-verbaux adoptés

10.2 Receipt of Minutes / Procès-verbaux reçus

10.3 Items for Consideration or Information / Items pour consideration ou information

10.4 By-laws / Règlements

11. Notices of Motion / Avis de motion

12. Announcement and Inquiries / Annonce et questions

13. Closed Session / Session à huis clos (NIL)

13. Adjournment / Ajournement

Resolution to adopt Confirmation By-law / Résolution pour adopter le règlement de confirmation
Resolution to adjourn / Résolution d'ajournement



AGENDA / ORDRE DU JOUR
REGULAR COUNCIL MEETING / RÉUNION RÉGULIÈRE DU CONSEIL

Wednesday, **, 2018 at 6pm / mercredi le ** 2018 à 18h
Council Chambers / Salle du conseil

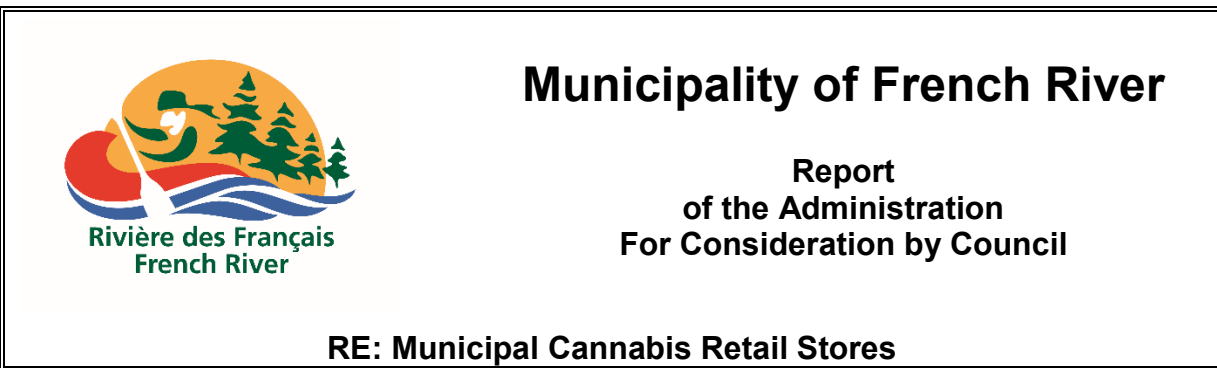
- 1. Call to Order and Roll Call / Ouverture de la réunion et présence**
- 2. Adoption of Agenda / Adoption de l'ordre du jour (*and Additions if applicable*)**
- 3. Disclosure of Pecuniary Interest / Déclarations d'intérêts pécuniaires**
- 4. Delegations / Délégations**
- 5. Reports and Items for Consideration / Rapports et sujets pour considération**
 - 5.1 Finance & Corporate Services**
 - 5.2 Recreational & Community Services**
 - 5.3 Public Works Services**
 - 5.4 Environment Services**
 - 5.5 Economic Development & Planning**
 - 5.6 Emergency & Protection Services**
- 6. Correspondence / Correspondance**
- 7. Consent Agenda / Ordre du jour regroupé**
 - 7.1 Adoption of Minutes / Procès-verbaux adoptés**
 - 7.2 Receipt of Minutes / Procès-verbaux reçus (NIL)**
 - 7.3 Items for Consideration or Information / Items pour consideration ou information (NIL)**
 - 7.4 By-laws / Règlements (NIL)**
- 8. Notices of Motion / Avis de motion**
- 9. Announcement and Inquiries / Annonce et questions**
- 10. Closed Session / Session à huis clos**
- 11. Adjournment / Ajournement**
 - Resolution to adopt Confirmation By-law
 - Resolution to adjourn



Municipality of French River

2019 Budget Process and Meeting Schedule

Date	Meeting/Event
January 19, 2019 8:30am – 4:30pm	Special Council Meeting (Saturday, full day) <ul style="list-style-type: none"> - Council Strategic Planning and Goals Session - Initial 2019 Budget Planning & Direction
Jan 21 st – 30 th , 2019	Department Heads to submit Operations & Capital Budgets to Treasury
Jan 31 st – Feb 8 th , 2019	Internal staff review and preparation of 2019 Draft Budget Documents and calculation of associated impacts on tax rate
Feb 11 th – 15 th , 2019	Finalize Draft 2019 Budget to present to Council
Feb 23 rd , 2019 8:30am – 4:00pm	Special Council Meeting (Saturday, full day) <ul style="list-style-type: none"> - Deliberation of Draft Budget - Departmental Operations Budget Presentations - Capital Budget Presentation
TBD	Special Council Meeting <ul style="list-style-type: none"> - Further deliberation of Draft Budget if required
March 20, 2019	Regular Council Meeting <ul style="list-style-type: none"> - Final Budget Deliberations
April 2019 6:00pm	Public Budget Presentation (Alban Community Centre) <ul style="list-style-type: none"> - Presentation of Draft Final Budget
April 17, 2019	Regular Council Meeting <ul style="list-style-type: none"> - Adoption of 2019 Municipal Budget



OBJECTIVE: To provide Council with information regarding Cannabis Legislation and the sale of recreation Cannabis in retail stores.

BACKGROUND:

On October 17, 2018, the Federal Government passed the **Cannabis Act (S.C 2018, c 16)** legalizing Cannabis use within Canada.

On November 14, 2018, the Province of Ontario passed a **Cannabis License Act (On. Reg. 468/18)** regulating the “licensed producer” meaning, persons who are authorized by a license issued under the Cannabis Act (Canada) to produce Cannabis for commercial purposes.

The Provincial Government has confirmed it will introduce legislation to allow the private sector to retail recreational Cannabis in Ontario by April 1, 2019.

Municipal Governments have a “one-time” opportunity to opt out of allowing retail Cannabis stores in their communities. The decision to opt out must be made on or before January 22, 2019. Unless a municipal government opts out as per **On. Reg. 468/18 s. 22** they opt into recreational cannabis sale by default.

Sources of Information:

- **Federal and Provincial Governments** – Legislation
- **AMO** – Assisting in providing legislation updates and information for Councils
- **AGCO** – Setting the framework for Retail Sales and providing Federal and Provincial information
- **Public Health** – Providing general health information on substance use and providing education on Cannabis use, and what the affects are.

Facts

The purpose of the legislation through the Federal Government is to protect public safety and;

- a) protect the health of young persons by restricting their access to cannabis;
- b) protect young persons and others from inducements to use cannabis;
- c) provide for the licit production of cannabis to reduce illicit activities in relation to cannabis;
- d) deter illicit activities in relation to cannabis through appropriate sanctions and enforcement measures;
- e) reduce the burden on the criminal justice system in relation to cannabis;
- f) provide access to a quality-controlled supply of cannabis; and
- g) enhance public awareness of the health risks associated with cannabis use. Consumers must be 19 or older to purchase recreational Cannabis

Recreational Cannabis currently can only be purchased online, and is operated by the **Ontario Cannabis Store (OCS)**.

In Ontario adults who are 19 years of age or older are legally able to:

- possess up to 30 grams of legal cannabis, dried or equivalent in non-dried form in public
- share up to 30 grams of legal cannabis with other adults
- buy dried or fresh cannabis and cannabis oil from a provincially-licensed retailer
- grow, from licensed seed or seedlings, up to 4 cannabis plants per residence for personal use
- make cannabis products, such as food and drinks, at home as long as organic solvents are not used to create concentrated products

Cannabis edible products and concentrates will be legal for sale approximately one year after the Cannabis Act came into force on October 17th, 2018.

As of December 11, 2018, 3 Municipalities have opted out, and 7 have opted in through formal submission to the AGCO.

ANALYSIS:

Municipal Role

Municipalities may:

- Determine whether you want to have Cannabis stores operating in our community.
- Choose to implement additional restrictions on smoking and vaping through the use of municipal By-laws (municipal building, parks ect.. as per Smoking by law 2012-39).

Municipalities may not:

- Create a licensing system for the sales of Cannabis.
- Pass a By-law that distinguishes land or building use for cannabis from and other kind of use

Retail Store Operations

To open a retail store and sell recreational cannabis, there are two licences and an authorization that are required from the AGCO. These are:

- **Retail Operator Licence** (Allows license holder to operate a store)
- **Retail Store Authorization** (Allows the retail operator to open a retail store, one is required for each store)
- **Cannabis Retail Manager Licence** (Required to manage, supervise, or oversee the sale of Cannabis)
- **Retail Employee Educational Requirements** (Required of any employee working in the sale of Cannabis)

To be eligible to apply for a License you must:

- Be at least 19 years of age
- Be financially responsible
- Conduct their duties in accordance with the law, and with honesty, integrity and in the public interest
- Have no convictions or charges under the Cannabis Licence Act 2018
- Have not previously had roles or connections with a criminal organization
- Not made a false statement in their application

Retail Location Requirements

- Must be located in a Municipality or Reserve that permits the Cannabis Retail Stores.
- A Store cannot be located near a school or private school (meaning within 150-meter radius from the property line of the school).
- A Store may only operate between the hours of 9am and 11pm Monday to Sunday
- Must be the only business that will operate at the proposed retail site and must only sell items that is cannabis and federally defined as cannabis accessories and shopping bags.

Public Notice Process *(for retail stores applying for licensing)*

The Municipality and its residents have the opportunity to provide written submissions to the AGCO on matters of public interest before a proposed Cannabis Retail Store location is authorized.

- Notification of the applications for retail stores will be made available to the public.
- The applicant will be required to post notice for 15 Days at the proposed retail store location.
- Applications for Retail Store authorizations are searchable online via the AGCO Portal

(Please note: currently the municipality is waiting for further clarification on how municipalities will be notified once an application is made for a storefront)

After the Public Notice period has ended, the applicant will receive copies of the submissions but excluding personal information. The applicant will then have 5 days to provide responses to the AGCO for any written submissions. The Registrar's decision to issue or to refuse a Cannabis Retail Store Authorization is Final.

BUDGET/LEGAL IMPLICATIONS: COST

Ontario Cannabis Legalization Implementation Fund

Through the Ontario Cannabis Legalization Implementation Fund (OCLIF), the Province is providing municipalities with \$40 million over two years to help with the implementation costs of recreational cannabis legalization.

- Ontario is providing \$15 million to all municipalities on a per-household basis, adjusted so that at least \$5,000 is provided to each municipality. This will enable all municipalities to proceed with planned legalization activities.
- After the deadline for municipalities to opt-out under the Cannabis Licence Act, Ontario will provide an additional \$15 million.
- Municipalities that have not opted-out as of January 22, 2019 will receive funding on a per-household basis, adjusted so that at least \$5,000 is provided to each municipality. This funding will support initial costs related to hosting retail storefronts.
- Municipalities that have opted-out will receive only a second \$5,000 each.
- Ontario is setting aside \$10 million of the municipal funding to address costs from unforeseen circumstances related to the legalization of recreational cannabis. Priority for this funding will be given to municipalities that have not opted-out. Further details will be provided at a later date.

Use of the Funds

Municipalities must use their OCLIF funding to address the implementation costs that directly relate to the legalization of recreational cannabis. Examples of permitted costs include:

- increased enforcement (e.g. police, public health and by-law enforcement, court administration, litigation)
- increased response to public inquiries (e.g. 311 calls, correspondence)
- increased paramedic services
- increased fire services
- by-law / policy development (e.g. police, public health, workplace safety policy)

Current proposed Funding for French River:

- January - \$6,567
- **If we opt-in** this could increase based on our household count, and if Ontario's portion of the federal excise duty on recreational cannabis over the first two years of legalization exceeds \$100 million, the province will provide 50% of the surplus only to municipalities that have opted-in.
- **If we opt-out** we will only receive a second \$6,567

Cannabis sales are taxed at \$1 per gram or 10% of a product price, whichever is higher. Provincial governments receive 75% of the tax with 25% going to the Federal government. The federal portion is capped at \$100 million per year.

INTERDEPARTMENTAL IMPACTS:

- **Administration** – HR Policy Development
- **By-Law** – Enforcement with Smoking By-law 2012-39

Recommendation

It is recommended that Council

- pass a resolution to either opt-in or opt-out at the January 16th Council meeting before the end of the deadline of January 22nd.
- Authorizes staff to develop a Policy to provide a format for municipal input to AGCO as well as help prospective recreational Cannabis retailers in their consideration of local Cannabis retail store in French River.

ATTACHMENTS:

- Smoking By-law 2010-12

RESOURCES

Ontario Cannabis Legalization Implementation Fund - <https://www.fin.gov.on.ca/en/budget/oclif/>
Federal Cannabis Act (S.C 2018, c 16) - <https://laws-lois.justice.gc.ca/eng/acts/C-24.5/FullText.html>
Provincial On. Reg. 468/18 s. 22 - <https://www.ontario.ca/laws/regulation/r18468#BK26>
AMO Cannabis information for Councils - <https://www.amo.on.ca/AMO-Content/Policy-Updates/2018/CannabisImplementationInformationtoHelpPrepareCoun>

Respectfully submitted:

Approved:



Carlie Zwiars
Executive Assistant
December 12, 2018

Marc Gagnon
Chief Administrative Officer

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2012-39

**BEING A BY-LAW TO REGULATE SMOKING IN PUBLIC PLACES,
IN WORKPLACES AND IN ALL MUNICIPAL PROPERTIES INCLUDING PUBLIC
OUTDOOR SPACES IN THE CORPORATION OF THE MUNICIPALITY OF FRENCH
RIVER**

WHEREAS section 115 of the *Municipal Act, 2001, C. 25*, as amended, authorizes the council of a local municipality to pass a by-law regulating the smoking of tobacco in public places and workplaces within the municipality and designating public places or workplaces or classes or parts of such places as places in which smoking tobacco or holding/carrying lighted tobacco is prohibited;

AND WHEREAS it has been determined that second-hand smoke (exhaled smoke and the smoke from idling cigarettes, cigars and pipes) is a serious health hazard because of its adverse effects and risk to the health of all of the inhabitants and workers in the Corporation of the Municipality of French River.

AND WHEREAS it is desirable for the purpose of promoting and protecting the health, safety and welfare of the inhabitants and workers of the Corporation of the Municipality of French River to ensure that all public places and workplaces and municipal buildings and properties, and public parks and playgrounds and recreational fields and beaches, will be free from second-hand smoke;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE
MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:**

SHORT TITLE

This By-law may be cited as the "Smoke Free By-law."

PART I - DEFINITIONS

In this by-law,

1.01 "amusement arcade" means any premises to which the public has access to machines or devices that may be used for playing games solely for the entertainment and amusement of the players;

1.02 "arena" means any premises comprised of, but not restricted to, a rink, floor or ice surface, spectator seating areas, dressing rooms and canteen facilities, to which the public has access to view or participate in sporting or other show events;

1.03 "ashtray" means a receptacle for tobacco ashes and for cigar and cigarette butts;

1.04 "billiard hall" means any premises, the primary purpose of which is the playing of the game of snooker, pool or billiards;

1.05 "bingo hall" means any premises where the conduct of bingo events is licensed;

1.06 "bowling alley" means premises at which lanes are made available to members of the public for rental to play the game of bowling;

1.07 "bus" means any public transit bus, school bus or other bus used for hire;

1.08 "business office" means any premises at which one or more persons carries out the administration, management, direction or conduct of a public or private agency or business;

1.09 "casino" means an establishment within the meaning of the Gaming Control Act,1992;

1.10 "common area" means any portion of any public building or structure including a residential condominium or multiple dwelling unit apartment building, to which the public or residents may have access, whether as of right or by invitation, express or implied, and includes but is not limited to reception areas for receiving or greeting customers, clients, patients, guests or other persons, entranceways, service lines, elevators, escalators, hallways, stairwells, foyers, lobbies, laundry rooms, meeting rooms, amenity areas and public washrooms;

1.11 "employee" means a person who, for remuneration or not, performs any work for or supplies any service to an employer, or a person who receives any instruction or training in the activity, business, work, trade, occupation or profession of an employer and includes a volunteer and a person who is self-employed and "employment" has a corresponding meaning;

1.12 "employer" includes any person who as the owner, proprietor, manager, contractor, superintendent or overseer of any activity, business, work, trade, occupation or profession, has control over or direction of, or is directly or indirectly responsible for the employment of a person therein;

1.13 "enforcement officer" means any person or class of person appointed by the Council of the Corporation of the Municipality of French River as a Municipal By-law Enforcement Officer or Building Inspector, to carry out an inspection under and to enforce the provisions of this by-law; This also means any person appointed by the Minister of Health as a Provincial Offences Officer under the Smoke Free Ontario Act 2006 (SFOA), to carry out the provisions of the SFOA.

1.14 "entranceway" means the main entrance to a public building or workplace, but does not include any ancillary entrances, or any public highway;

1.15 "inspector" means any employee or class of employee, or a person or class of person appointed by Council of the Municipality as a by-law enforcement officer to enforce this by-law, such as a building inspector;

1.16 “Municipality or municipality” means the Corporation of the Municipality of French River;

1.17 “municipal building” means any building and/or property/land or portion thereof owned or leased by the Corporation of the Municipality of French River; and this also includes but is not limited to entrance ways, windows, air intakes;

1.18 “municipal property or municipal properties” means any building, and/or property/land or portion thereof owned, operated or leased by the Corporation of the Municipality of French River;

1.19 "non-smoking policy" means a written policy that prohibits smoking in the public place, workplace, and or outdoor space in accordance with this by-law;

1.20 “outdoor patio” means an outdoor area or partially enclosed outdoor area that is adjacent to an establishment where food or beverages are sold and where food or beverages or both are consumed by the public;

1.21“park or parkland” means any and all lands owned or portion thereof owned or leased or operated by the municipality that has been or hereafter may be set apart, designated, dedicated or established by Council as public parkland; such land may include passive parks, playgrounds, pools and water parks, splash pads, skate board parks, trails, athletic fields, natural parks, beaches, entertainment facility, cemeteries, heritage and ecological preserves;

1.22 “permitted event” means an event for which a permit has been issued by The Municipality of French River for municipal property;

1.23 "person" includes a corporation;

1.24 "personal service shop" means any premises or part thereof wherein a personal service is performed including, but not necessarily restricted to a barber shop, hairdressing shop, esthetics salon, tattoo or body piercing parlour, shoe repair shop, tailor or dressmaking shop, a dry cleaning depot, a laundromat, a photographic studio, an undertakers establishment, a tanning salon, or any body-rub parlour or adult entertainment parlour as defined in the Municipal Act;

1.25 "place of public assembly" means the whole or part of an indoor area to which the public has access by right or by invitation, express or implied, whether by payment of money or not;

1.26 "place of refreshment" means any place or part thereof where food, drink, or alcohol is offered for sale or is sold to the public for immediate consumption and includes but is not limited to, a restaurant, a food court, a dining room, a cafe, a cafeteria, a take-out restaurant, an ice cream parlour, a tea or lunch room, a dairy bar, a coffee shop, a donut shop, a snack bar, a refreshment stand, a banquet hall or facility, a bar, a nightclub, or roadhouse;

1.27 "playground area" means an outdoor area established within parkland fitted with equipment such as, but not limited to, slides, swings and climbing equipment. The area is usually identified by a defined border which encloses an area of sand, rubber or any similar safety surface;

1.28 "proprietor or other person in charge" means the person who controls, governs or directs the activity carried on within the designated public place and includes the owner of the premises and the person who is actually in charge of the premises thereof at any particular time;

1.29 "public building" means any enclosed building or group of buildings to which the public or employees have access;

1.30 "public facility" means any hall, room, or banquet area that is publicly owned and is rented for an event or function;

1.31 "public place" means any building, structure, vessel, vehicle or conveyance, or part thereof, whether covered by a roof or not, to which the public has access as of right or by invitation, expressed or implied, whether or not a fee is charged for entry but does not include an outdoor patio or a street, road or highway. This may include and is not limited to: place of refreshment;

1.32 "public restroom" means any restroom or washroom to which the public has access;

1.33 "professional office" means the business premises of one or more persons duly qualified, licensed or registered under the laws of the Province of Ontario to be members of a self-regulating profession or to perform medical or therapeutic services;

1.34 "reception area" means the public space used by an office or establishment for the receiving or greeting of customers, clients or other persons dealing with such office or establishment;

1.35 "recreation field" means any portion of parkland that is used for athletic, recreational or musical purposes to conduct organized activities. This includes, but is not limited to, a ball field, soccer pitch, football field, tennis court, player bench area, spectator area, bleachers, food and beverage concession, skateboard park, outdoor pools, outdoor rink or permitted events

1.36 "retail shop" means any premises, booth, stall or place where goods are exposed for sale or offered for sale by retail;

1.37 "school bus" means a public vehicle licensed for the purpose of transporting children to and from school or to or from any activity, event or function associated therewith;

1.38 "service counter" means an indoor counter where a person receives a service including, but not limited to, the exchange of money, sales, provision of information, transactions, advice, or the transfer of money or goods;

1.39 "service line" means an indoor line of two or more persons awaiting service of any kind regardless of whether or not such service involves the exchange of money, including but not limited to sales, provision of information, transactions, advice, and transfers of money or goods;

1.40 "service trade" means an establishment which provides a non-personal service or craft to the general public, including but not necessarily restricted to, a make-your-own-beer and/or wine establishment, a print or copy shop, a dog grooming establishment, a monument engraving shop or the business premises of a printer, plumber, tinsmith, craftsman, painter, carpenter, cabinet maker, electrician, taxidermist, pest exterminator, roofer, insulation installer, furrier, weaver, upholsterer, interior decorator, caterer, engraver, cleaner or locksmith;

1.41 "shopping mall" means any enclosed premises containing one or more retail shops;

1.42 "smoke" or "smoking" includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment, and smoke has a corresponding meaning; and does not include or prohibit the holding of lit tobacco if the activity is carried out for traditional Aboriginal cultural or spiritual purposes, as per the Smoke Free Ontario Act 2006.

1.43 "workplace" means any enclosed area or premises, including but is not limited to, a building, structure, vessel, vehicle or conveyance or part thereof, to which the public may or may not have access either expressed or implied, in which one or more employees or employer works and includes any other area in the building, structure, vessel, vehicle or conveyance utilized by the employees, but is not limited to, washrooms, corridors, lounges, eating areas, reception areas, elevators, escalators, foyers, hallways, stairways, amenity areas, lobbies, laundry rooms and parking garages utilized by an employee or employer and includes a bus, taxicab, limousine and other vehicles for hire, but does not include an outdoor patio.

PART II - WORKPLACES

2.1 No person shall smoke in any workplace within the Municipality of French River whether or not a No Smoking sign is posted.

2.2 Every employer shall:

- (i)** ensure compliance with this by-law;
- (ii)** prohibit smoking in the workplace;
- (iii)** inform each employee in the workplace that smoking is prohibited in the workplace;
- (iv)** post No Smoking signs in accordance with Part IV of this bylaw in conspicuous locations at every entrance and washrooms in the workplace indicating that smoking is prohibited in the workplace; and
- (v)** ensure that no smoking paraphernalia like ashtrays or matches are placed or permitted to remain in any part of the workplace.

- 2.3** Section 2.1 does not apply to,
- (i) a part of a workplace that is used as a private residence; or
 - (ii) a workplace located in a dwelling where the only employees of that workplace are persons who live in the dwelling.

PART III - PUBLIC PLACES

3.1 No person shall smoke within 9 m from any entranceway of a public place within the Municipality of French River whether or not a No Smoking sign is posted;

3.2 No person shall smoke on or within 9 m of any Municipal playground area within the Municipality of French River whether or not a No Smoking sign is posted.

3.3 No person shall smoke on or within 9 m of any recreation field within the Municipality of French River whether or not a No Smoking sign is posted;

3.4 No person shall smoke on or within 9 m of any park or parkland within the Municipality of French River whether or not a No Smoking sign is posted.

3.5 No person shall smoke while under or within 9 m of the Alban Park Pergola/Gazebo within the Municipality of French River whether or not a No Smoking sign is posted;

3.6 Every proprietor of a public place shall:

- (i) Ensure compliance with this bylaw;
- (ii) Prohibit smoking in the public place;
- (iii) Post No Smoking signs in accordance with Part IV of this bylaw in conspicuous locations at every entrance and washrooms in the public place indicating that smoking is prohibited in the public place;
- (iv) Ensure that no smoking related paraphernalia including ashtrays or matches are placed or permitted to remain in the public place.

PART IV - SIGNAGE REQUIREMENTS

4.1 The proprietor or other person in charge of any public place, and every employer designated or regulated under this by-law shall ensure that a sufficient number of signs are conspicuously posted at each entrance to the public place or workplace so as to identify clearly that smoking is prohibited.

4.2 In addition, in every shopping mall or other public place referred to, the proprietor or other person in charge of the shopping mall or other public place shall ensure that:

- a) Signs are posted in every common area of the shopping mall or other public place;
- b) Signs are posted at every entrance to the shopping mall or other public place, which are visible and in sufficient numbers, clearly indicating that smoking is prohibited in the common areas of the shopping mall or other public place; and

c) Signs referred to in clauses (a) and (b) are in accordance with the provisions of this by-law.

4.3 The signs referred to in this by-law shall consist of graphic symbols and text that comply with the provisions of this section:

a) The following graphic symbol, which is the depiction of the international No Smoking symbol, shall be used to indicate that smoking is prohibited; a black cigarette on a white background with the circle and the interdictory stroke in red;



b) The graphic symbol referred to in subsection a) shall include the text " (ad title name here) By-law/Règlement municipal de la (ad title name here) " in letters and figures at least XX(XX%) percent of the diameter of the circle in the symbol (as determined by Council);

c) With respect to size of the graphic symbol, that is the depiction of the international No Smoking symbol, shall be no less than 7.5 centimetres (3 inches),

d) Despite the fact that the symbol referred to in subsection a) is a cigarette, it shall include a lighted cigar, cigarette, pipe or any other lighted smoking instrument;

e) Deviations from the colour or content of the signs prescribed by this section that do not affect the substance or that are not calculated to mislead do not vitiate the signs; an

f) The following graphic design will be utilized for smoke –free public outdoor spaces within the Municipality of French River as listed in Schedule A;



g) Any sign prohibiting smoking that refers to a former by-law of the Municipality of French River is deemed to be referring to this By-law.

PART V - ENFORCEMENT

5.1 An enforcement officer of the Corporation of the Municipality of French River may, at any reasonable time, enter any public place or workplace for the purposes of determining compliance with this by-law.

5.2 No enforcement officer or by-law officer or inspector of the Corporation of the Municipality of French River may enter a workplace that is also a dwelling without the consent of the occupant or without first obtaining and producing a warrant.

5.3 The provisions of this by-law respecting the designation of non-smoking areas, the posting of signs and the duties imposed on the proprietor, employer or other person in charge of a playground area, recreation field, park, public place or workplace shall be enforced by municipal by-law officers or municipal enforcement officers

PART VI - OFFENCES

6.1 Any person who contravenes any of the provisions of this by-law, or who hinders or obstructs an enforcement officer or by-law officer or inspector lawfully carrying out the enforcement of this by-law, is guilty of an offence and upon conviction is liable to a fine of not more than five thousand dollars (\$5,000.00) as provided for in the *Provincial Offences Act*, R.S.O. 1990, chapter 33, or any successor thereof.

6.2 If this by-law is contravened and a conviction entered, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty that is imposed, make an order prohibiting the continuation or repetition of the offence by the person convicted.

PART VII - CONFLICTS

7.1 If a provision of this by-law conflicts with an Act or Regulation or another by-law, the provision that is the most restrictive of smoking shall prevail.

PART VIII – SEVERABILITY

8.1 If any section or sections of this by-law or part thereof, is found in any court of law to be illegal or beyond the power of the Municipality of French River to enact, such section or sections or part thereof shall be deemed to be severable and all other sections or parts of the by-law shall be deemed to be separate and independent thereof and to be enacted as such.

PART IX - SCHEDULES

9.1 The schedules, Appendix “A& B”, to this by-law shall be deemed to form part of this by-law.

PART X - REPEAL

10.1 That By-law 2010-12 and all other by-laws inconsistent with this by-law are hereby repealed.

PART XI - EFFECTIVE DATE

11.1 This by-law comes into force and effect on the date of its passing and enactment.

READ A FIRST AND SECOND TIME this 17th day of October 2012.

READ A THIRD TIME AND FINALLY PASSED this 21st day of November, 2012.

**Schedule “A”
Municipality of French River Properties**

Civic Address	Description	Details
Happy Landing Rd	Trout Lake Wharf (No land, water property only)	
1124 Hwy 64 S	Alban Cemetery	
796 HWY 64 S	Alban Community Centre/Fire Hall/Library	
50 St David St S	Noëlville Cemetery	
142 St David St S	Public Works Department	
North Channel Rd	North Channel Wharf (No land, water property only)	
200 St David St N	Jo Chartrand Park	
44 St. Christophe Street	Municipal Complex/Aide aux Seniors/Centre de santé/EMS (Emergency Management Services)	
St David St N	Noëlville Town Park	
15, 17 Dollard St	Noëlville Library/Fire Hall	
21 St Christophe St	Noëlville Arena	
37 St Antoine St	Art Galary/Dentist	
Quesnel Rd	Shanty Bay Wharf	
Sucker Creek Rd	Sucker Creek Wharf	
4585 Hwy 64	Noëlville Lagoon	
330 Houle Rd	Noëlville Landfill Site	
Plouffe Rd	Ouellette Rapids Wharf	

Schedule “B”

**THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER
BY-LAW 2012-39: SMOKE FREE BY-LAW**

Set Fine Schedule

Part I Provincial Offences Act

BEING A BY-LAW TO REGULATE SMOKING IN PUBLIC PLACES,
IN WORKPLACES AND IN ALL MUNICIPAL PROPERTIES INCLUDING PUBLIC
OUTDOOR SPACES IN THE CORPORATION OF THE MUNICIPALITY OF FRENCH
RIVER

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provision creating or Defining Offence	COLUMN 3 Set fines
1.			
2.			
3.			
4.			

***NOTE: Penalty provisions for the offences indicated above is Section 6 of By-Law number 2012-39 , a certified copy of which has been filed.**

**THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER
BY-LAW 2012-39: SMOKE FREE BY-LAW**

Set Fine Schedule

Part I Provincial Offences Act

BEING A BY-LAW TO REGULATE SMOKING IN PUBLIC PLACES,
IN WORKPLACES AND IN ALL MUNICIPAL PROPERTIES INCLUDING PUBLIC
OUTDOOR SPACES IN THE CORPORATION OF THE MUNICIPALITY OF FRENCH
RIVER

ITEM	COLUMN 1 Short form wording	COLUMN 2 Provision creating or Defining Offence	COLUMN 3 Set fines
1.	Smoking in any workplace.	2.1	\$150.00
2.	Employer – fail to post a no smoking sign in any entranceway or washroom.	2.2(iv)	\$150.00
3.	Smoking within 9m of any entranceway to a public place.	3.1	\$150.00
4.	Smoking within 9m of any Municipal playground.	3.2	\$150.00
5.	Smoking within 9m of any recreation field.	3.3	\$150.00
6.	Smoking within 9m of any park or parkland	3.4	\$150.00
7.	Proprietor – fail to post a no smoking sign in any entranceway or washroom of a public place	3.6(iii)	\$150.00

***NOTE:** Penalty provisions for the offences indicated above is Section 6.1 of By-Law number 2012-39, a certified copy of which has been filed.

From: [AMO Communications](#)
To: [Melanie Bouffard](#)
Subject: AMO Policy Update - Cannabis Shortage Will Limit Number of Stores
Date: December 14, 2018 10:17:02 AM

December 14, 2018

Cannabis Shortage Will Limit Number of Stores

To the Immediate Attention of Members of Council, Clerks and CAOs:

Due to a national shortage in cannabis supply, the Ontario government has decided to take a [Phased Approach](#) for the number of retail stores and locations in the province. AMO understands this cap will remain in place at least until the supply shortage is addressed.

The Alcohol and Gaming Commission of Ontario (AGCO), the Province's cannabis regulator, will only award 25 store licenses in the initial phase of private recreational cannabis retail starting April 1, 2019. They will be taking applications from potential store operators from January 7-9, 2019. AGCO operator licenses will be decided by lottery that will be overseen by a third-party fairness monitor. Please see [AGCO News Release](#).

Municipal governments still have until January 22, 2019 to decide whether to allow cannabis retail stores in their communities. Municipal governments that have not opted out by January 22, 2019 are deemed to allow cannabis sales in their communities.

All inquiries should be directed to the Alcohol and Gaming Commission of Ontario or the Ministry of the Attorney General. Contact information is at the end of each news release.

DISCLAIMER: Any documents attached are final versions. AMO assumes no responsibility for any discrepancies that may have been transmitted with this electronic version. The printed versions of the documents stand as the official record.

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Ontario Takes a Phased Approach to Cannabis Retail Licensing Due to National Supply Shortages

December 13, 2018 7:30 P.M.

Today, the Honourable Caroline Mulroney, Attorney General and the Honourable Vic Fedeli, Minister of Finance, released the following statement on changes being made to the licensing process for recreational retail cannabis stores in Ontario:

"It is the federal government's responsibility to oversee cannabis production and to provide a viable alternative to the illegal market by ensuring there is sufficient supply to meet consumer demand. Yet, we continue to see severe supply shortages across the country in legal, licensed recreational cannabis stores.

For example, Alberta stopped issuing any new retail cannabis licences after only receiving 20 per cent of the stock it ordered from federally licensed producers, and in Quebec retail operating hours have been reduced to four days a week. In addition, the shortage of supply has restricted online sales in many jurisdictions.

This is a national issue that demands an immediate response from Justin Trudeau and the federal government. The Government of Ontario has brought this to the federal government's attention repeatedly. At a recent meeting of federal, provincial and territorial Finance Ministers in Ottawa, Minister Fedeli, along with Finance Ministers from several other provinces and territories, raised the issue of a severe shortage of supply across the country with Federal Finance Minister Bill Morneau.

Taking into consideration the required investments for a prospective Ontario private legal retailer, we cannot in good conscience issue an unlimited number of licences to businesses in the face of such shortages and the federal government's failure to provide certainty around future supply.

That is why today we are announcing that Ontario will be taking steps to ensure that private cannabis retail stores open in phases. In the initial phase up to 25 licences will be issued so operators can open for business on April 1, 2019 and stay open.

To ensure a fair and transparent process, the Alcohol and Gaming Commission of Ontario (AGCO) will implement a lottery system to determine who is eligible for the initial licences to legally operate a store in Ontario. All interested parties will be able to submit an expression of interest form online to the AGCO from January 7 to January 9, 2019. The expressions of interest will be put into a lottery pool for a draw. The draw will be conducted on January 11, 2019, with the results to be posted on the AGCO's website within 24 hours.

The lottery process will be overseen by a third-party fairness monitor to ensure equality and transparency in the treatment of the expressions of interest, as well as an appropriate distribution of stores in each region of the province, which is set out in the regulation. Further details on the lottery system will be available on the AGCO website.

The OCS continues to work closely with federally licensed producers to monitor the availability of supply and to secure supply for Ontario, including through regular product calls and frequent visits to producer facilities. The lottery is going to be a temporary model for issuing private retail licences. When Ontario has determined that the federal government has provided for enough reliable supply, Ontario will communicate next steps for additional private retail stores.

Our government refuses to compromise the viability of Ontario businesses. Private retailers need certainty from the federal government that there will be a reliable supply of cannabis to support their business and combat the illegal market.

We will continue to urge the federal government to take immediate action to ensure licensed producers ramp up production in order to meet the anticipated market demand for recreational cannabis."

Jesse Robichaud Ministry of the Attorney General, Minister's Office
Jesse.Robichaud@ontario.ca

647-632-6938

Brian Gray Ministry of the Attorney General, Communications Branch
MAG-Media@ontario.ca

416-326-2210

Robert Gibson Ministry of Finance, Minister's Office

Robert.M.Gibson@ontario.ca

416-845-8489

Scott Blodgett Ministry of Finance, Communications Branch

scott.blodgett@ontario.ca

416-325-0324

[Available Online](#)
[Disponible en Français](#)

THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER

BY-LAW 2018-60

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF
COUNCIL AT ITS SPECIAL MEETING HELD DECEMBER 19, 2018

WHEREAS Section 5(1) of the Municipal Act, 2001, S.O. 2001, c.25 as amended, provides that the powers of a municipality shall be exercised by its Council;

AND WHEREAS Section 5(3) of the Municipal Act, 2001, S.O. 2001, c.25 as amended, provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 9 shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient that proceedings of the Council of the Corporation of the Municipality of French River as herein set forth be confirmed and adopted by by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF FRENCH RIVER ENACTS AS FOLLOWS:

1. THAT each motion, resolution and other action passed and taken by the Council at its Special meeting held on December 19, 2018, are except where their prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.
2. THAT the Mayor and proper officials of the Corporation of the Municipality of French River are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approval where required and except where otherwise provided, the Mayor and the Clerk are hereby authorized and directed to affix the Corporate Seal of the Municipality to all such documents.
3. THAT this by-law shall come into force and take effect on the day it is passed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 19th DAY OF DECEMBER, 2018.**

MAYOR

CLERK