

**ONTARIO ASSOCIATION OF COMMITTEES OF
ADJUSTMENT AND CONSENT AUTHORITIES**

BY-LAWS

1:00 MEMBERSHIP:

1:01 The membership shall be of the following classifications:

1) Active:

Active membership shall be restricted to members of Committees of Adjustment, Land Division Committees, the Consent Granting Authority(ies), the Secretary-Treasurers of such Committees and Authority(ies) as applicable and the Assistant Secretary-Treasurers (appointed by their respective local Committees)

2) Associate:

Associate members shall be persons, Private Companies, Corporations, Partnerships, and Associations who are Interested in Planning Regulations, such as:

- 1) Professional or Technical Associations of Lawyers, Land Surveyors, Registrars, Engineers and Town Planners.
- 2) Provincial and Federal Departments of representatives in the field of Planning and related fields.
- 3) Representatives of Developers' Associations and persons engaged by Municipalities to administer and formulate laws or regulations relating to Committees of Adjustment, Land Division Committees and the Consent Granting Authorities.

3) Honorary: Refer to By-law 7:01.

Active members awarded honorary membership shall retain all privileges of Active Membership so long as they continue to meet the qualifications for such Active membership.

1:02 Application for Membership shall be made as follows:

- 1) The application for membership shall be made in writing on the prescribed form and shall be accompanied by the required dues.
- 2) Applications shall be sent to the Secretary-Treasurer of the Association who shall verify the qualifications of the applicant for the classifications indicated.
- 3) Applications for Membership may be rejected by the Board of Directors by a majority vote.

1:03 The Board of Directors shall prescribe the form of application for Membership and the endorsement thereof and each member shall receive, while a member in good standing, a Membership card.

2:00 SCALE OF DUES:

2:01 The annual scale of dues for each class of Membership shall be as follows:

- | | |
|---------------|----------|
| 1) Active: | \$110.00 |
| 2) Associate: | \$120.00 |
| 3) Honorary: | Nil |

2:02 The dues shall be reviewed and adjusted, as necessary, annually by the Board of Directors to reflect any increases or decreases in the Association's operating costs.

No adjustment shall exceed an increase of more than \$10.00 in any year without the approval of the Membership at an Annual Meeting.

2:03 The payment of dues shall cover the calendar year January 1 to December 31 and shall become due and payable on January 1 of each year.

2:04 No member shall be in good standing or be qualified to exercise or be entitled to any privilege of membership who is in default of payment of his/her dues as of March 15. Thereafter, the failure of any member to pay these dues in arrears shall be deemed to constitute a resignation.

3:00 COMMITTEES:

- 1) The membership of the following committees shall consist of at least one member of the Board of Directors with the exception of the Nominations Committee.
- 2) The appointment by the Board of Directors of members to the various committees shall be carried out at the first meeting of the Board of Directors following the Annual Meeting.
- 3) The members of the Board of Directors who are appointed to the various committees may appoint further persons, as they deem necessary, to assist in the carrying out of the duties of their committees.
- 4) One of the members of the Board of Directors shall act as Chairman for each of the committees.
- 5) Reports of each committee shall be made to the Board of Directors at the meetings of the Board of Directors.

3:01 LEGISLATION COMMITTEE:

- 1) The Legislation Committee shall advise and recommend, when necessary, on proposed changes to legislation, regulations and policies that may affect the Association or any of its members.

3:02 CONFERENCE COMMITTEE:

- 1) The Conference Committee shall, after the time and place have been fixed by the Board of Directors, arrange all details of each conference including the general meeting.
- 2) The Conference Committee shall prepare a budget for the Board of Directors estimating the cost involved in connection with the holding of the conference.

3:03 EDUCATION COMMITTEE:

- 1) The Education Committee shall arrange a program of education for the membership on all phases of their profession.
- 2) The Education Committee shall co-operate with the Conference Committee in arranging time during the conference for educational workshops.
- 3) The Education Committee shall keep the membership up-to-date on new procedures and practices.
- 4) The Education Committee may create sub-committees to deal with among other matters: the education component of the annual conference and seminar, liaise with the appropriate authority, and monitor the OACA sponsored Primer on Planning course.

3:04 PUBLICITY COMMITTEE:

- 1) The Publicity Committee shall keep the membership, public and others informed as to the aims and objectives of the Association and shall be responsible for the newsletter that shall be published four to six times annually.
- 2) The Publicity Committee shall arrange publicity for the General Meetings in cooperation with the Conference Committee.
- 3) The Publicity Committee shall publish excerpts from the minutes of the meetings of the Board of Directors in the publication of the Newsletter.
- 4) The Publicity Committee shall be responsible for the monitoring, maintenance and upgrading of the OACA web site and to implement any changes to the site as directed by the Executive.
- 5) The Publicity Committee shall work on promoting membership to all prospective members throughout the Province of Ontario.

3:05 NOMINATIONS COMMITTEE:

- 1) The Nominations Committee shall consist of the Past-President and at least one other member of the Board of Directors.
- 2) The Nominations Committee shall consider and recommend a suggested slate of officers for each office, and shall present the suggested slate of officers to the Membership at the Annual Meeting. All candidates must indicate in writing to the Nominations Committee, their willingness to let their name stand for the office, prior to the presentation of the suggested slate of officers to the membership at the annual meeting.
- 3) The Nominations Committee shall make every effort to select candidates for office representing:
 - 1) Members of Committees of Adjustments and Land Division Committees.
 - 2) Members of a Consent Granting Authority, or an official having authority to grant consents.
 - 3) Secretary-Treasurers of Committees of Adjustment, Land Division Committees and Officials of Consent Granting Authorities, as applicable.
 - 4) As many parts of the Province as possible.

3:06 RESOLUTIONS COMMITTEE:

- 1) The Resolutions Committee shall consider and recommend on all Resolutions to be placed before any meeting of the Association.
- 2) Any resolution to be considered by the Association must be submitted to the Resolutions Committee, in writing, at least one month prior to the commencement date of the Annual Meeting. Resolutions from the floor will be considered.

3:07 SITE SELECTION COMMITTEE:

- 1) The Site Selection Committee shall maintain a schedule of future conference and seminar locations in accordance with the OACA Conference Site Selection Policy.

3:08 ACCREDITATION COMMITTEE:

- 1) The Accreditation Committee shall accept and process applications for accreditation in accordance with the guidelines and policies established and make recommendations for accreditation to the Board of Directors.

3:09 FINANCE COMMITTEE:

- 1) The Finance Committee will monitor financial funds and commitments and make reports to the executive as to the financial well being of the Association.
- 2) The Finance Committee will draft a yearly budget that is to be presented to and discussed by the Executive.
- 3) The Finance Committee will be responsible for the timely income of revenues, the timely outflow of expenses and timely income and release of financial information that relates to the Association.
- 4) The Finance Committee will have no signing authority for release of funds.

4:00 ELECTION OF BOARD OF DIRECTORS:

4:01 There shall be an election on the second day of the Annual Meeting with one ballot on which shall appear the names of all candidates for President, Vice President, Secretary-Treasurer and the five (5) Directors, each proposed candidate to be separated from the other on the ballot. Only Active members in good standing shall be eligible to vote.

4:02 No person shall be nominated to be elected to more than one position on the Board of Directors.

4:03 The Nominating Committee shall first nominate the recommended slate of officers.

4:04 Nominations from the floor shall be accepted by the Chairman of the Nominations Committee and recorded by the Secretary-Treasurer, up to a time to be announced by the Chairman or in the Chairman's absence another member of the Nominations Committee at the Annual Meeting.

4:05 Any member unable to attend the Annual Meeting who is eligible to hold office, may be nominated by two members in good standing, providing the nominee's letter of acceptance is received by the Secretary-Treasurer prior to closing of nominations.

4:06 The Secretary-Treasurer shall check the nominees for eligibility ensuring that each nominee is an Active member in good standing.

4:07 A bulletin board shall be available on which any candidate may post one piece of campaign material not exceeding 8.5" by 11" in size.

4:08 Voting by proxy shall be permitted. The procedures associated with proxy voting are as follows:

- 1) Active members in good standing can assign their proxy to an Active member of the Association in good standing attending the Annual Meeting. **No member may act as a voting proxy for more than 5 other members.**
- 2) All proxies must be validated by the Secretary-Treasurer of the Association prior to the election.

4:09 A Returning Officer shall be nominated from the floor and voted in by the membership. The Returning Officer shall be an Active Member of the Association in good standing. The Returning Officer may appoint such Deputy Returning Officers as they deem necessary. Any Deputy Returning Officer shall also be an Active member of the Association in good standing.

4:10 The Secretary-Treasurer shall supply the necessary ballots to the Returning Officer.

4:11 One ballot shall be issued to each Active member in good standing represented at the Annual Meeting. Members with validated proxies must submit all proxies at the time of voting and will be issued one ballot per proxy.

4:12 The ballots shall be marked and returned to the Returning Officer.

- 4:13** The election of officers as set out herein shall be reported to the Annual Meeting by the Returning Officer, who will also report the number of ballots distributed, the number of ballots cast, and the number of spoiled ballots, which shall be recorded by the Secretary-Treasurer, and the results of the count shall be made available to any candidate on demand.
- 4:14** In the event of a tie in any election, the candidates who have tied shall forthwith meet with the Returning Officer at a time and location determined by the Returning Officer. Where two candidates have tied, the winner shall be determined by the toss of a coin. Where more than two candidates have tied, the winner shall be determined by drawing lots. The Returning Officer shall supervise the proceedings and his or her declaration of the winner shall be final and binding on all persons concerned.
- 4:15** In the event that the most recent Past President is not able to assume the office of Past President, the next preceding Past President who accepts the position shall assume the office.
- 4:16** The ballots and records of tabulation shall be retained by the Returning Officer until ordered destroyed by the Association, unless a candidate prior to a motion to destroy the ballots, forwards a written complaint to the Returning Officer for the election.
- 4:17** If a written complaint is received by the Returning Officer, no ballots shall be destroyed until a special three-member investigating committee has been appointed, and the complaint has been properly investigated, with all of the necessary persons being heard. The members of the Special Investigating Committee shall be made up as follows:
- a) an appointee of the complainant,
 - b) a member of the Executive Committee,
 - c) the Returning Officer.

One of the Special Investigating Committee members shall act as Chairman.

- 4:18** A written report of the Special Investigating Committee shall be forwarded to the Board of Directors, on or before the date of the first meeting of the Board of Directors following the annual meeting, time permitting.
- 4:19** The report of the Special Investigating Committee shall be acted upon by the Board of Directors and the Special Investigating Committee report shall be final.
- 4:20** The election of the Board of Directors shall also be subject to such policies as are adopted by the Association.

5:00 TERM OF OFFICE:

- 5:01** Each member of the Board of Directors shall be elected to hold office until the first Annual Meeting after being elected or until a successor shall have been duly elected and qualified. The whole Board of Directors shall retire at each Annual Meeting, but shall be eligible for re-election or re-appointment if otherwise qualified. The term of office of President, Vice-President, Past President, and Secretary-Treasurer and each of the remaining Directors shall commence immediately following the conclusion of the Annual Meeting.
- 5:02** Should the office of President become vacant, the Vice-President shall automatically become President for the balance of the term.
- 5:03** Should the office of Vice-President become vacant, a Director, elected from amongst the five (5) Directors shall become Vice-President for the balance of the term
- 5:04** As long as a quorum of the Board of Directors remains in office, vacancies on the Board of Directors, however caused, shall not be filled. If a vacancy results in there not being a quorum of the Board of Directors and the next Annual meeting will not occur within three months of the date of the vacancy, the remaining members of the Board of Directors shall call a meeting of the Association to fill the vacancy. If a vacancy exists for Past President, the next preceding Past President, who accepts the position, shall assume Office. If the next preceding Past President is already a member of the Board of Directors, his or her position shall be deemed vacant, upon assumption of the position of Past President and may be filled by the Board of Directors in accordance with this by-law.

5:05 No member of the Board of Directors shall hold the position of President, Past President, Vice-President for more than two continuous years. (A member may be out of office for one year and re elected to the same office.)

5:06 No member of the Board of Directors shall hold the position of Director for more than three continuous years. (A member may be out of office for one year and re-elected to the same office.)

6:00 ORDER OF BUSINESS:

6:01 The order of business at any meeting of the Board of Directors, shall be as follows and include any of the terms that are applicable:

- 1) Call to Order:
 - 1) Calling the roll
 - 2) Confirmation of Minutes
 - 3) Other routine matters
- 2) Matters Arising from Previous Meetings:
- 3) New Business:
 - 1) Committee Reports
 - 2) Staff reports requiring decisions
- 4) Information and Reports:
 - 1) Non-staff communications and reports
 - 2) Staff and Committee reports not requiring decisions
- 5) Future Business:
 - 1) Meeting dates
 - 2) Preview of topics for future agendas
 - 3) General discussion to guide future recommendations
- 6) Adjournment.

6:02 The order of business at the annual meeting of the Association, shall be as follows and include any of the terms that are applicable:

- 1) Call to Order:
 - 1) Approval of the Minutes.
 - 2) Reading and consideration of communications and notices.
- 2) The Board of Directors Report.
- 3) The Treasurer's Report
- 4) Auditor's Report
- 5) Committee Reports.
- 6) General Business.
- 7) Resolutions Committee Report to be the first item of business on Monday after lunch.
- 8) Nominations and Election of the Board of Directors. Nominations will be made as the second item of business on Monday after lunch, with elections to be held Tuesday morning.
- 9) Unfinished Business.
- 10) Installation of the Board of Directors.

7:00 AWARDS

7:01 HONORARY MEMBERSHIP:

Honorary membership shall be an award and it is anticipated that it will not be conferred very often, given to an individual who:

- a) has made an extraordinary contribution to the organization,
- b) reflects the high honour and esteem in which the Association holds the individual,
- c) reflects a selfless and inspired contribution to the Association,
- d) typically is a long standing member of the Association and who has given the Association much devotion and above that has made a remarkable and unique contribution to the Association,
- e) may not be a member of the Association and who has inspired and helped breathe life and vitality into the Association,

and shall be conferred by a majority vote of the Active members at any annual meeting of the Association.

Effective June 1, 2009