

THE CORPORATION OF THE CITY OF KAWARTHA LAKES

BY-LAW 2009 - 082

A BY-LAW TO ESTABLISH A MUNICIPAL SERVICE BOARD TO BE KNOWN AS
"KAWARTHA LAKES MUNICIPAL AIRPORT BOARD" TO GOVERN, CONTROL,
OPERATE AND MANAGE THE CITY'S PROVISION OF A MUNICIPAL AIRPORT IN
THE CITY OF KAWARTHA LAKES

Recitals

1. Sections 194 – 202 of the *Municipal Act, 2001* S.O. 2001, c. 25, as amended, provide for the establishment of Municipal Service Boards.
2. A municipality may establish such Municipal Service Boards for the purpose of delivering a service under the jurisdiction of the municipality.
3. It is considered expedient to establish a Municipal Service Board to operate the Corporation's Municipal Airport.

Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2009-082.

Section 1.00: Definitions and Interpretation

1.01 **Definitions:** In this by-law,

"Administration" means the administration of the City of Kawartha Lakes.

"Airport" means a place for the landing and taking off of aircraft and includes facilities provided for the support of these activities. In the context of this by-law it means the City of Kawartha Lakes Municipal Airport and all related facilities.

"Airport Manager" means the general manager hired by the City to oversee the Business.

"Board" also known as **"Kawartha Lakes Municipal Airport Board"** means the Board of Directors of the Municipal Service Board established by this by-law.

"Business" means the operation, management, maintenance and control of the business which has, until the passage of this by-law, operated as the Corporation's Municipal Airport.

"C.A.O" means the person who holds the position of Chief Administrative Officer and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

"City", "City of Kawartha Lakes", "Corporation" or "Kawartha Lakes" means The Corporation of the City of Kawartha Lakes.

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the *Municipal Act, 2001*.

"Council" or "City Council" means the municipal council for the City.

"Director" means the person who holds the position of Director of Public Works and his or her delegate(s) or, specifically excludes each person or persons who is a director of the Board for the purposes of this by-law and who shall act as the Board Chief Executive Officer.

"Member of the Board", "Board Member" or "Member" means any individual Member of the Board, including the Chair, whether the person is a voting Member or a non-voting Member.

"Municipal Act, 2001" means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended.

"Municipal Service Board" means a body corporate as contemplated by the *Municipal Act, 2001*.

“**Quorum**” means a majority of voting members present and not otherwise disqualified from voting under any Federal or Provincial legislation or municipal by-laws.

“**Treasurer**” means the person appointed by Council to carry out the duties of the treasurer described in section 286 of the Municipal Act, 2001.

1.02 **Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words “include” and “including” are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

1.03 **Statutes:** References to laws in this by-law are meant to refer to the statutes, as amended from time to time that are applicable within the Province of Ontario.

1.04 **Severability:** If a court or tribunal of competent jurisdiction declares any portion of this by-law to be illegal or unenforceable, that portion of this by-law shall be considered to be severed from the balance of the by-law, which shall continue to operate in full force and effect.

Section 2.00: Establishment of Kawartha Lakes Municipal Airport Board

2.01 **Creation of Board:** The Kawartha Lakes Municipal Airport Board is established as a body corporate and, subject to the provisions of this by-law, is entrusted with the Business.

2.02 **Composition:** The Kawartha Lakes Municipal Airport Board shall be comprised of six (6) voting members appointed by Council as follows:

- a) The Mayor of the City of Kawartha Lakes;
- b) The Ward Nine Councillor of the City of Kawartha Lakes;
- c) One member of Council of the City of Kawartha Lakes representing a ward from outside of the Geographic Lindsay area;
- d) Two representatives from the general aviation community;
- e) One representative from the community at large (the “Community at Large appointment”).

2.03 **Qualifications:** In order to be eligible to be a voting Member of the Board, a person must meet the following minimum requirements, in addition to any criteria established by the Board or Council from time to time:

- a) He or she is at least eighteen years of age;
- b) He or she is a Canadian citizen;
- c) He or she is eligible to run for Council for the City of Kawartha Lakes
- d) He or she will not, as a result of direct or indirect pecuniary interests under the *Municipal Conflict of Interest Act*, R.S.O. 1990, c.M.50, as amended, be consistently prevented from participating in the business of the Board
- e) He or she is not an undischarged bankrupt.

2.04 **Term of Office:** Members of the Kawartha Lakes Municipal Airport Board shall hold office for a term concurrent with the term of Council and shall continue to hold office until their successors are appointed. Members are eligible for re-appointment to the Board.

2.05 **Non-Voting Participants:** The Kawartha Lakes Municipal Airport Board may request the Director, the Treasurer or any other senior municipal staff member to attend any meeting of the Board as a non-voting participant.

The Kawartha Lakes Municipal Airport Board may appoint a non-member of the Board to act in the capacity of “Recording Secretary” to fulfill the duties outlined in this by-law.

No person other than those appointed by Council are entitled to vote at Board meetings.

2.06 **Reappointment:** Any Board Member is eligible for reappointment on the expiration of his or her term of office, subject to any by-laws of the Board within the following parameters:

- a) Subject to Subsection 2.04, no person shall serve as a Member of the Board for more than nine (9) consecutive years;
- b) The nine (9) years referenced in Subsection 2.06(a) may be increased by up to six (6) years where the additional six (6) years are spent as Chair of the Board.

2.07 **Vacancies:** The seat of a member of the Board (excluding Council members) becomes vacant if:

- a) the member no longer satisfies the qualifications required in Section 2.03 of this by-law;
- b) the appointed term of the member expires;
- c) the member dies;
- d) the member tenders his or her resignation;
- e) the member is absent from the meetings of the Board for three (3) consecutive months without being authorized to do so by resolution of the Kawartha Lakes Municipal Airport Board, or by act of Council; or
- f) Council chooses to remove the member.

Where a vacancy occurs with the Community at Large appointment, the City of Kawartha Lakes shall advertise the position as vacant and select a suitable representative.

Where a vacancy occurs, other than the Community at Large appointment, in the membership of the Board for any cause, Council shall appoint a qualified person to fill the vacancy for the remainder of the term for which his or her predecessor was appointed. The constituency previously represented by the vacated member may nominate to the Board a person to fill the vacated seat. The Board shall put the names of possible candidates for appointment forward for consideration by Council.

Section 3.00: Mandate and Responsibilities

3.01 **Mandate of the Board:** The purpose of the Kawartha Lakes Municipal Airport Board is to manage the municipal interests at the Kawartha Lakes Municipal Airport in a cost effective and coordinated manner so as to promote and protect the public's interest and investment, as well as the long-term sustainability of the Airport as a viable municipal service for the use of both residents and visitors.

3.02 **Exemptions:** The Corporation shall be responsible for the enforcement of all municipal by-laws (i.e. parking control, noise, zoning etc.) and the Kawartha Lakes Municipal Airport Board shall abide by all applicable municipal by-laws. For purposes of City Noise By-law Schedule "B", the Kawartha Lakes Municipal Airport is considered a "licensed airport".

3.03 **Responsibilities of the Kawartha Lakes Municipal Airport Board:**

The Kawartha Lakes Municipal Airport Board shall be responsible to:

- a) ensure the best interests of all residents, users and ratepayers of the City of Kawartha Lakes are considered in relation to the Kawartha Lakes Municipal Airport;
- b) provide airport services to the public in an efficient and effective manner;
- c) develop and present a five (5) year strategic plan for the operation of the Kawartha Lakes Municipal Airport to be approved by Council;
- d) develop and present annual operational plans, in accordance with Section 5.13 of this by-law, based on the strategic plans approved by Council for the Kawartha Lakes Municipal Airport and Council's Strategic Plan;
- e) develop and implement a marketing plan for the Kawartha Lakes Municipal Airport that is consistent with the overall City of Kawartha Lakes Marketing Plan;
- f) adhere to all applicable legislation, municipal by-laws and policies and procedures of the City of Kawartha Lakes;
- g) develop and recommend to Council policies and/or by-laws to achieve the objectives of the Board and Council for airport services;
- h) oversee all operational aspects (cost and implementation) of the Kawartha Lakes Municipal Airport including maintenance, care and operations of all public infrastructure, site landscaping, public buildings and publicly operated buildings;

- i) act as liaison with all internal, external and project partners; and
 - j) provide quarterly operational and financial reports to Council through the Director.
- 3.04 **Chair:** At the time of the appointments to the Board, one member will be appointed as Chair. The Chair, or in the absence of the Chair, the Vice-Chair shall:
- a) preside at all meetings of the Board;
 - b) sign all formal documentation;
 - c) provide leadership to the Board;
 - d) ensure that the meetings proceed in an orderly and efficient manner while adhering to administrative policies, practices and procedures;
 - e) enforce, on all occasions, the observance of order and decorum among the members and attendees; and
 - f) ensure that accountability and transparency are priorities to be considered by the Board in its operations.
- 3.05 **Vice-Chair:** Once the Board is appointed, the Board shall elect from amongst its members a Vice-Chair who shall serve as Chair in the absence of the Chair.
- 3.06 **Recording Secretary:** In accordance with the provisions of this by-law, the City of Kawartha Lakes Procedural By-law and municipal policies and procedures, the Recording Secretary shall be responsible for:
- a) preparing and distributing the agenda for all meetings of the Board in accordance with the provisions of this by-law and making the agenda available to the public and media following distribution of the regular agenda to members of the Board;
 - b) ensuring due notice of all meetings is provided to the members and the public in accordance with established policies;
 - c) preparing minutes without note or comment and distributing all minutes in accordance with established policies;
 - d) maintaining all original copies of minutes of Board meetings and ensuring that copies are forwarded to the Clerk; and
 - e) ensuring that all records management policies and procedures are followed.
- 3.07 **Conduct of Members:** All members appointed to the Kawartha Lakes Municipal Airport Board shall adhere to all applicable legislation including, but not limited to, the Municipal Act, 2001 and any regulations thereto, the *Municipal Conflict of Interest Act*, and the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56.

All members of the Kawartha Lakes Municipal Airport Board shall:

- a) maintain in confidence the business of the Kawartha Lakes Municipal Airport Board unless the Board resolves otherwise;
- b) avoid conflicts of interest with the business of the Board, both ethical and financial;
- c) act in good faith and in the best interests of the Kawartha Lakes Municipal Airport Board;
- d) comply with all applicable law;
- e) speak the truth and make full and fair disclosure and representation when transacting the business of the Board;
- f) prepare appropriately for, and participate fully in, meetings of the Board; and
- g) diligently participate in the activities of the Kawartha Lakes Municipal Airport Board.

Section 4.00: Meetings

- 4.01 **Open Meetings:** All meetings of the Kawartha Lakes Municipal Airport Board shall be open to the public and no person shall be excluded from a meeting that is open to the public except for improper conduct.

Where not identified in this by-law, and in accordance with the Municipal Act, 2001, the Kawartha Lakes Municipal Airport Board shall be subject to the Procedural By-law of the City of Kawartha Lakes and the provisions of ss. 239, 239.1 and 239.2 of the Municipal Act, 2001.

- 4.02 **Closed Meetings:** A meeting of the Kawartha Lakes Municipal Airport Board, shall be closed to the public, in accordance with Section 239 of the Municipal Act, 2001, when the subject matter under consideration involves:

- a) the security of the property and services of the Kawartha Lakes Municipal Airport Board as it relates to property of the City of Kawartha Lakes;
 - b) personal matters about an identifiable individual, including municipal or local board employees;
 - c) labour relations or employee negotiations;
 - d) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - e) advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
 - f) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.
- 4.03 **Location:** Meetings of the Kawartha Lakes Municipal Airport Board shall be held at a location within the boundaries of the City of Kawartha Lakes. The location to be determined and published on the agenda.
- 4.04 **Regular Meetings:** The Board shall schedule its regular meetings so that there are at least nine (9) regular meetings per year. The policies and procedures required by Section 6.01 shall provide as a minimum that:
- a) notice of all meetings of the Board, together with the agenda for the meeting, must be provided to the Clerk and the Director; and
 - b) for any item of business on any agenda of any meeting of the Board, the Board shall not refuse to hear comments by or on behalf of the Director.
- 4.05 **Posting of Agendas and Minutes:** Agendas shall be posted on the City of Kawartha Lakes Website a minimum five (5) days prior to the meeting.
- Minutes shall be posted on the City of Kawartha Lakes Website once the Board has adopted them. Draft Minutes are to be circulated to Council in accordance with established policy.
- 4.06 **Cancellation or Rescheduling of Meetings:** Any meeting may be cancelled or rescheduled with forty-eight (48) hours notice to each Member, the local newspapers, to any delegations/deputations which have previously notified the Board of their desire to appear before the Board and the general public by the posting of a notice on the website. Email advising of the meeting cancellation shall be deemed as appropriate notice.
- A meeting may be cancelled or rescheduled on less than forty-eight (48) hours notice if a quorum would not be present or for weather related matters. Every attempt is to be made to contact the public and the media to advise of the cancellation/rescheduled meeting in a timely fashion.
- 4.07 **Special Meetings:** No special meeting of the Kawartha Lakes Municipal Airport Board shall be called except on forty-eight (48) hours notice. The notice calling a special meeting shall state the business to be considered at the special meeting and no business other than that stated shall be considered at such meeting without the consent of the majority of the Board.
- 4.08 **Emergency Meetings:** Notwithstanding any other provision of this by-law, the Chair may at any time summon an emergency meeting of the Board. An emergency meeting may be held without notice, provided that an attempt has been made by the Recording Secretary to notify each Member about the meeting as soon as possible and in the most expedient manner available. An emergency meeting may only be called by the Chair or Vice-Chair to deal with an emergency or extraordinary situation.
- 4.09 **Minutes:** The Board shall provide to Council on a regular basis, for information, the minutes of the meetings of the Board. Minutes are not subject to approval by Council and will be provided to Council in accordance with established policy. Where the Board has appointed committees, those committees shall report to the Board, and the minutes of the Board meetings shall reflect the reports of committees.

All minutes shall record the following:

- (a) The place, date and time of meeting;
- (b) The name(s) of the Chair and record of attendance of the Members;
- (c) The reading, if requested, correction and adoption of the minutes of the prior meeting; and

(d) All other proceedings of the meeting without note or comment.

All minutes of a closed session shall be recorded in separate minutes, closed to the public, and shall include the same information as is set out in Section 4.09.

- 4.10 **Quorum:** A quorum shall be four (4) members of the Kawartha Lakes Municipal Airport Board including the Chair or Vice-Chair. In the absence of both the Chair and Vice-Chair, the members present may appoint an Acting Chair who shall preside over the meeting.

Notwithstanding the Board's Procedural By-law, the lack of a quorum for a Board meeting may be resolved by:

Twenty minutes after the time appointed for a meeting of the Board, the Recording Secretary shall, at the request of a majority of the members present, call the roll and record the names of the members present and the members shall stand discharged from waiting further.

If, during the course of a Board meeting, a quorum is lost then the Chair may:

- i) declare that the meeting stand adjourned, not ended, to reconvene at such time and place as he/she shall be determined; or
- ii) cancel the balance of the meeting if, in his/her opinion, it is not essential to deal with the balance of the agenda before the next regular meeting.

- 4.11 **Order of Business:** The routine order of business for regular board meetings shall be as follows:

1. Adoption of Agenda
2. Disclosure of Pecuniary Interest/Conflict of Interest
3. Deputations
4. New Business
5. Other Business
6. Closed Session
7. Business Arising from Closed Session
8. Adjournment

All business (other than Closed Session) shall be taken up in the order or routine in which it stands as shown on the Agenda unless otherwise decided by the concurring vote of the majority of the Members. Motions shall be read as presented.

Closed Session Meetings may be held at a time earlier than the regular commencement time or immediately following the Board Meeting. Wherever possible, meetings to commence at an earlier time will be specified on the cover page of the agenda.

- 4.12 **Agendas:** Regular meeting agendas shall be prepared in order of topics set out as the routine of business (Order of Business), printed and circulated to each Member a minimum of five (5) days prior to the meeting.

Agendas shall be made available to the media and those members of the public who have requested a copy prior to the scheduled meeting. Agendas are sent to the Clerks Office and the cover page of the agenda and background information (where possible) will be available on the City's website a minimum three (3) days before the meeting.

- 4.13 **Addendum Items:** Items not listed on the printed agenda shall require a majority vote of the members present to add the item to the agenda.

- 4.14 **Deputations/Delegations:** Persons desiring to verbally present information on matters of fact or make a request of the Board shall give notice legibly written or printed outlining the specific nature of the presentation, signed by at least one person and filed with the Recording Secretary, or designate, no less than seven (7) days preceding the meeting of the Board. That person shall be limited in speaking to not more than five (5) minutes, except by special leave of the Chair.

- 4.15 **Subcommittees:** The Board shall have the ability to create project-specific subcommittees and appoint members to these subcommittees as needed for a

specified time and purpose. All such committees and members shall be subject to all policies of the Board and City of Kawartha Lakes.

- 4.16 **Voting:** Each Member shall be entitled to one (1) vote on all matters.

Each member shall be present at a duly constituted meeting in order to exercise his or her vote.

Abstaining from casting a vote shall mean a vote in the negative.

In the event of a tie vote, the motion shall be deemed to be lost.

- 4.17 **Joint Meetings:** At least once per calendar year, the Board and the Council shall attend a joint meeting, hosted by the Council, to review matters of mutual interest. The meeting shall be held between September and December at a date and place mutually agreed upon by the Board and Council. Other joint meetings may be requested by either the Board or the City by resolution or by communication of the Board or the Council, as appropriate.

- 4.18 **Remuneration of the Board Members:** All Board Members are considered volunteer positions. Mileage costs and other minor expenses related to Board activities may be eligible for reimbursement subject to budget approvals by Council and policies adopted by Council.

Section 5.00: Financial

- 5.01 **Transfer of Jurisdiction:** Subject to Section 10.02, when this by-law takes effect, all the powers, rights, authorities and privileges conferred upon the Corporation by any general or special act with respect to the Business shall be exercised by the Kawartha Lakes Municipal Airport Board, and not by the Corporation. The Board shall conduct the Business on a commercially prudent basis to provide a reliable, effective, competitive and efficient airport system to its customers.

- 5.02 **Corporate Consents Required:** Nothing in this by-law or in Sections 196-198 of the Municipal Act, 2001 authorizes the Board, without the consent of the Corporation, to:

- a) amalgamate with another entity, apply to continue under the laws of another jurisdiction, merge, consolidate or reorganize, or approve or effect any plan of arrangement, in each case, whether statutory or otherwise;
- b) take any steps for winding up, arrangement, or dissolution;
- c) sell or pledge as security any realty asset;
- d) commit to loans, expenditures or pledges of security to a cumulative value exceeding the capital reserve approved within the context of the Kawartha Lakes Municipal Airport Board's policies regarding maintenance and use of reserve funds, referenced in Section 5.04;
- e) commit to loans, expenditures, contractual commitments or pledges of security that exceed the limits approved within the context of Council's approval of the Kawartha Lakes Municipal Airport Board's annual budgets;
- f) amend its corporate by-laws in a manner inconsistent with this by-law;
- g) enter a new line of business not recognized and approved within the context of Council's approval of the Kawartha Lakes Municipal Airport Board's annual budgets;
- h) take any steps or make any decisions that would materially adversely affect the tax or regulatory status of the Kawartha Lakes Municipal Airport; or
- i) any matters required by the *Canada Business Corporations Act* to be approved by the shareholders of a business corporation.

- 5.03 **Properties:** The title to all lands, building and equipment acquired or constructed for the purposes of the Kawartha Lakes Municipal Airport shall be held in the name of the Corporation and not in the Kawartha Lakes Municipal Airport's name or the name of the Board.

- 5.04 **Debt Financing:** Nothing in this by-law authorizes the Board to provide for the financing of the Business by means other than fees and charges under Part XII of the Municipal Act, 2001, and any by-law of the Board purporting to impose fees and charges shall not come into force until the Council passes a resolution approving the by-law of the Board.

- 5.05 **Revenue:** The Board shall use the revenues generated for the operation and maintenance of the Business and for the establishment of reserve funds authorized by the Corporation for the purposes of the Business.
- 5.06 **Trust:** All assets of the Kawartha Lakes Municipal Airport that are held and controlled by the Board are held and controlled in trust for the Corporation.
- 5.07 **Payment to the Corporation:** In keeping with its policies and procedures, the Board shall, unless otherwise directed by the Council, pay one hundred (100%) percent of its surplus revenues to the Corporation.
- 5.08 **Financial Year:** The financial year for the Kawartha Lakes Municipal Airport Board shall be consistent with the City of Kawartha Lakes, which is the calendar year.
- 5.09 **Budgets:** The Board shall submit to Council through the Treasurer its estimates for each year at the time and in the form prescribed by the Treasurer and shall make requisitions upon the Council for any sums of money required to carry out its powers and duties, but nothing in this by-law divests Council of its authority with reference to providing the money for the purposes of the Board and, when money is so provided, the Treasurer shall, pay out the money approved.
- 5.10 **Annual Report:** On or before March 31st in each year, the Board shall submit to Council its annual report, in writing, for the preceding year.
- 5.11 **Auditor Statement:** A complete audited and certified financial statement for the Board shall be prepared by the Treasurer and the Corporation's auditor and presented to Council as part of the City financial statements.
- 5.12 **Auditor:** The auditor appointed by the Corporation shall be the auditor for the Kawartha Lakes Municipal Airport Board.

The auditor shall have the right of access at all reasonable hours to all records of the Kawartha Lakes Municipal Airport.

Upon receipt of an invoice from the Treasurer, the Kawartha Lakes Municipal Airport shall pay the audit fees attributable to the audit of its accounts, transactions, and financial statements by the Auditor.

- 5.13 **Five-Year Strategic Plan:** The Kawartha Lakes Municipal Airport Board shall establish a 5-year Strategic Plan within the first six (6) months of operation to be presented and adopted by the Council of the City of Kawartha Lakes.

The Board shall provide to Council on an annual basis through the office of the Director a summary of its strategic business plans for the Kawartha Lakes Municipal Airport. The Board shall approve and report to Council any changes in service commitments, which vary from the service levels, identified in the approved five (5) year strategic business plan.

- 5.14 **Quarterly Financial Reports:** The Kawartha Lakes Municipal Airport Board shall provide to the Director on a quarterly basis, financial statements and a report on the business objectives and results.
- 5.15 **Records:** The Board's records shall be maintained by the City and in accordance with the City's record retention by-law.
- 5.16 **Municipal Services:** In accordance with the normal municipal practice, any services provided by the City to the Kawartha Lakes Municipal Airport Board shall be applied and paid for by the Board. The Board shall also pay for all insurance premiums or any other costs deemed appropriate by the Treasurer paid by the City of Kawartha Lakes on its behalf in connection with the Kawartha Lakes Municipal Airport Board.
- 5.17 **Purchasing:** In accordance with Section 270 of the Municipal Act, 2001, the Kawartha Lakes Municipal Airport Board shall be subject to adopt the Purchasing by-law of the City of Kawartha Lakes subject to any amendments that may be made from time to time.
- 5.18 **Revenues:** In accordance with the Municipal Act, 2001, all revenues generated by the Kawartha Lakes Municipal Airport will be utilized to fund the operation and maintenance of the Kawartha Lakes Municipal Airport. All fees and charges are

established in accordance with the provisions of the Municipal Act, 2001, on a cost-recovery basis and any by-law of the board purporting to impose fees and charges shall not come into force until the Council passes a resolution approving the by-law of the Board.

- 5.19 **Co-Operation Between Administrations:** Notwithstanding the introduction of the municipal services board created by this by-law, administration of Kawartha Lakes Municipal Airport and administration of the Corporation are expected to continue to work together as required from time to time on issues and subjects related to the management of the Board.

Section 6.00: Kawartha Lakes Municipal Airport Board By-laws, Policies & Procedures

- 6.01 **Required Policies:** The Board shall establish its own policies and procedures as may be required or appropriate for a federally-regulated enterprise that are consistent with this by-law.

At a minimum and in compliance with Section 270 of the Municipal Act, 2001, *c.M.45*, the Board shall follow the policies of the Corporation as it applies to:

- a) meeting schedules and procedures;
- b) corporate signing authority and jurisdiction;
- c) human resources policies;
- d) purchasing policies;
- e) the maintenance and use of reserve funds;
- f) sale or disposition of land; and
- g) conflict of interest among Members.

- 6.02 **Corporate By-laws:** The Board shall establish by-laws for itself, which are consistent with this by-law, and maintain them, through its corporate recording secretary, in appropriate minute books.

- 6.03 **Corporation's Policies:** Wherever the Board has not established a policy to govern any procedure, issue, matter or event, it shall rely on and apply the Corporation's policies for that procedure, issue, matter or event should same arise. Where the Board has issued a policy, its policy takes precedence over the Corporation's Policies on the same subject matter.

- 6.04 **Amendments to this By-law at Board's Request:** In the event that the Board wishes to request that the Corporation amend this by-law in any respect, it shall specify its request in writing. Once the Board has, by recorded vote, passed the resolution requesting the change, it shall provide notice of the request to the City Clerk in accordance with Section 8.01 of this by-law. The Clerk shall, subject to Council's procedural by-laws, place the item on the agenda for the next regularly scheduled meeting of the Council for consideration.

- 6.05 **Amendments to this By-law at Corporation's Request:** In the event that the Corporation proposes to amend this by-law, it shall provide eight (8) weeks' written notice to the Board indicating the proposed change. Within the notice period, the Board may provide written comment upon and input into the proposed change.

Section 7.00: Administration

- 7.01 **Administration of the By-law:** The Director is responsible for the administration of this by-law.

- 7.02 **Staffing:** The Public Works Department of the City of Kawartha Lakes shall act as the staff liaison with the Kawartha Lakes Municipal Airport Board. If in attendance at meetings, the Director shall be a non-voting member of the Kawartha Lakes Municipal Airport Board.

- 7.03 **Approval Authorities:** The Corporation retains all authority for approval and execution of all documents. In accordance with the City's Purchasing By-law, all invoices for payment must be signed by the Airport Manager.

- 7.04 **Insurance:** The Corporation shall maintain insurance with regard to normal operations and practices of the Kawartha Lakes Municipal Airport Board.

Section 8.00: Notice

8.01 **Notice:** Any notice to be given by the Board to the City under this by-law shall be sufficiently given if delivered by hand, or facsimile, or if sent by prepaid first class mail and addressed to the City at:

The Corporation of the City of Kawartha Lakes
Attention: City Clerk
P.O. Box 9000
26 Francis Street
Lindsay, Ontario K9V 5R8
Facsimile: (705) 324-8110

Any notice to be given by the Corporation to the Board under this by-law shall be sufficiently given if delivered by hand, or facsimile, or if sent by prepaid first class mail and addressed to the Board at:

Kawartha Lakes Municipal Airport Board
Attention: Board Secretary
12 Peel Street,
Lindsay, Ontario. K9V 3L8
Facsimile: (705) 324-2147

Receipt of notice shall be deemed on:

- a) the date of actual delivery of a hand delivered document; or
 - b) the business day next following the date of facsimile transmission; or
 - c) five (5) days following the date of mailing of the notice;
- whichever is applicable. Notice shall not be given by electronic mail.

Section 9.00: Airport Name

9.01 **Airport Name:** The Corporation's Municipal Airport shall forthwith be known as the "City of Kawartha Lakes Municipal Airport".

Section 10.00: Effective Date

10.01 **Effective Date:** This by-law shall come into force and take effect upon its final passing. Notwithstanding the effect of this by-law, it is recognized that the Board will take time to become established. Until the Board has been established and has enacted its corporate by-laws, the City's Public Works Department will continue to operate the Business as it has prior to the date of passage of this by-law.

By-law read a first, second and third time, and finally passed, this 28th day of April, 2009.

Mayor

Clerk