

Terms of Reference

Name: City of Kawartha Lakes (CKL) Liquidation Sales Task Force

Mission:

The CKL Liquidation Sales Task Force is a volunteer task force appointed by City Council. The Liquidation Sales Task Force will provide advice and recommendations to Staff on the issues surrounding Liquidation Sales and when and where this type of retail sales is appropriate in the City of Kawartha Lakes.

Objectives:

The objectives of the Task Force are:

- Identify who can hold these kinds of large retail events;
- Identify how often liquidation sales can be held
- Identify where liquidation sales events can be held; and
- Develop an amendment to the Transient Traders Bylaw to regulate Liquidation Sales

The Task Force will abide by any terms and conditions which may be set out by the City's Council, CAO, Clerk, Solicitor, Auditor and/or Insurer for any activities relating to Task Force business.

Roles and Responsibilities:

Roles and responsibilities of this Task Force include:

1. Compliance with the Municipal Act including the Accountability and Transparency Section;
2. Provide advice and recommendations to Staff respecting when and where liquidation sales events can be held in the City; and
3. Follow the by-laws and policies established by Council.

ACTIVITIES: The following are the activities and responsibilities of the Task Force:

1. To review the history of liquidation sales in the City of Kawartha Lakes and the reports and bylaws put in place to regulate Liquidation Sales
2. Review how other municipalities regulate liquidation sales events;
3. To facilitate a public forum in which staff, Council and local stakeholders are able to discuss the issues surrounding liquidation sales.

Composition:

The Task Force shall have a minimum of four (4) members comprised of stakeholders, BIA and Lindsay and District Chamber of Commerce Representation, members of the public, and Council. Of the appointed membership, there shall be a minimum of:

- one (1) member of City Council;
- one (1) member representing the Lindsay BIA;
- One member of the Lindsay and District Chamber of Commerce; and
- at least one (1) member of the community that holds liquidation sales events.

Task Force members will be appointed by Council in accordance with established policy. All appointed voting members may be represented at meetings by a designated alternate. A designated alternate must be formally designated by an appointed member in writing to the Task Force to represent them. Designated alternates must be approved by the Task Force and are subject to all of the requirements and criteria set out in the Terms of Reference.

It is acknowledged that there are no per diems for any Task Force positions and it is acknowledged that none of the above positions shall be paid for their services.

Term of Appointment:

The Liquidation Sales Task Force is appointed to make final recommendations concerning the licensing and regulation of liquidation sales Licensing Bylaw. It is expected that this work will take approximately 3 months to complete from the date of the appointment of the Task Force Members

Resources:

The Director of Development Services along with the Senior Licensing Officer will provide support in the form of advice, day-to-day liaison, information sharing, Task Force secretary role and meeting coordination.

Timing of Meetings

Meetings will be held on a set day and time as may be determined by the Task Force or at the call of the Chair.

Administration:

Any responsibilities not clearly identified within these Terms of Reference shall be the responsibility of the City of Kawartha Lakes. Council may, at its discretion, change the Terms of Reference at any time. Any changes proposed to these

Terms of Reference by the Task Force shall be recommended to Council via the Director of Development Services through a report to Council.

Appointment of Officers:

The Task Force shall appoint such executive positions as it deems necessary to ensure its operations, and shall as a minimum, at its first meeting, elect from the membership a chairperson and a vice-chairperson. Development Services staff shall serve as the Secretary as a resource to the Task Force.

Meetings:

The Task Force shall hold a minimum of 3 meetings within their term. The Chair shall cause notice of the meetings, including the agenda for the meetings, to be provided to members of the Task Force a minimum of five (5) business days prior to the date of each meeting. Quorum for meetings shall consist of a majority of the members of the Task Force.

Procedures:

Procedures for the meetings of the Task Force shall be governed by Procedural By-law and Legislation or, where both of these are silent, by Robert's Rules of Order.

Closed Meetings:

Closed meetings will not be held by this Task Force.

Agendas and Minutes:

A copy of the Agenda shall be provided to the Clerk's office at the same time it is provided to Task Force Members. Minutes of all meetings of the Task Force shall be forwarded by the Development Services Department to the Clerk's Office not later than two weeks after the meeting. Action items requested of staff and/or Council will be brought to the attention of the Development Services Department at that time. The Clerk's Office will electronically circulate the minutes to all members of Council for their information. The Clerk's Office will maintain a set of printed minutes on file for public review.

Reports:

Any recommendations of the Task Force requiring Council direction or approval will be forwarded to Council in a formal written report on the City report template. It will be the responsibility of the Task Force to identify those recommendations to the Development Services Department for final preparation of the report.

Conflicts of Interest:

Members shall abide by the rules outlined within the Municipal Conflict of Interest Act and shall disclose the pecuniary interest to the Secretary and absent himself or herself from meetings for the duration of the discussion and voting (if any) with respect to that matter.

Errors/Omissions:

The accidental omission to give notice of any meeting of the Task Force to its members, or the non-receipt of any notice by any member, or any error in any notice that does not affect its substance, does not invalidate any resolution passed or any proceedings taken at the meeting. Any member of the Task Force may at any time waive notice of any meeting.

Location of Meetings:

The location of the meetings will be set by the Task Force.

Purchasing Policy:

This Task Force has no purchasing or procurement responsibilities.

Budget:

This Task Force is not responsible for a budget.

Volunteer Positions:

Unless approved by Council, as part of the Terms of Reference or establishing by-law, all Task Force members are considered volunteer positions.

Insurance:

The Task Force shall follow any guidelines and/or recommendations required by the City's insurer.

Dissolution:

At the discretion of Council, the Task Force may be dissolved by resolution of Council, or dissolved upon the mandate of the Task Force being fulfilled.

Expulsion of Member:

The Committee may recommend to Council the expulsion of a member or Council may remove a member for reasons as listed, but not limited to, the member being in contravention of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act, the Provincial Offences Act, the Municipal Conflict of Interest Act; disrupting the work of the Committee or other

legal issues. The process for expulsion of a member is outlined within Policy Number 028 Cao 002.