

**THE CORPORATION OF THE
TOWNSHIP OF WELLESLEY**

BY-LAW No. 5/2018

**A BY-LAW TO ESTABLISH A MUNICIPAL HERITAGE AND HISTORICAL
SOCIETY COMMITTEE AND PROVIDE FOR THE APPOINTMENT OF
MEMBERS THERETO AND TO REPEAL BY-LAW 10/2012**

WHEREAS Section 28 of the *Ontario Heritage Act*, R.S.O. 1990, CHAPTER O.18, provides that the council of municipality may, by by-law, establish a municipal heritage committee to advise and assist the Council on all matters relating to Parts IV and V of the *Ontario Heritage Act*, R.S.O. 1990, CHAPTER O.18; and

WHEREAS Section 8 (1) and 9 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provide that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues and has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act

WHEREAS the Council of the Township of Wellesley deems it advisable to confirm the establishment of such a committee and provide for the appointment of members thereto;

THEREFORE the Council of the Corporation of the Township of Wellesley enacts as follows:

1. A Municipal Heritage Committee is hereby reestablished, to be known as the "Wellesley Township Heritage and Historical Society".
2. The Committee shall consist of a minimum of five members and up to a maximum of ten members. Members shall be appointed by Council for a term of four years, coinciding with the term of Council of the Township of Wellesley and members shall remain in office until successors are appointed unless removed earlier by Council;
3. Voting members for the remainder of 2014-2018 Council Term are as follows:

Chairman:	Nancy Maitland	Members:
Secretary:	Diane Peters	Carol Gregory
Councillor:	Peter van der Maas	Ross Kelterborn
		Harold Russell
Curator:	Nancy Maitland	Garry Peters
		Larry Park
		Beth Lealess
		Dave Holzschuh
4. The Council of the Corporation of the Township of Wellesley may, by resolution, replace voting members or appoint from time to time such new members as it considers desirable;
5. The Wellesley Township Heritage and Historical Society shall, at its first meeting of each year, elect a Chair and Secretary from its membership;
6. The Council through the Treasurer shall establish separate financial accounts for the Wellesley Township Heritage Committee and the Wellesley Township Historical Society;
7. The terms of reference of the committee shall be as detailed in Schedule "A" attached hereto;

8. This By-law may be known as the “Wellesley Township Heritage and Historical Society” (WTHHS);
9. By-law 10/2012 of the Township of Wellesley, and all By-laws amending the same and any other By-law inconsistent with the provisions of this By-law are hereby repealed.
10. This by-law shall come into force and take effect on the date of its passing.

Read a first and second time this **9th** day of **January 2018**.

Mayor Joe Nowak

Clerk, Grace Kosch

Read a third and final time and passed this **9th** day of **January 2018**.

Mayor Joe Nowak

Clerk, Grace Kosch

Wellesley Township Heritage and Historical Society
Terms of Reference

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Background:

The Wellesley Township Historical Society was established in 1978. Wellesley Township's Local Architectural Conservation Advisory Committee (LACAC) was established in 1983 by Wellesley Township By-law 33/83 in accordance with the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended.

In 2006, provincial LACACs were renamed heritage committees using the location name plus the word "Heritage." Wellesley Township Heritage was created by By-law 14/06.

Due to duplication of membership, Wellesley Township Heritage merged with the Wellesley Township Historical Society in 2007 to form the Wellesley Township Heritage and Historical Society (WTHHS).

Mandate:

1. To identify, protect and preserve archives and artifacts as well as built heritage which document the history of Wellesley Township.
2. To provide historical and archival information to the members of the historical society and the public.
3. To provide access to historical information pertaining to our heritage.
4. To assist Township of Wellesley families, and those connected with these families, with research and provide information to inquiries from people who have roots in the Township.
5. To make non-binding recommendations to Council regarding Heritage and Historical matters
6. The WTHHS is to act as an advisory committee to Council to advise and assist on matters relating to Part IV of the *Ontario Heritage Act*.

Purposes of the WTHHS:

Heritage Purposes:

1. To establish criteria for the evaluation of properties of cultural heritage value or interest;
2. To prepare, evaluate, and maintain a list of properties and areas worthy of conservation;
3. To advise Council on means of conserving heritage properties and areas; and available funding sources;
4. To advise Council on current heritage conservation legislation and to assist Council in the preparation of municipal legislation to conserve heritage properties and areas;
5. To implement programs and activities to increase public awareness and knowledge of heritage conservation issues;
6. To advise and assist Council on all matters relating to Parts IV and V of the *Ontario Heritage Act*;
7. To advise and assist Council on any other matters relating to properties or areas of cultural heritage value or interest.

Historical Purposes::

1. To collect, preserve and exhibit artifacts, photographs and documents pertaining to the history of Township of Wellesley;
2. To research and publish information about significant events, persons, and circumstances bearing on the history of Township of Wellesley;

Wellesley Township Heritage and Historical Society

Terms of Reference

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3. To establish and maintain a facility for the storage and exhibition of artifacts, documents, photographs and books;
 4. To hold exhibitions, presentations, and events to which members and the public shall be invited;
 5. To create and maintain a website and social media sites to disseminate information about the history of the Township of Wellesley

Composition:

Membership of the WTHHS Committee shall:

1. consist of a minimum of five (5) members and up to a maximum of ten (10) members;
2. be appointed by Council for a term of four (4) years, coinciding with the term of Council of the Township of Wellesley and members shall remain in office until successors are appointed unless removed earlier by Council;
3. be open to any person interested in the objectives of the WTHHS;
4. be entitled to receive notice of, attend and vote at all meetings;
5. consist of one (1) member of Council who shall be a voting member;
6. be governed by the Township of Wellesley's policies and procedures
7. be governed by the Township of Wellesley's Code of Conduct for Council, Local Boards and Committee Members (March, 2017); and
8. be governed by the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended.

The Mayor will be an *ex-officio* member, but not a voting member, of the WTHHS.

The liaison between the WTHHS and Council shall be provided by the Township Planner.

Meetings:

1. The WTHHS shall meet on a regular basis.
2. Agendas and minutes from the previous meeting will be distributed to the WTHHS members prior to the next meeting.
3. At its first meeting of each year a Chair and Secretary shall be elected from the membership;
4. The Township of Wellesley's Procedural By-law 51/2015, as amended from time to time, and the *Municipal Act, 2001*, S.O 2001, c. 25, as amended, govern the Committee.
5. A quorum shall be the majority of the total membership.
6. An Annual General Meeting will be held each year.
7. The WTHHS shall keep proper minutes and records of every meeting and provide the Township liaison with a copy of same.
8. Advisory committees such as the WTHHS do not usually consider business of a "closed" nature, however, if such circumstances arise, there must be strict compliance with the Township's Procedural By-law and the *Municipal Act, 2001*.

Staff and Volunteers:

The Township shall hire a part-time Curator. This position shall be renewed annually by Council resolution. The Curator will serve the ongoing needs of the WTHHS in the following areas:

1. *Collection* - Responsible for cataloging, preserving and exhibiting artifacts, pictures, papers, records, and other objects in the WTHHS collection; to maintain a current inventory of the group's historical assets.
2. *Facility* - Responsible for the maintenance and security of the WTHHS's Historical Room, displays and equipment.

Wellesley Township Heritage and Historical Society

Terms of Reference

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3. *Communication* - Responsible for media relations by preparing and posting notices of the WTHHS's activities on their website and social media sites, and preparing and submitting press releases, articles, or notices as required.
 4. *Community Outreach* – Responsible for making displays and research material available to the public by opening the Historical Room to visitors for five (5) hours on the last Saturday of every month, except December.
 5. *Publication* - Responsible for conducting research on events, people and events of historical significance; and publishing reports of research.
 - a) *Research* - Responsible for monitoring the WTHHS's email account to respond to requests for information about the history of the Township.

The Curator shall report to the WTHHS at each of its meetings.

Volunteers who are working in the Historical Room are required to sign the Township's Volunteer Agreement Release and Waiver Form.

Finances:

1. Members of WTHHS will receive no remuneration for their involvement in/on the Committee.
2. The Treasurer of the Township of Wellesley shall establish separate financial accounts for Wellesley Township Heritage and the Wellesley Township Historical Society.
3. The fiscal year of the WTHHS shall coincide with the calendar year, January 1st to December 31st.
4. Financial support for WTHHS will be received annually as part of the Township of Wellesley's regular budget preparation process
5. Funds and investments for the Heritage Committee shall be used to further the activities related to built heritage such as creating a municipal heritage register and designating buildings of historical importance
6. Historical Society funds shall be used to further the activities of acquiring, preserving and making available documents, photographs and objects which record the history of the Township.
7. Money received as a result of book or DVD sales shall be submitted to the Treasurer of the Township of Wellesley for deposit in the Historical Society account
8. A petty cash fund of \$200.00 shall be established and used for expenses of less than \$50.00 each. When the petty cash fund is near depletion the receipts for expenses will be submitted to the Treasurer of the Township of Wellesley and a cheque for the value of those receipts shall be issued from the Historical Society's reserve fund to replenish the fund.
9. Receipts for purchases or expenses over \$50.00 shall be submitted to the Treasurer of the Township of Wellesley for reimbursement from the Historical Society's reserve fund

Indemnity

Insurance for the WTHHS is provided by the Waterloo Region Municipalities Insurance Pool, through the Corporation of the Township of Wellesley.

Dissolution

In the event of dissolution of the WTHHS and after payment of all debts and liabilities, any remaining surplus shall be distributed or disposed of to the Corporation of the Township of

Wellesley Township Heritage and Historical Society

Terms of Reference

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Wellesley. The WTHHS collection will be distributed to local history organizations in The Region of Waterloo, namely the Waterloo Historical Society and the Waterloo Region Museum.