

Managers' Reports

Request for Recommendation Priorities Committee





Type of Decision									
Meeting Date	WED. MAY 14, 2003				Report Date	MAY 9, 2003			
Recommendation	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title
NEW PURCHASING BYLAW

Policy Implications + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified
No Budget Impact.	
<input checked="" type="checkbox"/>	Background attached

Recommendation	
<p>THAT THE REPORT DATED MAY 9, 2003 AS WRITTEN BY DARRYL MATHE, MANAGER OF SUPPLIES AND SERVICES BE APPROVED; AND</p> <p>THAT STAFF MEET WITH VARIOUS STAKEHOLDERS WITHIN THE COMMUNITY; EG. GREATER SUDBURY CHAMBER OF COMMERCE AND THE LOCAL CONSTRUCTION INDUSTRY, TO REVIEW THE PROPOSED NEW BYLAW, AND REPORT BACK TO COUNCIL ONCE COMPLETED.</p>	
<input type="checkbox"/>	Recommendation attached

Recommended by the General Manager	
	
Name and Title	Doug Wuksinic General Manager of Corporate Services

Recommended by the C.A.O.	
	
Name and Title	Mark W. Jett Chief Administrative Officer

11

Report Authored By



Name and Title Darryl Mathe
Manager of Supplies and Services

Division Review



Name and Title Doug Wuksinic
General Manager of Corporate Services

HISTORY:

THE CITY OF SUDBURY, AREA MUNICIPALITIES AND REGION PURCHASING PRACTICES

Prior to 2001, both the Regional Municipality of Sudbury and the City of Sudbury had adopted purchasing by-laws to regulate the purchase and sale of goods and services within their respective areas of jurisdiction. The Region's by-law had been drafted and passed by the former Regional Council in 1979.

In the City of Sudbury prior to amalgamation, a 1986 version of the purchasing by-law was in use by City departments and, to a lesser extent by the Regional Police Service, for the acquisition and sale of supplies and services.

Area municipalities, including the City of Valley East, did not have a formal purchasing by-law, purchasing department or purchasing agent. These municipalities used the City of Sudbury's purchasing agent as their representative on the Sudbury Regional Buying Group to contract for the purchase of large common supplies and services.

In the late 1990s, a committee was struck at the Regional level for the purpose of revising the Region's purchasing by-law. At that time, staff sought and did obtain input from external stakeholders including Sudbury and District Chamber of Commerce and the Sudbury Construction Association. Although this revised purchasing by-law was largely completed at the time of the proclamation in force of the *City of Greater Sudbury Act*, it was temporarily shelved during the tenure of the Transition Board.

The 1986 City of Sudbury purchasing by-law was adopted by the Transition Board for its use in the acquisition of goods and services. At the same time, both the City of Sudbury and the Region continued to use their respective purchasing by-laws for supply management purposes.

The provisions of Regulation 539/00 passed pursuant to the *City of Greater Sudbury Act*, however, granted power to the Transition Board to pass a by-law or adopt a resolution governing the purchase and sale of goods and services to be acquired by the City of Greater Sudbury subsequent to January 1, 2001.

Essentially, a purchasing by-law needed to be in place to meet the new municipality's day-one operating requirements. As a result, the late 1990s revision of the Region's

purchasing by-law was passed by the Sudbury Transition Board (By-law 2001-2) for and on behalf of the City of Greater Sudbury on November 20, 2000 to be effective on January 1, 2001.

WHY PASS A NEW BY-LAW?

Section 27 of By-law 2001-2 contemplates the performance of an annual "Internal Process Audit" to determine whether or not purchases and dispositions were conducted in accordance with the by-law.

After concluding the first purchasing processes audit in early 2002, the Manager of Internal Audit/Performance Management (the "Auditor") concluded that, although no material non-compliance was noted in the sample selected,

- there was considerable evidence of a general lack of understanding of by-law requirements in given situations;
- the by-law's contents were found to be ambiguous and unclear at best; and
- the by-law was in great need of revision.

The Auditor, after considering whether minor revisions could achieve clarity within the document, determined that:

"...it is preferable to write a new Purchasing By-law, in a more simplified format..." [IACS Report #2002-3, dated February 27, 2002]

Moreover, Senior Management's 2002 Business Plan included the establishment of a new Purchasing By-law, [Corporate Services, Goal B, Planned Action Number 8]

Presently, purchased goods and services are the largest single expenditure category in the Current Budget. Actual 2002 expenditures (combining "Purchased Services" and "Materials & Operating Expenses") totaled \$153 million, 41.2% of the total. (Payroll is the next highest expense, at 33.7%.)

A Purchasing By-law is, therefore, a significant governance document whose purpose is to define procurement processes.

PHILOSOPHY OF THE NEW BY-LAW

A key principle underlying all aspects of the procurement function is to obtain the best value for the taxpayer's dollar while simultaneously treating all suppliers equitably.

In order to accomplish this objective, four cornerstones of the new procurement policy are proposed:

- the competitive process will be used, whenever possible, to procure all municipal supplies and services;

- the competitive process, shall be open, transparent and fair to the suppliers of goods and services; and
- the purchasing process will be clearly and simply defined in order to ensure all stakeholders understand and comply with its requirements;
- efforts will be made to centralize the tendering process.

The proposed key principle and the cornerstones are consistent with core "*Values*" listed in the City of Greater Sudbury's priority setting document *Mapping the Vision - 2003*, where among other things, the municipality is committed to

- "*providing high quality service with a citizen focus*";
- "*managing the resources in our trust efficiently, responsibly and effectively*";
- "*maintaining honest and open communication*"; and
- "*creating a climate of trust and a collegial working environment*".
[*Mapping the Vision - 2003 - Values*, page 3.]

It is proposed that the new Bylaw will be considerably shortened in length, by excluding procedural details. Only general principles and key process requirements will be set out in the new Bylaw. Reference will be made to the Purchasing Agent's authority to provide further details to users about documentation required to support procurement transactions.

REVIEW OF COMPARABLE MUNICIPAL PROCUREMENT POLICIES

A review of threshold amounts used in the competitive procurement process in major municipalities in the Province of Ontario has formed the basis of the recommended thresholds in the New By-law.

Among Ontario municipalities, the threshold for Council-approved contracts within budget limits range from \$10,000.00 at the low end of the scale to unlimited contract values at the upper end of the scale.

Advertising limits, however, are less varied and range from a minimum amount of \$10,000.00 to a maximum of \$100,000.00. (See attached Table 1.)

In addition to the research relating to Ontario municipalities, an internal review of Tenders/Quotations and Proposals for the period January 2002 to December 2002 reveals that 87% of City of Greater Sudbury's projects awarded using such procurement

processes had dollar values in excess of \$25,000.00.

RECOMMENDATIONS

The recommendations are based upon the premise that a procurement policy that is open, transparent and fair is driven not by the body within the municipality that awards a contract, but rather the degree to which the municipality's contracts are advertised in the community. Lowering the threshold of contract advertising and removing the requirement of Council approval for contracts within approved budgets will be consistent with the key principle of securing the best value for the taxpayer's dollar while at the same time treating all suppliers equitably.

1. Advertising Threshold

Since an open, transparent and fair competitive procurement process is consistent with the City's stated *Mapping Value* of "*honest and open communication*", it is recommended that the threshold advertising limit be reduced from the current level of \$50,000.00 to \$25,000.00. Requests for Proposals will be subject to the same advertising requirements. As well, the New By-law will require that the evaluation criteria, upon which Requests for Proposals (RFP) will be judged, be clearly defined beforehand and be part of the RFP document.

Existing internet-based technologies will enable the City of Greater Sudbury to continue to communicate the advertisement and the award of such projects efficiently and cost-effectively to councillors, bidders and the general public thereby ensuring maximum openness and transparency.

2. Council-Awarded Contracts

In order to streamline and enhance the efficiency of the contract award process, it is recommended that there be no requirement for Council approval of contracts within approved budgets, except in circumstances where for irregular bids exist and in circumstances of RFP awards in excess of \$100,000.00. The latter requirement is a carry-over from By-law 2001-2.

Notwithstanding the proposed unlimited ceiling, councillors have full access to staff to answer questions which arise in relation to tenders.

Having regard to the range of numbers appearing in Table 1, the unlimited threshold amount is not unreasonable. As an alternative, Council may wish to increase the threshold amount of Council-approved contracts on a gradual basis having regard to the application of section 271(1)(h) of the *Municipal Act, 2001*. (Reproduced at Appendix 1).

That section requires municipalities to establish a policy for the review and evaluation of procurement policies. At fixed time periods, Council may deem it appropriate to increase

(or decrease) the threshold having regard the number and nature of contracts being awarded at certain dollar levels.

Apart from the monetary threshold, events may arise which will compel Council consideration of a contract. Circumstances giving rise to Council approval of a contract include purchases which may only be made from a single source, tenders which give rise to an irregular result and contracts for purchase of goods or services which exceed budget envelopes. Although the definition of "irregular result" is varied, an irregular result may occur when

- (a) two or more identical low bids or proposals have been received;
- (b) all bids or proposals fail to respond to contract specifications; or
- (c) for any reason, the lowest compliant bid or proposal is not in the best interests of the municipality.

Attached as **Table 2** is a Summary of the Recommendations and the likely impact upon internal and external stakeholders.

NEXT STEPS:

The ad-hoc Committee charged with drafting a new Purchasing bylaw seeks agreement in principle from the General Managers' group, at its April 16 meeting. If that agreement is given, the Committee will proceed under the following time-lines:

Wed. MAY 14, 2003	PRIORITIES COMMITTEE: Report and Recommendation to seek public input regarding key principles of new Purchasing Bylaw.
Week of MAY 26, 2003	INVITE KEY MEMBERS OF PUBLIC to a presentation outlining key principles of new Purchasing Bylaw.
Mon. JUN 16, 2003	DEADLINE for public response to new Purchasing Bylaw.
JULY to Mid-AUGUST	DRAFT PURCHASING BYLAW to be formulated.
Week of AUG 18	DRAFT PURCHASING BYLAW circulated to General Managers, for their response and dissemination to staff as they desire.
Mon. SEPT.8, 2003	DEADLINE for responses from General Managers and staff regarding DRAFT PURCHASING BYLAW.
Wed. SEPT. 17, 2003	FINALIZED PURCHASING DRAFT of Bylaw provided to Clerk.
Wed. SEPT. 24, 2003	PRESENTATION TO PRIORITIES COMMITTEE OF PROPOSED PURCHASING BYLAW. Recommendation for Approval sought.
Thurs. SEPT. 25,2003	COUNCIL MEETING: APPROVAL OF PURCHASING BYLAW SOUGHT.
SEPT thru DEC.	PURCHASING AGENT finalizes procedural changes and delivers staff training necessary to ensure smooth transition to new Bylaw.
JANUARY 1, 2004	NEW PURCHASING BYLAW COMES INTO EFFECT.

APPENDIX 1

Municipal Act, 2001 S.O. 2001, CHAPTER 25

Procurement of goods

271. (1) Before January 1, 2005, a municipality and a local board shall adopt policies with respect to its procurement of goods and services, including policies with respect to,

- (a) the types of procurement processes that shall be used;
- (b) the goals to be achieved by using each type of procurement process;
- (c) the circumstances under which each type of procurement process shall be used;
- (d) the circumstances under which a tendering process is not required;
- (e) the circumstances under which in-house bids will be encouraged as part of a tendering process;
- (f) how the integrity of each procurement process will be maintained;
- (g) how the interests of the municipality or local board, as the case may be, the public and persons participating in a procurement process will be protected;
- (h) how and when the procurement processes will be reviewed to evaluate their effectiveness; and**
- (i) any other prescribed matter. 2001, c. 25, s. 271 (1).

Regulations

(2) The Minister may make regulations,

- (a) prescribing matters for the purpose of clause (1) (i) and the time within which policies must be adopted under subsection (1) with respect to the prescribed matters;
- (b) establishing policies related to the procurement of goods and services by a municipality and a local board;
- (c) requiring a municipality and a local board to comply with the policies established under clause (b) when procuring goods and services. 2001, c. 25, s. 271 (2).

TABLE 1

REVIEW OF COMPARABLE MUNICIPAL PROCUREMENT POLICIES

<i>Municipality</i>	<i>Council Approval required if Contract Price exceeds:</i>	<i>Advertising required if Contract Price exceeds:</i>
Sault Ste. Marie	\$10,000.00	\$10,000.00
Vaughan	\$100,000.00	\$100,000.00
City of Cambridge	\$100,000.00	\$50,000.00
Pickering	\$100,000.00	\$100,000.00
Thunder Bay	\$250,000.00	\$40,000.00
Hamilton	\$250,000.00	\$100,000.00
Markham	\$350,000.00	\$50,000.00
Region of Niagara	\$1,000,000.00	\$25,000.00
Region of Durham	No limit	\$100,000.00
Region of Peel RFP over \$250,000.00	No limit Yes	\$100,000.00
Region of York	No limit	\$100,000.00
Mississauga	No limit	\$50,000.00
Ottawa	No limit	\$25,000.00/Goods & Services \$50,000.00 Consultants
Region of Halton	No limit	\$100,000.00
London	No limit	\$100,000.00
Kingston	No limit	\$50,000.00
*Proposed City of Greater Sudbury By-law	No limit	\$25,000.00

TABLE 2

Purchasing Bylaw 2003

WHAT is Changing ?	WHY ?	IMPACT on INTERNAL USERS	IMPACT on EXTERNAL STAKEHOLDERS
<p>LOWER the threshold at which a FORMAL process is used, from \$ 50,000 to \$ 25,000.</p>	<p>We do it now anyway; with electronic formats, advertising purchasing opportunities to all suppliers is the norm and adds no administrative burden.</p>	<p>Minimal; advertising time-line does not have to be onerous. Greater assurance that the "best deal" is obtained.</p>	<p>Fairness and transparency of process will be appreciated by all suppliers.</p>
<p>REMOVE, or LOWER, requirement for COUNCIL APPROVAL of budgeted regular tender awards; Current requirement: contracts > \$100,000.</p>	<p>Requiring Council approval when low bidder is awarded adds unnecessary time delays; this information is available on City's website.</p>	<p>Removes a time barrier and administrative burden (report to Council).</p>	<p>Contractor can begin work more quickly.</p>
<p>REMOVE requirement for a PURCHASE ORDER (PO) to support purchases under \$5,000. Currently, any purchases greater than \$ 500 require a PO.</p>	<p>Relatively low dollar purchases; are mostly covered by vendors of record, using Blanket Orders or procurement cards set up by Purchasing Agent or designate; will simplify process, reduce paper esp. at Payables.</p>	<p>Will remove a paper burden. Buyers can still request Legacy informal PO # (if no BO exists), for vendor reference, or if purchaser does not have a procurement card.</p>	<p>Vendor can still be provided a PO/BO #, where purchaser does not have a procurement card. For vendor, process does not change (except faster payment if a procurement card used).</p>
<p>REDUCE the types of purchases (currently enumerated in Schedule D) which are deemed "exceptions" to usual purchasing methods.</p>	<p>To increase the ability of all qualified vendors to bid on business.</p>	<p>Adds a time element to purchases previously expedited directly.</p>	<p>Fairness and transparency of process will be appreciated by all suppliers.</p>

Request for Recommendation Priorities Committee



Type of Decision									
Meeting Date	May 14, 2003				Report Date	May 7, 2003			
Recommendation	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title

Policy on the Private or Commercial Use of Municipal Fire Hydrants

Policy Implications + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified

Background attached

Recommendation

That access to, and the use of Municipal Fire Hydrants be strictly restricted to Municipal Fire Fighters, and Municipal Waterworks staff, and

That the City of Greater Sudbury implement a permit and user fee system to allow the use of Municipal Fire Hydrants by other persons trained, equipped, and approved by the City of Greater Sudbury, to operate fire hydrants, and

That a schedule of fees and fines associated with the use of Municipal Fire Hydrants be incorporated into the City of Greater Sudbury's Water Use and User Fees By-Laws, effective November 1, 2003.

Recommendation attached

Recommended by the General Manager

D. Béliste
D. Béliste
General Manager of Public Works

Recommended by the C.A.O.

M. Mieto
M. Mieto
Chief Administrative Officer

20

Date: May 7, 2003

Report Authored By



D. Bélisle
General Manager of Public Works

Division Review

Staff of our Operations and Maintenance Division have conducted a survey of representative municipalities to determine their practices on the use of fire hydrants by private contractors. A number of themes are constant.

- Access to municipally treated water from fire hydrants or other sources is strictly controlled
- All contractors are required to pay for the water extracted
- Only fire fighters, waterworks staff, or contractors who have paid the required fees and have the proper training and equipment, may operate hydrants, or otherwise access municipal water
- Direct filling of swimming pools from hydrants is not allowed
- Contractors extracting water from hydrants or filling stations pay a premium for the water
- There are stiff penalties for anyone illegally drawing water from the municipal supply

Based on this survey, tempered by our own experiences and local conditions, we recommend the following policy for the City of Greater Sudbury. The City's Water Use and User Fee By-laws would be amended accordingly, effective November 1, 2003.

1. Only municipal Fire Fighters or waterworks staff may operate fire hydrants.
2. The City may authorize the use of fire hydrants by private individuals or contractors, subject to the following conditions:
 - the persons are trained in the proper operation of hydrants, and have and use the necessary equipment and control valves required to operate the hydrants
 - the persons have obtained the necessary permit(s) from the City, based on the schedule of fees to be adjusted annually, covering single use (\$56.00), seasonal use (\$450.00) or year round use (\$950.00)
 - any person(s) using a hydrant illegally may be subject to fines ranging from \$150.00 for a first offense, up to \$2,000 for a third offense.

Should Council support this recommended course of action, we recommend that the new policy be implemented in time for the upcoming winter season, allowing adequate notice to contractors who currently draw water from the municipal hydrants.

Attachment

Interoffice Correspondence

May 6, 2003

To: Don Belisle,
General Manager of Public Works.

From: Robert M. Falcioni

Subject: **CONTRACTOR'S USE OF HYDRANTS**

Background

The current policy for contractor's use of hydrants is a continuation of the policy from the former Regional Municipality of Sudbury.

Under that policy, contractors were allowed to use hydrants for water supply for free provided:

- they used only designated hydrants
- they called Operations after it's use so it could be pumped out. This is necessary to prevent freezing in the winter, and potential cross-contamination with standing, stagnant water
- they used a secondary control valve on the hydrant
- they received annual permission from the Operations Division for use

The City exercises tight controls over the use of hydrants, particularly during the winter months. Samples of annual letters sent to contractors and the Fire Department are enclosed as Appendices 'A', 'B', and 'C'.

With the current policy of 100% user pay for water and sewer it is appropriate to review this practice. As regulatory controls become more restrictive and sensitive to public safety it is necessary for the municipality to have procedures in place to protect the distribution system from contamination and abuse.

A review of the City's practices, as well as several other municipalities across the province is summarized below:

City	Acquirement of Water by Contractors	Pools exemption	Other Information
North Bay	<p>Contractors can obtain water from one location only, being a PWD station which has a 2"Ø outlet.</p> <p>Quantity is estimated tank measurement and contractor is invoiced accordingly.</p> <p>Use of hydrants is prohibited.</p>	<p>No pool exemption. All residential use of water is not metered. All residential homes are on a flat rate.</p>	<p>Contractor is charged as follows:</p> <p>Less than 1,000 gallons - \$5.00</p> <p>1,000 to 2,000 gallons - \$10.00</p> <p>Seasonal lump sum - \$450.00 (optional)</p>
Sault Ste. Marie	<p>Contractor can obtain hydrant permit. \$75.00 monthly rate \$50.00 per use No measurement of water</p> <p>Contractor must use only designated hydrant (blue hydrants depicting larger size watermain)</p> <p>Contractor must have proper wrench, gate and check valve.</p>	<p>No pool exemptions.</p>	<p>Town will supply pre-assembled gate and check valve with \$250.00 deposit.</p> <p>Contractor must adhere to Town policies and will be monitored to ensure he has obtained proper permit and is correctly using hydrants. If there are violations, fines as follows will be issued:</p> <p>Fines - \$150.00 first offence - \$300.00 second - \$600.00 third</p> <p>City to be building a filling station this year. Estimated cost \$30,000.00. Will require two filling stations to service entire City.</p>
Thunder Bay	<p>Contractor must make use of commercial fill station with 2"Ø outlet. The fill station operates using a card system that allows contractors to take whatever amounts they require and the water is measured and contractors are invoiced accordingly.</p> <p>Also have three rural tap house station with 3/4"Ø outlet. Water is free for rural residences.</p>	<p>Pool contractors are allowed to use fill station at a flat rate charge \$200.00/pool.</p> <p>Use of hydrants strictly prohibited.</p>	<p>Fill stations are heated facilities that self drain and are used year round.</p> <p>Card system in commercial fill station is very similar to our sirit system.</p> <p>City currently 100% water and 65% sewer recovered. Will be going to 100%.</p>
London	<p>Contractor must use one of three commercial fill stations. Most purchase a card \$30.00 which works like a debit card. Must deposit money in a water account and use the card at station to obtain water.</p> <p>Card will not permit to overdraw on the account.</p>	<p>Resident may purchase water from contractor or use their own service.</p> <p>Use of hydrants strictly prohibited.</p>	<p>Water taken at commercial fill station is invoiced at \$7.50/1,000 gallon</p>

<p>Hamilton</p>	<p>Contractor may obtain water from two commercial fill stations. Card system is used to invoice contractors at these stations.</p> <p>Contractor can still make use of hydrant under following conditions:</p> <ul style="list-style-type: none"> - can only use selected hydrants - city staff will set up hydrant with meter and valve - contractor need to obtain hdyrant permit \$200.00 plus a \$300.00 damage deposit - contractor must also deposit prior to filling tank. Amount that would be estimated to cover the cost of water he will be using at a cost of \$0.99/cubic metres. <p>Adjustments are made if required.</p>	<p>Non metered homes with pools will make a payment of \$58.00 on May 1 of each year.</p> <p>Metered homes pay regular rate of \$0.66/cubic metre.</p> <p>Can purchase water from contractor obtained at fill station.</p>	<p>City budgeted to construct a third fill station in 2003.</p> <p>Water rates:</p> <p>residential \$0.66/cubic metre fill stations \$1.25/cubic metre fire hydrants \$0.99/cubic metre</p>
<p>Sudbury (currently)</p>	<p>Contractors obtain authorization. No charge for water taking, use specified hydrants and control valves.</p>	<p>No pool exemption.</p>	<p>Hydrant Use Permits - \$56.00 per day per fire hydrant; exclusively for fund-raising car washes at the present time.</p> <p>Water Rates: \$0.67/cubic metre \$3.02/1,000 gallons</p>

The survey shows that municipalities strictly control the commercial contractors access to communal potable water from fire hydrants. There are no exemptions made for residential pool filling.

From the information gathered, it shows that municipalities are moving to a limited number of controlled commercial dispensing stations for contractor access to the distribution system. Over the long term, the City of Greater Sudbury would be prudent to develop a similar system.

Commercial card lock stations would cost between \$15,000 and \$30,000 each, depending on size and location, with an additional \$10,000 for the initial card reader system. Appendix 'D' provides a description of a typical commercially available dispensing system.

It is felt that because of the large geographical area of the City, that dispensing systems set up at or near each of our five depots, would provide the best control and convenience for contractors. The total estimated cost for the whole system would be \$160,000.00. We do not recommend the immediate implementation of this system, however until such time that a full system can be developed, it is recommended that we immediately implement a permit system as outlined below:

Permit (sample attached)

Single Use (one time)	\$ 56.00
Seasonal (May to October)	\$450.00
Year Round	\$950.00

The contractors would be restricted to taking water from a limited number of hydrants, a minimum of one hydrant in each maintenance sections in close proximity to our depots. The long term objective would be replace these with commercial card lock stations.

In order to enforce this system, a by-law should be passed to designate fines for illegal use of hydrants and taking of water.

Recommended levels:

1 st Offence	\$ 150.00
2 nd Offence	\$ 750.00
3 rd Offence	\$2,000.00

Contractors who are working for the City on City projects where water is required would not be required to obtain a permit, however they would be restricted to using designated hydrants and associated control valves.



Robert M. Falcioni, P. Eng.,
Operations Engineer.

RMF/fc
Attachments.

HYDRANT USE PERMIT

Non-Potable Water

1. This permit will allow the use of designated hydrants to fill a water tank truck. Hydrants cannot be used by contractors to supply water directly to a customer's premises for any purposes. Connections to hydrants for the purpose of filling swimming pools are **specifically prohibited**.
2. Typical water uses under this permit include:
 - a) Flushing parking lots
 - b) Spraying for lawn management
 - c) Watering new sod and tree planting
 - d) Dust control
 - e) Test drilling for soil tests on private property
 - f) Miscellaneous non-drinking water activities
3. Water from the tank truck must not be used for drinking water.
4. The Contractor must use a proper hydrant wrench, gate valve and check valve to operate the hydrant and must follow the operating procedure (on reverse side). The gate valve assembly is available through City of Greater Sudbury Operations Division on receipt of appropriate deposit.
5. All hydrant use seasonal permits are automatically cancelled October 30th. City of Greater Sudbury Operations Division must pump out all hydrants and prepare them for the winter months.
6. Charges apply for hydrant use and water received. A deposit for the gate valve assembly and hydrant wrench will be required if the contractor needs this equipment. City of Greater Sudbury Operations Division reserves the right to apply a charge for water used based on consumption rates when the quantity is deemed substantial.
7. City of Greater Sudbury Operations Division reserves the right to revoke this permit if all terms and conditions are not met by the Contractor.
8. City of Greater Sudbury Operations Division may direct the Contractor to use alternate hydrant locations.

NAME _____ TELEPHONE _____

MAILING ADDRESS _____

LOCATION OF HYDRANT _____

DATE TO COMMENCE _____ DATE TO TERMINATE _____

PURPOSE OF USE _____

QUANTITY IN LITRES (approx) _____

CHARGE/PAYMENT:
 Single use _____
 Seasonal _____
 Year Round _____

DEPOSIT FOR VALVE (if required) _____

Witnessed by City of Greater Sudbury

Applicant

INSTRUCTIONS FOR USE OF FIRE HYDRANTS

1. Use only an approved hydrant wrench for operating a fire hydrant.
2. Remove hose nozzle cap and screw on hose nozzle adapter and 2-inch valve assembly. If necessary, the assembly may be obtained from City of Greater Sudbury Operations Division upon receipt of a \$250.00 deposit, refundable on return of the assembly.
3. With the 2-inch valve closed, slowly turn the hydrant operating spindle, until the hydrant is completely open, “using only an approved hydrant wrench.”
4. Hydrant must remain fully open when water is being withdrawn. The flow must be regulated by using the 2-inch valve.
5. Upon completion of use, close the 2-inch valve and slowly turn the hydrant operating spindle until hydrant is completely closed, “using only an approved hydrant wrench.”
6. Open 2-inch valve to confirm that hydrant is closed, then remove 2-inch valve assembly and replace hose nozzle cap.
7. Notify Operations Division at 560-2022 after each use so when required, hydrant will be pumped out, to prevent freezing.

NOTE:

Under no conditions is any hydrant to be left overnight or any other time when there are no competent workmen in the immediate vicinity, with the 2-inch valve assembly on the hydrant. This stipulation is to ensure that the hydrant is always available to the Fire Department in case of emergency.

APPENDIX 'A'

Dear Sir:

Re: Fire Hydrants

Our Winter Protection Program will be in effect Nov 1, 2002. After this date, the use of hydrants by other than the Fire or Water Department personnel is prohibited, regardless of any approvals you may have received during the past summer.

We trust that your operating personnel will be advised of this matter.

Yours truly,

/slg

M. Montpellier C.E.T.
Director of Operations

c.c. B. Falcioni

H:\HYDRANT INFORMATION\Winter Protection Program Contractors.pri.frm

APPENDIX 'B'

To: Bob Falcioni
Clive Wood
All Trouble Investigators
Section Managers
From: Sharon Gosselin
Date: October 15, 2002
Subject: Letter to Various Contractors re Hydrant Winter
Protection Program starting Nov. 1, 2002

Letters will be sent out to the Following People. If you would like other people notified please call Sharon at Ext 653.

The fire departments have already been notified to call us upon usage.

Bruce Tait	Herby Enterprise
Briscoe Plumbing	Hollaway Construction
Lacroix Construction	Candu Engineering
Union Gas	Teranorth
Norm Maurice (Paramount)	CamSpec
Noreng	Dennis Consultants
Garson Pipe	Belzile Excavating
Interpaving	Michael Domenick
Belanger Construction	Northland Engineering
CDCD Consulting	Mobile Wash Inc B & L

The letter stated:
Re: Fire Hydrants

Our Winter Protection Program will be in effect Nov 1, 2002. After this date, the use of hydrants by other than the Fire or Water Department personnel is prohibited, regardless of any approvals you may have received during the past summer.

We trust that your operating personnel will be advised of this matter.

APPENDIX 'C'

May 1, 2003

Chief Wayne Ropp
Acting Fire Chief

Dear Sir:

Our Winter Protection Program goes into effect on November 1, 2002. After this date, the use of hydrants by other than the Fire or Water Department personnel is prohibited.

We would request that the Fire Department kindly inform the City of Greater Sudbury, Operations Division, whenever hydrants have been used during these winter months so we will be able to pump the hydrants out. Also, hydrants that are not operable or damaged are to be reported to us. The telephone number to call for the above is 560-2022. Calls are answered on a 24-hour basis.

The Winter Protection Program will cease on the last Friday in April 2003.

We trust that we can rely on receiving your co-operation concerning this matter. Please advise all.

Yours truly,

Maurice Montpellier,
C.E.T.
Director of Operations

MP/slg

c.c. D. Belisle
Answering Service
Trouble Investigators
Assistant fire chiefs (3)
C. Wood
Dispatchers

H:\HYDRANT INFORMATION\2002 letter re winter hydrant protection.frm



TRUCKFILL WATER DISPENSING SYSTEMS

REVIEW OF BILLING/COLLECTION SYSTEMS

- 1) **COIN OPERATED:** This is the most basic system. It is generally not used when there may be a large number of users. These systems are prone to vandalism. The system uses a control box that accepts quarters, dollars and two-dollar coins. The control box operates an adjustable timer wired to an on/off control valve. The amount of water dispensed for each quarter inserted is adjustable from 2 seconds up to 8.5 minutes. A main line meter will be required if total usage needs to be recorded. A coin system controlling a ¾" outlet is sometimes installed in conjunction with a 2" Card/Key system to accommodate smaller users.
- 2) **KEYLOCK SYSTEM:** This type of system is economical to install if there will be less than twenty to thirty users. The maximum number of individual accounts (counters) is fifty (50). The counters are added in blocks of ten to the maximum of fifty. It is labor intensive (and therefore expensive) to operate as all of the counters must be read on a regular basis. The readings must be compared with the previous total and invoices generated. If there is more than one station within a city, the user will require separate keys for each station. It can be difficult to add new users.
- 3) **SMART CARD SYSTEM:** This system uses a "Smart Card" as the payment mechanism. The user pre-pays for the water by loading his card at the municipal office and using it like cash at the station. There is almost no limit to the number of users. New users are easily added by the issuance of a Smart Card and individual PIN number. The system is very economical to operate, as there is no meter reading and billing function. Usage can be tracked, if required, to the PIN number level. It is a "paperless" system. This system is very cost effective to install if multiple stations are required within a city. When there is more than one station, the user can use his card at any of the stations.
- 4) **KEYLESS/CARDLESS SYSTEM:** This system has an automated billing system. The user is assigned an account and PIN number. The base system is designed for up to fifty (50) accounts. The meter reading function is eliminated, but billing and collection procedures must still be followed.

Other components: Backflow Preventer, On/Off Control Valve, Water Meter with LRP pulser or combination Meter/Control valve, Drain-Down Valve.

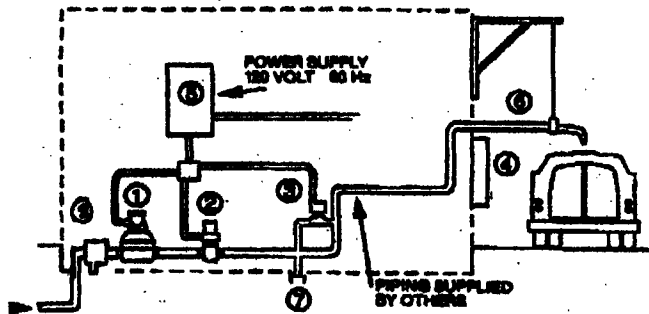
01-Dec-01



THE BIRKS COMPANY

Manufacturers Representative

SMART CARD TRUCKFILL WATER DISPENSING SYSTEM



- 1 Water meter (see item 2)
- 2 BERMAD 910-01-CT-X Combination Water Meter with Electric Pulse Transmission and Integral Electric Control Valve.
- 3 Skinner Drain Down Valve (if required).
- 4 SMART CARD Transaction Terminal
- 5 Power Supply
- 6 Loading arm (if required).
Note: this may be a direct low-level hose connection to the truck.
- 7 Pipe to drain from Drain Down Valve (if required)
- 8 FEBCO Model 860 Reduced Pressure Backflow Preventer

INCREASE WATER REVENUES WITH A SIMPLE ADJUSTMENT AT THE SMART CARD TRANSACTION TERMINAL

TO START

The operator inserts "Smart Card", enters a PIN number and then the amount to be dispensed and presses "ENT" button.

CONTROL UNIT

The Transaction Terminal dispenses the requested amount and debits the "Smart Card". The transaction may be stopped at any time with the "STOP/RESET/EJECT" button.

OPERATION

When the "ENT" button is pressed the drain valve closes and the main valve opens. A pulse transmitter on the control valve/water meter sends the information to the Transaction Terminal. Once the delivery is complete the main valve closes and the drain valve opens to drain the fill pipe and prevent possible freezing.

SAFETY

Simply pressing the STOP/RESET/EJECT button easily stops flow. Fail-safe features will prevent further delivery in case of a power failure. A Reduced Pressure Backflow Preventer stops any potential backflow of water from the tanker truck.

SMART CARD, TIMED or METERED FILL and KEYLOCK WATER DISPENSING SYSTEMS

PO Box 100, Moffat, Ontario L0P 1J0 – Phone: 905 854-9875 – Fax: 905 854-0180
E-mail: birksco@sympatico.ca Web site: <http://www3.sympatico.ca/birksco> 01-Feb-02



THE BIRKS COMPANY

Manufacturers Representative

SMART CARD TRUCKFILL WATER DISPENSING SYSTEM

General Information:

The Smart Card system is a "paperless" system that is designed to offer a Municipality a safe and cost-effective method to handle bulk water sales. The card reader system actuates the control and delivery of water automatically, with no money kept on site for added security.

The outlet is generally a 2½" Cam-Lok type connection. The size of the pipe and control valves will vary based on the required maximum flow rate. A complete system package includes all the control and safety mechanisms to insure protection of the potable water supply from potential contamination and accurate recording of the water dispensed.

The billing function is totally eliminated. All payment for water is in advance of any actual transaction. The stations are "Self Service" and operate 24 hours a day. All of this means no additional operating cost to the Municipality.

Smart Card Personalization Terminal:

This terminal is generally located at the Municipal Office. It is used to "Load" the individual Smart Cards with any cash amount up to \$2000.00.

Smart Cards:

Each card has a programmable chip embedded in it to record the user information and act as the cash storage mechanism. The card is reusable. No magnetic strips are used. There is virtually no limit to the amount of cards that may be issued. The card will work at any dispensing station located within the Municipality.

Smart Card Transaction Terminal:

Each dispensing station will require one transaction terminal. When the Smart Card is inserted the user is prompted for his PIN number. Once the PIN is entered, a read out will be given of the value (cash) amount remaining on the card. The user must connect his truck to the station and then enter the amount of units (Litres or Gallons) that he wants. If there are insufficient funds on the card, they are asked to select a new amount. The system will then start dispensing water. The units (Litres or Gallons) are displayed as the water is dispensed. The customer can stop the transaction at any time. At the conclusion of the transaction the card balance is updated and displayed on the terminal. The card is then ejected from the terminal, ending the transaction.

Each transaction terminal (dispensing station) may be programmed with a different cost per unit of water. The unit cost may be changed at any time by reprogramming the terminal. The terminal will store the following information in a "comma delineated" format:

- 1) date and time of transaction
- 2) amount dispensed
- 3) the customer information to the PIN number (card user) level

This information may be downloaded to a computer and reports generated at any time.



THE BIRKS COMPANY

Manufacturers Representative

SMART CARD TRUCKFILL WATER DISPENSING SYSTEM

EQUIPMENT SPECIFICATION

Combination Water Meter and Control Valve:

BERMAD 900 series – Water meter with integral electric (110-vac) control valve to be supplied complete with opening/closing speed controls and electric pulse transmission (one pulse per US gallon) with accuracy to +/- 2%. Cast iron body with polyester coating and copper control tubing with brass fittings. Size of valve to suit required flow rate for the station. BERMAD Model 910P with manual flow control or Model 970-55P for automatic flow control.

Notes: Valve may also be supplied complete with a Pressure Reducing function (to reduce splashing during fill cycle) if City water pressure is 550 kPa or more. When upgrading an older system, the existing water meter and control valve may be used providing the correct "Pulse" is provided to the Smart Card Transaction Terminal.

Drain Down Valve:

SKINNER ¾" 7222-C322B2 – Electric remote control valve - normally open, NPT threaded connections, brass body, 110 vac.

Note: If a direct low-level hose connection is used to fill the truck, this valve may not be required providing the pipe will drain from the control valve (item #1), to the outside, after each fill cycle. It should also be noted that during freezing conditions, when this drainage occurs after the connector hose is removed, an ice build up might be experienced.

Smart Card Transaction Terminal:

Flo-Crest FC-2014 UPOS Smart Card Transaction Terminal (at site) complete with housing, weather resistant front closure, heater and thermostat, back lit LCD display, RS 232/485 Communication port and start/stop buttons. Panel size 600-mm (24") H x 500-mm (20") W x 250-mm (10") D.

Smart Card Personalization Terminal:

Flo-Crest FC-2035 UPOS Personalization terminal complete with keypad for re-evaluating Smart Cards, RS-232/485 communication port (normally located at Municipal Office) and back lit LCD display

Smart Cards:

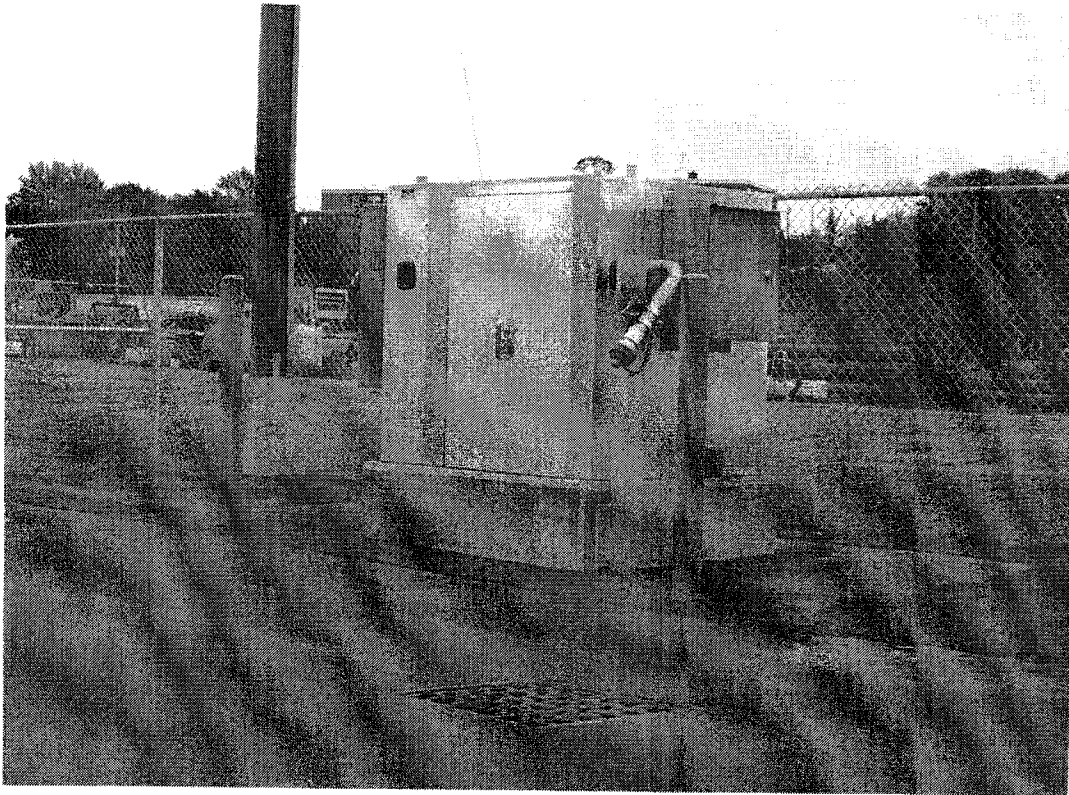
Flo-Crest FC-GPM896 Smart Card with "Programmable Embedded Chip" in the card, each card with serial and PIN numbers for client identification – reusable – two color with customer to provide artwork.

Backflow Preventer:

If station is considered to be a "Severe Hazard" use a FEBCO Model 880 or 860 Reduced Pressure Principle Backflow Preventer Assembly. Supplied complete with inlet and outlet full port ball valves (2" inch and smaller) or resilient seated non-rising stem gate valves (2½" and larger). Air Gap Drain Kit is optional. The drain connection shall be piped as straight and direct as possible to a safe point of discharge with no reduction in size as required and specified by the manufacturer. Assembly to be certified to CSA Standard B64.4, or If station is considered to be a "Low to Moderate Hazard" use a FEBCO Model 870 or 850 Double Check Valve Assembly. Supplied complete with inlet and outlet full port ball valves (2" inch and smaller) or resilient seated non-rising stem gate valves (2½" and larger). Assembly to be certified to CSA Standard B64.5. The actual valve size will be determined based on required flow rate and size of water meter or control valve.

Note: Consult your local Plumbing Inspection Department or Cross Connection Control Officer for the final determination of hazard and device selection.

SMART CARD TRUCKFILL SYSTEM HALIFAX - NOVA SCOTIA INSTALLED IN A "HOT BOX"

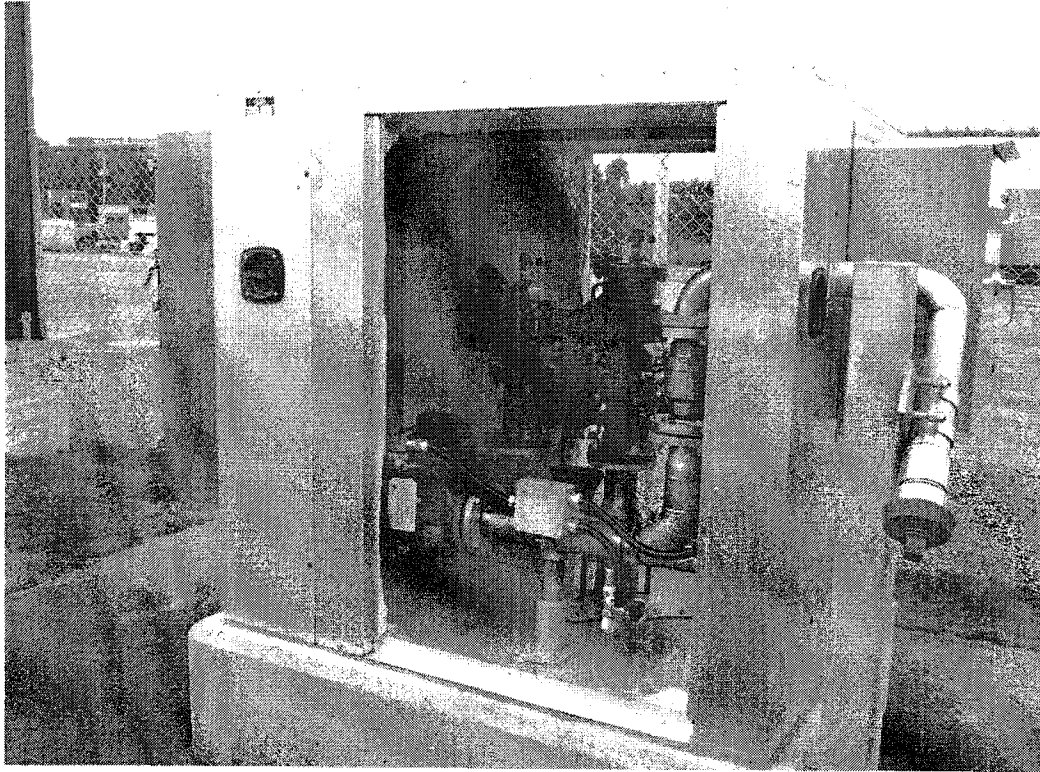


SIZE OF INSTALLATION INCLUDING
CONCRETE BASE IS

1422 mm L x 1194 mm W x 1752 mm H

(56" x 53.5" x 69")

SMART CARD TRUCKFILL SYSTEM HALIFAX - NOVA SCOTIA INSTALLED IN A "HOT BOX"



The station features the following products

- 3" FEBCO Model 880-NRS
Backflow Preventer
- 3" BERMAD Model 970-55-P
Combination Water Meter/Flow Control/Solenoid Valve
- HOT BOX Model MHB8FEM
Insulated/Heated Enclosure



THE BIRKS COMPANY

Manufacturers Representative

WHY DO YOU NEED A DEDICATED TRUCKFILL WATER STATION?

Dedicated water truckfill stations can offer many advantages to a municipality.

> SAFETY

The practice of taking water from fire hydrants by unauthorized users may lead to damage that makes the hydrant unusable and effect the fire departments ability to fight a fire. It may also result in potential costly repairs to the hydrant.

> WATER QUALITY

Uncontrolled use of fire hydrants by bulk water haulers can lead to cross-connections and potential contamination of the distribution system. Regular inspections, of the trucks used by water haulers, to confirm the existence of air gaps or backflow prevention devices are time consuming and therefore expensive.

> ECONOMY

Rates for water sold at a truckfill station normally does not include the sewer surcharge making this source of water more economical for water haulers. This is a major incentive to encourage use of the station.

A lower yearly administration fee can be charged due to the lower operating costs. This makes the system viable for smaller water haulers that would not have a lot of money to spend on the deposit required for a metered hydrant connection.

Truckfill stations, like the Smart Card system, require no billing and collection procedure saving time and money for the municipality. An added advantage with this system is that the revenue is collected before the water is taken from the station.

> CONTROL

A truckfill station gives the municipality control over the distribution of temporary-water use without the risk of abuse and cross connections. There is less water loss or theft and the measurement of water sold is more accurate and less time consuming.

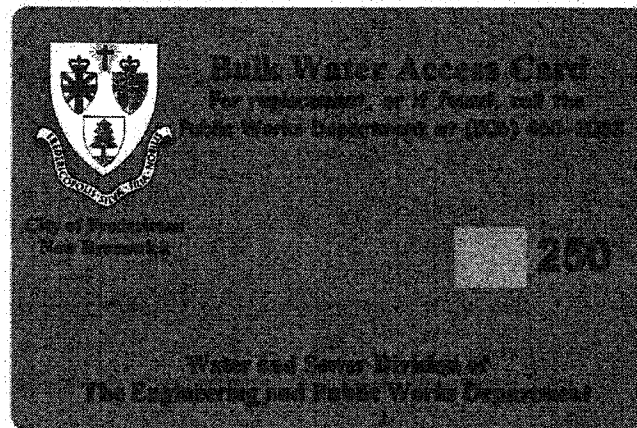
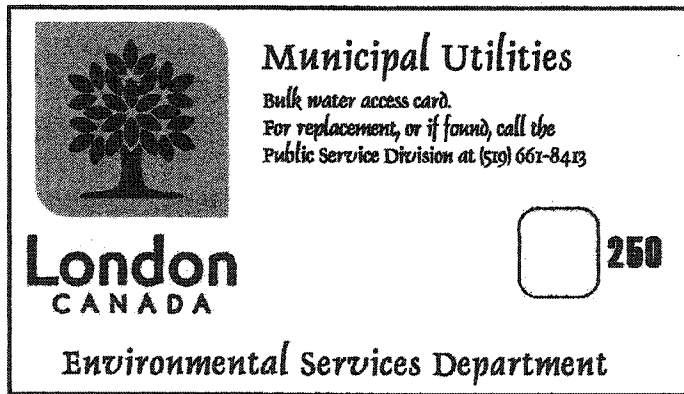


THE BIRKS COMPANY

Manufacturers Representative

SMART CARD TRUCKFILL WATER DISPENSING SYSTEM

SAMPLE SMART CARDS



Request for Recommendation Priorities Committee



Type of Decision

Meeting Date	May 14 th , 2003				Report Date	May 7, 2003			
Recommendation	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title

Implementation of Council's Smoke-Free Public Places and Workplaces By-law 2002-300
Charity Task Force

Policy Implications + Budget Impact

X	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified
<p>This allocation does not have an impact on the City's Budget as it uses funds already designated by Council for policy development.</p>	
Background attached	

Recommendation

That the Terms of Reference for the Smoke Free By-law Charity Task Force be adopted,
That Councillor (s)-----
----- be appointed to the Task Force and the Foundations' Community Advisory Council;
And further, that financial resources to a maximum amount of \$15,000 be provided to the Task Force from the Policy Initiatives budget/special projects of the CAO's Office, and the Corporate Professional Support Services Account.

Recommendation attached

Recommended by the General Manager

N/A

Name and Title

Recommended by the C.A.O.



Name and Title

Date: April 30, 2003

Report Authored By

Name Carlos Salazar
and Title -Manager of Corporate Strategy and Policy Analysis

Division Review

N/A

Name
and Title

Background:

On October 24, 2002, by unanimous vote, City Council passed the Smoke-Free Public Places and Workplaces By-law 2002-300 Effective May 31, 2003. This by-law prohibits smoking in public places and workplaces, including entrance ways. It also phases out by May 31, 2004, the separately ventilated designated smoking rooms in existence as of October 23, 2002. The original recommendation as adopted by Council's Priorities Committee is included in Appendix A.

As part of the By-law, Council supported the creation of a multi-sector Task Force to determine the feasibility of creative strategies to address the concerns raised by local charities and non-profit organizations that raise money from Charity bingos.

During the second public meeting of the 2003 Budget process, the Sudbury Community Foundation presented a proposal to Council to establish a Community Fund from the Sudbury Race Tracks slot revenues. Council approved an allocation of \$50,000 towards the creation of this Fund under the umbrella of the Sudbury Community Foundation. Council's direction was to initially allocate these funds in support of those charities affected by the Smoke Free By-law.

Smoke Free By-law Implementation

To implement this by-law, two staff Working Groups were established; one to deal with implementation and education, and the other to develop a process and Terms of Reference establishing the multi-sector task force for charities.

The Implementation and Education Team was established with staff from the Health Unit, the City's By-law Enforcement and Legal Departments, the Ontario Alcohol and Gaming office, and the Sudbury Regional Police Services. This Working Group has developed an enforcement process, and a business and public education campaign along with marketing and materials. The Economic and Planning Services Department and the Health Unit presented a report to Council's Priorities Committee on April 9, 2002 which included the process by which the Working Group had involved the private sector. At that meeting, Council requested additional information which was provided as a separate information report to Council by the General Manager of Economic Development and Planning Services on April 25, 2003.

Date: April 30, 2003

The second Working Group, the Smoke Free By-law Impact on Charities Working Group, consists of the following members:

Councillor

Gerry McIntaggart

Health Unit

Shelly Westhaver

David Groulx

Sudbury Community Foundation

Carmen Simmons

Gary Gray

City of Greater Sudbury

Heather Salter

Carlos Salazar

The Working Group has developed the Terms of Reference for the Smoke Free By-law Charity Task Force following documents for Council consideration(Appendix B). The Working group also developed the framework for the legal agreement between the Sudbury Community Foundation and the City.

Agreement with the Sudbury Community Foundation

The agreement between the Sudbury Community Foundation and the City established the Greater Sudbury Charities Fund as an undesignated fund, meaning that the fund will provide grants to all registered charities and qualified not-for-profits in the City of Greater Sudbury.

The Agreement calls for the Community Foundation to come before Council on an annual basis and report on the results of the Fund.

The Foundation will set up a Community Advisory Council to define the criteria for the grants. This Advisory Council will be reflective of the community and include a representative of the City of Greater Sudbury. One of the tasks of this Community Advisory Council will be to establish a field of interest that grants will focus upon. In keeping with the intent of Council when approving the \$50,000, the Working Group proposes that the initial field of interest be focused on those charities receiving funding from Charity Bingos as of December 31, 2003. It is assumed that the impact of the Smoke Free By-law will be felt by these charities when bingo facilities close their designated smoking rooms by May 31, 2004. The Agreement contemplates this field of interest would remain for two years to May 31, 2006; this field of interest can be reviewed by this advisory body annually and maintained until those affected charities have had the opportunity to adjust to the impact of the By-law.

Date: April 30, 2003

Terms of Reference for the Smoke Free By-law Charity Task Force (Appendix B)

As directed by Council, the purpose of the Task Force is to determine the feasibility of creative strategies used in other communities to address the concerns of local charitable and non-profit organizations that raise money from Charity Bingos.

The Working Group has already held a teleconference with the staff from the City of Ottawa in charge of implementing the Smoking By-law in that city. In support of its charities, the City of Ottawa developed an on-going monitoring system to collect financial information on charities receiving funds from Charity Bingos; the city also designed training seminars to assist charities in diversifying their revenues. These are just two examples from the City of Ottawa that illustrate the scope of work for the proposed Task Force in Sudbury.

City Resources and Budget Impact of Establishing Council's Task Force

To carry out Council's direction, staff from Legal Services, Financial Services, By-law Enforcement as well as from the CAO's office will be designated to support the Task Force's work. Based on the City of Ottawa example and the proactive role outlined by Council in supporting the local charities, we recommend approximately \$15,000 be allocated from existing financial resources at the City, with the understanding that these resources will be complemented with additional funds from other agencies of both the federal and provincial governments.

Participation of Owners/Operators in Council's Task Force

The original resolution presented to Council was amended to include participation of local bars and pubs in the Task Force. Members of the Smoking By-law Implementation and Education Committee prepared and presented a report to Council Priorities Committee on April 9, 2002 which outlined the ways local bars, pubs, and restaurants were involved in the process..

During the preparation of the educational material and enforcement process, staff from the Health Unit and the City's Economic Development and Planning Services Department along with members of the Chamber of Commerce worked with the business community to address their issues. Further to Council's direction at the April 9th meeting, the Implementation/Education Committee is being expanded to include private sector representation

Date: April 30, 2003

Smoke Free By-law Charity Task Force Proposed Membership

The Working Group recommends the following membership for the Smoke Free By-law Charity Task Force:

Voting Members (one representative for each organization)

- City Council
- Health Unit Board
- Community Foundation
- Local Charity Bingos
- Charities/Non-profit organizations (generating revenue from charity bingos.)

Support staff from:

- Health Unit
- City of Greater Sudbury
 - By-law Enforcement
 - Legal, Financial
 - CAO's office

RECOMMENDATION

That the Terms of Reference for the Smoke Free By-law Charity Task Force be adopted,
That Councillor (s)----- be appointed to the Task Force and the
Foundations' Community Advisory Council;
And further, that financial resources to a maximum amount of \$15,000 be provided to the Task Force from
the Policy Initiatives budget/special projects of the CAO's Office, and the Corporate Professional Support
Services Account.

Date: April 30, 2003

APPENDIX A – PRIORITIES COMMITTEE RESOLUTION

PRIORITIES (6TH) 2002-10-23

Smoking By-law RECOMMENDATION 2002-27:

WHEREAS second-hand smoke is the third leading cause of preventable death estimated to be responsible for over 3,000 deaths per year in Canada with at least one-third occurring in Ontario;

AND WHEREAS the scientific community now agrees that there is no safe level of exposure to secondhand smoke and that all involuntary exposure to tobacco smoke is harmful and should be eliminated;

AND WHEREAS existing ventilation provides no solution to the problem of exposure to second-hand tobacco smoke in public places and workplaces and that the only way to eliminate second-hand smoke from indoor air is to remove the source;

AND WHEREAS a growing number of Ontario municipalities have responded by implementing 100% smoke-free public places and workplaces by-laws;

AND WHEREAS a 100% smoke-free public places and workplaces by-law ensures the same protection for all workers and ensures that workers are not faced with having to choose between their health and their job;

AND WHEREAS a public opinion poll of 1,060 City of Greater Sudbury residents revealed widespread support for 100% smoke-free public places and workplaces;

AND WHEREAS health unit staff have conducted extensive consultations with the general public as well as sectors who would be directly affected by a 100% smoke-free by-law,

AND WHEREAS the City of Greater Sudbury has provided ongoing leadership for other Northern communities in the development and successful implementation of a smoking by-law which further restricts smoking in public places;

AND WHEREAS the City of Greater Sudbury's leadership role is being challenged by other Northern Ontario municipalities that are vying for recognition as healthy communities;

AND WHEREAS by providing smoke-free public places and workplaces municipalities and employers protect themselves from the increasing potential for liability related to exposure to second-hand smoke;

THEREFORE BE IT RESOLVED THAT: the City Solicitor be directed to develop a 100% smoke-free by-law prohibiting smoking in public places and workplaces, including all entrance ways, by May 31, 2003 and phasing out separately ventilated designated smoking rooms in existence as of Oct 23, 2002, by May 31, 2004;

AND THAT Greater Sudbury Council endorses the implementation of an enforcement strategy as described in the Sudbury & District Health Unit, 100% Smoke-free By-law for the City of Greater Sudbury Report;

*AND THAT Greater Sudbury Council endorses the implementation of public information and business education campaign as described in the Sudbury & District Health Unit, 100% Smoke-free By-law for the City of Greater Sudbury Report;
Smoking By-law*

AND FURTHERMORE THAT Greater Sudbury Council supports the creation of a multi sector task force to determine the local feasibility of creative strategies used in other communities to address the concerns of charitable and non-profit organizations that raise money from bingos.

AND FURTHER THAT the owners/operators of local bars and pubs be included in the multi sector task force.

CARRIED

44

Date: April 30, 2003

APPENDIX B- SMOKE FREE BY-LAW CHARITY TASK FORCE

Terms of Reference

Vision Statement

- The development of strong viable community charity organizations, which contribute to the health and well being of the community.

Mandate

- To determine the local feasibility of creative strategies to address the concerns of charitable and non-profit organizations that raise money from bingos

Primary Objectives

- To identify and promote funding strategies/sources which charities/ non-profit organizations can utilize to achieve their mandates.
- Review and recommend strategies to increase or maintain charity/ non-profit organization revenues from bingo lotteries.
- To identify and recommend strategies that the municipal council of the City of Greater Sudbury (CGS) may conduct to increase or sustain charitable/ non-profit revenue.
- To identify and recommend strategies that other provincial/ federal organizations/groups may take to maintain or increase local charitable/non-profit organizations revenue.

Values and Guiding Principles:

We value and believe that:

- The smoking by-law making all public places and workplaces 100% smoke-free is a necessary strategy to protect the health of the citizens of the CGS and advance the CGS vision to promote healthy communities.
- Charities/non-profit organizations contribute to the economic, health and social well being of the community in which they serve.
- Alternative funding strategies exist and can assist Charities/non-profit organizations in obtaining funding to achieve their mandates.
- There are a number of factors that limit the revenue generated from bingo fund raising opportunities such as internet gambling, slot/gaming facilities and lottery ticket sales.
- We may learn from the successes of other communities that have gone through a similar process.
- All members have an equal voice and varying viewpoints will be respected.

Membership

All members shall uphold, and observe the vision, mandate, primary objective, values and guiding principles as set forth in this document.

The classes of membership, eligibility and privileges shall be as follows:

Voting Members

Shall consist of members from the following:

- City Council
- Health Unit Board (not a councillor)
- Community Foundation
- Local Bingo Charity
- Non-profit organizations (generating revenue from hosting bingo's)
- Bingo Hall operators

The above groups may designate two representatives to attend meetings and will have one vote each.

Date: April 30, 2003

No Voting Privileges

Shall consist of members from the following:

- Health Unit
- City of Greater Sudbury
 - By-law enforcement
 - Legal
 - CAO's office

The above groups may designate two representatives to attend meetings and will have no voting privileges.

In order to facilitate productive meetings and attain the goals set out by the group it is expected that members will uphold the vision, mandate, primary objective, values and guiding principles as set forth in this document. If these are not adhered to by a member, the group has the authority to suspend or terminate their membership and must follow the decision making process as set out below. Membership suspension or termination must be provided by written notice. At such time, a replacement for the suspended/terminated member will be sought.

Decision-Making

For decisions to be made quorum must be achieved. Quorum shall be 50% of voting members plus one. Decisions will be made by consensus of those voting members (or designate) in attendance. When consensus is not possible, a majority vote will prevail.

Meetings

The Task Group will conduct general meetings monthly. General meetings will be held the first Wednesday of the month from 9am-noon at a previously agreed upon location. A special meeting may be held from time to time upon the call of the Chair or upon written request of at least 50% of the membership.

Notice of meeting(s) shall be provided to the membership at least 5 business days prior to the meeting dates.

Chair Person

The Chairperson will be selected from the voting members at the first official task group meeting. Nominations or interest from members will be expressed at this meeting and the decision of chair will follow the above decision-making process. The term for the elected chairperson shall be 3 years or until the dissolution of the committee. The chairperson shall be designated the official spokesperson for the group and shall be responsible to carry out presentations and respond to media inquiries as requested.

Duties of Chair include:

- Develop, distribute and review agendas for each Task Group meetings.
- Preside at each Task Group meetings.
- Ensure that the Task Group adheres to its Terms of Reference.
- Call meetings or special meetings of the Task Group.
- Distribute minutes of meetings for approval at least 5 days prior to the next meeting date.

Recorder:

- The role of recorder will be alphabetically rotated through the voting membership. If no member volunteers for the task at the beginning of each meeting. The recorder must forward the minutes to the chair at least 6 business days prior to the next meeting.