

# CORPORATION OF HAMILTON

## PATI Information Statement

### Corporation of Hamilton

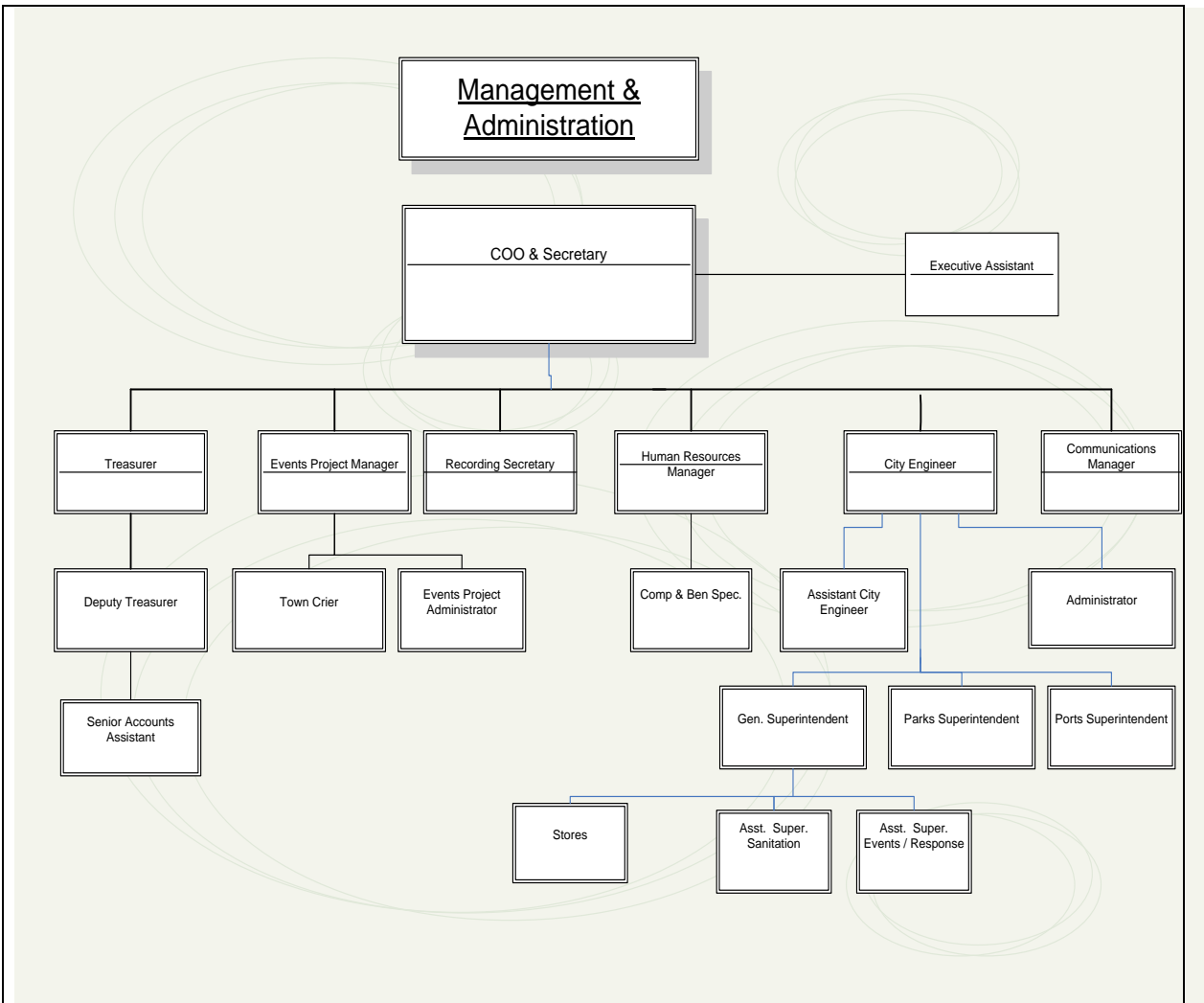
#### Introduction:

The introduction to the information statement should include the following:

- The general purpose of the Public Access to Information Act 2010;
- The reason that the public authority has an information statement;
- The purposes and aims of the information scheme, and what the public authority hopes to achieve through the information statement;
- Summary of what is in the information statement;
- An overview of the Public Access to Information and what information can be accessed and what cannot be accessed.

#### Section A: Structure, Organization and Legislation [s5(1)a]

The Corporation of Hamilton consists of the Mayor and Eight Councillors who create Policies and Ordinances to guide the operations and services provided through the management and staff.



## Legislation

Municipalities Act 1923  
 Municipalities Amendment Act 1994  
 Deputy Mayor Act  
 Municipalities Reform Act 2010  
 Municipalities (Election ) Order 2011  
 Ministers (Change of Responsibilities and Style) (No 2) Order 2011  
 Hamilton Rating Ordinance 1972  
 Hamilton Wharves and Sheds Ordinance 1961  
 Pay and Display Voucher Parking Ordinance  
 Hamilton (City Hall) Ordinance 1972  
 Hamilton (Regulation of Carriages) Ordinance 1994  
 Hamilton Sewage Ordinance 1951  
 Hamilton Building Ordinance 1954  
 Hamilton Public Entertainments (Control) Ordinance 1928

Hamilton (Garbage and Collection) Ordinance 1969  
 Hamilton Fee- Parking Ordinance 1981  
 Hamilton ( Fire Prevention) Ordinance 1951  
 Hamilton Traffic and Sidewalks Ordinance 1988  
 Hamilton (Victoria Park) Ordinance 1948  
 Hamilton (Point Pleasant Park) Ordinance 1948  
 Hamilton Extension Act 1951  
 Hamilton (Corporation Lands) Ordinance 1947  
 Municipalities (Hamilton Pay and Display Parking) Ordinance 1986  
 Municipalities Amendment Act 1995  
 Hamilton Traffic and Sidewalks Ordinance 1988 Amendment Ordinance 2002  
 Hamilton (Rating) Amendment Ordinance 2010

**Section B: 1) Functions, powers, duties of the Corporation [s5(1)b]**

The Municipalities Act 1923 (amended) provides the authority for the Corporation of Hamilton to enact laws (Ordinances) and Policies to administer the functions, services and good order within the City boundaries.

**Section B: 2) Obligations under PATI Act [s5(1)b]**

To provide an **information statement** for the public and promulgate it [s5],

- To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
  - General information, e.g. activities of the Authority;
  - Log of all information requests and their outcome;
  - Quarterly expenditure (upon request) [s6(5)];
  - Contracts valued at \$50,000 or more.
- To **respond to information requests** in a timely manner. [s12-16]
- To **track information requests**, and provide this data to the Information Commissioner.
- To respond to requests from the Information Commissioner. [s9]
- To **amend personal information** held by the Authority that is wrong or misleading following a written request by the person to whom the information relates. [s19]
- To conduct an **internal review** if formally requested. [part 5]
- To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required.
- To provide an **annual written report** to the **Information Commissioner** of the status of information requests. [s58 (3)].
- **To do anything else as required** under the **PATI Act** and subsequent **Regulations** [s59, 60], including:

- **Fees** for Requests for information;
- Management and maintenance of **records**;
- **Procedures** for administering the Act.
- To **train staff and make arrangements** so as to facilitate compliance with the Act. [s61]
- To **designate one of its officers** to be the person to whom requests are directed. [s62]

### Section C: Services and Programmes [s5(1)c]

#### Services:

The Corporation provides a number of function services within the City of Hamilton. These include:

- Pavements
- Kerbs
- Street lighting
- Traffic lights
- Furniture
- Vegetation
- Signage
- Road markings
- Street cleaning
- Solid waste collection
- Parking regulations

Design construction, maintenance and operation of all City owned properties including:

- City Hall
- Green parks
- Commercial properties
- Residential properties
- Car parks
- Cargo docks
- Wharfs
- Public washrooms

Design construction, maintenance and operation of City owned infrastructure including:

- Storm water collection system
- Sanitary sewer system

Issue and regulate Permits parking:

- Parking permits:
  - Doctors
  - Disabled parking
  - Residential parking
  - Commercial vehicle permit
  - Tradesman permit
- Hi-lift / crane permit
- Major construction permit
- Trenching permit
- Sewer connection permit
- Import 40' container permit
- Lunch wagon / food concession permit
- Busking permit
- Sidewalk / road closure permit

**Programmes:**

Create and organise City events  
 Busker Programme  
 City Tour Guide Programme

**Section D: Records and documents held [s5(1)d]**

1932 – 2018 Corporation General Meeting Minutes  
 1932 – 2018 Corporation Committee Meeting Minutes  
 1990 – 2015 Tax records  
 1913 - 2011 Election records  
 1971 – 2017 Audited Financial Statements

**Application Forms**

Application to Import a 40' Container  
 Use of City Parks & Other Public Spaces for Political Purposes  
 Rental of City Parks: Terms and Conditions  
 Rental for Usage of Corporation Premises: Terms and Conditions  
 No. 6 Passenger Terminal Rental Application Form  
 Rental of City Hall Theatre: Terms and Conditions  
 Sponsorship Application Form  
 Usage and Rental of City Hall Foyer Application Form  
 Al Fresco Dining Policy  
 Use of Helium-Filled Balloons in the City

Display of Banners in the City  
Use of Corporation of Hamilton Docks by Local Tour Boats: Terms and Conditions  
Seaport Security Pass Application Form  
City Hall Grounds Rental

**Section F: Decision-making documents [s5(1)f]**

**The Corporation of Hamilton:**

The composition of the Corporation of Hamilton was from 1795 to 2015 a Mayor, three (3) Aldermen and five (5) Common Councillors. As of May 2015, the Corporation will consist of a Mayor and Eight (8) Common Councillors. Each elected Member of the Corporation is required to sign and abide by the Code of Conduct for Members; within the Code is the Substance Abuse Policy and a register of Members' interests.

The Corporation General meetings are open to the public and are held on the first Wednesday of each month in the Mayor's Parlour. The Corporation monthly committee meetings are also open to the public. Notification of the meeting will be seven (7) days prior and the agenda will be posted three (3) days prior to the meeting. Agenda items of a restricted nature, as denoted in the Meeting Guide, are held in a closed door session.

The Corporation of Hamilton is responsible for the administration and maintenance of the City of Hamilton. The authority of the Corporation of Hamilton is contained in The Municipalities Act 1923 and subsequent amendments. The Corporation is empowered to pass Ordinances to maintain services and good order in the City. Anyone committing an offence against a Corporation Ordinance would be subject to prosecution by the Police.

Members and staff serve on Committees, each chaired by a Member and meet monthly, which then make recommendations to the full Corporation. Associated Members from the public can be added to the committees once approved by the full Corporation and are required to sign and abide by the Associate Members Code of Conduct.

The Corporation Committees are:

**1) Staff, Legislation & Governance Committee:**

***Considers policy matters relating to staff, Health and Safety compliance as well as the negotiations for the management, administrative and industrial collective agreements.***

***Reviews Board policies periodically to ensure they are compliant, current and relevant.***

**Reviews changes in City Policies, Ordinances and Government legislation relating to the Corporation as required.**

## **2) Infrastructure Committee:**

**Considers policy matters relating to:**

- **to the rental and usage of City property.**
- **to all artwork and furnishing in the building, public art functions hosted by the Mayor / Corporation.**
- **to matters relating to changes to Parks rentals and proposals for capital upgrades to existing parks.**
- **to tenant agreements for BSoA and BNG, and theatre management.**
- **infrastructure, streets, sewage, sanitation, wharfs, City car parks and signage.**
- **Seaport Security Commission, the Department of Marine & Ports and Ports Authority as well as management and security of the Hamilton Docks.**
- **the Board level oversight of current and future City capital development projects.**
- **the pursuit of potential development opportunities that may further the goals of the Corporation for the City's benefit.**
- **the review of all Department of Planning applications within the City and make recommendations to the Board for response to the Department of Planning.**
- **new developments in the City and assumes responsibility for any City owned developments once the development is completed.**

## **3) Finance Committee:**

**Considers policy matters and makes recommendations relating to:**

- **oversight of the budget development and approval, revenue and expenditure.**
- **developing financial policies and procedures and monitoring compliance and financial reporting.**

Each Committee makes recommendations to the full Corporation for a final resolution.

The Corporation operates with a full-time staff of approximately 105 employees and an annual budget of approximately \$22 million. Since April 1<sup>st</sup> 2014 the Corporation has had the authority restored to charge wharfage on all goods passing through the Port of Hamilton, ships wharfage or goods storage(demurrage); this accounts for approximately 22% of the Corporation's revenue. Current revenue from municipal

taxes accounts for approximately 40% of the annual revenue and 38% from other revenues, including parking and fees. The Corporation makes every effort to balance its budget each year.

The Corporation is required to present audited financial statements to the Minister responsible for the Municipalities by June 30<sup>th</sup> of each year.

### **Elections:**

Corporation elections are held every three (3) years during the first week following the first Sunday in May of the third year. Residents and Business Ratepayers of the City on parliamentary registers are eligible to vote in Corporation elections. An extraordinary election is held if a Member of the Corporation dies or resigns from office.

### **Policy Statement:**

The City of Hamilton will ensure that it is accountable and transparent to the public for its actions.

### **Description:**

The City of Hamilton acknowledges that it is responsible for providing good governance with respect to matters within its jurisdiction in an accountable and transparent manner by:

- Facilitating public access to information about the City’s services and programs, and encouraging public participation to ensure that the City’s decision making process is conducted openly and in a manner that is responsive to the needs of constituents and receptive to their opinions.
- Delivering high quality services to constituents and actively seeking input for enhancing service delivery and achieving best practices.
- Promoting the efficient and effective use of public resources in a manner that permits constituents the opportunity to evaluate the City’s performance in this regard.

### **Definitions:**

**Accountability** – The principle that the City will be responsible to its constituents for the decisions it makes and policies it implements, as well as its actions or inactions.

**Constituents** – The individuals who reside in the City of Hamilton and businesses, institutions, and other entities which have premises in the City of Hamilton.



**Transparency** – The principle that the City’s decision making process should be open and accessible to the public. Also, that the City ought to actively encourage and foster public access to and participation in its decision making process.

**Policies and Practices:**

**1. Financial Matters**

- External audits summary published and available on website.
- Budget process – approved in public general meeting and the Executive Summary available on website.
- Financial Instructions:
  - Tendering and Procurement
  - Purchase Orders

**2. Members of Council**

- Code of Conduct

**3. Administrative Management (City Staff)**

- Employee Handbook

**4. Public Participation**

- The goal of the City of Hamilton is to ensure that as much as possible meetings of its Council, Standing Committees, and Subcommittees of Council are conducted in open and public sessions.

The City facilitates public involvement in its activities by providing for and hosting a variety of public meetings and public presentations to inform constituents of initiatives being considered by the City.

**Section G: The Information officer [s5(1)g]**

*The Acting Chief Operating Officer & Secretary of the Corporation of Hamilton*  
*Tanya Iris*  
*17 Church Street*  
*Hamilton HM11*  
*Bermuda*  
*Phone: 441-292-1234 ext. 202*  
*Email [tiris@cityhall.bm](mailto:tiris@cityhall.bm)*  
*Website: [www.cityofhamilton.bm](http://www.cityofhamilton.bm)*

**Section H: Any Other Information [s5(1)h]**

**Section I: Any Other Information To be Provided? [s5(1)i]**

**Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]**

**Date Information Statement was updated:** *December 27, 2018*

**Locations of Information Statement:**

- City Hall, 17 Church Street, Hamilton
- The Bermuda National Library
- The Bermuda Archives
- Office of the Information Commissioner
- Available electronically
- Website: [www.cityofhamilton.bm](http://www.cityofhamilton.bm)