

CORPORATION OF HAMILTON

PATI Information Statement

Corporation of Hamilton

Introduction:

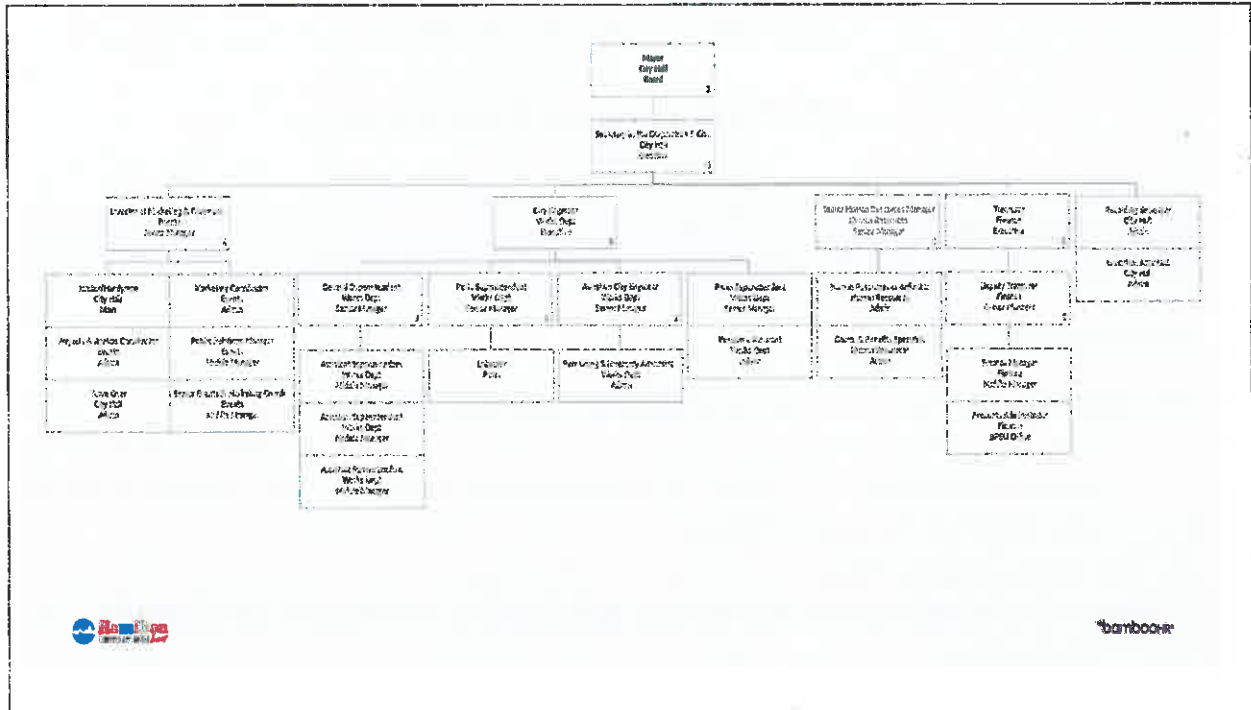
The purpose of the Public Access to Information Act 2010 (PATI) is to:

- (a) give the public the right to obtain access to information held by public authorities to the greatest extent possible, subject to exceptions that are in the public interest or for the protection of the rights of others;
- (b) increase transparency
- (c) , and eliminate unnecessary secrecy, with regard to information held by public authorities;
- (d) increase the accountability of public authorities;
- (e) inform the public about the activities of public authorities, including the manner in which they make decisions; and
- (f) have more information placed in the public domain as a matter of routine

As a public authority, the Corporation of Hamilton, has a legal requirement to update its information statement at least once a year. This information statement will help the public to understand the work of the Corporation of Hamilton and how decisions are made.

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
- Curbs
- 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]

Corporation General Meeting Minutes since 1932
Corporation Committee Meeting Minutes since 1932
Election records from 1913 - 2011
Audited Financial Statements since 1971
Annual Budget summary since 2012

Section E: Administration Documents [s5(1)e]

Employee Handbook
Financial Instructions
Collective Bargaining Agreement (BIU & BPSU)

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.**
- **required to present audited financial statements to the Minister responsible for the Municipalities by June 30th 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:**I. 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]

Chief Operating Officer & Secretary of the Corporation of Hamilton
Dwayne Caines
17 Church Street
Hamilton HM 11
Bermuda
Phone: 441-292-1234 ext. 202
Email dcaines@cityhall.bm
Website: 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 31, 2020*

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