MUNICIPALITY of CLANWILLIAM-ERICKSON
BYLAW NO. 58/18

BEING A BY-LAW OF THE MUNICIPALITY OF CLANWILLIAM-ERICKSON TO GOVERN THE ORGANIZATION OF THE MUNICIPALITY OF CLANWILLIAM-ERICKSON AND THE COMMITTEES THEREOF.

WHEREAS Section 148(1) of the Municipal Act provides that a Council must establish by by-law an organizational structure for the municipality and review the by-law at least once during its term of office.

THEREFORE BE IT AND IT IS HEREBY ENACTED as a by-law of the Municipality of Clanwilliam-Erickson in Council duly assembled as follows:

TITLE

1.0 THAT this by-law may be referred to as “The Municipality of Clanwilliam-Erickson Organizational By-law.”

ROLE OF COUNCIL

2.0 THAT Council is responsible

a) for developing and evaluating the policies and programs of the municipality;
b) for ensuring that the powers, duties and functions of the municipality are appropriately carried out; and
c) for carrying out the powers, duties and functions expressly given to the council under this or any other Act.

GENERAL DUTIES OF MEMBERS

3.0 THAT each member of a council has the following duties:

a) to consider the well-being and interests of the municipality as a whole and to bring to the council’s attention anything that would promote the well-being or interests of the municipality;
b) to participate generally in developing and evaluating the policies and programs of the municipality;
c) to participate in meetings of the council and of council committees and other bodies to which a member is appointed by the council;
d) to keep in confidence a matter that is discussed at a meeting closed to the public under subsection 152(3) and that the committee decides to keep confidential until the matter is discussed at a meeting of the council or of a committee conducted in public;
e) to perform any other duty or function imposed on the member by the council of this or any other Act.

COMMITTEES

4.0 THAT the general duties of committees shall be as follows:

a) To report from time to time on all matters connected with the duties imposed on the committee and to recommend such action as may be deemed necessary.
b) To prepare and introduce to council all such by-laws as may be necessary to give effect to the reports of recommendations that are adopted by council.
c) To consider and report respectively on any and all matters referred to them by council.

4.1 THAT the following committees are hereby established as the Standing Committees of Council:

a) Legislative and Finance Committee
b) Personnel and Policy Committee
c) Public Works Committee
d) Water and Sewer Utility Committee
e) Environmental Health Services Committee
f) Economic Development Services Committee
g) Board of Revision

4.2 THAT the special duties of the Standing Committees, in addition to the aforesaid general duties, shall be as follows:

a) Legislative and Finance Committee
    1) To supervise all contracts, orders, reports, recommendations and proceedings involving the expenditure of municipal funds.
    2) To supervise all accounts, expenditures and outlay and all sums payable under contract before any monies are paid; and no account, claim or

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demand not expressly authorized to be paid by a statute, by-law or resolution of council, shall be paid by the C.A.O. until the same has been authorized by the Legislative and Finance Committee and approved by Council.

3) To annually review and recommend to council the types, rates, and conditions of payments to be made to or on behalf of members of the council and council committees, as compensation and for expenses incurred while attending to municipal business, and for any other purpose relating to municipal business that the council considers appropriate.
4) To evaluate expenditures and coordinate their application within the limits of the yearly financial plan.

b) Personnel and Policy Committee
   1) To consider salary and wage negotiations
   2) To consider requests for benefits.
   3) To assist with interviewing of new employees
   4) To review and draft personnel policy.
   5) To review and draft job descriptions.
   6) To review and consider grievances of employees

c) Public Works Committee
   1) To consider and report on all matters relating to municipal land, buildings and equipment, including their acquisition, maintenance and disposal.
   2) To consider and report on all matters relating to municipal roads and their opening, closing, altering, diverting and maintenance.
   3) To recommend to council at the beginning of each year such projects, works and matters under its control as it considers essential to be carried out during the year, together with the detailed cost.

d) Water and Sewer Utility Committee
   1) To consider and report on all matters relating to the effective provision of water and sewage collection for the Municipality of Clanwilliam-Erickson.
   2) To report on all matters involving the land buildings, equipment etc, in relation to the provision of utilities.
   3) To review and draft guidelines and proposals which will enhance and promote effective service.
   4) To recommend to council such projects, works or matters as considered to be essential to be carried out, together with a detailed cost for further consideration of council.

e) Environmental Health Services Committee
   1) To consider and report on all matters relating to the provision of garbage and waste collection.
   2) To consider and report on all activities that pertain to the maintenance and ongoing operation of an environmentally approved landfill site
   3) To review policy decisions regarding the regulations set forth by Manitoba Environment and other government agencies.
   4) To consider, support & promote sustainability of an efficient recycling program to alleviate the environmental concerns of the community.

f) Economic Development Committee
   1) To consider all alternatives which would promote growth and economic expansion or sustainability in our community.

g) Board of Revision
   1) To hear all applications respecting assessments and make an impartial decision respecting the evidence given.
   2) To base decisions on provisions of the law and not personal inclinations.

4.3 THAT each Standing Committee shall be composed of the whole council being “Committee of the Whole Council”.

4.4 THAT annually, one or two members of council shall be appointed as representatives for each committee to provide directions for each respective committee and to report to the committee of the whole regarding matters which fall under their jurisdiction. Thus, providing an effective and appropriate division of

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duties which will ensure that all matters as they arise will be dealt with in a timely and suitable manner.

4.5 THAT annually, a Chairperson be appointed to the Legislative & Finance Committee to review monthly, prior to the regular meeting of council, the list of accounts for the Municipality of Clanwilliam-Erickson to ensure the accuracy of the records and to indicate primary approval for payment by signifying his/her endorsement of same by signing his/her initials or name to each and every invoice.

4.6 THAT the Head of Council shall always be a member of the committee of the whole or a member only of those committees to which he/she has been appointed in accordance with section 4.2 of this by-law.

4.7 THAT at the first regular meeting of council in each year, the council must consider the recommendations for appointments to Standing Committees and other bodies of Council submitted by the head of council. All appointments to Standing Committees and other bodies of council, including naming of a chairperson, must be approved by resolution of council.

4.8 THAT regular meetings of the Standing Committees may be held as determined by each Standing Committee.

4.9 THAT special meetings of Standing Committees may be called by the chairperson or by two members of the committee in the same manner as provided in The Municipality of Clanwilliam-Erickson Procedures Bylaw.

4.10 THAT any member of council not a member of a committee has the right to attend committee meetings but shall not be allowed to vote. With the permission of the majority of the members of the committee, a visiting member of council may be allowed to take part in any discussions.

4.11 THAT a special committee of council may be appointed by resolution of council at any time specifying the business to be dealt with by the committee.

4.12 THAT an appointment to any committee of council may be repealed only by a resolution of the council.

4.13 THAT the Chief Administrative Officer or the Assistant to the Chief Administrative Officer shall act as secretary for all Committee meetings.

HEAD OF COUNCIL

5.0 The Head of Council for the Municipality of Clanwilliam-Erickson is to have the title of Reeve.

5.1 At the first regular meeting of council in each year, council must by resolution, appoint a Councillor as Deputy Reeve, who shall act in place of the Reeve when he/she is unable to carry out the powers, duties and functions of the Reeve.

5.2 In addition to performing the duties of a member of a council the Reeve has a duty;

a) to preside when in attendance at a council meeting, except where the procedures by-law or this or any other Act otherwise provides;
b) to provide leadership and direction to the council; and
c) to perform any other duty or function assigned to a Reeve or by this or any other Act.

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YOUTH MEMBER

6.0 The Council may, by resolution, appoint a person with the title "Youth Member" to sit with the council and to participate in council deliberations.

6.1 A Youth member must be 18 years of age or enrolled as a full time student at the Erickson Collegiate Institute or within the Rolling River School Division and must be a resident of the municipality.

6.2 A youth member is not permitted to move or second any resolution nor is the youth member counted for the purpose of deciding a vote of the council. A youth member is not allowed to participate in committee of the whole deliberations that are closed to the public.

6.3 The term of office for a youth member is to be established with the appointment but shall not exceed 1 year.

BOARD OF REVISION

7.1 At the first regular council meeting in each year, council shall by resolution appoint a Board of Revision to hear assessment appeals during the year.

7.2 The Board of Revision shall consist of the whole of the council of the Municipality of Clanwilliam-Erickson. The Council shall appoint a member of the Board of Revision to serve as presiding officer of the Board, and shall also appoint a secretary of the Board.

SIGNING AUTHORITY

8.0 Agreements and cheques and other negotiable instruments must be signed or authorized by:

a) the head of council, or the deputy head of council, and
b) the chief administrative officer or the assistant to the chief administrative officer.

8.1 Bylaw No.2/15 for the Municipality of Clanwilliam-Erickson is hereby repealed.

DONE AND PASSED as a by-law of the Municipality of Clanwilliam-Erickson at Erickson in the Province of Manitoba this 9th day of January, 2019.

Municipality of Clanwilliam-Erickson

_____
Reeve

_____
Chief Administrative Officer

Read a first time this	12th	day of	December	A.D.	2018
Read a second time this	12th	day of	December	A.D.	2018
Read a third time this	9th	day of	January	A.D.	2019