

THE RURAL MUNICIPALITY OF ROSSER

BY-LAW NO. 3-18

Being a By-law to Govern the Organization and the Committees thereof and to repeal By-law 9-12.

WHEREAS, pursuant to “The Municipal Act”, S.M. of 1996, c. 58 – Cap. M225, a council must pass an organization by-law.

“Council to pass an organizational by-law

148(1) 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.

Content of organizational by-law

148(2) An organization by-law must provide for the following:

- (a) the establishment of council committees, other than committees of local urban districts, and other bodies of the council, including their duties and functions;
- (b) the appointment of a deputy head of the council to act in place of the head of council when he or she is unable to carry out the powers, duties and functions of the head; and
- (c) the manner of appointment of persons to council committees and other bodies.

NOW THEREFORE BE IT RESOLVED that the Council of The Rural Municipality of Rosser, in open meeting assembled, enacts as follows:

1. TITLE

- 1.1 This by-law may be referred to as “Rosser Organizational By-law.”

2. DEFINITIONS

- 2.1 Unless otherwise expressly provided or unless the context otherwise requires, words and expressions in the By-law have the same meaning as the same words and expressions in “The Municipal Act”.
- 2.2 Wherever the singular or masculine are used throughout this By-law, the same shall be construed as meaning the plural or feminine or neutral, where the context so requires.
- 2.3 In this by-law the following terms shall have the following meaning:
- a) “**By-law**” means a by-law of the Municipality to govern the organization and committees thereof;
 - b) “**Council**” means the Council of the Municipality;
 - c) “**Municipality**” means the Rural Municipality of Rosser:

3. ROLE OF COUNCIL

- 3.1 Council is responsible

- a) for developing and evaluating the by-laws, 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.

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4. GENERAL DUTIES OF MEMBERS

4.1 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 by-laws, policies and programs of the Municipality;
- c) to participate in meetings of the Council and of Council Committees and other bodies to which the member is appointed by the Council;
- d) to keep in confidence a matter that is discussed at a meeting closed to the public;
- e) 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;
- f) to comply with the Code of Conduct for members of Council;
- g) to perform any other duty or function imposed on the member by the Council or by this or any other Act.

5. COMMITTEES

5.1 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, policies and programs as may be necessary to give effect to the reports and recommendations that are adopted by Council;
- c) To consider and report respectively on any and all matters referred to them by Council.

5.2 The following Committees are hereby established as the Standing Committees of Council:

- a) Legislative and Finance Committee;
- b) Personnel and Policy Committee;
- c) Enforcement Issues/By-laws
- d) Public Works Committee;
- e) Recreation and Culture Committee;
- f) Utility Committee.

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

a) Legislative and Finance Committee

- i. To review and approve all contracts, orders, reports, recommendations and proceedings involving the expenditure of municipal funds, when required by the Chief Administrative Officer;
- ii. To review and approve all accounts, expenditures and outlay and all sums payable under contract before any monies are paid; and no account, claim or demand not expressly authorized to be paid by a statute, by-law or resolution of Council, shall be paid by the Chief Administrative Officer until the same has been authorized by the Legislative and Finance Committee and approved by Council;
- iii. 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, as required by the Chief Administrative Officer.

b) Personnel and Policy Committee

- i. To consider salary and wage negotiations;
- ii. To consider requests for benefits;
- iii. To assist with interviewing of new employees;
- iv. To review and draft personnel policy;
- v. To review and draft job descriptions;
- vi. To review and consider grievances of employees.

c) Enforcement Issues/By-laws

- i. To guide the administration with enforcement issues and By-law matters, including recommendations to Council for prioritization of By-laws that need to be amended or updated.

d) Public Works Committee

- i. To consider and report on all matters relating to municipal land, buildings and equipment, including their acquisition, maintenance and disposal;
- ii. To consider and report on all matters relating to municipal roads and their opening, closing, altering, diverting and maintenance;
- iii. To consider and report on all matters relating to drains and maintenance;

e) Recreation and Culture Committee

- i. To review all applications for recreation and culture grants from organizations;
- ii. To review the need for recreation within the Municipality;
- iii. To consider and report on matters respecting recreation commission, library and cultural services.

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f) Utility Committee

- i. To consider and report on all matters relating to sewer and water utility;

- 5.4 Each standing Committee shall be composed of two Members of Council and an alternate.
- 5.5 The head of Council is a member of only those Standing Committees of Council established in accordance with section 5.2 of this By-law.
- 5.6 At any Council Meeting in October or November, the Council must consider the recommendations for appointments to Standing Committees and other bodies of Council, including naming of a Chair Person. All appointments to Standing Committees and other bodies of Council, must be approved by resolution of Council.
- 5.7 Regular meetings of the Standing Committees may be held as determined by each Standing Committee.
- 5.8 Special meetings of Standing Committees may be called by any Member of the Committee in the same manner as provided in the Rosser Procedures By-law.
- 5.9 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.
- 5.10 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.
- 5.11 An appointment to any Committee of Council may be repealed only by a resolution of the Council.
- 5.12 At any regular Council Meeting in October or November, the Council must consider the appointments to Other Boards/Committees/Organizations. All appointments must be approved by a resolution of Council.

6. HEAD OF COUNCIL

- 6.1 The head of Council for the Rural Municipality of Rosser is to have the title of Reeve.
- 6.2 At the first regular meeting of Council in October or November, Council must by resolution, appoint a Councillor as Deputy Reeve who shall act in place of the Reeve when the Reeve is unable to carry out the powers, duties and functions of the Reeve.
- 6.3 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

7. YOUTH MEMBER

- 7.1 The Council may by resolution, appoint a person with the title “youth member” to sit with the Council and to participate in Council deliberations, for a term that shall not exceed one (1) year.

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- 7.2 A youth member must be less than 18 years of age or enrolled as a full-time student within the Interlake School Division and must be a resident of the municipality.
- 7.3 A youth member is not permitted to move or second any resolution, nor is the youth member counted for the purpose of determining a quorum or deciding a vote of Council. A youth member is not allowed to participate in committee of the whole deliberations that are closed to the public.

8. BOARD OF REVISION

- 8.1 At any regular Council Meeting in September or October, Council shall by resolution appoint a Board of Revision to hear assessment appeals during the year.
- 8.2 The Board of Revision shall consist of not less than three members, some or all of whom may be members of the Council. The Council shall appoint a member of The Board of Revision to serve as presiding officer of the Board.

9. SIGNING AUTHORITY

- 9.1 Agreements and cheques and other negotiable instruments must be signed or authorized by
- a) The Reeve, or the Deputy Reeve and
 - b) The Chief Administrative Officer or the Assistant Chief Administrative Officer.

10. REPEAL

- 10.1 THAT By-law 9-12 is hereby repealed.

DONE AND PASSED as a by-law of The Rural Municipality of Rosser at 0 077E PR 221, Rosser in the Province of Manitoba this ____ day of _____, A.D. ____.

Reeve
Frances Smee

Chief Administrative Officer
Larry Wandowich

GIVEN First Reading this 11th day of December, A.D. 2018.

GIVEN Second Reading this 8th day of January, A.D. 2019.

GIVEN Third Reading this 12th day of February, A.D.2019.