

**Town of Arborg
By-Law No. 7-2023**

Being a By-law to govern the organization of the Town of Arborg 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 Town and review the by-law at least once during its term of office.

AND WHEREAS an organizational by-law must provide for the following:

- a) the establishment of Council committees, other than committees of local urban districts, and other bodies of Council, including their duties and functions;
- b) the appointment of a Deputy Head of Council to act in the place of the Head of the 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.

THEREFORE BE IT RESOLVED that the Council of The Town of Arborg, in open meeting assembled, enacts as follows:

TITLE

1.0 This by-law may be referred to as "The Town of Arborg Organizational By-law".

DEFINITIONS

2.0 Unless the context otherwise requires, where used in this By-law;

- a) **"Act"** means the Municipal Act, S.M. 1996 c.58 or any other relative Act of the Province of Manitoba;
- b) **"Committee of the Whole"** means all members present at a meeting of the Council sitting as a committee;
- c) **"Council"** means the Mayor and Councillors of the Town of Arborg elected pursuant to the provisions of The Municipal Act;
- d) **"Head of Council"** means the Mayor, or Deputy Mayor or Acting Member of Council as the case may be;
- e) **"Mayor"** shall mean the person elected as Head of Council;
- f) **"Procedure By-law"** means the current By-law in place that regulates the proceedings and conduct of the Town of Arborg Council and the Committees thereof as well as any amendments thereto;
- g) **"Town"** means the Town of Arborg

FIRST REGULAR MEETING OF COUNCIL

3.0 The first regular meeting of Council in each year for the purpose of this By-law shall be the first Regular Meeting of Council held in November with Council to hold that meeting no later than November 15th.

ROLE OF COUNCIL

4.0 The responsibilities of Council are determined by the legislative framework of The Municipal Act. In this By-law, the objective of Council is founded on the principle that the members of Council are stewards of the organization and, as such, the members of Council have a responsibility to consider and adopt policy to direct the affairs of the organization, to oversee the conduct of the organization, and to monitor the management of the organization. In normal circumstances, the day-to-day management functions of the organization should not be performed by Council or members of Council.

4.1 Council is responsible for

- a) considering and adopting the policies and programs of the Town;
- b) ensuring that the powers, duties and functions of the Town are appropriately carried out; and
- c) carrying out the powers, duties and functions expressly given to the Council under this or any other Act.

GENERAL DUTIES OF MEMBERS

5.0 Each member of a Council has the following duties:

- a) to consider the well-being and interests of the Town as a whole and to bring to the Council's attention anything that would promote the well-being or interests of the Town, or matters that may be derogative to the Town;
- b) to participate generally in developing and considering the policies and programs of the Town;
- c) to participate in Council meetings and meetings of the Committee of the Whole and other meetings of committees and other bodies to which the member is appointed by the Council;
- d) to keep in confidence a matter that is discussed in 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 or under the Act; and
- f) to keep themselves reasonably informed of the programs and projects relevant to the portfolio that they have been appointed to by Council.

HEAD OF COUNCIL

6.0 The Head of Council of The Town of Arborg shall have the title of Mayor.

6.1 At the first meeting of Council in each year, Council must, by resolution, appoint a Councillor as Deputy Mayor. The Deputy Mayor will act in place of the Mayor when they are unable to carry out the powers, duties and functions of the Mayor.

6.2 In addition to performing the duties of a member of Council, the Mayor has a duty:

- a) to preside when in attendance at a Council meeting, except where the Procedures By-law or The Municipal Act 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 by The Municipal Act or any other Act.

COMMITTEES

7.0 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 assist in preparing and introduce to Council all such by-laws 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.

7.1 The Mayor shall be an "ex officio" member on all special committees.

7.2 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.

7.3 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.

7.4 An appointment to any Committee of Council may be repealed only by a resolution of the Council.

7.5 **COMMITTEE OF THE WHOLE OF COUNCIL**

- a) The Committee of the Whole of Council is composed of the entire Council sitting as a committee to consider the affairs of the Town.
- b) The Committee of the Whole shall not take any official action while sitting in Committee but may make recommendations to be considered at a Council Meeting.
- c) The rules for conduct of Council pursuant to the Procedure By-law shall be observed in the Committee of the Whole as far as may be applicable, except the rules limiting the number of times of speaking to a matter.
- d) Meetings of the Committee of the Whole may be closed to the public pursuant to Subsection 152 (3) of the Act, In Camera Only.

7.6 **STANDING COMMITTEES OF COUNCIL**

- a) The following committees are hereby established as the Standing Committees of Council:
 - i) Legislative and Finance Committee
 - ii) Public Works Committee
 - iii) Personnel and Policy Committee
 - iv) Medical Services Committee
 - v) Economic Development Committee
 - vi) Board of Revision
- b) The special duties of the Standing Committees, in addition to the aforesaid general duties, shall be as follows:
 - i) 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 the 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 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 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 initiate the yearly budgetary process and introduce the final draft at a public meeting;
- 5) to recommend the appointment of auditors and provide the final yearly audit report to Council;
- 6) to consider and review the Town's investment and borrowing process (policy);
- 7) to consider source and process for grant applications.

ii) Public Works Committee

- 1) To consider and make recommendations on all matters relating to municipal land, buildings and equipment, including their acquisition, maintenance and disposal;
- 2) To consider and report recommendations on all matters relating to municipal roads and sidewalks and their opening, closing, altering, diverting and maintenance;
- 3) To recommend on the need for maintenance of an efficient drainage system;
- 4) To recommend to Council for each budget year such projects, works and matters under its control as it considers essential to be carried out during the year, together with their detailed costs;
- 5) To consider and recommend on all matters relating to water supply and waste water disposal;
- 6) To consider the process and maintain a good quality water supply for all residents and commercial premises;
- 7) To consider and recommend on matters of upgrading to maintain an adequate wastewater disposal system;
- 8) To maintain a serviceable fire hydrant system;
- 9) To consider and recommend water and sewer rates that maintain and sustain utility service.

iii) Personnel and Policy Committee

- 1) To consider salary and wage remunerations;
- 2) To consider requests for benefits;
- 3) To review and draft personnel policy;
- 4) To review and draft job descriptions;
- 5) To review and consider grievances of employees.

iv) Medical Services Committee

- 1) To consider all alternatives which would promote recruitment and retainment of medical professionals in our community.
- 2) To evaluate and monitor the level of medical services available in the community.

v) Economic Development Committee

- 1) To consider all alternatives which would promote growth and economic expansion or sustainability in our community.

vi) 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.

- c) Each Standing Committee shall be composed of all members of Council.
- d) Regular meetings of the Standing Committees will be held as determined by Council.
- e) 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 Town of Arborg Procedures By-Law.

7.7 OTHER BODIES

- a) The Committees, Boards and Other Bodies that are established by By-law and/or Agreement for the performance of duties, responsibilities, and functions of various municipal purposes and entities requires Council Members and citizen representation. Appointments to these other bodies, pursuant to Policy LEG-01, Boards and Committee Appointments, of the Town's Policy and Procedures Manual shall be by resolution of Council and shall be made at the first regular meeting of Council in each year.

SIGNING AUTHORITY

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

- a) The Mayor, Deputy Mayor or the Vice-Chair of Finance; and
- b) The Chief Administrative Officer or the Assistant Chief Administrative Officer.

REPEAL of BY-LAWS

11.0 By-Law No. 7-2018 shall be repealed.

DONE AND PASSED by the Council of the Town of Arborg duly assembled at Arborg, Manitoba this 27th day of September A.D. 2023.



Peter Dueck, Mayor



Cindy Stansell, CAO

Read a first time this	13th	day of	September	A.D. 2023
Read a second time this	27th	day of	September	A.D. 2023
Read a third time this	27th	day of	September	A.D. 2023