

MUNICIPALITY OF KILLARNEY-TURTLE MOUNTAIN

BY-LAW NO. 8-2018

Being a By-Law to govern the organization of The Municipality of Killarney-Turtle Mountain 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 RESOLVED that the council of the Municipality of Killarney-Turtle Mountain in open meeting assembled enacts as follows:

TITLE

1.0 This by-law may be referred to as "The Municipality of Killarney-Turtle Mountain Organizational By-law."

ROLE OF COUNCIL

2.0 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 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 wellbeing or interest 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 the 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 or this or any other Act.

COMMITTEES

4.0 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 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 The following committees are hereby established as the Standing Committees of council:

- (a) Legislative and Finance Committee;
- (b) Personnel and Policy Committee
- (c) Protective Services Committee
- (d) Transportation Services Committee
- (e) Environmental Health Services Committee
- (f) Water and Sewer Utility Committee
- (g) Economic Development Services Committee
- (h) Recreation and Cultural Committee

4.2 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 demand not expressly authorized to be paid by a statute, by-law or resolution of council, shall be paid by the CAO 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.

(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) **Protective Services Committee**

- (1) To consider and report on all matters relating to the fire department and our RCMP contract.

(d) **Transportation and Services 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 their detailed cost.

(e) **Environmental Health Services Committee**

- (1) To consider and report on all matter relating to garbage pick-up, community land fill site and operations of the Recycling depot.

(f) **Water and Sewer Committee**

- (1) To consider and report on all matters relating to the operation and maintenance of the water and sewer utility.
- (2) 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 their detailed cost.

(g) **Economic Development Services Committee**

- (1) To consider and report on all matters relating to economic and industrial development, regional development (Turtle Mountain Sustainable Ventures).

(h) **Recreation and Culture Committee**

- (1) To review all applications for recreation and culture grants from organizations.
- (2) To review the need for recreation within the municipality.
- (3) To consider and report on matters respecting libraries and other cultural services.

4.3 Each Standing Committee shall be composed of a minimum of two members of council of the municipality.

4.4 The head of council is a member of only those committees to which he/she has been appointed in accordance with section 4.2 of this by-law.

4.5 At the first regular council meeting 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.

4.6 Regular meetings of the Standing Committees may be held as determined by each Standing Committee.

4.7 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 Killarney-Turtle Mountain Procedures By-law.

4.8 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.

4.9 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.

4.10 An appointment to any committee of council may be repealed only by a resolution of the council.

HEAD OF COUNCIL

5.0 The head of council for the Municipality of Killarney-Turtle Mountain is to have the title of Mayor of council.

- 5.1 At the first regular meeting of council in each year, Council must by resolution, appoint a councillor as Deputy Mayor, who shall act in place of the Mayor when he/she is unable to carry out the powers, duties and functions of the Mayor.
- 5.2 In addition to performing the duties of a member of a council the Mayor 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 Mayor or by this or any other Act.

YOUTH MEMBER

- 6.0 The council of The Municipality of Killarney-Turtle Mountain 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 16 years of age or enrolled as a full time student at Killarney Collegiate and must be a resident of the Municipality of Killarney-Turtle Mountain.
- 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 all members of The Municipality of Killarney-Turtle Mountain council. The council shall appoint a member of The Board of Revision to serve as presiding officer 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 or other member of council designated, and
 - (b) the Chief Administrative Officer or the Assistant Administrative Officer.

REPEAL OF BY-LAWS

- 9.0 By-law No. 7-2014 and all amendments thereto are hereby repealed.

DONE AND PASSED by the Council of the Municipality of Killarney-Turtle Mountain duly assembled in the Province of Manitoba this 12th day of December, A.D., 2018.



Mayor



Chief Administrative Officer

Read a first time this 21st day of November, A.D., 2018.

Read a second time this 12th day of December, A.D., 2018.

Read a third time this 12th day of December, A.D., 2018.