

Rural Municipality of Grahamdale

By Law No. 1068-2023

Being a by-law to govern the organization of The Rural Municipality of Grahamdale 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.

AND WHEREAS Section 148(2) of The Municipal Act provides that 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 the council, including their duties and functions;
- (b) the appointment of a deputy head of 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.

THEREFORE BE IT RESOLVED that the Council of The Rural Municipality of Grahamdale, in council duly assembled, hereby enacts as follows:

1.0 TITLE

- 1.1 This by-law may be referred to as "The Rural Municipality of Grahamdale Organizational By-Law"

2.0 DEFINITIONS

- 2.1 Unless the context otherwise requires, where used in this By-Law:
 - (a) Act shall mean the Municipal Act, S.M. 1996 c.58 or any other relative Act of the Province of Manitoba.
 - (b) Committee of the Whole shall mean all members present at a meeting of the Council sitting as a committee.
 - (c) Council shall mean the Reeve and Councillors of the Rural Municipality of Grahamdale elected pursuant to the provisions of The Municipal Act;
 - (d) Head of Council shall mean the Reeve, or Deputy Reeve or Acting Member of Council as the case may be;
 - (e) Reeve shall mean the person elected as the Head of Council;
 - (f) Procedures By-Law shall mean By-Law No. 1069-2023 of the Rural Municipality of Grahamdale and any amendments thereto;
 - (g) Municipality shall mean the RM of Grahamdale.

3.0 FIRST INAUGURAL MEETING OF COUNCIL

- 3.1 The first regular meeting of Council in an election year for the purpose of this By-Law shall be held in November.

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4.0 ROLE OF COUNCIL

4.1 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 functions 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.

4.2 Council is responsible for:

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

5.0 GENERAL DUTIES OF MEMBERS OF COUNCIL

5.1 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, or matters that may be derogative to the Municipality;
- (b) To participate generally in developing and considering the policies and programs of the municipality;
- (c) To participate in council meetings and meetings of the Committee of the Whole, and other meetings of committees or other bodies to which he/she has been appointed to by the Council;
- (d) To keep in confidence a matter that is discussed at a meeting closed to the public under subsection 152(3) of the Act, 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 comply with the code of conduct for members of council;
- (f) To perform any other duty or function imposed on the member by the council or this or any other Act.
- (g) to keep himself/herself reasonably informed of the programs and projects relevant to the portfolio that he/she has been appointed to by Council.

6.0 HEAD OF COUNCIL

6.1 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 or she is unable to carry out the powers, duties and functions of the Reeve.

6.2 In addition to performing the duties of a member of 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 of the Act otherwise prohibits;

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- b) To provide leadership and direction to the council; and
- (c) To perform any other duty or function assigned by this or any other Act.

7.0 COMMITTEES

7.1 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 or policies as the case may be to give effect to the reports of recommendations that are adopted by council; and
- c) To consider and report respectively on any and all matters referred to them by council.

7.2 COMMITTEE OF THE WHOLE OF COUNCIL

7.2.1 The Committee of the Whole of Council is composed of the entire Council sitting as a committee to consider the affairs of the Municipality.

7.2.2 The Committee of the Whole shall not take any official action while sitting in Committee.

7.2.3 The rules for the conduct of Council pursuant to the Procedures 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.

7.2.4 Meeting of the Committee of the Whole may be closed to the public pursuant to Subsection 152(3) of the Act.

7.3 COMMITTEES OF COUNCIL

7.3.1 A Committee of Council may be appointed by resolution of Council at any time specifying the business to be dealt with by the Committee.

7.3.2 Each Committee of Council shall be composed of a minimum of three (3) members of Council.

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

- a) Finance Committee
- b) Public Works Committee
- c) Drainage Committee
- d) VLT Committee
- e) Lagoon Committee

7.3.4 The head of council shall be an ex-officio, non-voting member of all Council Committees.

7.3.5 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.

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- 7.3.6 Regular meetings of the Standing Committees may be held as determined by each Standing Committee.
- 7.3.7 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 Rural Municipality of Grahamdale Procedures By-Law.
- 7.3.8 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.
- 7.3.9 An appointment to any committee of council may be repealed only by a resolution of the council.

8.0 YOUTH MEMBER

- 8.1 The council of The Rural Municipality of Grahamdale may, by resolution, appoint a person with the title "Youth member" to sit with the council and to participate in its deliberations, for a term and on condition that the council may decide.
- 8.2 A youth member must be less than 18 years of age or enrolled as a full time student at Lakeshore or Frontier School Division and must be a resident of the Rural Municipality of Grahamdale.
- 8.3 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.
- 8.4 The term of office for a youth member is to be established with the appointment but shall not exceed 1 year.

9.0 BOARD OF REVISION

- 9.1 At the first regular council meeting in each year, council shall by resolution appoint a Board of Revision to hear applications for revision of assessment, classification of property or liability to taxation.
- 9.2 The Board of Revision shall consist of all members of the Rural Municipality of Grahamdale Council. The Reeve shall serve as presiding officer of the Board. The Chief Administrative Officer or his/her designate shall serve as the Secretary to the Board.

10.0 SIGNING AUTHORITY

- 10.1 Agreements, Cheques and other negotiable instruments of the Municipality must be signed or authorized by
 - (a) The Reeve or the Deputy Reeve and
 - (b) The Chief Administrative Officer or the Chief Financial Officer.
- 10.2 Council authorizes Reeve or Deputy Reeve signatures to be printed, lithographed or otherwise reproduced for minutes, by-laws, agreements, and other negotiable instruments.

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11.0 REPEAL OF BY-LAWS

11.1 By-Law No. 1051-2022 and any other by-law thereof is hereby repealed.

DONE AND PASSED AS A BY-LAW OF THE RURAL MUNICIPALITY OF GRAHAMDALE AT MOOSEHORN IN THE PROVINCE OF MANITOBA THIS 9th DAY OF February, 2023.

THE RURAL MUNICIPALITY OF GRAHAMDALE

Craig Howse
Craig Howse, Reeve

Shelly Schwitek
Shelly Schwitek, Chief Administrative Officer

Read a first time this 26th day of January, 2023.

Read a second time this 26th day of January, 2023.

Read a third time this 9th day of February, 2023.