

THE TOWN OF CARMAN

BY-LAW NO. 09/1942

Being a by-law of the Town of Carman to govern the organization of The Town of Carman 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 Town of Carman, in open meeting assembled, enacts as follows:

TITLE

1.0 This by-law may be referred to as "The Town of Carman 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 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 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) Finance and Administration Committee
- (b) Work and Operations Committee
- (c) Community and Social Development Committee
- (d) Protective Services Committee

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

(a) **Finance and Administration 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 Chief Administrative Officer until the same has been authorized by the Finance and Administration 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 consider salary and wage negotiations and to consider requests for benefits.
- (5) To assist with interviewing of new employees.
- (6) To review and draft Personnel Policy.
- (7) To review and draft Job Descriptions.
- (8) To review and consider grievances of employees.
- (9) To consider all land planning requests.
- (10) To supervise and advise on economic development initiatives.

(b) **Work and Operations 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.
- (4) To ensure the proper provision of water, sewage, drainage and waste disposal services.
- (5) To ensure a recycling program is available for all ratepayers.
- (6) To ensure the proper provision of policing and fire protection.

(c) **Community and Social Development Committee**

- (1) To review all applications for recreation and culture grants from organizations.
- (2) To review the needs for recreation and open space within the municipality.
- (3) To consider and report on matters respecting libraries and other cultural services.
- (4) To ensure adequate provision of leisure program services and the proper scheduling of recreation facilities.
- (5) To consider all matters related to health and welfare services.

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(d) **Protective Services Committee**

The primary objective of this committee is to work with cooperatively with representatives of the Rural Municipality of Dufferin to organize and operate the following:

- (1) To consider and report on all matters relating to the Carman Dufferin Fire Department and all aspects of its operation and to work cooperatively with the fire department and the Rural Municipality of Dufferin.
- (2) To consider and report on all matters relating to the Carman Dufferin Emergency Plan and the Emergency Coordinator and to work cooperatively with the said Coordinator and the Rural Municipality of Dufferin.
- (3) To consider and report on all matters relating to the Carman Dufferin Building Inspector and Zoning Development Officer and to work cooperatively with the said Building Inspector and/or Development Officer and the Rural Municipality of Dufferin.
- (4) To consider and report on all matters relating to the Carman Dufferin Fire Inspector and to work cooperatively with the said Fire Inspector and the Rural Municipality of Dufferin.
- (5) Liaison between the two municipalities and the Royal Canadian Mounted Police.
- (6) To consider and report on all matters relating to By-law Enforcement Officer and to work cooperatively with the said By-law Enforcement Officer and the Rural Municipality of Dufferin.

- 4.3 Each Standing Committee, with the exception of the Executive Committee, shall be composed of a minimum of four members of Council, and up to three resident electors if so desired by Council.
- 4.4 The Head of Council is an ex-officio member of all standing committees.
- 4.5 At the first regular Council meeting following a municipal election, 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 The first named person on each committee is the Chairperson of the Committee. This Chairperson shall remain in place until changed by the Mayor.
- 4.7 Regular meetings of Standing Committees may be held as determined by each Standing Committee.
- 4.8 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 Carman Procedures By-Law.
- 4.9 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.
- 4.10 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.
- 4.11 An appointment to any committee of Council may be repealed only by a resolution of Council.

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HEAD OF COUNCIL

- 5.0 The Head of Council for the Town of Carman is to have the title of Mayor.
- 5.1 At the first regular meeting of Council following a municipal election Council must, by resolution, appoint a Councillor as Deputy Mayor, who shall act in place of the Mayor when the Mayor 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 Town of Carman, 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 in Prairie Rose School Division and must be a resident of The Town of Carman.
- 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 one year.

BOARD OF REVISION

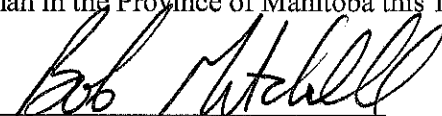
- 7.0 At the first regular Council meeting in each year Council shall, by resolution, appoint a Board of Revision to hear assessment appeals during the year.
- 7.1 The Board of Revision shall consist of members of The Town of Carman Council. The Council shall appoint a member of The Board of Revision to serve as presiding officer of the Board.

SIGNING AUTHORITY

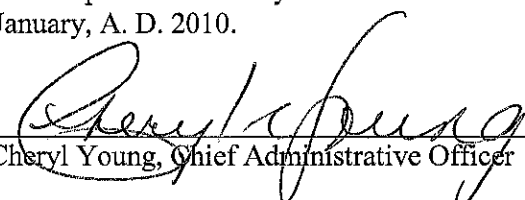
- 8.0 Agreements and cheques and other negotiable instruments must be signed or authorized by
- (a) The Mayor, or the Deputy Mayor, and
 - (b) The Chief Administrative Officer or the Assistant Chief Administrative Officer.

That By-Law No. 08/1910 is repealed.

DONE AND PASSED as a by-law of the Town of Carman in open Council duly assembled in the Town of Carman in the Province of Manitoba this 14th day of January, A. D. 2010.



Robert J. Mitchell, Mayor



Cheryl Young, Chief Administrative Officer

Read a first time this 17th day of December A. D. 2009.
Read a second time this 14th day of January A. D. 2010.
Read a third time this 14th day of January A. D. 2010.