

THE TOWN OF TEULON

BY-LAW # 2/2020

Being a By-law of the Town of Teulon to govern the organization of the Council and the Committees thereof.

WHEREAS Clause 148(1) of the Manitoba Municipal Act C.C.S.M. c, M225 (hereinafter referred to as “the Act”) provides that Council must establish by by-law an organizational structure for the municipality and review the by-law a minimum of at least once during its term in office.

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Teulon, in open meeting assembled, enacts the following:

TITLE

1.0 This By-law may be referred to as “THE TOWN OF TEULON ORGANIZATIONAL BY-LAW”

2.0 ROLE OF THE COUNCIL

2.1 The Council shall be responsible to:

1. For developing and evaluating the policies and programs of the municipality; and
2. For ensuring that the powers, duties and functions of the municipality are appropriately carried out; and
3. For carrying out the powers, duties and functions expressly given to the Council under this or any other Act of the Legislature.

3.0 GENERAL DUTIES OF MEMBERS

3.1 Each member of the Council of the Town of Teulon is to have the title “Councillor”.

3.2 Each member of a council has the following duties:

1. To consider the well-being and interests of the municipality as a whole and bring to the Council’s attention anything that would promote the well being or interests of the municipality; and
2. To participate generally in developing and evaluating the policies and programs of the municipality; and
3. To participate in meetings of the Council and of Council Committee and other bodies to which the member is appointed by the Council; and
4. To keep in confidence a matter that is discussed at a meeting closed to the public under 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 a committee conducted in public; and
5. To perform any other duty or function imposed on the member by the Council or this or any other Act of the Legislature.

4.0 DUTIES OF THE MAYOR

- 4.1 The Head of the Council of the Town of Teulon is to have the title “Mayor”.
- 4.2 In addition to those duties and functions of a member of Council the Mayor shall be responsible for the following duties:
1. To preside, where in attendance at a Council meeting except where the Procedures By-law or this or any other Act of the Legislature otherwise provides; and
 2. To provide leadership and direction to the Council; and
 3. To perform any other duty or function assigned to the head of Council by the Council or by this or any other at of legislature.

5.0 STUDENT COUNCILLOR

- 5.0 The Council of the4 Town of Teulon may, by resolution, appoint a person with the title “Student Councillor” to sit with the Council and to participate in Council deliberations.
- 5.1 A Student Councillor must be less than eighteen (18) years of age or enrolled as a full-time student at Teulon Collegiate and must be a resident of the Town of Teulon.
- 5.2 A Student Councillor is not permitted to move or second any resolution nor is the student councillor counted for the purpose of deciding a vote of the Council. A student councillor is not allowed to participate in In-camera deliberations that are closed to the Public.
- 5.3 The term of office for a student councillor is to be established with the appointment but shall not exceed one (1) year.

6.0 BOARD OF REVISION

- 6.1 The Board of Revision shall consist of the members of the Council of the Town of Teulon. The Mayor shall serve as the Presiding Officer of the Board or in her/his absence, the Deputy Mayor.
- 6.2 The Council shall appoint the Secretary to the Board.

7.0 ROLE OF THE CHIEF ADMINISTRATIVE OFFICER

- 7.1 The Chief Administrative Officer shall report to, be accountable to and receive authority from the Council of the Town as outlined in Municipal By-law # 01/2020 including:
1. Is the administrative head of the Town; and
 2. Is responsible for advising and informing the Council on the operation and affairs of the Town; and
 3. Is responsible for the management and supervision of all employees and contractors employed by the Town; and
 4. Shall carry out the powers, duties and functions assigned by the Council and must notify the Council of the Town if City funds are spent or invested contrary to a by-law or resolution of the Council or used contrary to the Act.
 5. May, in writing from time to time and in accordance with sound management practices, delegate to his/her subordinates such duties and responsibilities deemed appropriate or necessary provided he/she shall continue to be responsible for all actions of the subordinates with respect to those matters so delegated.

8.0 SIGNING AUTHORITY

- 8.1 Agreements, cheques and other negotiable instruments must be signed or authorized by:
1. The Mayor or the Chairperson of the Finance and Human Resource Standing Committee; plus
 2. The Chief Administrative Officer or the Assistant Chief Administrative Officer.

9.0 STANDING COMMITTEES OF COUNCIL

- 9.1 The Act provides that the Council may delegate certain of its powers, duties and functions to the Chief Administrative Officer, a Designated Officer, the Head of Council or a Council Committee unless prohibited by a by-law, the Act or any other Act of the legislature.
- 9.2 The Act clearly states what Council cannot delegate being:
1. The power and duty to pass a resolution or a by-law; and
 2. The power to revoke, suspend or appoint an individual to the position of Chief Administrative Officer; and
 3. The duty to conduct a Public Hearing required of Council in the Act or any other Act of the legislature; and
 4. The duty to decide an appeal imposed upon it by the Act or any other act of the legislature.
- 9.3 With the above information in mind the general role for committees created by Council "Standing Committees" are:
1. To undertake general research with respect to improving services within the committee's area of service; and
 2. To research specific projects and/or initiative as directed by Council; and
 3. Provide an opportunity to establish a community input alternative to the committee and community decision making process; and
 4. Report the committee's findings through written reports and recommendations regarding the findings of the committee.
- 9.4 Under the Act the composition of Standing Committees can Be:
1. Made up of entirely members of Council; or
 2. Made up of a combination of members and other persons; or
 3. Made up entirely of persons who are not a member of Council.
- 9.5 All Standing Committees shall report directly to the Council meeting as Committee of the Whole at a Committee of the Whole Meeting to be held on the last Wednesday of each month.
- 9.6 Each Standing Committee shall be composed of at least two (2) members of Council.
- 9.7 The Mayor shall be a member of all Standing Committees of Council.
- 9.8 At the first regular Council meeting in each year, Council must consider the recommendations for the appointment to Standing Committees and Organizations. All appointments to Standing Committees and other Organizations, including naming of a Chairperson, must be approved by resolution of Council.
- 9.9 Regular meetings of the Standing Committees may be held as determined by the Standing Committee.
- 9.10 Special Meetings of Standing Committees may be called by the Chairperson or by two members of the Standing Committee in the same manner as provided for in the Town of Teulon Procedural By-law.
- 9.11 Any member of Council, not a member of a Committee, has the right to attend Committee Meeting 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 discussion.

10.0 STANDING COMMITTEES

10.1 For the purposes of Council, the Standing Committees, created by Council include:

10.2 Finance and Human Resource Standing Committee

1. To initiate, over time, the development of a Strategic Organizational, Financial and Human Resource Plan for all services provided by the Town of Teulon; and
2. To undertake, with the participation of the Administration, a detailed review of the 2-year Proposed Financial Revenue and Expenditure Program and make specific recommendations to Council on this program; and
3. To undertake, with the administration, a detailed review of the Month-end Financial Statements and the Year End Preliminary Estimates with the intent of doing an analysis of expenditures and revenue as compared to Administrative Estimates for the month and year; and
4. To as necessary undertake a detailed review of the municipality's Annual Audited Statement, including as needed, a meeting with the Auditor, in order to make recommendations to the Council; and
5. To undertake a periodic review of the municipalities Compensation Program, for both Council and Municipal Personnel, in order to ensure the level of compensation remains competitive with the market in Manitoba; and
6. To review all Human Resource Policies, suggested or prepared, including the activities assigned to personnel of the municipality; and
7. Review, and as requested, act as the appeal body for all disciplinary matters and human resource issue undertaken by or through the Administration; and
8. To consider and report on policies plus all such other matters, which may arise and impacts the financial and/or human resource functions within the municipality.

10.3 Public Works Standing Committee

1. To initiate, over time, the development of a Strategic Public Works Plan for the Town of Teulon; and
2. To develop over time a standardised "Asset Management Program", including the use of the program for decision making purposes by the Town of Teulon; and
3. To consider all matters relating the Municipal ands/properties, Municipal Building Assets, Municipal Utility Assets, Roads and Lanes/Right-of-ways, including the acquisition, maintenance and disposal of such Assets, as established through the "Municipal Asset Management Program.
4. To consider all matters relating to the opening, closing, construction, altering, diverting and maintenance of all Municipal Physical Assets.
5. To annually undertake a preliminary review of the Municipalities Physical Assets in order to confirm the content of the Municipal Asset Management Program and provide same to Council as an addendum to the committee's responsibilities.
6. To review the Annual 2-year Financial Program with regard to planned expenditures for the year and into the future.
7. To consider and report on policies plus all such other matters, which may arise and impacts the Public Work Resource functions with the municipality.

10.4 Protective Services Standing Committee

1. To submit to Council the development and implementation of a Strategic Protective Services Plan, including Police, Fire and Emergency Preparedness for the Town of Teulon; and
2. To undertake, a minimum of once per year, a review of the Provincial/Municipal Policing Agreement between the Town of Teulon and the Solicitor General of Canada to ensure it meets the minimum requirements of the Town of Teulon; and
3. To undertake, a minimum of once per year, a meeting with the RCMP Detachment "Commander" to discuss annual crime statistic for the Town of Teulon and the immediate surrounding areas with consideration to other activities, which might be supported by the Town to reduce in appropriate activities; and
4. To meet, a minimum of once per year, with the Municipal Emergency Coordinator (MEC) in order to ensure the Municipal Emergency Preparedness Plan meets the minimum requirements of Manitoba and the needs to the Town of Teulon.
5. To consider and report on all such other matters, which may arise and impacts on Protective Services matter within the Town of Teulon.

10.5 Community Development Standing Committee

1. To submit to the Council a Strategic Development Plan for the Commercial, Industrial and Residential growth and development of the Town of Teulon in a sustainable manner; and
2. To establish, in consultation with the South Interlake Planning District, an annual financially sustainable Program for Municipal Planning Priorities for Industrial, Commercial and Residential Growth within the Town of Teulon; and
3. To review and propose development and promotional programs, initiatives, opportunities and policies, which advance growth and development within the Town of Teulon; and
4. To Liaise with Community Organizations, with respect to organizational sustainability in order to ensure the well-being of the community at-large; and
5. To liaise with community and regional development organizations; and
6. To promote, with the assistance to the Rockwood-Teulon Recreation Commission the promotion the community, cultural and recreational activities; and
7. To consider community beautification and technological projects and initiatives; and
8. To consider and report on policies plus all such other matters, which may arise and impacts the developmental functions within the municipality.

10.6 Environmental Management Standing Committee

1. To submit to the Council a Strategic Environmental Management Program to address Solid Waste Management, Recycling and Composting plus other Environmental Issues, which might arise; and
2. To undertake an annual review of Teulon's existing Solid Waste Collection Program, Teulon's Solid Waste Disposal Program, Teulon's Recycling Program and Teulon's Composting Program; and
3. To undertake a regular review of Teulon's Solid Waste Disposal Site in order to development and maintain the Solid Waste Site Reclamation Program; and
4. To participate in the Rockwood-Teulon Solid Waste Disposal Site Agreement Implementation; and
5. To consider and report on policies plus all such other matter, which may arise and impact the environmental program of the Town of Teulon.

11.0 By-law No. 11/2019 is hereby repealed.

DONE AND PASSED as a by-law of the Town of Teulon at Teulon, Manitoba in the Province of Manitoba this 9th day of June, 2020.

Mayor

Chief Administrative Officer

Read a first time this 12th day of May, 2020

Read a second time this 9th day of June, 2020

Read a third time this 9th day of June, 2020