



THE RURAL MUNICIPALITY OF MACDONALD

BY-LAW NO. 21/22

BEING A BY-LAW to govern the organization of the Rural Municipality of Macdonald and committees thereof.

WHEREAS section 148(1) of the Municipal Act provides in part as follows:

Council to pass an organizational by-law

148(1) 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.

148(2) 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 the 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.

NOW THEREFORE, the Council of the Rural Municipality of Macdonald, in Council assembled, enacts as follows:

TITLE

1.0 This by-law may be referred to as "The Rural Municipality of Macdonald Organizational By-Law".

MUNICIPAL PURPOSES

2.0 The purposes of the Rural Municipality of Macdonald are:

- (a) to provide good government;
- (b) to provide services, facilities or other things that, in the opinion of the council are necessary or desirable for all or a part of the municipality; and
- (c) to develop and maintain a safe and viable community.

ELECTION BY WARDS

3.0 With the exception of the Reeve, who shall be elected by vote of the electors of the whole municipality, each Councillor shall be elected on the basis of wards as such wards may be established from time to time by by-law.

ROLE OF COUNCIL

4.0 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

- 5.0 Each member of the 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 of conducted in public; and
 - (e) to perform any other duty or function imposed on the member by the council or this or any other Act.

HEAD OF COUNCIL

- 7.0 The head of council for the Rural Municipality of Macdonald is to have the title of "Reeve".
- 7.1 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 unable to carry out the powers, duties and functions of the Reeve.
- 7.2 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 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 Reeve under this by-law or by this or any other Act.

CHIEF ADMINISTRATIVE OFFICER

- 8.0 In accordance with the provisions of the Municipal Act, the Chief Administrative Officer is the administrative head of the municipality and is responsible for:
- (a) ensuring that the policies and programs of the municipality are implemented;
 - (b) for advising and informing the council on the operation and affairs of the municipality;
 - (c) except as the council may decide otherwise, is responsible for the management and supervision of the employees of the municipality;
 - (d) carrying out the powers, duties and functions assigned to a Chief Administrative Officer by the council or by this or any other Act; and
 - (e) notifying the council if money of the municipality is spent or invested contrary to a by-law or resolution or this or any other Act.

COMMITTEES

- 9.0 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.

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

- (a) Finance Committee
- (b) Personnel Committee
- (c) Emergency Services Committee
- (d) Infrastructure Committee
- (e) Urban Planning & Land Use Committee
- (f) Industrial/Commercial Planning & Land Use Committee

9.2 The special duties of the Standing Committees shall be as follows:

(a) Finance Committee

- 1) To annually prepare, review and recommend to council the proposed estimated revenues and expenditures of the municipal budget including the 5 year and longer capital expenditure plans of the municipality.
- 2) To supervise all contracts, orders, reports, recommendations and proceedings involving the expenditure of municipal funds.
- 3) 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 Committee and approved by council.
- 4) To consider and report on all matters relating to municipal buildings, land, including its acquisition, maintenance, and disposal.

(b) Personnel Committee

- 1) 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.
- 2) To consider salary and wage negotiations and requests for benefits from the administration and public works staff. To assist as required with the interviewing of new employees. To review and draft personnel policy, job descriptions and consider grievances of employees.

(c) Emergency Services Committee

- 1) To consider and report on all matters relating to the operation and requirements of the municipal fire service including their acquisition, maintenance and disposal.
- 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.

(d) Infrastructure Committee

- 1) To consider and report on all matters relating to transportation services relating to municipal equipment, land drainage (rural/urban) and weed control under the responsibility of the municipality, including their acquisition, maintenance and

disposal, required for the Public Works.

- 2) To consider and report on all matters relating to municipal roads (rural/urban) and their opening, closing, altering, diverting and maintenance.
- 3) To consider and report on all matters relating to municipal landfill sites.
- 4) 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 in the municipality.
- 5) To review the needs of recreation within the Municipality, including parks and playgrounds.
- 6) To consider and report on all matters relating to the Municipal Water Treatment Plant, the water distribution system and municipal sewer systems.

(e) Urban Planning & Land Use Committee

- 1) To consider and report on all matters relating to zoning and land development, including subdivisions, zoning amendments and any necessary development agreements pertaining to proposed development in the urban centres.
- 2) To review and recommend changes to the Rural Municipality of Macdonald Zoning By-Law and the Macdonald-Ritchot Planning District Development Plan related to residential development

(f) Industrial/Commercial Planning & Land Use Committee

- 1) To consider and report on all matters relating to development of land in the Municipality and development agreements required with respect to development of land in industrial and commercial zoned areas.
- 2) To review and recommend changes to the Rural Municipality of Macdonald Zoning By-Law and the Macdonald-Ritchot Planning District Development Plan related to industrial and commercial development.

9.3 Each Standing Committee shall be composed of at least three members of Council and the Emergency Services Committee will include two representatives from the fire service.

9.4 A Special Committee may be created at any time by resolution of council, which shall specify the specific duties of the committee. Each Special Committee shall be composed of at least three members of council and may have one or more resident electors of the municipality.

9.5 The head of council is an “ex officio” member of all Standing and Special Committees, with the privilege of voting thereon.

9.6 No later than 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.

9.7 Regular meetings of the Standing or Special Committees may be held as determined by each Standing or Special Committees.

9.8 Special meetings of Standing or Special 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 Macdonald Procedures By-Law.

9.9 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.

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

BOARD OF REVISION

10.0 No later than the first regular council meeting in each year, council shall by resolution appoint a Board of Revision to hear assessment appeals during the year. The council shall appoint a member of the Board of Revision to serve as presiding officer of the Board.

10.1 The Board of Revision shall consist of not less than three members. Members of the Board may include residents of the municipality provided that at least one member is a member of the Council.

YOUTH MEMBER

11.0 The Council of the Rural Municipality of Macdonald, may, by resolution, appoint a person with the title of "youth member" to sit with the Council and to participate in Council and committee deliberations.

11.1 A youth member must be less than 18 years of age and be enrolled as a full-time student in the Red River Valley School Division or Seine River School Division or a neighbouring School division and be a resident of the Rural Municipality of Macdonald.

11.2 A youth interested in being a youth member shall submit a resume and cover letter to the Chief Administrative Officer indicating their interest in filling the position of Youth Member.

11.3 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 Council. A youth member is not allowed to participate in committee of the whole deliberations that are closed to the public.

11.4 The term of office for a youth member is to be established with the appointment but shall not exceed one year.

SIGNING AUTHORITY

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

- (a) the Reeve or the Deputy Reeve; and
- (b) the Chief Administrative Officer or the Assistant Chief Administrative Officer.

12.1 That By-Law No. 11/19 be and is hereby repealed.

DONE AND PASSED by the Council of the Rural Municipality of Macdonald, in Council duly assembled, at Sanford, Manitoba this 13th day of December, A.D., 2022.

THE RURAL MUNICIPALITY OF MACDONALD

Original Signed by

"B. Erb"

Brad Erb
Reeve

"D. Hrehirchuk"

Daryl Hrehirchuk, CMMA
Chief Administrative Officer

Read a First time this 29th day of November A.D., 2022

Read a Second time this 13th day of December A.D., 2022

Read a Third time this 13th day of December A.D., 2022