

# THE RURAL MUNICIPALITY OF OAKVIEW

## BY-LAW NO. 2015-1

### BEING A BY-LAW TO GOVERN THE ORGANIZATION OF THE RURAL MUNICIPALITY OF OAKVIEW 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 Rural Municipality of Oakview, in open meeting assembled, enacts as follows:

#### **TITLE.**

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

#### **ROLE OF COUNCIL**

- 2.0 Council is responsible
- a. for the 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 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 and recommendations that are adopted by council.
  - c. to consider and report respectively on any and all matters referred to them by council.
  - d. to perform all duties prescribed by law, including the statutes of the Dominion of Canada and the Province of Manitoba as well as the by-laws of the municipality.
- 4.1 The following committees are hereby established as the Standing committees of Council:
- a. Legislative and Finance Committee
  - b. Policy & Procedure
  - c. Personnel Committee
  - d. Protective Services
    - i) Policing
    - i) Oak River Fire Department
    - ii) Rapid City Fire Department
    - iii) EMO Committee (Hamiota & Rivers)

**COMMITTEES**

- e. Transportation Services Committee
  - i) Roads, Bridges & Drainage
  - ii) Machinery & Buildings
  - iii) Highway #250;#270; #354; #355; #24, #21 and #16 – as needed
- f. Environmental Health Services Committee
  - i) Waste Management including Recycling
- g. Public Health and Welfare Services
  - i) Cemeteries
  - ii) Health
- h. Environmental Development Services
  - i) Midwest Planning District
- i. Economic Development Services Committee
  - i) Weed District
  - ii) Veterinary – Shoal Lake and Minnedosa
  - iii) Little Saskatchewan River Conservation District
  - iv) Community Development Corporations
  - v) Brandon & Area Community Foundation
- j. Recreation and Culture Committee
  - i) Midwest Recreation Board
  - ii) Rollingdale Workshop
  - iii) Newdale Hall
  - iv) Parkland Regional Library
  - v) Rapid City & District Library
  - vi) Rapid City & Area Museum
  - vii) Clack Museum
  - viii) Senior Services
  - ix) Rapid City Legion Gardens
- k. Utility
  - i) Oak River
  - ii) Rapid City

**COMMITTEES**

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 municipal business, and for any other purpose relating to municipal business that the council considers appropriate.
- b. Policy & Procedure
- c. Personnel 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.
- d. Protective Services Committee
  1. To consider and recommend to Council the appointment of the Fire Chiefs.
  2. To review equipment management procedures.
  3. To review and recommend all salary requests to Council for its consideration during budget deliberations.

4. To recommend an Emergency Measures Coordinator for The Rural Municipality of Oakview.
  5. To review the Emergency Measures Plan on an annual basis with the Emergency Measures Coordinator.
  6. To recommend to Council any plan changes to be implemented.
  7. To recommend to Council at the beginning of each year such projects, works, and matters
- e. Transportation Services Committee
1. To consider and report on all matters relating to municipal land, buildings and equipment, including their acquisitions, 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.
- f. Environmental Health Services Committee
1. To consider and report on all matters relating to the Municipal Landfills.
  2. To consider and report on all matters relating to the Municipal Recycling Centres.
  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.
- g. Public Health Services Committee
1. To review concerns from family members visiting the cemetery or visitors to the cemetery
  2. To work with the various cemetery committees regarding any concerns they may have regarding the upkeep of the cemeteries
  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 costs.
  4. To meet with various health committees to discuss health concerns and make recommendations back to Council
- h. Environmental Development Services
1. Attend planning meetings and keep council informed regarding environmental development services that affect the municipality
  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.
- i. Economic Development Services Committee
1. To consider and report on all matters relating to the various committees that compromise economic development services that affect the R. M. of Oakview and make recommendations to council under its control as it considers essential to be carried out during the year, together with their detailed cost.
- j. Recreation and Culture Committee
1. To review all applications for recreation and cultural 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.
- k. Utility Committees
1. To consider and report on all matters relating to the Municipal Water and Sewer systems in Oak River and Rapid City.
  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.
- 4.3 Each Standing Committee shall be composed of as many members of Council deems necessary (maximum 3).

- 4.4 The Head of Council is an alternate for all or someone appointed by Council.
- 4.5 At the first regular 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 the 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 Oakview Policy & 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 council.

#### **HEAD OF COUNCIL**

- 5.0 The Head of Council for The Rural Municipality of Oakview is to have the title Reeve.
- 5.1 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 the Reeve is unable to carry out the powers, duties and functions of the Reeve.
- 5.2 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 of 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 or by this or any other Act.

#### **YOUTH MEMBER**

- 6.0 The Council of The Rural Municipality of Oakview, may, by resolution, appoint a person with the title "youth member" to sit with council and to participate in council deliberations.
- 6.1 A youth member must be enrolled as a full time student within the Rolling River School Division or Parkwest School Division and must be a resident of The Rural Municipality of Oakview.
- 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 (1) 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 Rural Municipality of Oakview council present at the meeting when the Board of Revision is held. 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 other negotiable instruments must be signed or authorized by:
  - a) the head of council, or the deputy head of council, and
  - b) the chief administrative officer, assistant chief administrative officer, or the administrative/financial assistant.
- 8.1 Cheques must be signed by:
  - a) the head of council or the deputy head of council, or by the alternate council member with signing authority and
  - b) the chief administrative officer, assistant chief administrative officer, or the administrative/financial assistant.

**DONE AND PASSED** by the Council of The Rural Municipality of Oakview, duly assembled at Oak River, in the Province of Manitoba, this 13<sup>th</sup> day of January A.D. 2015.

signed by Brent Fortune

Reeve

signed by Diane Kuculym

Chief Administrative Officer

Read a first time this 6<sup>th</sup> day of January, 2015.  
Read a second time this 6<sup>th</sup> day of January, 2015.  
Read a third time this 13<sup>th</sup> day of January, 2015.