

# THE RURAL MUNICIPALITY OF OAKVIEW

## BY-LAW NO. 2020-5

### 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:
- i. Policing
  - ii. EMO Committee (Hamiota & Rivers)
  - iii. Cemeteries
  - iv. Health
  - v. Midwest Planning District
  - vi. Weed District
  - vii. Veterinary – Shoal Lake and Minnedosa
  - viii. Central Assiniboine Watershed District
  - ix. Assiniboine West Watershed District

- x. Community Development Corporations
- xi. Brandon & Area Community Foundation
- xii. Midwest Recreation Board
- xiii. Newdale Hall
- xiv. Rapid City & District Library
- xv. Rapid City & Area Museum
- xvi. Clack Museum
- xvii. Senior Services
- xviii. Rapid City Legion Gardens

### **COMMITTEES**

- 4.1 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.
- 4.2 The Head of Council is an alternate for all or someone appointed by Council.
- 4.3 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.

### **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, cheques 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, or the Manager of Finance.

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, or the Manager of Finance.

**DONE AND PASSED** by the Council of The Rural Municipality of Oakview, duly assembled at Oak River, in the Province of Manitoba, this 25<sup>th</sup> day of February A.D. 2020.

Original signed by Brent Fortune

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Reeve

Original signed by Marci Quane

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Chief Administrative Officer

Read a first time this 11<sup>th</sup> day of February, 2020.

Read a second time this 25<sup>th</sup> day of February, 2020.

Read a third time this 25<sup>th</sup> day of February, 2020.