

TOWN OF CARBERRY

BY-LAW NO. 15/2022

BEING a by-law to govern the organization of the Town of Carberry Council 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 Carberry, in open meeting assembled, enacts as follows:

TITLE

1.0 This by-law may be referred to as the “Town of Carberry 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 Committee
- (b) Personnel Committee
- (c) Protective Services Committee
- (d) Public Works Committee
- (e) Municipal Building Committee
- (f) Waste Management Services/Environmental Committee
- (g) By-law & Policy Committee
- (h) Economic Development Committee

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

- (a) Finance and Personnel Committees
 - (i) to supervise all contracts, orders, reports, recommendations, and proceedings involving the expenditure of municipal funds;
 - (ii) 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;
 - (iii) to consider salary and wage negotiations;
 - (iv) to consider requests for benefits;

- (v) to assist with interviewing of new employees;
 - (vi) to review and draft personnel policy;
 - (vii) to review and draft job descriptions;
 - (viii) to review and consider grievances of employees.
 - (b) Protective Services Committee
 - (i) to deal with issues related to policing and fire protection services.
 - (c) Public Works Committee
 - (i) to consider and report on all matters relating to vehicles and equipment, including their acquisition, maintenance, and disposal;
 - (ii) to consider and report on all matters relating to municipal roads and their opening, closing, altering, diverting and maintenance;
 - (iii) 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.
 - (iv) to deal with all areas associated with water and sewer utilities.
 - (d) Municipal Building Committee
 - (i) to consider and report on all matters relating to municipal land and buildings, including their acquisition, maintenance, and disposal;
 - (ii) 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.
 - (e) Waste Management Services Committee
 - (i) to deal with all areas associated with waste management, recycling, and the environment.
 - (f) By-law and Policy Committee
 - (i) to recommend new and amended policies and by-laws as required for the efficient operation of the Town
- 4.3 Each Standing Committee shall be composed of a minimum of two members of council, but may consist of additional members of Council or resident electors in the municipality.
- 4.4 The head of council is a member of all committees in accordance with section 4.2 of this by-law.
- 4.5 At 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.
- 4.6 Regular meetings of the Standing Committees may be held as determined by each Standing Committee.
- 4.7 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 Carberry 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 the council.

HEAD OF COUNCIL

- 5.0 The head of council for the Town of Carberry is to have the title of Mayor.
- 5.1 At the first regular meeting of council in each year, council must by resolution, appoint a councillor as Deputy-Mayor, who shall act in place of the Mayor when he 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 by-law 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 by-law or any other Act.

YOUTH MEMBER

- 6.1 Under section 81 of the Municipal Act, the council of the Town of Carberry may, by resolution, appoint a person with the title “Youth Member” to sit with council and to participate in council deliberations.
- 6.2 A youth member must be less than 18 years of age or enrolled as a full-time student at Carberry Collegiate, and must be a resident of the Town of Carberry.
- 6.3 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 the council. A youth member is not allowed to participate in committee of the whole deliberations that are closed to the public.
- 6.4 The term of office for a youth member is to be established with the appointment but shall not exceed 2 years unless approved by resolution of council.

BOARD OF REVISION

- 7.1 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.
- 7.2 The Board of Revision shall consist of all members of council. The council shall appoint a member of The Board of Revision to serve as presiding officer of the Board.
- 7.3 Should council desire, they may appoint community members to the Board of Revision, for a term of one year.

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

By-law No. 8/2020 and all other Organizational By-laws are hereby repealed.

DONE AND PASSED as a by-law of the Town of Carberry, at Carberry, in the Province of Manitoba this 10th day of January, 2023.

TOWN OF CARBERRY

Original signed by Ray Muirhead
Raymond Muirhead
Mayor

(S E A L)

Original signed by Grady Stephenson
Grady Stephenson
CAO

Read a first time this 13th day of December, 2023.
Read a second time this 10th day of January, 2023.
Read a third time this 10th day of January, 2023.