

## BY-LAW NO. 19-01

- of -

### THE RURAL MUNICIPALITY OF SPRINGFIELD

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Being a By-Law to govern the organization of The Rural Municipality of Springfield and the Council Committees thereof.

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**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 Springfield, in open meeting assembled, enacts as follows:

#### **TITLE**

1.0 This by-law may be referred to as “The Rural Municipality of Springfield Organizational By-Law.”

#### **ROLE OF COUNCIL MEMBERS**

##### **2.0 HEAD OF COUNCIL**

The **Head of Council** or the **Mayor** is responsible for:

- a) Providing strong leadership to the council, staff, and the community,
- b) Attending and conducting meetings in accordance with by-laws and policies of the Municipality,
- c) Carrying out the powers, duties and functions expressly given to the office of Mayor under the Municipal Act or any other Acts or by-laws of the Municipality,
- d) Is an officer of the corporation,
- e) Leading and supporting Administration through the establishment of clear policies and the policy making process,
- f) Providing direction and support to council through the development and use of by-laws, policies and procedures to guide the organization,
- g) Leading the corporation in the development of future programs, policies, and new directions for the Municipality,
- h) Ensuring that the proper reporting systems are in place,
- i) Communicating with the public and media to:
  - i) Convey the decisions of council
  - ii) Convey important information from council
  - iii) Commit to investigate their concerns
  - iv) Develop with the CAO a clear process for follow-up
- j) Establishing and maintaining high standards of local governance,
- k) Staying informed, keeping up-to-date, involved, and available,
- l) Following established policies and procedures,

- m) Understanding options, reconciling conflict, and leading the development of systems and services within the organization and the community,
- n) Acting as an ex-officio member of all standing committees and other committees as designated by council.

## 2.1 DEPUTY MAYOR

The **Deputy Mayor** is responsible for:

- a) In the absence of the Mayor, he/she acts as the Head of Council and has all the powers and responsibilities of that office,
- b) Is an officer of the corporation,
- c) In the absence of the Mayor, chairs all council meetings and acts as an ex-officio member of Standing Committees and other committees designated by council,
- d) At the meeting on the third Tuesday in November in each year, the council must by resolution, establish the position of Deputy Mayor. The appointment of the Deputy Mayor shall be according to one of the following methods:
  - i) Selection and appointment by the Mayor for a one year term, or
  - ii) Majority selection by vote of council for a 1-year term.

## 2.2 COUNCILLORS

**Councillors** are responsible for:

- a) Developing, implementing and evaluating the policies and programs of the municipality,
- b) Establishing corporate direction and providing leadership to the community,
- c) Leading and supporting Administration with high standards for strong local governance,
- d) Staying informed, keeping up-to-date, being involved, and available,
- e) Following established policies and procedures,
- f) Carrying out the powers, duties and functions expressly given to the council under the Municipal Act or any other Acts or by-laws of the Municipality,
- g) Serving on such Committees and Boards as designated by council and acting on behalf of council.

## GENERAL DUTIES OF COUNCIL 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 interest 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.

## **GENERAL DUTIES OF CHIEF ADMINISTRATIVE OFFICER**

### **4.0 The Chief Administrative Officer is the administrative head of the municipality and is responsible for, but not limited to:**

- a) Providing an orientation to the council within 30 days following a regular election, to prepare newly elected and remaining council members for their roles and responsibilities.
- b) Ensuring that the policies and programs of the municipality are implemented.
- c) Advising and informing the council on the operation and affairs of the municipality.
- d) Except as the council may decide otherwise, is responsible for the management and supervision of the employees of the municipality.
- e) Carrying out the power, duties and functions assigned to a chief administrative officer by the council or by this or any other Act.
- f) 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.
- g) Liaison between Council and staff, other levels of government, and various agencies.

## **GENERAL DUTIES OF COMMITTEE OF THE WHOLE**

5.0 The Committee of the Whole (C.O.W.) shall generally meet on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month in the Rural Municipality of Springfield council chambers commencing at 1:00 p.m.

5.1 The Committee of the Whole consists of all members of Council, the CAO, and senior staff as required.

5.2 The Municipality will audio/video tape all Committee of the Whole meetings, except for Closed Meeting (In Camera) sessions, and will make available to the public within 48 hours, notwithstanding any unforeseen circumstances.

6.0 The general duties of the Committee of the Whole shall be as follows:

### **6.1 PUBLIC WORKS**

#### **Public Works matters including but not limited to:**

- a) municipal land, infrastructure, open space, buildings, and equipment; including
- b) their acquisition, maintenance, major repair or replacement plan and/or disposal plan.
- c) Municipal roads and their opening, closing, altering, diverting, repair and
- d) maintenance, street lighting, signage, etc.

- e) Land drainage management
- f) Open space and green space management
- g) by November of each year develop a list of projects, works and matters it
- h) considers essential to be carried out during the year, together with detailed costs
- i) insects and weed control; and

## **6.2 ENGINEERING AND ENVIRONMENTAL SERVICES**

### **Engineering and Environmental Service matters including but not limited to:**

- a) operations and maintenance of the utilities including the treatment and distribution of water, and collection and treatment of sewage, septic tank waste,
- b) utility customer billings and collections, connections, etc.
- c) solid waste collection and disposal, as well as environmental regulation and reduction programs.
- d) by November of each year develop a list of projects, works, and matters it considers essential to be carried out during the year for the welfare of the municipality, together with a detailed estimated cost of same.

## **6.3 LEGISLATIVE, FINANCE AND PERSONNEL**

### **Legislative, Finance and Personnel matters including but not limited to:**

- a) review 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.
- b) financial plans and reports, by-laws, legal documentation, reports, recommendation, draft policies, etc. for consideration and approval.
- c) personnel policies related to employee benefits, hiring practices, job descriptions/evaluations, HR Management etc.
- d) long term building maintenance and repair programs and strategies.
- e) municipal general land assembly, land leases, and beautification programs.

## **6.4 PROTECTIVE SERVICES**

### **Protective Service matters including but not limited to:**

- a) public health and welfare, environmental development; including public wells, public washrooms, and cemeteries.
- b) public safety including new regulations, recommendations, protective, preventative and enforcement issues, risk management, etc.
- c) all matters relating to the Fire Department, Animal Control and Emergency Planning and Preparedness; including operating and capital budgets, staffing, training, and any new areas of concern or change in service.
- d) destruction of pests
- e) to develop a public building inspection program and public education and awareness programs.
- f) matters relating to public safety, vandalism, emergency communication

systems and make recommendations as to enforcement options and/or alternatives.

g) By-law enforcement issues.

h) by November of each year develop a list of projects, works, and matters it considers essential to be carried out during the year for the welfare of the municipality, together with a detailed estimated cost of same.

## **6.5 COMMUNITY SERVICES**

### **Recreation, Cultural and Community matters including but not limited to:**

a) funding for recreation and cultural program for local organizations as well as prepare or support applications for funding to the province.

b) recreational and cultural needs within the municipality; including libraries, museums, parks and playgrounds, and other recreational facilities such as arenas, complexes, and halls.

c) seniors, public transportation, and the elderly persons housing facilities.

d) by November of each year develop a list of projects, works, and matters it considers essential to be carried out during the year for the welfare of the municipality, together with a detailed estimated cost of same.

## **6.6 ECONOMIC DEVELOPMENT AND PLANNING MATTERS**

### **Economic Development and Planning matters including but not limited to:**

a) economic needs and programs including; regional and industrial development, incentive programs, business improvement programs, CDC, and tourism.

b) applications for funding for development programs and public receptions.

c) planning and zoning, building inspections matters.

d) by November of each year develop a list of projects, works, and matters it considers essential to be carried out during the year for the welfare of the municipality, together with a detailed estimated cost of same.

e) By-law enforcement issues.

## **GENERAL DUTIES OF APPOINTMENTS TO OTHER COMMUNITY COMMITTEES AND BOARDS**

### **7.0 Council appointments**

a) Members of council shall be appointed by resolution to Community Committees or Boards, and this appointment should be at the November council meeting wherever possible, and the appointment shall last for one year.

b) Members of council may ask to have alternate appointments made as well, to ensure the regular flow of information between council and committees and boards.

c) Each member of council appointed to a Community Committee or Board shall act as the representative of Council.

d) Such appointed members shall be responsible to report back to council from time to time and keep council advised of all important decisions,

- e) Appointment to an executive position on a committee or subcommittee should first require the approval of Council.
  - f) Such appointed members shall also be responsible to report to the Committee or Board any position or decision made by council that affects the Committee or Board, and also vote if required as council has directed.
  - g) Appointed members are responsible to stay informed, keep up to date on matters, and attend meetings regularly.
  - h) Appointed members, where possible and when necessary, shall lead the Committee of Board in a direction consistent with their mandate.
  - i) Appointed members shall encourage and recommend the development of written policies, procedures, programs and processes where possible.
- a) **Citizen Appointments to Community Committees and Boards**
- a) Council may appoint Citizen Members to serve on Community Committees or Boards to give council greater access to resources and expertise than may otherwise be available.
  - b) An advertisement for committee and board position appointments and vacancies will be placed on the municipal website and in the local paper prior to the expiration date of the term of office.
  - c) Citizen members shall be appointed annually by resolution of council and such appointment shall be in writing both to the Citizen and to the Committee or Board. Wherever possible, this appointment should be made during the November council meeting, each year.
  - d) Citizen members shall be appointed for a minimum of one year but the appointment may be renewed each year by mutual agreement between the citizen and council.
  - e) Citizen members shall be provided with an outline of their duties and responsibilities, and are expected from time to time to inform the council of any important issues and decisions that may impact the Rural Municipality of Springfield.
  - f) Citizen members are to be encouraged to steer the committees or boards towards developing written policies and procedures, and to focus on projects and programs that are within the mandate of that organization.

## **YOUTH MEMBER**

- 8.0 The council of The Rural Municipality of Springfield, may, by resolution, appoint a person with the title “youth member” to sit with the council and to participate in council deliberations.
- a) A youth member must be between the ages of 14 and 18, be enrolled as a full time student, be a resident of the Rural Municipality of Springfield and be attending a school within the Rural Municipality of Springfield.
  - b) Youth members will attend, participate and/or report in regular meetings of Council for the purpose of bringing a youth perspective to Council matters or discussions.
  - c) 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 deliberations that are closed to the public.

- d) Youth members shall not be included in constituting a quorum of Council.
- e) The term of office for a youth member, shall run from September to June, and shall be for a minimum of one year but the appointment may be renewed each year by resolution of council.
- f) Youth members shall not be compensated with wage or per diem.

**BOARD OF REVISION**

- 8.1 At the regular council meeting on the third Tuesday in November in each year, council shall by resolution, appoint a Board of Revision to hear assessment appeals during the year.
- 8.2 The Board of Revision shall consist of a minimum number of three persons whose members may consist of all councillors, a combination of councillors and citizen members or all citizen members.

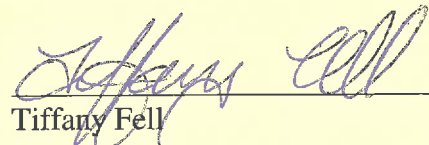
**SIGNING AUTHORITY**

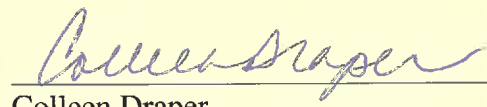
- 9.0 By-laws, agreements and cheques and other legal or negotiable instruments must be signed or authorized by two signatures but one must be from each of the following:
  - a) One member of council; either the Mayor or a member of council who has been designated by resolution of council as a signatory of the Municipality, and
  - b) One member of the Administration; either the Chief Administrative Officer, Chief Financial Officer or a member of the staff who has been designated by resolution of council as a signatory of the Municipality.

**BY-LAWS REPEALED**

- 10.0 By-law 18-02 of the Rural Municipality of Springfield is hereby repealed upon the coming into effect of this by-law.

DONE AND PASSED as a by-law of The Rural Municipality of Springfield assembled in Oakbank, in Manitoba, this 5<sup>th</sup> day of February, A.D. 2019

  
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 Tiffany Fell  
 Mayor

  
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 Colleen Draper  
 Assistant Chief Administrative Officer

READ a first time this 15<sup>th</sup> day of, January, A.D. 2019  
 READ a second time this 5<sup>th</sup> day of, February, A.D. 2019  
 READ a third time this 5<sup>th</sup> day of, February, A.D. 2019