

## THE TOWN OF TEULON

### BY-LAW # 9/2022

Being a By-law of the Town of Teulon to govern the organization of the Town of Teulon and the Committees thereof.

**WHEREAS** Clause 148(1) of the Manitoba Municipal Act (hereinafter referred to as “the Act”) provides that Council must establish by by-law an organizational structure for the municipality and review the by-law a minimum of at least once during its term in office.

**AND WHEREAS** Section 148 (2) of the Act provides that an Organizational By-Law must provide for the following:

- a) The establishment of Committees & Regional Boards/Organizations.

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Teulon, in open meeting assembled, enacts the following:

#### TITLE

**1.0** This By-law may be referred to as “THE TOWN OF TEULON ORGANIZATIONAL BY-LAW”

#### **2.0** DEFINITIONS

- 2.1 **“Act”** shall mean the Municipal Act, S.M. 1996 c.58 or any other relative Act of the Province of Manitoba.
- 2.2 **“Committee of the Whole”** shall mean all members present at a meeting of the Council sitting as a Committee.
- 2.3 **“Council”** shall mean the Mayor and Councillors for the Town of Teulon elected pursuant to the provisions of the Municipal Act
- 2.4 **“Head of Council”** shall mean the Mayor or Deputy Mayor or Acting Member of Council as the case may be.
- 2.5 **“Municipality” shall** mean the Town of Teulon.

#### **3.0** ROLE OF THE COUNCIL

- 3.1 The Council shall be responsible:
  1. For developing and evaluating the policies and programs of the municipality; and
  2. For ensuring that the powers, duties and functions of the municipality are appropriately carried out; and
  3. For carrying out the powers, duties and functions expressly given to the Council under this or any other Act of the Legislature.

#### **4.0** GENERAL DUTIES OF MEMBERS

- 4.1 Each member of the Council of the Town of Teulon is to have the title “Councillor”.
- 4.2 Each member of a council has the following duties:
  1. To consider the well-being and interests of the municipality as a whole and bring to the Council’s attention anything that would promote the well being or interests of the municipality; and
  2. To participate generally in developing and evaluating the policies and programs of the municipality; and
  3. To participate in meetings of the Council and of Council Committee and other bodies to which the member is appointed by the Council; and
  4. To keep in confidence a matter that is discussed at a meeting closed to the public under 152(3) of the Act and that the Committee decides to keep confidential until the matter is discussed at a meeting of the Council or a committee conducted in public; and
  5. To perform any other duty or function imposed on the member by the Council or this or any other Act of the Legislature.

## **5.0 DUTIES OF THE MAYOR**

- 5.1 The Head of the Council of the Town of Teulon is to have the title “Mayor”.
- 5.2 In addition to those duties and functions of a member of Council the Mayor shall be responsible for the following duties:
  - 1. To preside, where in attendance at a Council meeting except where the Procedure By-law or this or any other Act of the Legislature otherwise prohibits; and
  - 2. To provide leadership and direction to the Council; and
  - 3. To perform any other duty or function assigned to the head of Council by the Council or by this or any other act of legislature.
  - 4. At least once during its term of office, Council must, by resolution, appoint a Councillor as Deputy Mayor, who shall act in place of the Mayor when they are unable to carry out the powers, duties and functions of the Mayor.

## **6.0 STUDENT COUNCILLOR**

- 6.0 The Council of the Town of Teulon may, by resolution, appoint a person with the title “Student Councillor” to sit with the Council and to participate in Council deliberations.
- 6.1 A Student Councillor must be less than eighteen (18) years of age or enrolled as a fulltime student at Teulon Collegiate and must be a resident of the Town of Teulon.
- 6.2 A Student Councillor is not permitted to move or second any resolution nor is the student councillor counted for the purpose of deciding a vote of the Council. A student councillor is not allowed to participate in In-camera deliberations that are closed to the Public.
- 6.3 The term of office for a student councillor is to be established with the appointment but shall not exceed one (1) year.

## **7.0 BOARD OF REVISION**

- 7.1 The Board of Revision shall consist of the members of the Council of the Town of Teulon. The Mayor shall serve as the Presiding Officer of the Board or in their absence, the Deputy Mayor.
- 7.2 The Council shall appoint the Secretary to the Board.

## **8.0 ROLE OF THE CHIEF ADMINISTRATIVE OFFICER**

- 8.1 The Chief Administrative Officer shall report to, be accountable to and receive authority from the Council of the Town as outlined in Municipal By-law # 01/2020 including:
  - 1. Is the administrative head of the Town; and
  - 2. Is responsible for advising and informing the Council on the operation and affairs of the Town; and
  - 3. Is responsible for the management and supervision of all employees and contractors employed by the Town; and
  - 4. Shall carry out the powers, duties and functions assigned by the Council and must notify the Council of the Town if Town funds are spent or invested contrary to a by-law or resolution of the Council or used contrary to the Act.
  - 5. May, in writing from time to time and in accordance with sound management practices, delegate to their subordinates such duties and responsibilities deemed appropriate or necessary provided they shall continue to be responsible for all actions of the subordinates with respect to those matters so delegated.

## **9.0 SIGNING AUTHORITY**

- 9.1 Agreements, cheques and other negotiable instruments must be signed or authorized by the following:
1. The Mayor, or Deputy Mayor; plus
  2. The Chief Administrative Officer or the Finance Officer.

## **10.0 COMMITTEE OF THE WHOLE OF COUNCIL**

- 10.1 The Committee of the Whole of Council is comprised of the entire Council sitting as a committee to consider the affairs of the Municipality.
- 10.2 The Committee of the Whole shall not take any official action while sitting in Committee.
- 10.3 The rules for the conduct of Council pursuant to the Procedures By-Law shall be observed in the Committee of the Whole as far as may be applicable.
- 10.4 Meetings of the Committee of the Whole may be closed to the public pursuant to Subsection 152 (3) of the Act.
- 10.5 Council meeting as Committee of the Whole will be held on the last Wednesday of each month.

## **11.0 COMMITTEES OF COUNCIL**

- 11.1 The Act provides that the Council may delegate certain of its powers, duties and functions to the Chief Administrative Officer, a Designated Officer, the Head of Council or a Council Committee unless prohibited by a by-law, the Act or any other Act of the legislature.
- 11.2 A Committee of Council may be appointed by Resolution of Council at any time specifying the business to be dealt with by the Committee.
- 11.3 The Act clearly states what Council cannot delegate being:
1. The power and duty to pass a resolution or a by-law; and
  2. The power to revoke, suspend or appoint an individual to the position of Chief Administrative Officer; and
  3. The duty to conduct a Public Hearing required of Council in the Act or any other Act of the legislature; and
  4. The duty to decide an appeal imposed upon it by the Act or any other act of the legislature.
- 11.4 With the above information in mind committees created by Council are:
1. To undertake general research with respect to improving services within the committee's area of service; and
  2. To research specific projects and/or initiatives as directed by Council; and
  3. Provide an opportunity to establish a community input alternative to the committee and community decision making process; and
  4. Report the committee's findings through written reports and recommendations regarding the findings of the committee.
- 11.5 Under the Act the composition of Committees can Be:
1. Made up of entirely members of Council; or
  2. Made up of a combination of members and other persons; or
  3. Made up entirely of persons who are not a member of Council.

- 11.6 Other Bodies that are established by -by-law and/or Agreement for the performance of duties, responsibilities and functions of various municipal purposes and entities. Council members and citizen appointments shall be made by resolution of Council and shall be made at least once during its term of office.
- 11.7 The Mayor shall be a member of all Committees of Council.
- 11.8 On an annual basis Council must consider the recommendations for the appointment to Community & Regional Boards/ Organizations. All appointments to Committees and other Organizations, including naming of a chairperson, must be approved by resolution of Council.
- 11.9 Regular meetings of the Committees may be held as determined by the Committee.
- 11.10 Any member of Council not a member of a Committee, has the right to attend Committee Meeting 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 discussion.
- 12.0** By-law No. 2/2020 is hereby repealed.

DONE AND PASSED as a by-law of the Town of Teulon at Teulon, Manitoba in the Province of Manitoba  
this 13<sup>th</sup> day of December, 2022.

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Mayor

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Chief Administrative Officer

Read a first time this 8<sup>th</sup> day of November, 2022

Read a second time this 13<sup>th</sup> day of December, 2022

Read a third time this 13<sup>th</sup> day of December, 2022