

THE TOWN OF SWAN RIVER

BY-LAW NO 9-2018

BEING an Organizational By-law of the Town of Swan River.

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.

AND WHEREAS Section 148(2) of the Municipal Act provides that, an organizational by-law must provide the following:

- (a) The establishment of council committees, other than committees of local urban districts, and other bodies of the council, including their duties and functions;
- (b) The appointment of a deputy head of the council to act in place of the head of council when he or she is unable to carry out the powers, duties and functions of the head; and
- (c) The manner of appointment of persons to council committees and other bodies.

AND WHEREAS Section 80 of the Municipal Act provides that a councillor is to have the title “Councillor” and the head of a council is to have the title “Mayor”, “Reeve” or “Head of Council” as council may designate in its organizational by-law.

AND WHEREAS Section 107 of the Municipal Act provides that council committees may be composed:

- (a) entirely of members of council,
- (b) of a combination of members and other persons; or
- (c) entirely of persons who are not members of the council.

NOW THEREFORE the Council of the Town of Swan River enacts as follows:

- 1.0 This by-law may be referred to as “The Town of Swan River Organizational By-law.

ROLE OF COUNCIL

- 2.0 Council is responsible:
 - a) for developing and evaluating the policies and program of the municipality;
 - b) for ensuring that the power, 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 and recommendations that are adopted by council;
 - c) to consider and report respectively on any and all matters referred to them by council.

HEAD OF COUNCIL

- 5.0 The head of council for the Town of Swan River is to have the title of Mayor.
- 5.1 The deputy head of council of council is to have the title of Deputy Mayor.
- 5.2 At the first regular meeting of council in each inaugural year, council must by resolution, appoint a councillor as Deputy Mayor, who shall act in place of the Mayor when the Mayor is unable to carry out the powers, duties and functions of the Mayor. The term for the Deputy Mayor shall be four (4) years).
- 5.3 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 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 by this or any other Act.
 - d) to appoint Council Committees subject to the approval of council.

YOUTH MEMBER

- 6.0 The council of the Town of Swan River, may, by resolution, appoint a person with the title “youth member” to sit with the council and to participate in council deliberations.
- 6.1 A youth member must be less than 18 years of age or enrolled as a full time student within the Swan Valley School Division and must be a resident of the Town of Swan River.
- 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.

- 7.0 That the following Council Committees be established to advise council on municipal

policy and other matters pertinent to the operation of the municipality. To report from time to time on matters connected with the duties of the committee and to make recommendations to council as necessary. To consider and report on any matter referred to it by council.

1. General Government & Finance

- a. Legislative, Administrative, Finance,
- b. Human Resources, including:
labour management, bargaining committee,
Grievance. Other General Government and
Capital programs.

2. Protective Services

- a. RCMP / Fire Protection
- b. Emergency Measures Organization
- c. Animal Control
- d. Work Place Health & Safety

3. Transportation & Environmental Health Services

- a. General equipment, engineering, workshop
yard & buildings. Road maintenance & Construction,
sidewalks, ditches, storm sewer, street cleaning,
snow & ice removal, street lighting, street signs,
- b. Garbage & waste collection, Landfill Operation
- c. Derelict vehicles, condemned houses,
- d. Other environmental services.

4. Environment & Economic Development Services

- a. Planning, zoning, Community Development,
- b. Beautification & Christmas lights
- c. Regional and industrial development, Tourism,
Chamber of Commerce,
- d. Cemeteries.

5. Recreation & Cultural Services

- a. Centennial Arena
- b. Swan Valley Credit Union Aquatic Centre
- c. Parks, Trails, and playgrounds
- d. Museum

6. Utilities: Water and Wastewater

- a. Water - supply, treatment, and distribution
- b. Wastewater - collection, treatment, and discharge
- c. Water/Wastewater- Services, metering, billing,

8.0 That representatives be appointed to other bodies as follows:

- 1) Swan Valley Municipal Airport Commission – 2 members.
- 2) Northwest Regional Library Board – 1 member and 2 community member
- 3) Swan Valley Veterinary Services District Board – 1 member.
- 4) Swan Valley District Recreation Commission – 1 member; 2 community member
- 5) Swan Lake Watershed Conservation District – 1 member; 1 community member
- 6) Management Committee – Department Heads
- 7) Interagency – 1 members
- 8) Indigenous Relations– 3 members
- 9) Swan Valley Planning District – 2 member
- 10) Parkland Tourism – 2 members ; 1 community member
- 11) Urban Forest Committee – 1 member
- 12) Settlement Services Committee – 1 members
- 13) Economic Development(RISE) Committee – 2 member
- 14) Chamber of Commerce – 1 members
- 15) SV Medical Services– 2 members
- 16) SV Municipal Relations Committee – 3 member
- 17) Safe house Representative - 1 members
- 18) SV Communities that Care – 1 member
- 19) Board of Revision– Mayor, All council
- 20) SV Health Foundation – 1 members
- 21) Media Relations – 3 members
- 22) MB Age Friendly Committee– 2 members
- 23) L.P. Liaison Committee- 1 member

9.0 That the whole council form the Board of Revision and the Chief Administrative

Officer be Secretary for the Board.

- 10.0 That all Administrative employees form an Administrative Committee. This committee shall meet regularly for the purpose of the inter-departmental communications, exchange of ideas and sharing of goods and services.
- 11.0 That Special Committees may be appointed at any time by Council to consider and report on any matter referred to it by Council.
- 12.0 That pursuant to Section 107(2) of the Municipal Act the Mayor is an ex-officio member of all Committees.
- 13.0 That By-law No. 16/2016 is hereby rescinded.

Done and passed as a by-law of the Town of Swan River in the Province of Manitoba this 15th day of January A.D.2019

Original signed January 15/19

Lance Jacobson

Mayor

Original signed January 15/19

Derek Poole

Acting Chief Administrative Officer

Read a first time this 20th day of November, 2018

Read a second time this 18th day of December, 2018

Read a third and final time this 15th day of January, 2019