

**TOWN OF STONEWALL  
BY-LAW NO. 02-23**

Being a By-Law to govern the organization of the Town of Stonewall 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 council's term of office.

**AND WHEREAS** Section 148 (2) of The Municipal Act provides that an Organizational By-law must provide for 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 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.

**NOW THEREFORE** the Council of the Town of Stonewall, in Council duly assembled, hereby enacts as follows;

**1.0 TITLE**

- 1.1 This By-Law may be referred to as "The Town of Stonewall Organizational By-Law".

**2.0 DEFINITIONS**

- 2.1 Unless the context otherwise requires, where used in this By-Law;
- (a) **"Act"** means the Municipal Act, S.M. 1996 c.58 or any other relative Act of the Province of Manitoba;
  - (b) **"Committee of the Whole"** means all members present at a meeting of the Council sitting as a committee;
  - (c) **"Council"** means the Mayor and Councillors of the Town of Stonewall elected pursuant to the provisions of The Municipal Act;
  - (d) **"Head of Council"** means the Mayor, or Deputy Mayor or Acting Member of Council as the case may be;
  - (e) **"Mayor"** shall mean the person elected as the Head of Council;
  - (f) **"Procedure By-law"** means the current By-Law in place that regulates the proceedings and conduct of the Town of Stonewall Council and the Committees thereof as well as any amendments thereto;
  - (g) **"Town"** means the Town of Stonewall

**3.0 FIRST REGULAR MEETING OF COUNCIL**

- 3.1 The first regular meeting of Council in each year for the purpose of this By-Law shall be the first Regular Meeting of Council held in November with Council to hold that meeting no later than November 15th.

**4.0 ROLE OF COUNCIL**

4.1 The responsibilities of Council are determined by the legislative framework of The Municipal Act. In this By-Law, the objective of Council is founded on the principle that the members of Council are stewards of the organization and, as such, the members of Council have a responsibility to consider and adopt policy to direct the affairs of the organization, to oversee the conduct of the organization, and to monitor the management of the organization. In normal circumstances, the day to day management functions of the organization should not be performed by Council or members of Council.

4.2 Council is responsible for;

- (a) considering and adopting the policies and programs of the Town;
- (b) ensuring that the powers, duties and functions of the Town are appropriately carried out; and
- (c) carrying out the powers, duties and functions expressly given to the Council under The Municipal Act or any other Act.

**5.0 GENERAL DUTIES OF MEMBERS OF COUNCIL**

5.1 Each member of Council has the following duties;

- (a) to consider the well-being and interests of the Town as a whole and to bring to the Council's attention anything that would promote the well-being or interests of the Town, or matters that may be derogative to the Town;
- (b) to participate generally in developing and considering the policies and programs of the Town;
- (c) to participate in Council meetings and meetings of the Committee of the Whole, and other meetings of committee or other bodies to which they have been appointed to by the Council;
- (d) to keep in confidence a matter that is discussed at a meeting closed to the public under Subsection 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 of a Committee conducted in public;
- (e) to perform any other duty or function imposed on the member by the Council or under the Act; and
- (f) to keep themselves reasonably informed of the programs and projects relevant to the portfolio that they have been appointed to by Council.

**6.0 HEAD OF COUNCIL**

6.1 In addition to performing the duties of a member of Council, the Mayor has a duty;

- (a) to preside when in attendance at a Council meeting, except where the Procedure By-law or The Municipal Act or any other Act otherwise prohibits;
- (b) to provide leadership and direction to the Council; and
- (c) to perform any other duty or function assigned by The Municipal Act or any other Act;

6.2 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 they are unable to carry out the powers, duties and functions of the Mayor.

## **7.0 COMMITTEES**

7.1 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-law or policies as the case may be to give effect to the reports of recommendation that are adopted by Council; and
- (c) to consider and report respectively on any matters referred to them by Council.

## **7.2 Committee of the Whole of Council**

7.2.1 The Committee of the Whole of Council is composed of the entire Council sitting as a committee to consider the affairs of the Town.

7.2.2 The Committee of the Whole shall not take any official action while sitting in Committee but may make recommendations to be considered at a Council Meeting.

7.2.3 The rules for the conduct of Council pursuant to the Procedure By-law shall be observed in the Committee of the Whole as far as may be applicable, except the rules limiting the number of times of speaking to a matter.

7.2.4 Meetings of the Committee of the Whole may be closed to the public pursuant to Subsection 152 (3) of the Act, In Camera Only.

## **7.3 Committees of Council**

7.3.1 A Committee of Council may be appointed by Resolution of Council at any time specifying the business to be dealt with by the Committee.

7.3.2 Each Committee of Council shall be composed of a minimum of two (2) members of Council.

7.3.3 The Head of Council shall be an ex-officio, non-voting member of all Council Committees.

7.3.4 Any member of Council not a member of a Committee of Council has the right to attend a 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 the discussions of the Committee.

7.3.5 Meetings of Committees of Council shall be held as determined by each Committee.

7.3.6 An appointment to a Committee of Council may be repealed only by a Resolution of Council.

## **8.0 OTHER BODIES**

8.1 The committees, boards and 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 require Council Members and citizen representation. Appointments to these other bodies, pursuant to Policy 1.2, Boards and Committee Appointments, of the Town's Policy and Procedures Manual shall be by resolution of Council and shall be made at the first regular meeting of Council in each year.

## **9.0 BOARD OF REVISION**

9.1 At the first regular council meeting in each year, Council shall by resolution appoint a Board of Revision to hear applications for revision of assessment, classification of property or liability to taxation.

9.2 The Board of Revision shall consist of not less than five persons whose members are:

- All councillors, or;
- A combination of Councillors & Citizen Members, or
- All citizen members

The Mayor or their designate shall serve as presiding officer of the Board. The Chief Administrative Officer or their designate shall serve as the Secretary to the Board.

**10.0 SIGNING AUTHORITY**

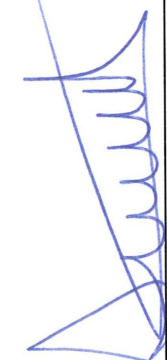
10.1 Agreements and cheques and other negotiable instruments of the Town must be signed or authorized by the Mayor or the Appointed Councillor and the Chief Administrative Officer or the Assistant Chief Administrative Officer.

**11.0 BY-LAW REPEAL**

11.1 By-Law No. 10-22, and all amendments thereto, are hereby repealed.

**DONE AND PASSED** as a by-law of the Town of Stonewall at Stonewall, in Manitoba this 1<sup>st</sup> day of March, A.D. 2023.



  
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MAYOR

  
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CHIEF ADMINISTRATIVE OFFICER

Read a first time this 15<sup>th</sup> day of February, A.D. 2023,

Read a second time this 1<sup>st</sup> day of March, A.D. 2023,

Read a third time this 1<sup>st</sup> day of March, A.D. 2023.