

TOWN OF THE PAS

BY-LAW NO. 4616

BEING A BY-LAW OF THE TOWN OF THE PAS TO GOVERN THE ORGANIZATION OF THE TOWN OF THE PAS AND THE COMMITTEES THEREOF AND TO REPEAL TOWN OF THE PAS BY-LAW NO. 4608.

WHEREAS Section 148 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 an organizational by-law must provide for the following:

- (a) the establishment of council committees, 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;

NOW THEREFORE THE COUNCIL OF THE TOWN OF THE PAS IN COUNCIL ASSEMBLED ENACTS AS FOLLOWS:

A. TITLE

- 1. This By-Law may be referred to as "The Town of The Pas Organizational By-Law".

B. ROLE OF COUNCIL

Council is responsible for:

- 1. developing and evaluating the policies and programs of the municipality;
- 2. ensuring that the powers, duties and functions of the municipality are appropriately carried out; and
- 3. carrying out the powers, duties and functions expressly given to the council under this or any other Act.

C. GENERAL DUTIES OF MEMBERS

Each member of Council has the following duties:

- 1. to consider the well-being and interests of the municipality as a whole and to bring to Council's attention anything that would promote/harm the well-being or interests of the municipality;
- 2. to participate generally in developing and evaluating the policies and programs of the municipality;
- 3. to participate in meetings of Council and Council committees and other bodies to which the member is appointed by Council;
- 4. 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 Council or of a committee meeting conducted in public;
- 5. to perform any other duty or function assigned to the member by Council of this or any other Act.

TOWN OF THE PAS

BY-LAW NO. 4616

CHIEF ADMINISTRATIVE OFFICER'S RESPONSIBILITIES

The Chief Administrative Officer is responsible for the following:

1. is the administrative head of the municipality;
2. is responsible for ensuring that the policies and programs of the municipality are implemented;
3. is responsible for advising and informing the council on the operation and affairs of the municipality;
4. except as the council may decide otherwise, is responsible for the management and supervision of the employees of the municipality;
5. carries out the powers, duties and functions assigned to a chief administrative officer by the council or by this or any other Act; and
6. must notify the council if money of the municipality is spent or invested contrary to a by-law or resolution or this or any other Act.

CHIEF ADMINISTRATIVE OFFICER'S ADMINISTRATIVE DUTIES

The Chief Administrative Officer must ensure that:

1. the minutes of every council meeting are made without note or comment;
2. the by-laws and minutes of council meetings and all other records and books of account of the municipality are kept safe and in accordance with Division 1 (Retention and Disposition of Municipal Records) of Part 9;
3. the revenues of the municipality are collected;
4. money belonging to or held by the municipality is deposited in the bank, credit union, caisse populaire, or trust corporation designated by the council;
5. the accounts for authorized expenditures of the municipality are paid;
6. accurate records and books of account are kept of the financial affairs of the municipality; and
7. any information requested of the municipality by the minister is provided within a reasonable time.

CHIEF ADMINISTRATIVE OFFICERS DUTIES RE COUNCIL COMMITTEES

Except as the council may otherwise decide, the Chief Administrative Officer must carry out, with necessary modifications, the duties referred to under in subsection (2) in respect of council committees.

D. COMMITTEES

1. The general duty of a committee shall be to report from time to time on all matters connected with the duties assigned to the committee and to recommend such action as may be deemed necessary;
2. Committees may be established as a Standing Committee of Council when Council deems it necessary through a resolution of Council.
3. Each Standing Committee shall be composed three members of council.
4. The Mayor shall be "ex official" a member of all Standing Committees with the privilege of participating in the discussion but with no voting privileges thereon.
5. At the first meeting of each newly elected Council and annually thereafter, the council must consider the appointments to Standing Committees, Special Committees and other bodies of council. All appointments to Standing Committees, Special Committee and other bodies of council, including naming of a chairperson, must be approved by a resolution of Council.

TOWN OF THE PAS

BY-LAW NO. 4616

6. Regular meetings of Standing Committees may be held as determined by each Standing Committee.
8. 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 The Pas Procedures By-Law.
9. Any member of council not a member of a Standing 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, visiting members of council may be allowed to take part in any discussions.
10. The following committees are hereby established as Special Committees of Council and shall be governed by separate by-laws of Council:
 - (i) Sam Waller Museum Board
 - As governed under Town of The Pas By-Law No. 4590
 - (ii) The Pas Public Library Board
 - As governed under Town of The Pas By-Law No. 4313
11. 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.
12. An appointment to any committee of council may be repealed only by a resolution of the council.

E. HEAD OF COUNCIL

1. The head of council for The Town of The Pas is to have the title of Mayor.
2. At the first meeting of each newly elected Council, and as Council deems necessary thereafter, Council must by resolution, appoint a councillor as Deputy Mayor, who shall act in place of the Mayor when he/she is unable to carry out the powers, duties and functions of the Mayor.
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.

F. YOUTH MEMBER

1. The council of The Town of The Pas may, by resolution, appoint a person with the title "Youth Member" to sit with the council and to participate in council deliberations.
2. A youth member must be less than 18 years of age at the time of appointment, enrolled as a full time student at Margaret Barbour Collegiate Institute and a resident of the Town of The Pas.
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.

TOWN OF THE PAS

BY-LAW NO. 4616

4. The term of office for a Youth Member is to be established with the appointment but shall not exceed one year.

G. BOARD OF REVISION

1. Council shall sit as a Board of Revision to hear assessment appeals during the year.
2. The Mayor of The Town of The Pas shall serve as presiding officer of The Board of Revision.

I. SIGNING AUTHORITY

1. Agreements, legal documents and other negotiable instruments must be signed or authorized by:
 - a) the Mayor, or, in his/her absence, the Deputy Mayor, and
 - b) the Controller, Chief Administrative Office or Assistant Chief Administrative Officer.
2. Cheques in the amount not exceeding \$100,000.00 will be electronically signed by:
 - a) the Mayor or the Deputy Mayor, and
 - b) hand signed by either the Chief Administrative Officer, Assistant Chief Administrative Officer or Controller.

All cheques are to be held for release until approved by resolution of Council. In the event that an emergency payment is required electronic signature will not be used or will only be used after approval in writing (including e-mail) of the Mayor or the Deputy Mayor and such approval will be affixed to the file.

This does not apply to EFT transactions which includes items such as payroll, automatic withdrawals or source deductions payments.

J. REPEAL

By-Law No. 4608 is hereby repealed.

DONE AND PASSED IN COUNCIL ASSEMBLED THIS 26 DAY OF April A.D. 2021.

Mayor

Assistant C.A.O.

CERTIFIED THAT BY-LAW NO. 4616

Read a first time this 12th day of April A.D. 2021

Read a second time this 26th day of April A.D. 2021

Read a third time this 26th day of April A.D. 2021

Assistant C.A.O.