

Appendix G

Sample Organizational By-law

INCORPORATED COMMUNITY OF _____
BY-LAW NUMBER _____

BEING A BY-LAW TO GOVERN THE ORGANIZATION OF THE INCORPORATED COMMUNITY OF _____ AND THE COMMITTEES THEREOF.

WHEREAS Subsection 125(1) of *The Northern Affairs Act* provides that a council may establish the organizational structure for the community.

AND WHEREAS Subsection 125(2) of *The Northern Affairs Act* provides that an Incorporated Community must establish its organizational structure by by-law and review the by-law at least once during its term of office.

THEREFORE BE IT RESOLVED that the Council of the Incorporated Community of _____ in open meeting assembled, enacts as follows:

1. TITLE

This by-law may be referred to as “The Incorporated Community of _____ Organizational By-law”.

2. ROLE OF COUNCIL

2.1 Council is responsible:

- a) for developing and evaluating the policies and programs of the community;
- b) for ensuring the powers, duties and functions of the community 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.

3. GENERAL DUTIES OF MEMBERS

3.1 Each member of a council has the following duties:

- a) to consider the well-being and interests of the community as a whole and to bring to council’s attention anything that would promote the well-being or interests of the community;
- b) to participate generally in developing and evaluating policies and programs of the community;
- c) to participate in meetings of council and of council committees and other bodies to which the member is appointed by council;

- d) to keep in confidence a matter that is discussed at a meeting closed to the public and that the committee decides to keep confidential until the matter is discussed at a meeting of council or of a committee conducted in public; and
- e) to perform any other duty or function imposed on the member by council or this or any other Act.

4. HEAD OF COUNCIL

4.1 The head of council for the Incorporated Community of _____ is to have the title of mayor.

4.2 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 the mayor is unable to carry out the powers, duties and functions of the mayor.

4.3 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 procedures by-law or this or any other Act otherwise provides;
- b) to provide leadership and direction to council; and
- c) to perform any other duty or function assigned to a mayor or by this or any other Act.

5. COMMITTEES

5.1 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-laws as may be necessary to give effect to the reports of recommendations that are adopted by council; and
- c) to consider and report respectively on any and all matters referred to them by council.

5.2 The following committees are hereby established as the Standing Committees of council:

- a) Recreation Committee
- b) Protective Services Committee
- c) Economic Development Committee

5.3 The special duties of the Standing Committees, in addition to the aforesaid general duties, shall be as follows:

- a) Recreation Committee
 - 1) to review the need for recreation within the community
- b) Protective Services Committee
- c) Economic Development Committee

- 5.4 Each Standing Committee shall be composed of two members of council and one eligible voter of the community.
- 5.5 The mayor is a member of only those Standing Committees of council established in accordance with section 5.1 of this by-law.
- 5.6 At the first regular council meeting in each year, the council must consider the recommendations for appointments to Standing Committees and other bodies of council submitted by the mayor. All appointments to Standing Committees and other bodies of council, including naming of a chair, must be approved by council resolution.
- 5.7 Regular meetings of the Standing Committees may be held as determined by each Standing Committee.
- 5.8 Special meetings of the Standing Committees may be called by the chair or two members of the committee in the same manner as provided in the Incorporated Community of _____ Procedures By-law.
- 5.9 Any member of council, not a member of a 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, a visiting member of council may be allowed to take part in any discussions.
- 5.10A special committee of council may be appointed by council resolution at any time specifying the business to be dealt with by the committee.
- 5.11 An appointment to any committee of council may be repealed only by council resolution.

6. YOUTH MEMBER

- 6.1 The council of the Incorporated Community of _____, may by resolution, appoint a person with the title “youth member” to sit with council and to participate in council deliberations.
- 6.2 A youth member must be under 18 years of age or enrolled as a full-time student at (*name of school or school division*) and must be a resident of the Incorporated Community of _____.
- 6.3 A youth member is not permitted to move or second any resolution, nor is this 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.

6.4 The term of office for a youth member is to be established with the appointment, but shall not exceed one year.

7. BOARD OF REVISION *[Do not require this section if the department appoints the board]*

7.1 At the first regular council meeting in each year, council shall by resolution appoint a Board of Revision to hear assessment appeals during the year.

7.2 The Board of Revision shall consist of three members of the Incorporated Community of _____ council and three other persons. The council shall appoint a member of the Board of Revision to serve as presiding officer of the Board.

8. SIGNING AUTHORITY

8.1 Agreements and cheques and other negotiable instruments must be signed or authorized by:

- a) the mayor, or the deputy mayor; and
- b) the community administrative officer or the assistant community administrative officer.

DONE AND PASSED as a By-law of the Incorporated Community of

_____ in the Province of Manitoba this ____ day of _____ 20__ A.D.

Mayor

Community Administrative Officer

Read a first time on this ____ day of _____, A.D. 20__.

Read a second time on this ____ day of _____, A.D. 20__.

Read a third time on this ____ day of _____, A.D. 20__.