

**Portage la Prairie Planning District  
Organizational  
By-law No. 03-2014**

Being a by-law to govern the organization of the Portage la Prairie Planning District and to repeal By-Law No. 2-2006.

WHEREAS section 21(1) of *The Planning Act* provides that a planning district board must adopt a by-law dealing with the organization of the board.

THEREFORE BE IT RESOLVED that the board of the Portage la Prairie Planning District, in open meeting assembled, enacts as follows:

**TITLE**

1.1 This by-law may be referred to as the “Portage la Prairie Planning District Organizational By-law”.

**DEFINITIONS**

2.1 In this by-law,

- a) “*Agenda*” means the agenda for a regular or special meeting of the board or committee of the board.
- b) “*Act*” means *The Planning Act*.
- c) “*Board*” means the board of directors of the planning district.
- d) “*Board Meeting*” means a regular meeting or special meeting of the board but does not include a public hearing held by the board.
- e) “*Chair*” means the person presiding at the meeting of the board or committee.
- f) “*Committee*” means a committee or other body established under the Organizational By-law, but does not include a committee of the whole board.
- g) “*Committee of the Whole Board*” means a committee of all directors present at a board meeting sitting as a committee.
- h) “*Director*” means a person appointed to be a director of the planning district in accordance with the Organizational By-law.
- i) “*General Holiday*” means each Saturday and Sunday, and includes such days as New Year’s Day, Good Friday, Easter Monday, Victoria Day, Canada Day, the First Monday in August, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, Boxing Day, and any other day declared a holiday by the Provincial or Federal Government.
- j) “*In Camera*” means in private or to the exclusion of the public.
- k) “*Motion/Resolution*” means a formal statement of a decision adopted by the board.

**MEMBERSHIP ON THE BOARD**

3.1 The Board of the Planning District shall be comprised of

- a) 3 director(s) appointed by the City of Portage la Prairie; and,

- b) 3 director(s) appointed by the Rural Municipality of Portage la Prairie.

**APPOINTMENT OF DIRECTORS**

- 4.1 Each municipality that is a member of the planning district shall appoint, by resolution of council, one or more councillors as a director of the planning district as provided in Section 3 of this by-law.
- 4.2 Each municipality that is a member of the planning district may appoint, by resolution of council, a councillor to act as an alternate director in circumstances where the director is unable to act.
- 4.3 Subject to subsection 4.4, an appointment as a director, or alternate director, of the Planning District shall be for the time period set out in the resolution of council, for a renewable term of up to four years.
- 4.4 An appointment as a director of the Planning District board shall cease if the appointment is withdrawn by resolution of the council or if the director ceases to be a councillor of the municipality.

**GENERAL DUTIES OF DIRECTORS**

- 5.1 Each director of the Planning District has the following duties:
  - a) to consider the well-being and interests of the planning district and to bring to the board's attention anything that would promote the well-being or interests of the planning district and the member municipalities;
  - b) to participate in developing and evaluating the policies and programs of the planning district;
  - c) to participate in meetings of the board and of board committees and other bodies to which the director is appointed by the board;
  - d) to perform any other duty or function assigned on the director by the board or any Act.

**CHAIRPERSON**

- 6.1 At the first regular meeting of the board after a municipal election and at the last meeting of each calendar year, the board must by resolution, appoint a director as Chairperson.
- 6.2 In addition to performing the duties of a member of a board, the Chairperson has a duty
  - a) to preside when in attendance at a board meeting, except where the procedures by-law or any Act otherwise provides;
  - b) to provide leadership and direction to the board; and
  - c) to perform any other duty or function assigned to a Chairperson by any Act.

**VICE-CHAIRPERSON**

- 7.1 At the first regular meeting of the board after a municipal election and at the last meeting of each calendar year, the board must by resolution, appoint a director as Vice-Chairperson who shall act in place of the Chairperson when the Chairperson is unable to carry out the powers, duties and functions of the Chairperson. The Vice-Chairperson shall not normally be from the same municipality as the Chair.

## **COMMITTEES**

- 8.1 A committee of the board may be appointed by resolution of the board at any time specifying the business to be dealt with by the committee.
- 8.2 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 the board all such by-laws and resolutions as may be necessary to give effect to reports and recommendations that are adopted by the board.
  - c) To consider and report respectively on matters referred to them by the board.
- 8.3 An appointment to any committee of the board may be repealed only by a resolution of the board.

## **DISPUTE RESOLUTION**

- 9.1 The member municipalities of the Portage la Prairie Planning District agree to use mediation as a process to resolve disputes about the operation of the Planning District.

## **FINANCIAL CONTRIBUTIONS**

- 10.1 The Administrative costs of the Portage la Prairie Planning District are to be shared between the municipalities of the City (2/3) and Rural (1/3) of Portage la Prairie and may be amended as agreed upon by member municipalities.

## **SIGNING AUTHORITY**

- 11.1 Agreements, board meeting minutes, cheques and other negotiable instruments must be signed or authorized by
- a) the Chairperson, or the Vice-Chairperson, and
  - b) Development Officer/Building Inspector, or Office Manager/Assistant Development Officer.
- 11.2 Post municipal election, until new board members are appointed and assigned duties, any necessary negotiable instruments may be signed by Development Officer/Building Inspector and Office Manager/Assistant Development Officer.

## **REGISTERED OFFICE**

- 12.1 The head office of the Board shall be in the City of Portage la Prairie in the Province of Manitoba and at such place in the said Planning District as the membership of the Board may, from time to time, decide.

**SEAL**

13.1 The seal and impression whereof, stamped in the margin hereof, shall be the corporate seal of the Board.

DONE AND PASSED as a by-law of the Portage la Prairie Planning District at Portage la Prairie in the Province of Manitoba this 15<sup>th</sup> day of January, 2015.

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Liz Driedger  
Chairperson

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Kinelm Brookes  
Development Officer/Building Inspector

Read a first time this 11<sup>th</sup> day of December, 2014.  
Read a second time this 15<sup>th</sup> day of January, 2015.  
Read a third time this 15<sup>th</sup> day of January, 2015.