

THE CITY OF WINNIPEG

THE CITY ORGANIZATION BY-LAW
NO. 7100/97

A By-law of THE CITY OF WINNIPEG to establish the governance and administrative structure of the City and to delegate certain powers and responsibilities from City Council to Executive Policy Committee, the Standing Committees and the Chief Administrative Officer.

WHEREAS *the City of Winnipeg Act* permits Council, by by-law to establish its governance structure, through the delegation of certain powers and responsibilities to Executive Policy Committee, the establishment of standing committees having certain delegated powers and responsibilities, and the reservation of certain key responsibilities which shall be exercised by Council;

AND WHEREAS *The City of Winnipeg Act* permits Council, by by-law, to establish its administrative organization, designate administrative departments and units, appoint and provide for the appointment of senior managers and to assign responsibility and accountability to such administrators in such manner as Council determines is desirable for the effective and efficient delivery of services to its citizens;

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

TITLE

1. This By-law shall be known as "**The City Organization By-law**".

POLITICAL ORGANIZATION

2. The governance structure of The City of Winnipeg and corresponding areas of responsibility shall be that shown on Appendix A.

CITY COUNCIL

- 3.(1) The authority to make final decisions on the following matters shall remain with Council and shall not be delegated:

- (a) any matter requiring the enactment of a by-law;
- (b) approval of the annual estimates, current and capital budgets and the striking of the mill rate;
- (c) the fixing of prices, rates, fees and charges for all civic services and facilities, except as specifically delegated under this By-law;
- (d) approval of the overall civic staff establishment;
- (e) appointment of the chief administrative officer, chief financial officer, department heads, deputy department heads and any statutory officers required by legislation to be appointed by Council;
- (f) approval of collective agreements between The City of Winnipeg and its employees;
- (g) general level of public services as identified in the Current Budget;
- (h) policies affecting inter-governmental relations, including requests for legislation;
- (i) declaration of land as being surplus to the City's requirements and budget approval of land purchases;
- (j) all reports from or matters relating to the Ombudsman;
- (k) all matters relating to access to information;
- (l) the receipt of audit reports from the City Auditor.

(2) Notwithstanding the delegation of any authority or power under this by-law to Executive Policy Committee or a Standing Committee, Council may, at its discretion, review or deal with any matter which falls within the mandate of Executive Policy Committee or a Standing Committee.

EXECUTIVE POLICY COMMITTEE

4. The Executive Policy Committee shall have jurisdiction in the following areas:

- Audit Matters
- Business Liaison
- Capital Region
- Corporate Communication
- Economic Development
- Financial Management
- Formulation of Policy
- Human Resource Policies
- Information Technology
- Inter-Governmental Affairs
- Labour Contract Negotiations
- Legal Services and matters under Litigation
- Plan Winnipeg and Alignment of Department Strategic Plans
- Policies related to Materials Management
- Property Assessment

and in addition to the above and the duties specified in *The City of Winnipeg Act*, the Executive Policy Committee shall have the specific power and duty to:

- (1) Formulate and present recommendations to council on policies, plans, budgets, by-laws and any other matter that affects the city as a whole;
- (2) Ensure the implementation of policies adopted by council;
- (3) Co-ordinate the work of the standing committees;
- (4) Identify annual and longer range priorities for the growth and development of the City;
- (5) Assess and advise Council with respect to any impact of a financial, environmental or other nature of proposed changes to Plan Winnipeg, as well as other major proposals or policies affecting the development of the City or the urban environment;
- (6) Consider and make recommendations to Council on amendments to Plan Winnipeg;
- (7) Act as the Inter-governmental Affairs Committee to conduct all necessary formal relationships with the Government of Manitoba and the Government of Canada;

- (8) In consultation with the appropriate standing committee, recommend to Council all rates, fees, utility rate structures, and other charges for civic services and facilities;
- (9) Co-ordinate the evaluation, approval and administration of Winnipeg Development Agreement Programs, Work Plans and Projects and, subject to the terms of any program authorization, to provide final approval of projects not exceeding \$100,000.00 in amount under the Winnipeg Development Agreement;
- (10) Approve additional appropriations to the Operating Budget;
- (11) Consider and report to Council on audit reports received by the Audit Committee under subsection (19);
- (12) To consider and report to Council on matters relating to employee pensions, Insurance, Property Assessment, Taxes, Financial Matters and local improvements;
- (13) The approval of settlement of:
 - (a) claims against the City up to a maximum of \$250,000.00;
 - (b) claims brought by the City;
 - (c) claims arising out of expropriations.
- (14) The making of grants to persons and organizations, other than to those representing cultural and artistic groups, and approval of receptions and awards within the limits of approved budget and in accordance with existing Council policy or as may be established from time to time;
- (15) Supervise the Chief Administrative Officer. Authorize changes in compensation levels of the Chief Administrative Officer within Council approved budgets;
- (16) Receive all reports from the Chief Administrative Officer with the exception of those reports which deal with matters that have specifically been delegated to one of the standing committees;
- (17) Receive all reports from the City Clerk and or Secretariat Committee pertaining to the City Clerk's Department with the exception of those reports which deal with matters that have specifically been delegated to one of the standing committees;

- (18) Develop and establish policies relating to civic employees including employee relations, contract negotiations, changes in the civic establishment and related personnel matters and delegate to the Chief Administrative Officer such related power, duties and responsibilities as it deems advisable;

- (19) To deal with all audit matters, as "the Audit Committee" except the evaluation of the performance of the City Auditor and external Auditor, and without limiting the generality of the foregoing, shall have the power and duty to oversee the internal and external audit process of the City in general to ensure that The City is provided with an effective audit service that is independent such that the internal and external audit activities are complimentary to each other with a minimum amount of duplication of effort and will have specific responsibilities as follows:
 - (a) Regarding the City's Consolidated Financial Statements, the Audit Committee will:

Review with the Chief Financial Officer and the External Auditors, the Annual Financial Statements and recommend their approval to Council.

 - (b) Regarding the External Auditors, the Audit Committee will:
 - (i) Approve the scope, (as recommended by the External Auditors) of the external audit;

 - (ii) Receive and review the External Auditors' reports and management letters, together with any management responses;

 - (iii) Review any problems found in performing the audit, such as limitations or restrictions imposed by City Administrators or disagreements with any City Administrator which, if not satisfactorily resolved, would have caused them to issue a non-standard report on the City's financial statements;

 - (iv) During an in camera session, review with the External Auditors the quality of the City's financial and accounting personnel and any recommendations that the External Auditors may have.

 - (c) Regarding Special Studies, the Audit Committee will:
 - (i) Recommend or cause to be conducted special studies, such as departmental or program reviews, as required to fulfill its Objectives;

- (ii) Receive and review such Special Studies and forward such Reports, either in full, or in summary, to Council.
- (d) Regarding the City Audit Department, the Audit Committee will:
- (i) Assess the scope and objectives of the Audit Department, including the effectiveness of their working relationship with the External Auditors;
 - (ii) Approve the Audit Department's annual Audit Plan;
 - (iii) Receive and review the City Auditor's Annual Report; (and other reports on areas of major audit efforts)
 - (iv) Receive and review audit reports, and table such reports with its recommendations at a regular meeting of Executive Policy Committee.
- (e) Regarding Internal Control, the Audit Committee will:
- (i) Review with the Chief Financial Officer, the External Auditor and the City Auditor, the City's overall policies and procedures with respect to controlling City assets;
 - (ii) Review with the Chief Financial Officer, the External Auditor and the City Auditor the Systems of internal control over financial reporting to assess that they are operating effectively;
 - (iii) Obtain assurance from City Administrators that the City has implemented appropriate policies and procedures to ensure compliance with legal, regulatory, ethical and environmental requirements;
 - (iv) Review the disaster recovery procedures with respect to the City's computer systems to assess whether they are appropriate.
- (f) Regarding the City's major accounting policies, the Audit Committee will:
- (i) Have familiarity with the major accounting and reporting principles and practices applied by the City in preparing its financial statements;

- (ii) Ensure that the Chief Financial Officer and the External Auditors report annually on the City's major accounting policies, including the impact of alternative accounting policies, presentation of significant risks and uncertainties, and key administration estimates and judgements that can be material to the annual Financial Statements.

STANDING COMMITTEES

5. There are hereby established four Standing Committees of Council pursuant to subsection 33(1) of The City of Winnipeg Act as follows:

- (1) The Standing Committee on Fiscal Issues;
- (2) The Standing Policy Committee on Public Works;
- (3) The Standing Policy Committee on Protection and Community Services;
- (4) The Standing Policy Committee on Property and Development.

6. The Standing Committee on Fiscal Issues shall be composed of three members as follows:

- (1) The Chairperson, appointed by the Mayor;
- (2) The Deputy Mayor;
- (3) One member elected by Council.

7. The Standing Policy Committee on Public Works, the Standing Policy Committee on Protection and Community Services and the Standing Policy Committee on Property and Development shall each be composed of a Chairperson appointed by the Mayor and three other members elected by Council.

8. The Mayor is an ex-officio member of each Standing Committee.

STANDING COMMITTEE ON FISCAL ISSUES

9. The Standing Committee on Fiscal Issues shall coordinate and advise upon the City's fiscal policy development and fiscal strategies. It shall provide input and advice to Executive Policy Committee on:

- (a) short and long range fiscal strategies;

- (b) budget development and program review;
- (c) assessment policies and strategies;
- (d) investment policies and strategies;
- (e) fiscal and variance reporting;
- (f) capital project recommendations and strategies;
- (g) corporate fees and charges policies;
- (h) alternate service delivery;
- (i) economic forecasts and trends;
- (j) other matters referred to it by Executive Policy Committee.

STANDING POLICY COMMITTEE ON PROTECTION AND COMMUNITY SERVICES

10. The Standing Policy Committee on Protection and Community Services shall provide policy advice to Council on matters within the following areas of jurisdiction:

- Ambulance Services
- Animal Control
- By-law enforcement
- Cultural Services
- Disaster Planning
- Fire Services
- Harbour Master
- Libraries
- Museums
- Police Services
- Public Health
- Recreation and Parks Programming and Services
- Social Services
- Zoo

and, in addition, shall exercise the following powers and duties:

- (a) To consider and report to Council through the Executive Policy Committee on matters respecting:

- (i) Section 401 (Parks, Cemeteries)
- (ii) Clauses 402(1)(a) (c) and (d) (Pools, Theatres, Recreation Programs)
- (iii) Clause 402(1)(b) and Subsection 402(2) (Libraries)
- (iv) Subsection 404(2) (Pounds)
- (v) Section 414 (Weed Control)
- (vi) Clause 418(1)(a), and Subsections 418(2), (3), (4) and (5) (Nuisances)
- (vii) Clause 418(1)(b) (Noise)
- (viii) Clause 418(1)(d) (By-laws re Grass Maintenance)
- (ix) Clause 418(1)(e) (By-law re Snow Removal by Owners)
- (x) Section 419 (Defacing Signs)
- (xi) Section 420 (Fences)
- (xii) Section 423 (Parking Vehicles on Private Property)
- (xiii) Section 424 (Parking for the Physically Disabled)
- (xiv) Section 426 (Derelict Vehicles)
- (xv) Section 431, 432 and 432.1 (Building and Street Numbers and Names)
- (xvi) Clauses 418(1)(c) and (f) (Injury to Trees)
- (xvii) Clause 418(1)(g) (Cruelty to Animals)
- (xviii) Clause 418(1)(h) (Firearms, Fireworks)
- (xix) Section 421 (Overhanging Shrubbery)
- (xx) Section 427 (Unlicensed vehicles)
- (xxi) Section 429 (Mosquito Control)

- (xxii) Section 432.3 (Emergency Food and Fuel)
- (xxiii) Section 433 to 437 (Health and Sanitation)
- (xxiv) Sections 437.1 to 441 (Unsanitary Buildings)
- (xxv) Section 515.1 (By-laws re Boulevards)
- (xxvi) Part 14 (Protection of Persons and Property)
- (xxvii) Section 525 in Part 17 (Ambulances)
- (xxviii) Part 18 (Parks and Recreation Programming)
- (xxix) Section 672 (Parks Watchmen)
- (xxx) Section 679 in Part 21 (Community Centres)

of *The City of Winnipeg Act* and to exercise such authority as may be delegated to it by Council concerning matters arising out of these provisions.

- (b) To consider and recommend to Council exemptions from amusement tax under Section 7 of the Amusement Tax By-law No. 3107/81.
- (c) To authorize the appointment of special constables necessary for the enforcement of City By-laws.
- (d) Hearing and deciding appeals against orders of the Medical Health Officer.
- (e) To accept or reject gifts from the public designated for use in City parks and shall make the final decision as to the location or use of same.
- (f) The making of grants to cultural and artistic groups, in accordance with existing Council policy, within a global sum approved each year by Council.
- (g) The making of grants to organizations, in accordance with the existing Council policy on the Community Incentive Grant Program, within the annual sum approved by Council.
- (h) Matters relating to Community Centre Boards.
- (i) The responsibility for dealing with matters related to all civic museums.

- (j) The hearing and deciding of appeals against orders issued by the Fire Department relating to certain contraventions under the Fire Prevention By-law No. 1322/76.
- (k) The hearing and deciding of appeals against Notices issued by the Winnipeg Police Service relating to the suspension of alarm permits under the Alarm By-law No. 4676/87.
- (l) To consider and make recommendations on the current and capital budgets formulated by the Executive Policy Committee and covering those administrative units having responsibility for the areas within the Committee's jurisdiction.
- (m) Award of contracts in accordance with existing council policy.
- (n) To consider matters referred to it by Council, the Executive Policy Committee, or brought before it by the Chief Administrative Officer.

STANDING POLICY COMMITTEE ON PROPERTY AND DEVELOPMENT

11. The Standing Policy Committee on Property and Development shall provide policy advice to Council on matters within the following areas of jurisdiction:

- Asset Management
- Building Inspections
- Civic Buildings
- Development Control
- Heritage Matters
- Housing Policy
- Land Acquisition
- Land Development
- Licensing
- Parks Planning
- Planning and Land Use
- Riverbank Management

and, in addition shall exercise the following powers and duties:

- (a) To consider and report to Council through the Executive Policy Committee on all matters respecting:

- (i) Section 393 (Acquisition of Buildings)
- (ii) Section 407 (Shared Services – Schools)
- (iii) Section 416 (Camp Sites)
- (iv) Clauses 422(b) and (c) (Licensing Speedways)
- (v) Part 15 (Building Standards)
- (vi) Part 15.1 (Waterways)
- (vii) Part 17 (Licensing), except Section 525
- (viii) Part 20 (Planning and Development)

of *The City of Winnipeg Act*, and to exercise such authority as may be delegated to it by Council concerning matters arising out of these provisions.

- (b) To be the final authority on appeals from the Building Commission.
- (c) To consider and make recommendations to the Executive Policy Committee on the Current Budget of the Riverbank Management Sub-Committee.
- (d) To receive and forward to Council through the Executive Policy Committee the recommendations of the Riverbank Management Sub-Committee regarding to the making and enforcement of Orders under *The Rivers and Streams Act*.
- (e) The terms and conditions of the leasing, selling or purchasing of or dealing with land, including the use of air space agreements pursuant to Subsection 500(e) of *The City of Winnipeg Act*, by the City within existing guidelines established by Council or as may be established from time to time.
- (f) The authority to dedicate City-owned land for street and other public purposes.
- (g) The preparation of conceptual planning in areas of urban development and transportation system.

- (h) Approval of planned building group plans under zoning by-laws and town planning schemes.
- (i) Hearing and deciding on appeals where an owner is aggrieved by the decision of the city official delegated to administer the zoning by-laws and town planning schemes.
- (j) Approval for the erection of advertising signs pursuant to zoning by-laws.
- (k) The preparation of plans for public housing and urban renewal projects.
- (l) The preparation of environmental protection standards.
- (m) Relating to encroachments on City property.
- (n) Approvals pursuant to Zoning By-law No. 4800/88 in its capacity as the Downtown Design Board.
- (o) Approvals of conditional uses listed in By-law No. 4800/88.
- (p) Pursuant to Section 674(3) of *The City of Winnipeg Act* the power to direct that Variance Orders and Conditional Use Orders granted prior to the coming into force of said Act cease to have effect.
- (q) To approve the execution of any Servicing Agreement required as a condition of a Conditional Use Order or Variance Order.
- (r) The exclusive power, as the designated committee under Section 625 and Section 627(6) of *The City of Winnipeg Act* to hear and determine appeals from zoning variance orders and conditional use orders made by the Community Committee in respect of land covered by The Downtown Winnipeg Zoning By-law No. 4800/88.
- (s) Hearing and deciding appeals of certificates required under the License By-law.
- (t) The exclusive power to hear and determine appeals from decisions made by the Community Committee under subsection (10) of Section 4 of the License By-law No. 4007/85 in respect of land covered by the Downtown Winnipeg Zoning By-law No. 4800/88.

- (u) Hearing and deciding appeals against decisions made by Community Committees on applications for licenses pursuant to Section 4(10) of the License By-law No. 4007/85.
- (v) Hearing and deciding appeals from orders of Board of Adjustment and orders issued by the Director of Land and Development Services from zoning, variance orders and conditional use orders made by Community Committees pursuant to Section 6 of the Development Procedures By-law No. 5893/92.
- (w) Notwithstanding the general powers and duties delegated to the Standing Policy Committee on Public Works in respect to Part 16 of *The City of Winnipeg Act*, the Committee shall have the exclusive power to deal with street, lane and walkway closings and openings.
- (x) Determining the amount of Grant monies to be provided from the Gail Parvin Hammerquist Fund and hearing and deciding appeals from decisions made by the Designated Officer or Historical Buildings committee in respect of grant applications pursuant to the Gail Parvin Hammerquist Fund By-law No. 7040/97.
- (y) To accept or reject gifts from the public for placement on civic property other than parks.
- (z) Approval of street names and building names and numbering.
- (aa) To consider and make recommendations on the current and capital budgets formulated by the Executive Policy Committee and covering those administrative units having responsibility for the areas within the Committee's jurisdiction.
- (bb) Award of contracts in accordance with existing council policy.
- (cc) To consider matters referred to it by Council, the Executive Policy Committee, or brought before it by the Chief Administrative Officer.

THE RIVERBANK MANAGEMENT SUB-COMMITTEE

12.(1) The Standing Policy Committee on Property and Development Services shall establish a Riverbank Management Sub-Committee for the purpose of managing river related issues which usually cross departmental lines and conventional reporting relationships and to provide the political focus necessary for giving direction and ongoing guidance to the City's river related endeavours.

(2) The Chairperson of the Riverbank Management Sub-Committee shall be a member other than the Chairperson of the Standing Policy Committee on Property and Development Services.

(3) The mandate of the Riverbank Management Sub-Committee shall include the responsibility to:

- (a) review and recommend changes to Plan Winnipeg river policies, as required;
- (b) review and recommend changes to river related legislation, as required;
- (c) review and recommend adjustments to the City's riverbank acquisition program and related funding;
- (d) promote river related capital projects and programs in both the 5 year capital program and annual budgets;
- (e) develop innovative programs for riverbank stabilization of both public and private lands;
- (f) prepare reports on an issue by issue basis for the benefit of the Standing Policy Committees and Council so that river related issue may be considered in an informed and structured manner.

(4) The Riverbank Management Sub-Committee shall establish a Rivers and Streams Permit Committee:

- (a) consisting of two of its members, along with the Chief Administrative Officer or his/her designate;
- (b) which shall be responsible for all issues related to flow impedance and riverbank stability.

STANDING POLICY COMMITTEE ON PUBLIC WORKS

13. The Standing Policy Committee on Public Works shall provide policy advice to Council on matters within the following areas of jurisdiction:

- Engineering Services
- Facility Maintenance
- Fleet Management
- Hydro
- Open Space Maintenance
- Public Works Maintenance
- Solid Waste
- Traffic Control
- Transit
- Transportation Planning
- Water/Waste Services

and, in addition shall exercise the following powers and duties:

- (a) To consider and report to Council through the Executive Policy Committee on matters respecting:
 - (i) Part 16 (Streets)
 - (ii) Part 19 (Utilities and Other Undertakings)
 - (iii) Section 394 (Parking Sites and Meters)
 - (iv) Section 395 (Pedestrian Decks)
 - (v) Section 396 (Service Agreements with Province)
 - (vi) Section 397 (Quarries)
 - (vii) Section 398 and 399 (Airports and Ferries)
 - (viii) Section 403 (Stockyards)
 - (ix) Subsection 404(1) (Markets and Scales)
 - (x) Section 406 (Work with Other Municipalities)
 - (xi) Section 408 (Aid for Works Outside City)
 - (xii) Sections 442 to 452 in Part 13 (Waterworks, Waste and Disposal)

of *The City of Winnipeg Act* and to exercise such authority as may be delegated to it by Council concerning matters arising out of those provisions.

- (b) Regarding matters pertaining to the Clean Environment Commission.
- (c) Award of contracts in accordance with existing Council policy.
- (d) To be the Traffic Authority of the City as provided in Section 510(1) of the Act, subject to the delegation of the powers to the Director of Streets and Transportation or his designate, as outlined in Phase 1 described in Clause 3 of the Report of the Committee on Works and Operations dated November 29, 1994, adopted by Council at its meeting of December 14, 1994.
- (e) To finalize agreements for transit shelters.
- (f) To fix the rates and charges on City-owned, off-street parking facilities.
- (g) To consider and make recommendations to Council on the current budget of "The Parking Authority of The City of Winnipeg".
- (h) To consider and make recommendations on the current and capital budgets formulated by the Executive Policy Committee and covering those administrative units having responsibility for the areas within the Committee's jurisdiction.
- (i) To consider matters referred to it by Council, the Executive Policy Committee, or brought before it by the Chief Administrative Officer.

SECRETARIAT COMMITTEE

14. Council shall establish and appoint a Secretariat Committee, chaired by the Speaker and comprised of four other members of Council, each a representative of the remaining four Community Committee areas not represented by the Speaker, to be appointed annually at the Organizational Meeting of Council, and empowered as a governing body of Council:

- (1) To provide a forum for Councillors to sort out matters and resolve issues for Interns, Secretaries, Volunteers, etc.
- (2) To be responsible for the operation of the Councillors' office, including developing and administering a policy for Councillors' assistance/assistants and expense allowances; and acting in an advisory capacity in the preparation of Council's operating budget.

- (3) To resolve non political issues between Councillors.
- (4) To resolve difficulties between Councillors and administration.
- (5) To consider and resolve all other issues as referred to it by Council, Committees or member(s) of Council.
- (6) To act as liaison to the Executive Policy Committee in all matters pertaining to the operation of the City Clerk's Department.

THE PARKING AUTHORITY OF THE CITY OF WINNIPEG

15. Council hereby delegates to a Committee to be known as "The Parking Authority of The City of Winnipeg" such authority under Section 417 of *The City of Winnipeg Act* regarding the construction, maintenance, control, operation and management of public parking lots and parking buildings belonging to the City as provided in a by-law to that effect.

MAYOR'S SECRETARIAT

16. There shall be a group of professional staff, known as the Mayor's Secretariat, with capabilities in the areas of strategic planning, corporate communications and such other areas as the Mayor determines are required to assist in the effective discharge of his/her work.

ADMINISTRATIVE ORGANIZATION

17. The administrative structure of the City of Winnipeg shall be that shown in Appendix "B".

CITY AUDITOR

18. The city auditor shall examine, in a manner that the city auditor considers necessary and in accordance with such terms of reference as council may establish from time to time, the accounts of the city and boards and commissions and shall ascertain whether, in the opinion of the city auditor,

- (a) the accounts have been property kept;

- (b) all moneys have been fully accounted for, and the rules and procedures that are applied are sufficient to secure an effective check on the levy, collection and proper allocation of the revenue;
- (c) money is expended for the purpose for which it is appropriated by council, and the expenditure is properly authorized;
- (d) essential records are maintained, and the rules and procedures applied are sufficient to safeguard and control city property;
- (e) money is expended with due regard for economy and sufficiency; and
- (f) satisfactory procedures have been established to measure and report to council on the achievement of economy and efficiency.

SPECIAL AUDITS

19. Council may, at any time, direct the city auditor to audit the accounts of a department, board or commission of the city that receives, pays or accounts for city moneys, and to report to council.

OMBUDSMAN

20. The ombudsman may, on receiving a written complaint, or on the ombudsman's own initiative, investigate

- (a) a decision or recommendation;
- (b) an act done or omitted; or
- (c) a procedure;

relating to a matter of administration in or by a municipal unit of the city, whereby a person is or may be aggrieved.

REFERENCE BY COUNCIL

21. Council may refer to the ombudsman a matter that is before council for consideration, and the ombudsman shall, subject to any special directions of council, investigate the matter and report to council.

22. The ombudsman is not authorized to investigate a decision or recommendation, an act done or omitted, or a procedure used by council, a committee of council or a community committee, or to investigate a matter where an adequate remedy or right of appeal exists, whether or not the complainant uses it.

23. A "municipal unit" means a board, commission, association, department or other body of persons, whether incorporated or unincorporated, of which all the members, or all the members of the board of management or board of directors,

- (a) are appointed by council, or
- (b) if not appointed by council are, in the discharge of their duties, employees of the city or are, directly or indirectly, responsible to the city.

CITY CLERK

24. Council shall appoint a city clerk who, in addition to his or her statutory and administrative duties and responsibilities, shall support the efforts of Council, Executive Policy Committee and the Standing and Community Committees by recording minutes of all regular and special meetings, communicating decisions, maintaining by-laws, maintaining historical records, providing public information services, providing administrative and clerical support to the Board of Revision and Board of Adjustment and conducting municipal elections and by-elections. The City Clerk or designate shall, as time permits, assist committee chairpersons and committee members with agenda preparation, policy formulation and research and, at the discretion of the chairperson, attend and provide clerical support at any related workshops or informal strategy sessions.

ADMINISTRATIVE HEAD

25. The Chief Administrative Officer is the administrative head of the City.

THE CHIEF ADMINISTRATIVE OFFICER

26. The Chief Administrative Officer shall:

- (1) attend all meetings of Council, Executive Policy Committee, and any other committee Council may direct, unless excused or excluded by Council or the Committee, provides prior advice concerning agenda matters, to provides verbal input at meeting at the request of the Presiding Officer or Chairperson;

- (2) advise and inform Council on the operation and affairs of the City including any current and anticipated issues;
- (3) ensure the policies and programs of the City are implemented;
- (4) provides input on behalf of the administration to Council's goals, objectives and strategies;
- (5) approves and coordinates departmental input to the Standing Committees, Executive Policy Committee and Council;
- (6) cause the orders, resolutions and by-laws of Council to be carried out and enforced;
- (7) be responsible for the management and supervision of employees of the City and supervise the operations of departments;
- (8) other than for those employees appointed by council, be responsible for the appointment and termination of employees of the City;
- (9) chairs the management team of department heads;
- (10) coordinates the work of department heads so as to promote integration and efficiency and remove or mitigate any duplication;
- (11) ensures the ongoing preparation of departmental business plans in response to Council goals and objectives;
- (12) recommends a management classification and remuneration plan to the Executive Policy Committee;
- (13) retains external expertise as necessary and as approved within budget to expedite the mandate of the City;
- (14) be responsible for coordinating the preparation of the annual operating and capital budget of the City;
- (15) be responsible for the care, control and maintenance of all property, improvements or works owned or controlled by the City;
- (16) exercise such other powers and carry out such other duties as are prescribed by *The City of Winnipeg Act* or delegated by by-law or resolution of Council.

ILLNESS

27. If the Chief Administrative Officer is incapable through illness, absence or other reason from performing the duties of their office, he/she may appoint a substitute who, during the period of incapacity or absence, has and may exercise all the powers of the Chief Administrative Officer.

28. In the event the Chief Administrative Officer is incapable of appointing a substitute to act in his/her absence, or in the event the absence of the Chief Administrative Officer extends beyond a reasonable period of time, the Executive Policy Committee shall appoint an acting Chief Administrative Officer.

DELEGATION OF AUTHORITY

29. In order to assist in discharging the day to day administrative responsibilities under section 26, the Chief Administrative Officer may delegate to a City employee such powers, responsibilities and authority as the Chief Administrative Officer deems appropriate.

30. No delegation under section 16 in any way reduces or eliminates the accountability of the Chief Administrative Officer for the discharge of those responsibilities specified in section 26.

CAO SECRETARIAT

31. The Chief Administrative Officer shall direct a group of professional staff, known as the Chief Administrative Officer Secretariat, with capabilities in the areas of strategic planning, corporate communications, and such other areas as the Chief Administrative Officer determines are required to assist in the effective discharge of his/her duties.

EPC SECRETARIAT

32. The Chief Administrative Officer shall establish a group of professional staff, known as the Executive Policy Secretariat, with capabilities in the areas as fiscal, policy and strategic analysis, and such other areas as the Chief Administrative Officer determines are required to assist Executive Policy Committee, the Standing Committee on Fiscal Issues and, if requested, the office of the Mayor.

CHIEF FINANCIAL OFFICER

33. The Chief Financial Officer shall report to the Chief Administrative Officer and shall have the responsibility to supervise the Assessment Department and Corporate Finance and shall monitor the financial status of the organization and provide advice on fiscal policy and strategy to the Standing Committee on Fiscal Issues, the Chief Administrative Officer and through the Chief Administrative Officer, to Council and Executive Policy Committee.

ADMINISTRATIVE DEPARTMENTS

34. Pending implementation of an administrative re-organization as outlined in the Report of Executive Policy Committee dated October 24, 1997, the Departments of the City and their respective mandates shall be as described in section 35.

35. The Departments of the City and their respective responsibilities shall be:

(1) **Ambulance Department**

To provide all definitive pre-hospital emergency patient care and transport of the sick/injured in Winnipeg and the provision of professional extrication services for victims trapped or entangled following motor vehicle or industrial accidents.

(2) **Assessment Department**

To provide the City and its citizens with an accurate, uniform, up-to-date real estate valuation, classification and information system.

(3) **Business Liaison and Intergovernmental Affairs Department**

To pursue constant improvement in the quality of services provided to the City's business community, and between The City of Winnipeg and other levels of government.

(4) **Civic Buildings Department**

To provide accommodation for all Civic purposes through comprehensive facility planning, development and management services for the purpose of delivering a healthy, productive and safe environment for Civic and designated public accommodations and to dispose of buildings through demolition or sale, to develop all buildings for Civic purposes, to operate off-street parking facilities, to operate the Pantages Playhouse Theatre, to ensure the proper maintenance of designated buildings and to provide technical and professional expertise in building matters to other departments.

(5) **Community Services Department**

To safeguard and promote the health and safety of the urban population, natural environment, and built environment, and attain a healthy co-existence between human and animal populations by ensuring equity, accessibility and availability of expertise and information, and by strengthening community self-reliance and utilizing public/private and community partnerships.

(6) **Corporate Finance Department**

To incorporate all of the strategy and policy oriented components and corporate functions of the City's financial-related departments and direct its primary attention to policy issues relating to debt and money management, insurance and overall budget development, tax collection, payroll and financial reporting. It will develop and introduce a Controllership Model shifting the accountability for processing financial transactions and monitoring of fiscal affairs to operating departments.

(7) **Corporate Services Department**

To provide policy and support to departments towards developing an overall policy framework, coordinating planning activities, identifying organizational priorities and providing specialized expertise/consultation, education, communication and service delivery with respect to: information, technology, human resources, legal services, strategic planning, and communication.

(8) **Fire Department**

To provide the citizens of Winnipeg with effective and efficient fire services.

(9) **Hydro Department**

To provide service to our customers in the form of high quality, reliable and safe electricity at the lowest possible cost while respecting our environment.

(10) **Land and Development Services Department**

To provide a full complement of services to the public and other Civic Departments related to interests in land and building development.

(11) **Library Department**

To provide and improve information services for the citizens of Winnipeg to achieve their individual goals and enhance their quality of life.

To confer with The Winnipeg Public Library Board on matters relating to Library System policy and budget with the objective of reaching agreement prior to the Department submitting any recommendations to Council, excluding, however, any matters of a confidential nature as determined in accordance with City policy.

(12) **Parks and Recreation Department**

To contribute to the quality of life in Winnipeg by satisfying leisure needs and by protecting the natural environment firstly for the citizens of Winnipeg and secondly for visitors to the City.

(13) **Police Services**

To provide a continuously improving police service to the citizens of Winnipeg through ongoing community commitment.

(14) **Social Services Department**

To assist people in The City of Winnipeg to achieve economic independence and improve the quality of their lives through the provision of employment and training supports, financial assistance, counseling, emergency response and other social services under the legal authority derived from federal, provincial and municipal legislation.

(15) **Streets and Transportation Department**

To provide the planning, construction and maintenance of all streets, bridges, sidewalks, and traffic control devices for the City and the administration and enforcement of all by-laws and authority stemming from the traffic authority or Council as well as providing fleet management, acquisition and material and stores services for all Civic departments.

(16) **Transit Department**

To provide public transportation for the citizens of Winnipeg through regular transit, handi-transit and special transit services.

(17) **Water and Waste Operations Department**

To contribute to the quality of life in Winnipeg by protecting public health, property, and the environment by ensuring an uninterrupted supply of potable water, collecting and treating wastewater, managing land drainage, and providing collection, disposal and waste minimization programs/facilities for solid waste.

NEW DIRECTIONS TRANSITION PROVISIONS

36.(1) Wherever any by-law, policy, resolution, contract or delegation of authority permits or requires any action, proceeding or act to be taken or done by an employee of the City of Winnipeg who is listed in Column 1 of Appendix "C" attached hereto, any such action, proceeding or act taken or done by the employee correspondingly listed in Column 2 of the Appendix, shall be conclusively deemed to have been taken or done by the employee listed in Column 1, in accordance with the said by-law, policy, resolution, contract or delegation of authority.

(2) Whenever any by-law, policy, resolution, contract or delegation of authority makes reference to an employee of the City of Winnipeg who is listed in Column 1 of Appendix "C", that reference shall be interpreted as if it had been amended to read as that employee correspondingly listed in Column 2 of said Appendix.

(3) Wherever any by-law, policy, resolution, contract or delegation of authority makes reference to a department of the City of Winnipeg which is listed in Column 1 of Appendix "D" attached hereto, that reference shall be interpreted as if it had been amended to read as that department correspondingly listed numerically in Column 2 of said Appendix.

(4) Wherever any by-law, policy, resolution, contract or delegation of authority permits or requires any action, proceeding or act to be taken or done by the Director of Operations, any such action, proceeding or act taken or done by the Director of Streets and Transportation or the Director of Water and Waste Disposal whoever is carrying out that function formerly carried out by the Director of Operations, shall be conclusively deemed to have been taken or done by the Director of Operations, in accordance with the said by-law, policy, resolution, contract or delegation of authority.

(5) Whenever any by-law, policy, resolution, contract or delegation of authority makes reference to the Director of Operations or the Operations Department, that reference shall be interpreted as if it had been amended to read The Director of Streets and Transportation and the Department of Streets and Transportation or The Director of Water and Waste Disposal and the Department of Water and Waste Disposal depending on the function being carried out.

(6) Wherever any by-law, policy, resolution, contract or delegation of authority permits or requires any action, proceeding or act to be taken or done by a staff member of the Budget Bureau, Winnipeg Hydro, the Finance Department, the Department of Land Surveys and Real Estate, the Department of Waterworks, Waste and Disposal, the Personnel Department the Department of Parks and Recreation, the Purchasing Department or the Planning Department, any such action, proceeding or act taken or done by a staff member carrying out the same function in the Department of Corporate Finance, the Hydro Department, the Department of Corporate Finance, the Department of Land and Development Services, the Department of Water and Waste Disposal, the Department of Corporate Services, the Department of Parks and Recreation, the Department of Corporate Finance and the Department of Land and Development Services respectively, after the coming into force of this By-law shall conclusively be deemed to have been taken or done by the staff member of the Budget Bureau, Winnipeg Hydro, the Finance Department, the Department of Land Surveys and Real Estate, the Department of Waterworks, Waste and Disposal, the Personnel Department, the Department of Parks and Recreation, the Purchasing Department or the Planning Department respectively in accordance with the said by-law, policy, resolution, contract or delegation of authority.

REORGANIZATION TRANSITION PROVISIONS

37. Whenever any by-law, policy, resolution, contract or delegation of authority permits or requires any action, proceeding or act to be taken or done by The Board of Commissioners, the Chief Commissioner, a Commissioner or any employee of the City of Winnipeg not otherwise referred to in Section 36, the original authority shall conclusively be deemed to have vested in the Chief Administrative Officer or his designate in accordance with said by-law, policy, resolution, contract or delegation of authority.

38. The Director of Corporate Finance shall be the Treasurer of the City of Winnipeg in accordance with the provisions of *The City of Winnipeg Act*.

39. The Director of Assessment shall be the Assessor as referred to in *The City of Winnipeg Act* and *The Municipal Act* and the City Assessor as referred to in *The Municipal Assessment Act*.

REPEAL AND COMING INTO FORCE

40. By-law No. 6043/92 is repealed as of November 5, 1997.

41. Sections 2 to 8 inclusive and Schedule "A" of By-law No. 6550/95 are repealed as of November 5, 1997.

42. All provisions of By-law No. 6550/95, other than those sections referred to in Section 41 are repealed upon enactment of this by-law.

43. Sections 2 to 15 inclusive of this by-law come into effect on November 5, 1997.

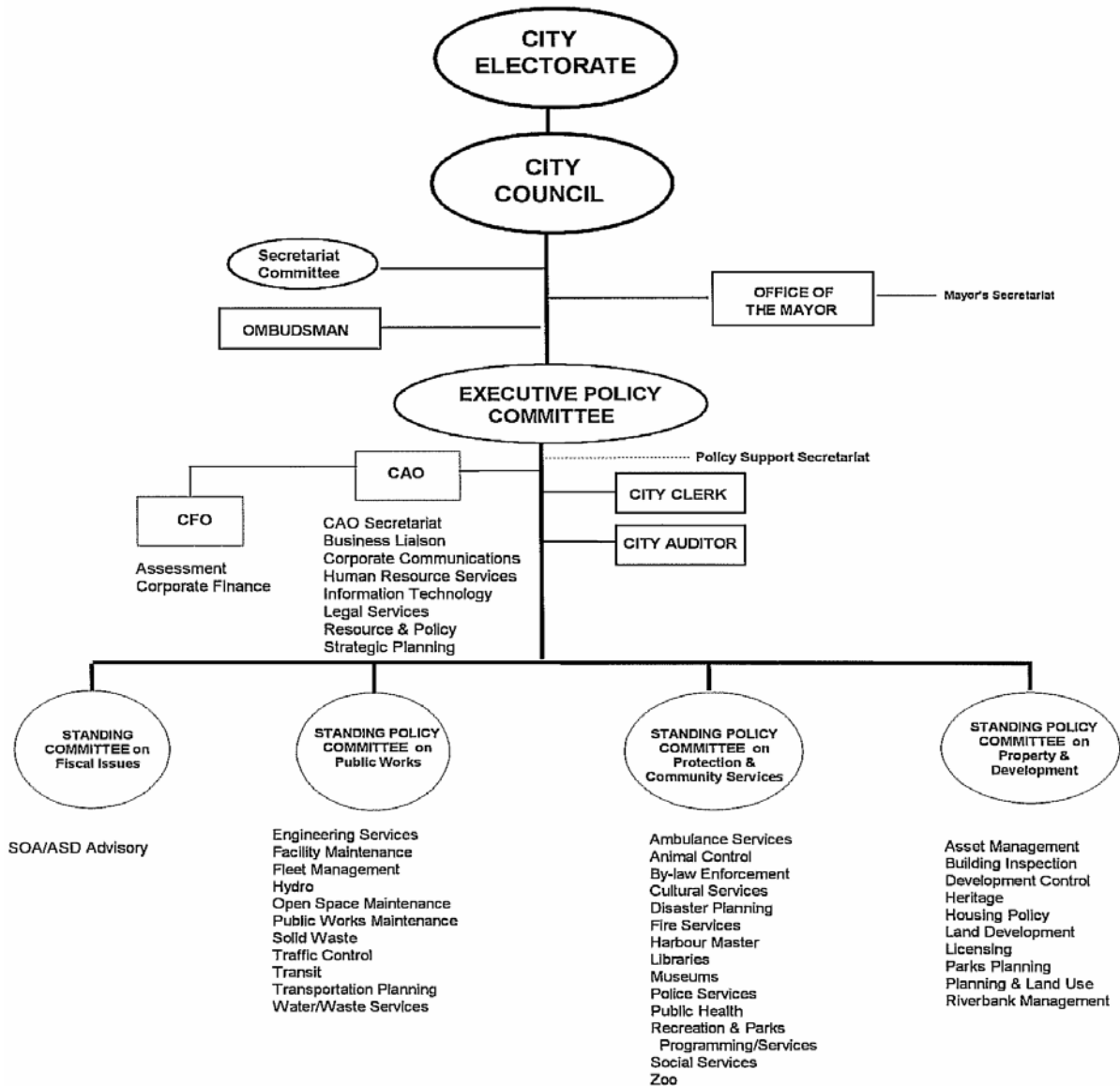
44. All provisions of this by-law, other than those sections referred to in Section 43 come into effect upon enactment.

DONE AND PASSED in Council assembled, this 29th day of October, A.D., 1997.

SCHEDULE "A" TO BY-LAW 7100/97



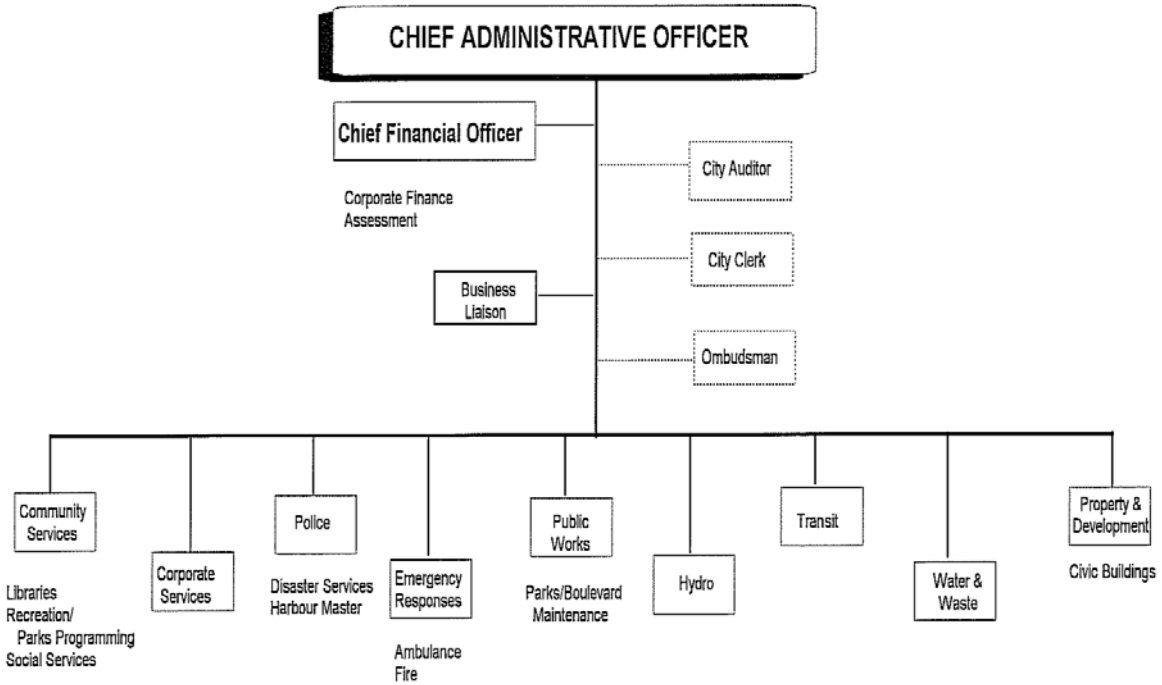
**CITY OF WINNIPEG
EXECUTIVE AND FUNCTIONAL ORGANIZATION**



SCHEDULE "B" TO BY-LAW 7100/97



**THE CITY OF WINNIPEG
ADMINISTRATIVE ORGANIZATION**



SCHEDULE "C" TO BY-LAW 7100/97

Column 1	Column 2
1. The Commissioner of Finance and Administration	1. The Chief Financial Officer
2. The City Treasurer	2. The Director of Corporate Finance
3. The City Assessor	3. The Director of Assessment
4. The Director of Purchasing	4. The Director of Corporate Finance
5. The Director of the Budget Bureau	5. The Director of Corporate Finance
6. The General Manager of Hydro	6. The Director of Hydro
7. The Director of Land Surveys and Real Estate	7. The Director of Land and Development Services
8. The Director of Waterworks, Waste and Disposal	8. The Director of Water and Waste Disposal
9. The Director of Personnel	9. The Director of Corporate Services
10. The General Manager of Parks and Recreation	10. The Director of Parks and Recreation
11. The Director of Planning	11. The Director of Land and Development Services

SCHEDULE "D" TO BY-LAW 7100/97

Column 1	Column 2
1. Budget Bureau	1. The Department of Corporate Finance
2. The Finance Department	2. The Department of Corporate Finance
3. The Purchasing Department	3. The Department of Corporate Finance
4. Winnipeg Hydro	4. The Hydro Department
5. The Department of Land Surveys and Real Estate	5. The Department of Land and Development Services
6. The Department of Waterworks, Waste and Disposal	6. The Department of Water and Waste Disposal
7. The Personnel Department	7. The Department of Corporate Services
8. The Planning Department	8. The Department of Land and Development Services