

CONTINUING CONSOLIDATION

BY-LAW NO. 6988

AS AMENDED BY BY-LAW NOS. 7046, 7205, 7225, 7286 and 7315.

BEING A BY-LAW of The City of Brandon to establish a Brandon Urban Aboriginal Peoples' Council.

WHEREAS it is desirable that an Urban Aboriginal Peoples' Council be created to give a forum for ongoing community dialogue.

AND WHEREAS it is deemed necessary and expedient that the terms and mandate of such a Council be established.

NOW THEREFORE the Council of The City of Brandon, assembled, enacts as follows:

PART ONE: TITLE AND INTERPRETATION

1. INTERPRETATION

This by-law may be cited as the "Brandon Urban Aboriginal Peoples' Council By-law".

2. DEFINITIONS

a) Unless otherwise expressly provided or unless the context otherwise requires, words and expressions in this By-law have the same meaning as the same words and expressions in a standard dictionary.

b) In this By-law:

- 1) "Indigenous" includes Indian, Non-Status, Métis and Inuit.
- 2) "Aboriginal Council" means the Urban Aboriginal Peoples' Council.
- 3) "City Council" means the Council of the City of Brandon.
- 4) "City Manager" means the Chief Administrative Officer of the City of Brandon.

PART TWO: BRANDON URBAN ABORIGINAL PEOPLES' COUNCIL

3. Establishment

The Urban Aboriginal Peoples' Council of Brandon (hereinafter referred to as "the Aboriginal Council") is hereby established.

4. Duties and Functions of the Committee

- a) City Council may refer to the Aboriginal Council for its consideration and advice, and the Aboriginal Council may on its own initiative consider and advise City Council on any matter relating to issues of concern to Indigenous people, including:
1. developing and maintaining a positive relationship with individuals, groups, agencies, organizations, orders of government, etc., who are addressing issues of concern to urban Indigenous people;
 2. assisting the efforts of other agencies, organizations, etc., who are addressing issues of concern to Urban Indigenous people;
 3. undertaking research, study or investigation in areas of concern in order to develop advice and make recommendations;
 4. soliciting input and receiving advice, recommendations, reports or concerns from individuals or groups addressing issues of concern to Urban Indigenous people, and recommending appropriate action; and

5. liaising with City of Brandon staff through the Office of the City Manager in support and development of policies, programs and other initiatives that will seek to address issues of concern to Indigenous people.
[AM. B/L 7225]

5. Membership

- 1) The Aboriginal Council shall consist of the following members, to be appointed by resolution of City Council:
 - 1) two (2) members of City Council;
 - 2) one (1) member appointed by the Brandon Friendship Centre;
 - 3) one (1) member appointed by Manitoba Metis Federation;
 - 4) one (1) member appointed by Dakota Ojibway Tribal Council;
 - 5) one (1) member appointed by Prairie Mountain Health;
 - 6) one (1) member appointed by the Brandon School Division Board;
 - 7) one (1) member appointed by the Brandon School Division Administration;
 - 8) one member appointed by Assiniboine Community College;
 - 9) one member appointed by Brandon University;
 - 10) one (1) member appointed by Sioux Valley Dakota Nation;
 - 11) four (4) citizen-at-large members, with preference given to self-identified Indigenous persons whereby:
 - i. one may be 55 years of age or older;
 - ii. one may be 25 years of age or younger.
- 2) The Aboriginal Council shall annually appoint a Chairperson and Vice Chairperson from within its membership.
[AM. B/L 7046, 7205, 7225]
- 3) The City Manager of the City of Brandon shall be considered an ex-officio non-voting member of the Brandon Urban Aboriginal Peoples' Council.
[EN. B/L 7315]

6. Terms of Office

- a) All members appointed to the Aboriginal Council shall serve for the following terms of office:
 - 1) the appointed members of City Council shall be appointed annually at the organizational meeting of City Council held in November of each year;
 - 2) the remaining members shall be appointed for a two (2) year term commencing on the 1st day of January in the year in which such appointments are made;.
 - 3) in order for appointments to be staggered to allow for continuity in membership, the appointment of the citizen-at-large members shall be made in the following manner, effective January 1, 2019:
 - a. two of the citizen-at-large members shall be appointed for a two (2) year term; and
 - b. two of the citizen-at-large members shall be appointed for a one (1) year term.
[EN. B/L 7225]
- b) No citizen-at-large member shall serve on the Aboriginal Council for more than two (2) consecutive terms. A member can re-apply for another term of two (2) years after serving the first term. If re-appointed, the second term will be the maximum term a member can serve on the Aboriginal Council.
[EN. B/L 7225]
- c) If a member wishes to re-apply at the end of the second term, the

member must wait for a twelve (12) month lapse prior to re-applying for membership;
[EN. B/L 7225]

- d) Where a vacancy in the membership occurs, from any cause during the term of its members, City Council shall appoint a person to fill such a vacancy on the Aboriginal Council and that person will serve for the unexpired term of office for which his or her predecessor was appointed. An unexpired term shall not be considered a term of office.
[AM. B/L 7225]
- e) Where a member fails to attend three consecutive regular meetings of the Aboriginal Council without being authorized to do so by resolution of the Aboriginal Council, such member thereby forfeits his or her seat on the Aboriginal Council. If the member is an appointee of any of the organizations listed above, that organization shall be advised of such forfeiture and requested to appoint another representative.
[AM. B/L 7225]
- f) Where vacancies occur in the membership due to the expiration of terms of office of citizen representatives, applications from citizens of the City of Brandon interested in serving on the Aboriginal Council shall be sought through public notice, and all applications received shall be presented to City Council for consideration. Approval of the candidates applying to be appointed to the Aboriginal Council shall be made by City Council.
[AM. B/L 7225]

7. Meetings of the Aboriginal Council

- a) The Aboriginal Council shall meet at least once a month, except during the months of July and August, unless there is no business to be addressed, and shall also meet at the call of the Chairperson or at the request of one-third of its members.
- b) Any standing or special committee of the Aboriginal Council may meet as often as deemed necessary by the Chairperson of each respective committee and each committee shall devote its energies to their delegated area of responsibility.
- c) The Aboriginal Council may establish its own rules and procedures for the conduct of its meetings.
- d) The Chairperson of the Aboriginal Council, and each of its sub-committees, shall preserve order at all meetings and decide all points of order which may arise.
- e) All questions before any meeting of the Aboriginal Council or sub-committee, shall be decided by a majority of the members present including the Chairperson, and the Chairperson shall, in addition, have a deciding vote in the event of an equality of votes.

PART THREE: REPEAL AND ENACTMENT

- 8. This by-law shall come into full force and take effect on the day following its passage.

DONE AND PASSED by the Council of The City of Brandon, duly assembled, this 13th day of December A.D. 2010.

“S. Decter Hirst”
MAYOR

“C. Arvisais”
CITY CLERK

Read a first time this 29th day of November A.D. 2010
Read a second time this 13th day of December A.D. 2010
Read a third time this 13th day of December A.D. 2010

I, Heather Coreen Ewasiuk, Clerk of the City of Brandon, DO HEREBY CERTIFY the above by-law to be a true and correct copy of By-law No. 6988, as amended by By-law Nos. 7046, 7205 and 7225.

Original Signed By

 H. Ewasiuk

H. Ewasiuk, City Clerk