Winnipeg

CITY OF WINNIPEG POLICY NO. XXX-XXX

POLICY TITLE *Grants Evaluation Policy*	**ADOPTED BY** *City Council*	**EFFECTIVE DATE** *XXXXXXXX*
ORIGIN / AUTHORITY *Executive Policy Committee*	**CITY POLICY NO**	**MOST RECENT CONSOLIDATION** *XXX-XXX*

1. **Purpose:**
   This Policy ensures that application and approval processes for grants that are subject to this policy include an assessment of the alignment between the expected outcome of the organization and/or program for which the grant is provided with City priorities and legislated services, as well as ensuring financial transparency and fiscal sustainability.

2. **Definitions:**

   For the purposes of this Policy

   2.1 **"Council priorities"** are

   (a) Arts, Entertainment and Culture;
   (b) Recreation;
   (c) Neighbourhood Revitalization;
   (d) Economic Development;
   (e) Crime Prevention;
   (f) Community Liveability; and
   (g) the Environment.

   2.2 **"grant"** means money, goods or in-kind contributions provided to a recipient without consideration in return, other than recognition for the grant.

   2.3 **"Grants Evaluation Committee"** means the committee created by section 7.4 of this Policy.

   2.4 **"in-kind contributions"** means goods or services provided to a recipient for free or at a reduced rate.

   2.5 **"legislated services"** means services identified as "legislated" in the Schedule to this Policy.

   2.6 **"Not for profit organization"** means a club, society or association that is organized and operated exclusively for social welfare, civic improvement, pleasure or recreation or for any other purpose except profit.

3. Scope of this Policy

This Policy applies to grants that fall within Council's approval authority. It does not apply to

(a) Grants payable over multiple years pursuant to an agreement which cannot be unilaterally terminated by the City without the City potentially incurring additional responsibilities and/or financial liabilities;
(b) Grants made pursuant to an authority delegated by Council, such as grants made by community committees, Councillors, the Mayor, City employees, or organizations such as the Winnipeg Arts Council;
(c) Grants made pursuant to grant program by-laws;
(d) $1 leases governed by the "Policy on the Sale/Lease of City Lands to Non-Profit Organizations" as adopted by Council on October 31, 1990;
(e) Grants made in compliance with the Councillor Ward Allowance Policy;
(f) Grants made from a Reserve pursuant to the purposes established for the Reserve; and
(g) Grants arising from the "Sponsor Winnipeg" program.

4. Grants Evaluation Process

Applications for grants approved under this Policy must be submitted to the City Clerk's Office each year by a date established by the Grants Evaluation Committee. The City Clerk must then forward applications to the Grants Evaluation Committee for review. The Grants Evaluation Committee must evaluate grant applications to which this Policy applies and provide its evaluation for consideration by the Executive Policy Committee or any other body that is responsible for developing the budget proposed to Council for adoption.

5. Qualifications

In order to qualify for consideration under this Policy, an applicant must do all of the following:

a) Complete and submit an application using the form prescribed by the Grants Evaluation Committee by the date for submission established by the Grants Evaluation Committee. All information required by the form and by this Policy must be provided in order for the application to be complete;
b) Confirm status as a not for profit organization as defined by this Policy;
c) Provide financial statements required by the Grants Evaluation Committee. The Grants Evaluation Committee may require that the financial statements be audited or reviewed;
d) If one or more City grants have been previously provided to the applicant, demonstrate that City funding has been used in accordance with the terms of the grant;

e) Provide objectives, targets and anticipated outcomes for the project, initiative or event for which a grant is sought;
f) Identify the specific uses to which the grant will be put to achieve the objectives, targets and anticipated outcomes for the project, initiative or event;
g) Demonstrate that the project, initiative or event for which the grant is sought aligns with at least one of the proposed Council priorities; and
h) Demonstrate that the project, initiative or event for which the grant is aligns with a legislated service of the City.

5.2 Grant applications by qualifying applicants shall be evaluated by the Grants Evaluation Committee based on the following criteria:
a) The clarity and reasonableness of the applicant's objectives, targets and outcomes for the grant (supported by a business plan or applicant's board approval of the grant application);
b) The applicant's compliance with previous City grant agreement requirements;
c) Written confirmation of the review completed by the most relevant City department;
d) Alignment of the purposes for which the grant is sought with one or more of proposed Council's priorities;
e) Alignment of the objective of the organization, project or event with a legislated city service;
f) The degree to which the grant is necessary for the organization, project or event to be successful.

5.3 For the purposes of departmental support of a grant application, individual City departments may set their own criteria and processes.

6. Grant agreements

All grants which are subject to this Policy require an executed agreement in compliance with the Council approved 2008 Grant Administration Audit (Council July 16, 2008) and the 2020 Adopted Budget recommendation 1.Y (Council March 20, 2020).

7. Responsibilities

7.1 Chief Financial Officer – The Chief Financial Officer shall

a) oversee the grant evaluation process and recommend grant funding to the budget process;
b) execute all grant agreements or, alternatively, shall delegate this authority in compliance with the Execution of Documents By-law.

7.2 City Solicitor – The City Solicitor shall ensure that grant agreements that are subject to this Policy

a) contain all terms and conditions that are necessary to protect the interests of the City; and
b) are approved and executed in accordance with any applicable Administrative Standard.

7.3 Manager of Financial Planning and Review – The Manager of Financial Planning and Review shall chair the Grants Evaluation Committee.

7.4 Grants Evaluation Committee – the Grants Evaluation Committee shall review all grant applications governed by this Policy with a mandate to ensure alignment with Council supported priorities, legislated services, funding transparency and financial sustainability. The committee shall be comprised of the individuals who occupy the following positions or their delegates:

a) The Manager of Financial Planning and Review (Corporate Finance) who shall be the Chair,
b) The Manager of Operating Budget Review (Corporate Finance);
c) The Corporate Controller (Corporate Finance);
d) A representative appointed by the Director of Community Services;
e) A representative appointed by the City Clerk; and
f) As required, and at the discretion of the Chair, representatives of Legal Services and/or other City departments.

SCHEDULE - LEGISLATED REQUIREMENTS TO PROVIDE SERVICES (Attachment to Appendix 1)

REQUIREMENTS TO PROVIDE SERVICES[1]

2020 Budget – Legislated Services[2]

Executive Policy

Assessment, Taxation & Corporate

Sub-Services [3]	Notes	Legislated / Non-legislated
Assessment & Taxation	**REQUIRED** - s. 9 (1) of *The Municipal Assessment Act* states that in making a general assessment, the assessor shall make assessments of all assessable property in the province.	**Legislated**
Corporate	**GENERALLY REQUIRED** - Corporate services include employee benefits, payroll taxes, actuarial and audit fees, provision for cost increases, provision for insurance claims and premiums, corporate efficiencies, and other corporate obligations. Many of these are legislatively required by statutes governing employees and the operation of corporations. Others are not legislatively required, although they may be practically necessary.	**Legislated and Non-legislated**

1 This analysis does not attempt to exhaustively address the City's legal obligations arising from agreements or contracts, including collective agreements. Nor does it address the question of administration and/or enforcement of by-laws the City has chosen to enact. In general, the quality and level of by-law administration and/or enforcement is a policy choice that is available to Council. Services or activities in which the City is engaged are categorized as "legislated" in the following circumstances:

- when the obligation to provide them is imposed by common law or as occupier under The Occupiers' Liability Act;
- when, although not required by The City of Winnipeg Charter, they are contemplated by the Charter as services or functions provided by the City; and
- when they are a practical necessity in order to accomplish legislatively required functions or services.

2 Sub-services in this section may have legislated and non-legislated aspects.

3 Sub-services are as reported in 2020 Budget Volume 1 Community Trends and Performance Report.

Council Services

Auditing	**REQUIRED** – s. 96 of *The Winnipeg Charter* states that Council must appoint a City Auditor. In addition, under section 105(1) of *The Winnipeg Charter*, the city auditor must ensure that a proper and complete audit of each annual consolidated financial statement of the city is made, and must, within six months after the end of each fiscal year of the city, make a report to Council.	**Legislated**
Mayor & Council	**REQUIRED –** s. 16 (1) of *The Winnipeg Charter* states that Council consists of an elected mayor and elected councillors.	**Legislated**
Archives - City Clerks	**REQUIRED** – s. 110(1) of *The Winnipeg Charter* states Council must designate an employee as the city archivist.	**Legislated**
Elections – City Clerks	**REQUIRED** – s. 19 of the Charter provides that a general election of members of council must be held on the fourth Wednesday of October, in 2002 and in each fourth year thereafter. Elections are governed by *The Municipal councils and School Boards Elections Act*.	**Legislated**
Citizen Access & Appeals	**REQUIRED -** s. 189 (1) of *The Winnipeg Charter* states that a person may appeal order or decision to a designated hearing body. There is no legislative obligation to provide citizen access.	**Legislated and Non-legislated**
Council Support – City Clerks	**REQUIRED** – s. 96(b) of *The Winnipeg Charter* states that Council must appoint a City Clerk. Section 99 sets out the duties of the City Clerk in terms of Council support.	**Legislated**

Organizational Support Services

Chief Administrative Offices	**REQUIRED** - S. 96(a) of *The Winnipeg Charter* states Council must appoint a Chief Administrative Officer. Section 97 of *The Winnipeg Charter* outlines powers of Chief Administrative Officer.	**Legislated**
Financial Management	**REQUIRED** – s.100 and the entirety of Part 7 of *The Winnipeg Charter* outlines duties of the Chief Financial Officer as they relate to financial management.	**Legislated**
Communications	**REQUIRED** – s. 451 (2) of *The Winnipeg Charter* states that English and French are the official languages of the City. In addition, section 454(1) of *The Winnipeg Charter* states that every person is entitled within a reasonable time of a request, to receive in the official language of the person's choice any municipal services that are available at any office of the city located at City Hall and in the course of the provision of those services to speak and be spoken to in the official language of the person's choice. Other communication services are not required by legislation.	**Legislated and non-legislated**
Human Resource Services	**REQUIRED -** various provisions in the Charter contemplate activities of City employees and collective agreements with unions. In addition, as an employer, the City is legislatively required to comply with several statutes, including *The Labour Relations Act, The Employment Standards Act* and *The Workplace Safety and Health Act.*	**Legislated**

Legal Services	**NOT REQUIRED BUT PRACTICALLY NECESSARY** – lawyers are a practical necessity to respond to legal claims and other court proceedings, and to provide representation for the City at assessment appeals, expropriation hearings and similar quasi-judicial hearings. Procurement agreements, real estate transactions, development agreements and by-law drafting, all require legal expertise and lawyers also provide legal advice on a variety of issues.	**Legislated**
Infrastructure Planning	**REQUIRED** – s. 224 of *The Winnipeg Charter* states that Council must, by by-law, adopt a development plan, (Plan Winnipeg), which must set out a) the city's long term plans and policies respect i) its purposes, ii) its physical, social, environmental and economic objectives, and iii) sustainable land uses and development. The infrastructure planning function is necessary in order to plan for the city's physical development.	**Legislated**

Infrastructure Renewal & Public Works

Roadway Construction & Maintenance

Sub-Services	Notes	Legislated / Non-legislated
Bridge Construction & Maintenance	**CONTEMPLATED BY THE CHARTER –** although the Charter and other statutes do not explicitly require construction of streets, the Charter specifies that the City has control and management of streets in the city. Other provisions give the City extensive authority over streets. In addition, s.475(1) of *The Winnipeg Charter* states that the city must	**Legislated**

	keep every street to a standard that is appropriate and keep it in repair.	
Regional Streets Construction and Maintenance	**CONTEMPLATED BY THE CHARTER –** although the Charter and other statutes do not explicitly require construction of streets, s. 136 of the Charter specifies that the City has control and management of streets in the city. Other provisions give the City extensive authority over streets. In addition, s. 475(1) of *The Winnipeg Charter* states that the city must keep every street to a standard that is appropriate and keep it in repair.	**Legislated**
Local Streets Construction & Maintenance	**CONTEMPLATED BY THE CHARTER** – although the Charter and other statutes do not explicitly require construction of streets, s. 136 of the Charter specifies that the City has control and management of streets in the city. Other provisions give the City extensive authority over streets. In addition, s. 475(1) of *The Winnipeg Charter* states that the city must keep every street to a standard that is appropriate and keep it in repair.	**Legislated**
Regional Sidewalk Construction & Maintenance	**CONTEMPLATED BY THE CHARTER AND OTHER STATUTES** – although the Charter and other statutes do not explicitly require construction of streets, s. 136 of the Charter specifies that the City has control and management of streets in the city. Other provisions give the City extensive authority over streets. In addition, s. 475(1) of *The Winnipeg Charter* states that the city must keep every street to a standard that is appropriate and keep it in repair.	**Legislated**

Local Sidewalk Construction & Maintenance	**CONTEMPLATED BY THE CHARTER AND OTHER STATUTES** – although the Charter and other statutes do not explicitly require construction of streets, s. 136 of the Charter specifies that the City has control and management of streets in the city. Other provisions give the City extensive authority over streets. In addition, s. 475(1) of *The Winnipeg Charter* states that the city must keep every street to a standard that is appropriate and keep it in repair.	**Legislated**

Roadway Snow Removal & Ice Control

Regional Streets Snow & Ice Removal	**CONTEMPLATED BY THE CHARTER AND DUTY OF CARE IMPOSED BY COMMON LAW** – s. 475(3)(d) *The Winnipeg Charter* limits the common law obligations of the City by stating that the city is not liable for loss or damage arising from rain, hail, snow, ice, sleet or slush in streets or in sidewalks in or adjacent to streets unless the city is grossly negligent. In addition, s. 486 of *The Winnipeg Charter* states the city is not liable for loss or damage as a result of an overflow of water from a sewer, drain, ditch or watercourse as a consequence of excessive snow, ice or rain.	**Legislated**
Local Streets Snow & Ice Removal	**CONTEMPLATED BY THE CHARTER AND DUTY OF CARE IMPOSED BY COMMON LAW** – s. 475(3)(d) *The Winnipeg* limits the common law obligations of the City by stating that the city is not liable for loss or damage arising from rain, hail, snow, ice, sleet or slush in streets or in sidewalks in or adjacent to streets unless the city is grossly negligent. In addition, s. 486 of *The Winnipeg Charter* states the city is not liable for loss or damage as a result of an overflow of water from a sewer, drain, ditch or watercourse as a consequence of excessive snow, ice or	**Legislated**

	rain.	
Sidewalk Snow & Ice Removal	**CONTEMPLATED BY THE CHARTER AND DUTY OF CARE IMPOSED BY COMMON LAW**– s. 475(3)(d) *The Winnipeg Charter* limits the common law obligations of the City by stating that the city is not liable for loss or damage arising from rain, hail, snow, ice, sleet or slush in streets or in sidewalks in or adjacent to streets unless the city is grossly negligent. In addition, s. 486 of *The Winnipeg Charter* states the city is not liable for loss or damage as a result of an overflow of water from a sewer, drain, ditch or watercourse as a consequence of excessive snow, ice or rain.	**Legislated**
Parks, Facility Snow & Ice Removal	**CONTEMPLATED BY CHARTER AND DUTY OF CARE IMPOSED BY COMMON LAW** – s. 475(3)(d) *The Winnipeg Charter* limits the common law obligations of the City by stating that the city is not liable for loss or damage arising from rain, hail, snow, ice, sleet or slush in streets or in sidewalks in or adjacent to streets unless the city is grossly negligent. In addition, s. 486 of *The Winnipeg Charter* states the city is not liable for loss or damage as a result of an overflow of water from a sewer, drain, ditch or watercourse as a consequence of excessive snow, ice or rain.	**Legislated**
Snow Disposal Sites	**NOT REQUIRED BUT PRACTICALLY NECESSARY** – in order for the City to meet its statutory and common law obligations to clear snow from streets, it must have some capacity to store snow.	**Legislated**

City Beautification

Litter Collection	**CONTEMPLATED BY CHARTER –** ss. 131 and 133 of the *Charter* refer to the City making by-laws respecting litter and s. 504 refers to	**Legislated**

	presumptions in by-laws respecting litter.	

Transportation Planning and Traffic Management

Transportation Planning & Design	**CONTEMPLATED BY CHARTER** – s. 136 *of The Winnipeg Charter* states that the City is responsible for managing streets. s. 139 provides that this includes authority over things such as designating a street as a limited access street, controlling private works in streets, parking meters. All this requires planning and design of streets.	**Legislated**
Traffic/Right of Way Management	**REQUIRED** - Under s. 138 of *The Winnipeg Charter* the city is the traffic authority under *The Highway Traffic Act* in respect of streets of which it has direction, control and management and, in respect of those streets, it has all the powers granted to, or enjoyed by, and duties charged on, a traffic authority under that Act. *The Highway Traffic Act* imposes a variety of obligations on traffic authorities.	**Legislated**

Public Transit

Regular Transit	**CONTEMPLATED BY CHARTER** – s. 162(1) of *The Winnipeg Charter* states Council may pass by-laws respecting local transportation systems and chartered bus services.	**Legislated**
Transit Plus	**CONTEMPLATED BY CHARTER** – s. 162(1) of *The Winnipeg Charter* states Council may pass by-laws respecting local transportation systems and chartered bus services. In addition, the Human Rights Code requires that the City provide an equivalent transit service for those individuals who cannot use the fixed	**Legislated**

	route transit service.	
Chartered Bus & Special Events Transit	**CONTEMPLATED BY CHARTER** – s. 162(1) of *The Winnipeg Charter* states Council may pass by-laws respecting local transportation systems and chartered bus services. In addition, s. 162(2)(b) Council may pass-by-laws prescribing the types of chartered bus services that the city may provide.	**Legislated**

Protection, Community Services & Parks

Community Liveability

Sub-Services	Notes	Legislated / Non-legislated
Vacant Building Enforcement	**CONTEMPLATED BY CHARTER** – s. 151(1)(d) of *The Winnipeg Charter* provides for by-laws establishing a system to regulate the condition and maintenance of vacant dwellings or non-residential buildings, or classes of them. As well, in ss. 190 – 200, the Charter sets out a process by which the City can take title to vacant buildings that are derelict.	**Legislated**
Community By-Law Enforcement	**CONTEMPLATED BY CHARTER**– S. 175 and following authorizes the City to appoint enforcement officers to enforce City by-laws.	**Legislated**

Arts, Entertainment and Culture

Museums	**CONTEMPLATED BY CHARTER** - S. 522 is a legislative mechanism for ensuring the continuity of governance of the St. Boniface Museum as well as imposing an obligation on the City to continue to maintain the said museum. There is no City obligation to maintain the other museums.	**Legislated and Non-legislated**

Crime Prevention

Street Lighting	**COMMON LAW DUTY OF CARE** – At common law, the City has a duty to act as a reasonable municipality would in terms of people using its streets. s. 475(1) of *The Winnipeg Charter* states that the city must keep every street to a standard that is appropriate and keep it in repair. Lighting arguably required to meet these standards.	**Legislated**
Crime Prevention Initiatives	**REQUIRED –** s. 13 of The Police Services Act requires that a municipality with a population over 5000 must take responsibility for its own policing. Under s. 22(1)(a) the chief of a municipal police service is responsible for the enforcement of law, the prevention of crime and the preservation of the public peace in the municipality. In addition, under s. 25(b) of the Act, the duties of a police officer include preventing crime and offences against the laws in force in the municipality and assisting victims of crime.	**Legislated**

Emergency Management (formerly Disaster Preparedness and Response)

Emergency Management	**REQUIRED** - s. 22(1) of the *Fire Prevention and Emergency Response Act* requires that a municipality must establish a local incident management system for directing and managing emergency response services at the site of any emergency or disaster within its boundaries. S. 8(1) of *The Emergency Measures Act* requires that a municipality must prepare and adopt emergency preparedness programs and emergency plans and submit them to the coordinator for approval	**Legislated**

	and co-ordination with other emergency preparedness programs and emergency plans.	

Fire & Injury Prevention

Fire & Injury Prevention Education	**CONTEMPLATED BY CHARTER** - s. 165(1) of *The Winnipeg Charter* provides that Council may pass by-laws respecting a) the prevention and suppression of fires; and b) the protection of persons and property endangered by fires.	**Legislated and non-legislated**
Fire Inspection	**REQUIRED** – S. 20 of *The Fires Prevention and Emergency Response Act* provides that a local authority must enforce the Manitoba Fire Code. s. 165(2)(b) of *The Winnipeg Charter* states that council may pass by-laws with respect to acts, practices, conditions or things that may cause or aggravate fires.	**Legislated**

Fire & Rescue Response

Fire Suppression & Life Rescue	**REQUIRED** – s. 22 of *The Fires Prevention and Emergency Response Act* requires that every local authority must establish a local incident management system for directing and managing emergency response services at the site of any emergency or disaster within its boundaries. In addition, s. 165(1) of The Winnipeg Charter – Council may pass by-laws respecting a) the prevention and suppression of fires; and b) the protection of persons and property endangered by fires. In addition, s. 165(2)(c) of *The Winnipeg Charter* states that council may pass by-laws with respect to the prevention of fires or reducing the danger of damage, injury or loss of life from fires.	**Legislated**

Fire Investigation	**REQUIRED** – s. 25 of *The Fires Prevention and Emergency Response Act* provides that the fire chief must investigate fires.	**Legislated**
Specialty Rescue	**REQUIRED** - s. 165(1) of *The Winnipeg Charter* – Council may pass by-laws respecting a) the prevention and suppression of fires; and b) the protection of persons and property endangered by fires.	**Legislated**

Parks & Urban Forestry

Park Amenity Maintenance	**COMMON LAW DUTY OF CARE –** the common law obligation to act reasonably and *The Occupiers' Liability Act* impose a duty to maintain City parks.	**Legislated**
Park Pathway Maintenance	**COMMON LAW DUTY OF CARE –** the common law obligation to act reasonably and *The Occupiers' Liability Act* impose a duty to maintain City parks.	**Legislated**
Weed Control	**NOT REQUIRED UNLESS CLASSIFIED UNDER THE NOXIOUS WEEDS ACT – CONTEMPLATED BY THE CHARTER -** Under s. 514(1) of *The Winnipeg Charter* the City has the responsibilities and duties charged on, and the powers and authority given to, a municipality under *The Noxious Weeds Act. The Noxious Weeds Act* authorizes a municipality to eradicate and control noxious weeds.	**Legislated**
Winter Amenity Maintenance	**COMMON LAW DUTY OF CARE –** the common law obligation to act reasonably and *The Occupiers' Liability Act* imposes a duty to maintain City amenities.	**Legislated**

Dutch Elm Disease Control (DED)	**REQUIRED** - Forest Health Protection Act and Regulations requires the City to cut down infected trees. The Province has delegated enforcement of the Act and Regulations to the City.	**Legislated**
Park Grass Maintenance	**COMMON LAW DUTY OF CARE -** the common law obligation to act reasonably and *The Occupiers' Liability Act* impose a duty to maintain City parks.	**Legislated**
Athletic Field Maintenance	**COMMON LAW DUTY OF CARE -** the common law obligation to act reasonably and *The Occupiers' Liability Act* imposes a duty to maintain City athletic fields to a reasonable standard.	**Legislated**
Playground Management	**COMMON LAW DUTY OF CARE -** the common law obligation to act reasonably and *The Occupiers' Liability Act* imposes a duty to maintain City playgrounds to a reasonable standard.	**Legislated**
Natural Areas Management	**CONTEMPLATED IN THE CHARTER** - Charter specifically notes that planning by-laws (Plan Winnipeg, secondary plans, zoning by-laws) may include protection for "sensitive lands", defined as (a) land that is susceptible to flooding or erosion or that has unstable slopes or poor drainage, (b) areas of special significance for animal, bird or plant life, including wetlands, forests and nesting areas, (c) land on which any development is likely to harm ecological diversity.	**Legislated**

Insect Control

Insect Control	**CONTEMPLATED BY CHARTER** – Section 134(2)(d) of Charter states that Council may pass a by-law respecting the control of insects.	**Legislated**

Libraries

Library Circulation	**CONTEMPLATED IN CHARTER** – s. 210(3) of *The Winnipeg Charter* states that despite any other provision of the Act, the City must permit residents of the city to have free use of the circulating and reference books of every public library and branch that it maintains.	**Legislated**

Police Response

Police Response	**REQUIRED –** s. 13 of *The Police Services Act* requires that a municipality with a population over 5,000 must take responsibility for its own policing.	**Legislated**
Crime Investigation	**REQUIRED** - s. 13 of *The Police Services Act* requires that a municipality with a population over 5,000 must take responsibility for its own policing. Under s.22(1)(a) the chief of a municipal police service is responsible for the enforcement of law, the prevention of crime and the preservation of the public peace in the municipality. In addition, under s. 25(b) of the Act, the duties of a police officer include preventing crime and offences against the laws in force in the municipality and assisting victims of crime.	**Legislated**

Police Training	**REQUIRED** - Section 48(2)(b) of *The Police Services Act* states the minister may make regulations prescribing training for new police officers, and ongoing training requirements for current police officers or any category of police officers. *The Police and Special Constables Regulation* requires that police officers must undergo a qualified training course, including the one provided by the Winnipeg Police Service.	**Legislated**

Traffic Safety & Enforcement

Traffic Safety & Enforcement – Automated	**REQUIRED -** Under the Charter, the City is the traffic authority for streets in the city. The City is required to enforce Provincial laws, including The Highway Traffic Act which regulates speeds and driving generally. How it does so – whether by photo radar/ red light camera, or WPS officers – is an operational decision. Photo radar/red light camera is authorized by the Highway Traffic Act.	**Legislated**
Traffic Safety & Enforcement - Officer	**REQUIRED -** Under the Charter, the City is the traffic authority for streets in the city. The City is required to enforce Provincial laws, including The Highway Traffic Act which regulates speeds and driving generally. How it does so – whether by photo radar/ red light camera, or WPS officers – is an operational decision.	**Legislated**
Traffic Safety & Enforcement – Division	**REQUIRED -** Under the Charter, the City is the traffic authority for streets in the city. The City is required to enforce Provincial laws, including The Highway Traffic Act which regulates speeds and driving generally.	**Legislated**

Property and Development, Heritage & Downtown

City Planning

Sub-Services	Notes	Legislated / Non-legislated
Area Development & Renewal Planning	**REQUIRED** – s. 236 of *The Winnipeg Charter* provides that Council must, by by-law, adopt a development plan, referred to as "Plan Winnipeg". S. 236 of *The Winnipeg Charter* provides that Council must pass zoning by-laws to control or prohibit the use of real property and development in the city or parts of the city. Zoning by laws can be for any of the items listed in s.236(2) of *The Winnipeg Charter*	**Legislated**
City-wide Long Range Planning	**REQUIRED** – s. 236 of *The Winnipeg Charter* provides that Council must, by by-law, adopt a development plan, referred to as "Plan Winnipeg".	**Legislated**

Developer Approvals, Building Permits & Inspection

Residential Development Approvals & Inspections	**REQUIRED** – *The Buildings and Mobile Homes Act* requires that municipalities must adopt and enforce the Building Code. Section 152 of *The Winnipeg Charter* requires that the City must examine and approve plans of construction before issuing permits.	**Legislated**
Commercial Development Approvals & Inspections	**REQUIRED** – *The Buildings and Mobile Homes Act* requires that municipalities must adopt and enforce the Building Code. Section 152 of *The Winnipeg Charter* requires that the City must examine and approve plans of construction before issuing permits.	**Legislated**

Cemeteries

Cemeteries	**COMMON LAW DUTY OF CARE -** the common law obligation to act reasonably and *The Occupiers' Liability Act* imposes a duty to maintain City cemeteries to a reasonable standard.	**Legislated and non-legislated**

Heritage Conservation

Heritage Conservation	**CONTEMPLATED IN CHARTER** – s. 157.1 provides that Council may pass by-laws respecting buildings, parcels of land or areas that council considers to be of special architectural or historic interest.	**Legislated**

Property Asset Management

Municipal Accommodations	**COMMON LAW DUTY OF CARE** - the common law obligation to act reasonably and *The Occupiers' Liability Act* imposes a duty to maintain City facilities to a reasonable standard.	**Legislated**
Pool Facilities	**COMMON LAW DUTY OF CARE** - the common law obligation to act reasonably and *The Occupiers' Liability Act* imposes a duty to maintain City pools to a reasonable standard.	**Legislated**
Arena Facilities	**COMMON LAW DUTY OF CARE** - the common law obligation to act reasonably and *The Occupiers' Liability Act* imposes a duty to maintain City arenas to a reasonable standard.	**Legislated**
Recreation Centres	**COMMON LAW DUTY OF CARE** - the common law obligation to act reasonably and *The Occupiers' Liability Act* imposes a duty to maintain City recreation facilities to a reasonable standard.	**Legislated**

Community Centre Facilities	**COMMON LAW DUTY OF CARE** - the common law obligation to act reasonably and *The Occupiers' Liability Act* imposes a duty to maintain community centres (which are owned by the City) to a reasonable standard.	**Legislated**
Land & Property	**COMMON LAW DUTY OF CARE** - the common law obligation to act reasonably and *The Occupiers' Liability Act* imposes a duty to maintain City land and property to a reasonable standard.	**Legislated**

Water & Waste, Riverbank Management & the Environment

Land Drainage & Flood Control

Sub-Services	Notes	Legislated / Non-legislated
Flood Control	**CONTEMPLATED BY THE CHARTER** – S. 161(1)(c) of *The Winnipeg Charter* states that Council may pass by-laws to secure the proper drainage of the land in the city. In addition, flooding is specifically contemplated as an emergency in s. 223 of the Charter.	**Legislated**
Waterways Management	**CONTEMPLATED BY THE CHARTER** – s. 159 of *The Winnipeg Charter* states that Council may pass by-laws respecting waterways and specifically provides for regulation of construction and activities on or near waterways.	**Legislated**
Land Drainage	**CONTEMPLATED BY CHARTER** – S. 161(1)(c) of *The Winnipeg Charter* states that Council may pass by-laws to secure the proper drainage of the land in the city.	**Legislated**

Solid Waste Collection & Disposal

Solid Waste Collection	**CONTEMPLATED BY THE CHARTER** – S. 161(1)(a) of *The Winnipeg Charter* states Council may pass by-laws with respect to the collection, handling, recycling and disposal of solid waste. Such a by-law may include provisions respecting the location where, and manner in which, owners and occupants of property are required to provide receptacles for solid waste; the removal and disposal of solid waste by owners and occupants of property on which the waste originates; and the establishment and use of sanitary landfill sites, inorganic materials disposal grounds and other facilities for the disposal of solid waste.	**Legislated**
Solid Waste Disposal	**CONTEMPLATED BY CHARTER** – S. 161(1)(b) of *The Winnipeg Charter* states Council may pass by-laws with respect to the collection, handling, treatment and disposal of solid waste. Such a by-law may include provisions respecting the removal and disposal of solid waste by owners and occupants of property on which the waste originates, and the establishment and use of sanitary landfill sites, inorganic materials disposal grounds and other facilities for the disposal of solid waste.	**Legislated**

Recycling & Waste Diversion

Recycling	**CONTEMPLATED BY CHARTER** – S. 161(1)(a) of *The Winnipeg Charter* states Council may pass by-laws with respect to the collection, handling, recycling and disposal of solid waste.	**Legislated**

Waste Diversion	**CONTEMPLATED IN THE CHARTER** - S. 161(1)(b) of *The Winnipeg Charter* states Council may pass by-laws with respect to the collection, handling, treatment and disposal of solid waste. Such a by-law may include provisions respecting the establishment and use of sanitary landfill sites, inorganic materials disposal grounds and other facilities for the disposal of solid waste.	**Legislated**

Wastewater

Wastewater Collection	**CONTEMPLATED BY CHARTER** – S. 161(1)(b) of *The Winnipeg Charter* – Council may pass by-laws with respect to the handling, treatment and disposal of wastewater.	**Legislated**
Wastewater Treatment	**REQUIRED** – provincial and federal legislation regulates the discharge of wastewater. S. 161(1)(b) of *The Winnipeg Charter* – Council may pass by-laws with respect to the handling, treatment and disposal of wastewater.	**Legislated**

Water

Water Supply & Treatment	**REQUIRED** - S. 160(1) of *The Winnipeg Charter* states the City must ensure a supply of water for its citizens. In addition, s. 160(4)(a) of *The Winnipeg Charter* states council may pass by laws with respect to the protection of the city's water supply from health hazards.	**Legislated**
Water Distribution	**REQUIRED** – s. 160(1) of *The Winnipeg Charter* states the City must ensure a supply of water. Moreover, s.160(4)(b) of *The Winnipeg Charter* states Council may pass by-laws with respect to the manner, extent and nature of the supply of water from its waterworks to its properties.	**Legislated**

Innovation & Economic Development

Animal Services (SOA)

Sub-Services	Notes	Legislated / Non-legislated
Animal Services (SOA)	**CONTEMPLATED BY CHARTER** - s. 129 of *The City of Winnipeg Charter* allows Council to pass by-laws in respect of "wild and domesticated animals and birds, and activities in relation to them", and s. 509 prohibits dogs from running at large (which the City is required to enforce).	**Legislated**

Parking Authority (SOA)

Parking Facilities	**COMMON LAW DUTY OF CARE** – the common law obligation to act reasonably and *The Occupiers' Liability Act* impose a duty to maintain City-owned parking facilities.	**Legislated**
On-Street Parking Enforcement	**CONTEMPLATED BY CHARTER** – s. 139(g) of *The Winnipeg Charter* states council may pass by-laws with respect to the installation and use of parking meters.	**Legislated**
On-Street Parking	**CONTEMPLATED BY CHARTER** – s. 139(g) of *The Winnipeg Charter* states council may pass by-laws with respect to the installation and use of parking meters.	**Legislated**
Vehicles for Hire	**REQUIRED** – s. 3(3) of the Local Vehicles for Hire Act requires Winnipeg to make by-laws "for the purpose of regulating the vehicle-for-hire industry, including vehicles for hire and vehicle-for-hire businesses…"	**Legislated**

MBEA (Municipal By-law Enforcement Act) – Non-Parking	**REQUIRED** – *The Municipal By-law Enforcement Act* sets out a process for enforcing City by-laws. S. 175 and following of the Charter authorizes the City to appoint enforcement officers to enforce City by-laws.	**Legislated**

Innovation, Transformation & Technology

Information Technology	**NOT LEGISLATIVELY REQUIRED, PRACTICALLY NECESSARY** – although it is not required for the City to use information technology, if it is used, the City must comply with a variety of laws concerning the security of information contained in its systems	**Legislated**

2020 Budget – Non-Legislated Services

Executive Policy Committee

Contact Centre- 311

Sub-Services	Notes	Legislated / Non-legislated
Contact Centre – 311	**NOT REQUIRED**	**Non-legislated**

Organizational & Support Services

Indigenous Relations	**NOT REQUIRED**	**Non-legislated**

Council Services

Executive Support	**NOT REQUIRED**	**Non-legislated**

Infrastructure Renewal & Public Works

City Beautification

Sub-Services	Notes	Legislated / Non-legislated
Public Gardens/Landscaping	**NOT REQUIRED**	**Non-legislated**
Ornamental Lighting/Flags & Banners/Public Art	**NOT REQUIRED**	**Non-legislated**
Graffiti Control	**NOT REQUIRED**	**Non-legislated**
Regional Street Cleaning	**NOT REQUIRED**	**Non-legislated**
Local Street Cleaning	**NOT REQUIRED**	**Non-legislated**

Innovation and Economic Development

Winnipeg Fleet Management Agency (SOA)

Sub-Services	Notes	Legislated / Non-legislated
Winnipeg Fleet Management Agency (SOA)	**NOT REQUIRED**	**Non-legislated**

Golf Services (SOA)

Golf Courses (SOA)	**NOT REQUIRED**	**Non-legislated**

Innovation, Transformation & Technology

Innovation	**NOT REQUIRED**	**Non-legislated**
Enterprise Transformation	**NOT REQUIRED**	**Non-legislated**

Protection, Community Services and Parks

Arts, Entertainment & Culture

Sub-Services	Notes	Legislated / Non-legislated
Arts, Entertainment & Culture Grants	**NOT REQUIRED**	**Non-legislated**
Arts, Entertainment& Culture Events	**NOT REQUIRED**	**Non-legislated**
Assiniboine Park Conservancy	**NOT REQUIRED**	**Non-legislated**

Crime Prevention

Community Policing	**NOT REQUIRED** – s. 13 of *The Police Services Act* requires that a municipality with a population over 5000 must take responsibility for its own policing. However, community policing as a strategy is not required by statute.	**Non-legislated**

Community Liveability

Bicycle Recovery	**NOT REQUIRED**	**Non-legislated**
Community Crisis Response	**NOT REQUIRED**	**Non-legislated**
Community Grants	**NOT REQUIRED**	**Non-legislated**
Community Development	**NOT REQUIRED**	**Non-legislated**

Fire and Rescue Response

Fire Paramedic Response	**NOT REQUIRED**	**Non-legislated**

Libraries

Library Information	**NOT REQUIRED**	**Non-legislated**
Children's Library	**NOT REQUIRED**	**Non-legislated**

Medical Response

Emergency Ambulance	**NOT REQUIRED** – Delivered via contract with Shared Health.	**Non-legislated**
Medical Transfers		**Non-legislated**
Community Paramedicine		**Non-legislated**

Parks and Urban Forestry

Park Planning and Development	**NOT REQUIRED**	**Non-legislated**
Tree Planting	**NOT REQUIRED**	**Non-legislated**
Tree Pruning and Removal (non DED)	**NOT REQUIRED**	**Non-legislated**

Police Response

Contract Policing	**NOT REQUIRED**	**Non-legislated**

Recreation

Sub-Services	Notes	Legislated / Non-legislated
Aquatic Services	**NOT REQUIRED**	**Non-legislated**
Recreation Services	**NOT REQUIRED**	**Non-legislated**
Arenas	**NOT REQUIRED**	**Non legislated**
Community Centres	**NOT REQUIRED**	**Non legislated**

Property and Development, Heritage and Downtown Development

Economic Development

Economic Development	**NOT REQUIRED**	**Non-legislated**

Neighbourhood Revitalization

Housing Initiatives	**NOT REQUIRED**	**Non-legislated**