PART 9
OFFICIAL LANGUAGES OF MUNICIPAL SERVICES

Definitions

451(1)

In this Part,

"designated area" means the area of the Riel Community as set out in the *City of Winnipeg Wards and Communities Regulation,* Manitoba Regulation 154/92; (« zone désignée »)

"historic St. Boniface" means the area described as Taché Ward in Order in Council 656/71; (« vieux Saint-Boniface »)

"municipal services" means services that are provided to the public by the city; (« services municipaux »)

"St. Boniface Ward" means St. Boniface Ward as described in the *City of Winnipeg Wards and Communities Regulation*, Manitoba Regulation 154/92. (« Saint-Boniface »)

Meaning of "official languages"

451(2)

For the purposes of this Part, English and French are the official languages.

General obligation of city

452(1)

Except where a later date or series of dates is fixed by by-law under subsection 460(1) (by-law for implementation) for compliance with a provision of this Part, the city shall ensure that all things necessary are provided or done to satisfy the requirements of this Part and to permit a person to do anything he or she is entitled to do under this Part.

Interpretation

452(2)

Nothing in this Part shall be interpreted to prevent the city from providing more municipal services in French than are required in this Part or from providing municipal services to persons in any language other than English or French.

Limitation of obligation

452(3)

The obligations of the city under this Part are subject to such limitations as circumstances make reasonable and necessary, if the city has taken all reasonable measures to comply with this Part.

PROCEEDINGS OF COUNCIL AND ITS COMMITTEES

Use of French in council and its committees

453(1)

In addition to English, every person is entitled, upon notice, to use French in a proceeding of or before council or a committee of council with respect to a matter and, where notice is given, the proceeding with respect to that matter shall be conducted or simultaneously interpreted in French.

Notice

453(2)

A notice referred to in subsection (1) must be in writing, must specify the matter and the proceeding and must be given to the city clerk

(a) in the case of a regular meeting of council, not less than two working days before the proceeding; and

(b) in the case of a special or emergency meeting of council, within a reasonable time after notice of the meeting is given, having regard to the period of that notice.

COMMUNICATION AT CITY OFFICES

Official languages at City Hall

454(1)

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.

Official languages at designated locations

454(2)

Where a municipal service is not available in both official languages in the designated area, every person is entitled, within a reasonable time of a request, to receive that municipal service in the official language of the person's choice at an office at any location designated by council by by-law under subsection 460(1) (by-law for implementation) for the purposes of this subsection 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.

Written communications

454(3)

Every person who communicates in writing with the city with respect to a matter is entitled with respect to that matter to be communicated with in writing in the official language of the person's choice.

Subsequent communications

454(4)

If a person initiates a communication with respect to a matter in an official language, whether spoken or written, in circumstances where the person is entitled to do so under this section, the person is entitled to use and to require the use of that official language in all subsequent communications, whether spoken or written, with respect to that matter.

St. Boniface office

454(5)

The city shall provide an office in historic St. Boniface where the municipal services prescribed by by-law under subsection 460(1) (by-law for implementation) for the purposes of this subsection are provided in both official languages.

MUNICIPAL SERVICES

Application

455(1)

This section applies in respect of municipal services other than those available at an office.

Receipt of municipal services in St. Boniface Ward

455(2)

Every person resident in St. Boniface Ward is entitled to receive in the official language of the person's choice, at a facility of the city within that Ward or at the person's place of residence, all municipal services that are ordinarily provided at that facility or place of residence.

Municipal services for designated area

455(3)

Every person who is resident in the designated area and who goes to a facility of the city where a municipal service is ordinarily provided is entitled to have that municipal service provided in either official language within the designated area or at any location designated by council by by-law under subsection 460(1) (by-law for implementation) for the purposes of this subsection.

Subsequent communications

455(4)

A person who is entitled to a municipal service in the official language of the person's choice under this section and who initiates communication respecting that service in the official language of the person's choice is entitled to use or to require the use of that official language in all subsequent communications, whether spoken or written, in respect of that service.

BILINGUAL DOCUMENTS

Notices, statements etc.

456(1)

All notices, statements of account, certificates, demands in writing and other documents sent or given by the city to persons resident in the designated area shall be in both official languages.

Forms and brochures

456(2)

All application forms provided by the city to the general public and all brochures, pamphlets and similar printed documents distributed by the city to the general public shall be available to the general public in the designated area in both official languages.

Publication of notices and advertisements

457(1)

Any public notice respecting a matter that affects the designated area generally, whether or not it also affects the rest of the city, and any advertisement for the employment of a person with competence in both official languages shall be published by the city in both official languages.

Public notices may be published separately

457(2)

The English and French versions of a public notice or advertisement referred to in subsection (1) may be published in separate publications.

Cost of publication

457(3)

Where a public notice referred to in subsection (1) is given under Part 6 (Planning and Development) in respect of land in the designated area, the person on whose behalf it is

published shall pay the cost of publication in the official language of the person's choice and the city shall pay the cost of publication in the other official language.

BILINGUAL SIGNS

Signs respecting municipal services

458(1)

The city shall, inside and outside each location where municipal services are available in both official languages, erect and maintain signs bearing information in both official languages respecting the particular municipal services that are available in both official languages at that location.

General information signs

458(2)

In addition to the signs referred to in subsection (1), all signs that are inside or outside each location where municipal services are available in both official languages and that provide information to the public shall be erected and maintained in both official languages.

Street and traffic signs

458(3)

All street signs and the words on all traffic signs erected or maintained in the St. Boniface Ward and, where feasible, elsewhere in the designated area shall be in both official languages.

ACCESS GUIDE

Contents of access guide

459(1)

The city shall cause to be prepared and published in both official languages an access guide to municipal services in French that shall include

(a) a statement of the requirements to be satisfied by the city and the things that a person is entitled to do under this Part;

(b) details of the actions the city has taken to satisfy those requirements, including, without limitation, a list of the offices, together with their addresses and telephone numbers, where municipal services are available in French and particulars of whether the municipal services are available during normal business hours or within a reasonable time of request; and

(c) such information respecting the organizational structure of the city and of each of its administrative subdivisions as is reasonably necessary to enable a person to take advantage of what the person is entitled to under this Part.

Availability of access guide

459(2)

The city shall ensure that copies of the access guide are available

(a) in every office or facility of the city in the designated area;

(b) in every office or facility at every location designated by council by by-law under subsection 460(1) (by-law for implementation) for the purposes of any provision of this Part; and

(c) at any other location considered appropriate by the city.

Updating access guide

459(3)

The city shall prepare and publish an updated access guide

(a) if the information becomes substantially inaccurate, within a reasonable period after that occurs; and

(b) at least every three years.

IMPLEMENTATION

By-law for implementation

460(1)

The City of Winnipeg shall at all times have in force a by-law respecting the implementation of this Part, and, where necessary, the by-law shall contain a schedule identifying the day after which each service described in the by-law will be provided in both official languages at an office at a location designated in the by-law.

Priority services

460(2)

The city shall, in the by-law referred to in subsection (1), give priority to providing in both official languages fire, police and ambulance services, library services and leisure and recreational programming to persons in St. Boniface Ward.

ADMINISTRATION

French language co-ordinator

461

Council shall provide for the designation of a French language co-ordinator

(a) to assist in the development and coordination of the implementation of this Part in accordance with a by-law referred to in subsection 460(1) (by-law for implementation); and

(b) to advise on, co-ordinate, oversee and monitor the provision of municipal services in accordance with, and in satisfaction of the requirements of, this Part.

Annual report to minister

462

The council shall annually, not later than four months after the end of each fiscal year of the city, make a report in English and French to the minister respecting the compliance by the city with its obligations under this Part, and that report shall include particulars of any complaints under this Part filed with the city ombudsman and the disposition of each of those complaints.

COMPLAINTS

Complaint to ombudsman

463

Any person who feels that the city has failed to meet its obligations under this Part may make a complaint to the ombudsman.