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1. **Call to Order**

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2. **Land Acknowledgement**

- 2.1 Treaty Six Land Acknowledgement - Blackfalds Town Council acknowledges that we are on Treaty 6 territory, a traditional meeting ground, gathering place, and travelling route to the Cree, Saulteaux (So-toe), Blackfoot, Métis, Dene (De-nay) and Nakota Sioux (Sue). We acknowledge all the many First Nations, Métis, and Inuit whose footsteps have marked these lands for centuries.

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3. **Adoption of Agenda**

- 3.1 Agenda for October 24, 2023

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4. **Official Oath of Office**

- 4.1 Report for Council, Commissioner of Oaths – Act and Regulations

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5. **Setting of Regular Council and Standing Committee of Council Meeting Dates**

- 5.1 Request for Decision, 2023 – 2024 Regular Council and Standing Committee of Council Meeting Schedule

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6. **Appointment of Deputy Mayor**

- 6.1 Report for Council, Appointment of Deputy Mayor

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7. **Conference Attendance**

- 7.1 Request for Decision, Federation of Canadian Municipalities Attendance  
7.2 Request for Decision, Alberta Municipalities Convention Attendance

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8. **Town Boards, Committees and Commissions Appointments**

- 8.1 Request for Decision, Members at Large Appointments to Town of Blackfalds Boards, Committees and Commissions:

- Economic Development & Tourism Advisory Committee (EDTAC)
- Family and Community Support Services Board (FCSS)
- Municipal Library Board (MLB)
- Blackfalds & District Recreation, Culture & Parks Board (RCP)
- Policing Committee (PC)
- Municipal Planning Commission (MPC)
- Municipal Emergency Management Committee
- 55+ Housing Building Committee

- 8.2 Request for Decision, Council Member Appointments to Town of Blackfalds Boards, Committees and Commissions:

- Economic Development & Tourism Advisory Committee (EDTAC)
- Family and Community Support Services Board (FCSS)
- Municipal Library Board (MLB)
- Blackfalds & District Recreation, Culture & Parks Board (RCP)
- Policing Committee (PC)
- Municipal Planning Commission (MPC)
- Municipal Emergency Management Committee
- 55+ Housing Building Committee

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9. **External Boards, Committees and Commissions Appointments**

- 9.1 Request for Decision, Council Member Appointments to External Boards, Committees and Commissions:

- Lacombe Foundation
- Town of Blackfalds/Lacombe County Intermunicipal Development Plan and Intermunicipal Collaboration Framework Committee
- Blackfalds Chamber of Commerce
- Central Alberta Economic Partnership (CAEP)
- Parkland Regional Library System (PRLS) Board
- Blackfalds Schools Parent Council (IREC, IRIC, IRJC, St. Gregory the Great Catholic)
- North Red Deer River Water Commission (NRDRWC)
- North Red Deer Regional Wastewater Services Commission
- Lacombe County Fire Service Advisory Committee
- Lacombe Regional Emergency Partnership - LREMP/Lacombe County Fire Partnership
- Red Deer River Municipal Users Group (RDRMUG)
- Red Deer River Watershed Alliance
- Blackfalds Health Practitioners Attraction & Retention Committee
- Rural Red Deer Restorative Justice Advisory Council

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10. **Adjournment**

**MEETING DATE:** October 24, 2023

**PREPARED BY:** Kim Isaak, Chief Administrative Officer

**PRESENTED BY:** Kim Isaak, Chief Administrative Officer

**SUBJECT:** **Commissioner of Oaths – Act & Regulations**

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**BACKGROUND**

By virtue of office, under the Alberta Notaries and Commissioners Act, Part 2, Section 16(1), municipal councillors are Commissioners for Oaths, empowered to administer oaths and take and receive affidavits, affirmations, and declarations in Alberta for use in Alberta.

**DISCUSSION**

At the Annual Organizational Meeting, this information is presented to Council for discussion and review, and to note any changes made in legislation. Administration will make available current copies of the Act and Regulations and stamps for Council members reference.

**FINANCIAL IMPLICATIONS**

None

**ATTACHMENTS**

- *Province of Alberta Notaries and Commissioners Act 2013*
- *Province of Alberta Notaries and Commissioners Act – Commissioners for Oaths Regulation*

**APPROVALS**

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Kim Isaak,  
Chief Administrative Officer

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Department Director/Author



Province of Alberta

# **NOTARIES AND COMMISSIONERS ACT**

Statutes of Alberta, 2013  
Chapter N-5.5

Current as of April 1, 2023

Office Consolidation

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## Note

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## Regulations

The following is a list of the regulations made under the *Notaries and Commissioners Act* that are filed as Alberta Regulations under the Regulations Act.

<b>Alta. Reg.</b>	<i>Amendments</i>
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### Notaries and Commissioners Act

Commissioners for Oaths .....	219/2014 .....	197/2021
Notaries Public .....	220/2014	



# **NOTARIES AND COMMISSIONERS ACT**

## **Chapter N-5.5**

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HER MAJESTY, by and with the advice and consent of the  
Legislative Assembly of Alberta, enacts as follows:

**Definitions**

**1** In this Act,

- (a) “judge” means a judge of the Court of Justice, the Court of King’s Bench or the Court of Appeal and includes an applications judge appointed under the *Court of King’s Bench Act*;
- (b) “lawyer” means a member of the Law Society of Alberta, other than an honorary member, who has not been suspended or disbarred;
- (c) “Metis settlement councillor” means a councillor as defined in the *Metis Settlements Act*;
- (d) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (e) “municipal councillor” means a councillor within the meaning of the *Municipal Government Act*;
- (f) “political representative” means
  - (i) a member of the Legislative Assembly of Alberta,
  - (ii) a member from Alberta of the House of Commons of Canada, or

- (iii) a member of the Senate of Canada who at the time of appointment as a senator is a resident of Alberta;
  - (g) “student-at-law” means a person who is registered as a student-at-law under the *Legal Profession Act* whose registration has not been suspended or terminated.
- 2013 cN-5.5 s1;AR 137/2022;AR 217/2022;AR 75/2023

## **Part 1**

### **Notaries Public**

#### **Appointment of notaries public**

**2(1)** Persons may be appointed as notaries public in accordance with this Part.

**(2)** An appointment under subsection (1) is an appointment at pleasure for a term provided for in the regulations.

#### **Notaries public by virtue of office or status**

**3(1)** The following persons are notaries public by virtue of their office or status:

- (a) a judge;
- (b) a lawyer and a student-at-law;
- (c) a political representative.

**(2)** A person who is a notary public pursuant to subsection (1) ceases to be a notary public when the person ceases to hold the office or to have the status referred to in subsection (1).

#### **Powers of a notary public**

**4(1)** Every notary public may, subject to the Regulations,

- (a) administer oaths or take affidavits, affirmations or declarations and attest the oaths, affidavits, affirmations or declarations in accordance with section 5,
- (b) certify and attest in accordance with section 5 a true copy of a document, and
- (c) witness or certify and attest in accordance with section 5 the execution of a document.

**(2)** In addition to the powers set out in subsection (1), a notary public who is a judge or a lawyer may witness or certify and attest

in accordance with section 5 deeds, contracts and commercial instruments, including, subject to any other applicable law, a deed, contract or commercial instrument issued or prepared by the judge or lawyer or in respect of which the judge or lawyer has otherwise provided legal advice.

(3) A document in respect of which a notary public has exercised a power referred to in subsection (1) or (2) and that is attested in accordance with section 5 may be used and recognized in Alberta, elsewhere in Canada and internationally.

#### **Seal, name and expiry date**

**5(1)** Before exercising the powers of a notary public, the notary public must obtain a seal on which appear the notary public's name and the words "Notary Public" and "Province of Alberta".

(2) A notary public shall place his or her seal to each document that the notary public attests in that capacity.

(3) A notary public shall, on each document attested by the notary public's seal and signature, legibly print, or stamp in legible printing, next to the notary public's signature,

- (a) the notary public's name,
- (b) if the notary public was appointed under section 2, the date on which the notary public's appointment expires, and
- (c) if the notary public is acting by virtue of his or her office or status, the office or status referred to in section 3 that applies to the notary public.

(4) A notary public who contravenes subsection (2) or (3) is guilty of an offence and liable to a fine of not more than \$1000.

#### **Duties and conduct of a notary public**

**6(1)** The Minister may, by regulation, establish a code of conduct for notaries public.

(2) The Minister may issue directives governing the duties and conduct of notaries public.

(3) The code of conduct and directives referred to in this section must be made available to every notary public in a manner determined by the Minister.

**Prohibitions**

**7(1)** No person shall, unless authorized to do so under this Act or by another law in force in Alberta,

- (a) administer an oath or take an affidavit, affirmation or declaration and attest the oath, affidavit, affirmation or declaration as a notary public,
- (b) certify and attest as a notary public a true copy of a document,
- (c) witness or certify and attest as a notary public the execution of a document,
- (d) issue or prepare a deed, contract or commercial instrument, or otherwise provide legal advice, or
- (e) hold himself or herself out as or represent himself or herself as a notary public, or exercise any powers or rights customarily associated with the office of a notary public.

**(2)** A person who contravenes this section is guilty of an offence and liable to a fine of not more than \$5000.

**Applications**

**8** A person may, in accordance with the regulations, apply for an appointment as a notary public if the person

- (a) is 18 years of age or older,
- (b) is a Canadian citizen or has the status of a permanent resident of Canada, and
- (c) resides in Alberta or in the part of the City of Lloydminster that is located in Saskatchewan.

**Proof of appointment**

**9(1)** The Minister may issue a document that the Minister considers appropriate to indicate

- (a) that a person is a notary public, and
- (b) the date when the appointment as a notary public expires.

**(2)** A document issued pursuant to subsection (1) is admissible in any court as evidence of the appointment without further proof of the appointment or proof of the signature of any person who signed or issued the document.

**Minister may issue written directions**

**10(1)** If it appears that a notary public is not complying with this Act, the regulations, or the code of conduct or a directive referred to in section 6, the Minister may issue written directions to the notary public concerning the notary public's failure to comply.

**(2)** The Minister may provide the written directions and communicate information regarding the written directions that the Minister considers to be appropriate

- (a) if the notary public is a judge, to the Judicial Council established under the *Judicature Act*,
- (b) if the notary public is a lawyer or student-at-law, to The Law Society of Alberta,
- (c) if the notary public exercises his or her powers as a notary public within the scope of his or her employment or in an official capacity, to an employer, supervisor or other person as the Minister considers to be appropriate, and
- (d) to any other person as the Minister considers to be necessary for the administration of this Act.

**Minister may refuse, suspend or revoke**

**11(1)** The Minister may refuse an application for appointment as a notary public or suspend or revoke the appointment of a notary public if

- (a) the applicant or notary public fails to comply with this Act, the regulations, the code of conduct or a directive referred to in section 6 or a written direction referred to in section 10,
- (b) the applicant or notary public is convicted of an offence under this Act,
- (c) the applicant or notary public is charged with misrepresentation, fraud, breach of trust or an offence under the *Criminal Code* (Canada),
- (d) the applicant or notary public made an untrue statement in his or her application for appointment, or
- (e) the Minister considers it appropriate to do so.

**(2)** If the Minister suspends or revokes an appointment under this section, the Minister may

- (a) provide, publish or issue a notice of the suspension or revocation in the manner provided for by regulation or that the Minister considers to be appropriate, and
  - (b) communicate, in the manner that the Minister considers to be appropriate, the information regarding the suspension or revocation that the Minister considers to be necessary for the administration of this Act.
- (3) A decision by the Minister under this section is final.

#### **Advisory Committee**

**12** The Minister may establish a Notaries Public Advisory Committee under section 7 of the *Government Organization Act* for the purposes of

- (a) providing advice to the Minister respecting the appointment of notaries public and the suspension and revocation of appointments of notaries public or the issuance of a written direction to a notary public,
- (b) monitoring, and advising the Minister concerning, the contents or application of this Part, the regulations, the code of conduct and directives referred to in section 6 or a written direction referred to in section 10, and
- (c) exercising the additional powers and performing the additional duties and functions conferred by the Minister in accordance with the *Government Organization Act* or by regulation.

#### **Regulations**

**13** The Minister may make regulations

- (a) respecting the term of appointments for the purposes of section 2(2);
- (b) limiting or clarifying the powers of a notary public referred to in section 4(1) and their exercise by a notary public who is not a lawyer or a judge;
- (c) establishing the code of conduct referred to in section 6;
- (d) respecting the directives referred to in section 6;
- (e) respecting the form and manner in which an application under section 8 must be made, including, without limitation, regulations

- (i) requiring the payment of fees in respect of an application and the manner in which the fees must be paid,
- (ii) respecting the requirements that must be satisfied or the information or evidence that must be provided by a person who applies for appointment as a notary public, including but not limited to the requirement
  - (A) to provide references or other evidence that the applicant is a person of good character, and
  - (B) to submit the results of a criminal record check in a form satisfactory to the Minister;
- (f) respecting the collection, use and disclosure of information, including personal information, for the purposes of
  - (i) confirming that a notary public has an office or status referred to in section 3(1),
  - (ii) authenticating a notary public's signature,
  - (iii) considering and approving or refusing applications, issuing written directions or suspending or revoking appointments under this Part and providing, publishing or issuing notices of suspensions or revocations, and
  - (iv) any other purpose necessary for the administration of this Act;
- (g) respecting written directions referred to in section 10 or decisions under section 11 to refuse, suspend or revoke appointments, including regulations respecting any notices and documents that may or must be provided, published or issued;
- (h) respecting the exercise of additional powers or the performance of additional duties and functions by the Notaries Public Advisory Committee under section 12;
- (i) respecting any other matter or thing that the Minister considers advisable for the administration of this Part.

**Transitional**

**14** Every notary public appointed pursuant to section 2 of the *Notaries Public Act*, RSA 2000 cN-6, or under any predecessor of that Act, continues as a notary public for Alberta until the expiry of his or her appointment pursuant to that Act, and may be dealt with



pursuant to this Part as if he or she had been appointed pursuant to this Part.

## **Part 2**

### **Commissioners for Oaths**

#### **Appointment of commissioners for oaths**

**15(1)** Persons may be appointed as commissioners for oaths in accordance with this Part to administer oaths and take and receive affidavits, affirmations and declarations in and for Alberta.

**(2)** An appointment under subsection (1) is an appointment at pleasure for a term provided for in the regulations.

#### **Commissioners for oaths by virtue of office or status**

**16(1)** The following persons are commissioners for oaths, empowered by virtue of their office or status to administer oaths and take and receive affidavits, affirmations and declarations in Alberta for use in Alberta:

- (a) a judge;
- (b) a lawyer and a student-at-law;
- (c) a political representative;
- (d) a Metis settlement councillor and a municipal councillor;
- (e) a trustee of a board of a school division within the meaning of section 125(4)(b) of the *Education Act*;
- (f) a person who holds a commission as an officer in the Canadian Forces and who is on full-time service, whether in Canada or outside Canada;
- (g) a police officer.

**(2)** Every notary public is, by virtue of the notary public's office, a commissioner for oaths.

**(3)** Despite subsection (1), an oath, affidavit, declaration or affirmation may be administered, taken, sworn, affirmed or made outside Alberta for use in Alberta by

- (a) a political representative,
- (b) an officer in the Canadian Forces referred to in subsection (1)(f), or

- (c) a commissioner for oaths by virtue of an office or status referred to in subsection (1) who actually resides in, or who provides his or her services as a commissioner for oaths in, the part of the City of Lloydminster that is located in Saskatchewan.
- (4) A person who is a commissioner for oaths pursuant to subsection (1) ceases to be a commissioner for oaths when the person ceases to hold the office or to have the status referred to in subsection (1).
- (5) The Minister may request all or any of the following information that is shown on a record in the custody or control of a public body as defined in the *Freedom of Information and Protection of Privacy Act* as the Minister considers to be necessary for the purpose of locating a person who is, or has represented himself or herself as, a commissioner for oaths pursuant to subsection (1) and authenticating a signature of or otherwise administering this Act in respect of that person:
  - (a) the name, residential address, residential telephone number, cellular telephone number and e-mail address of the person;
  - (b) the name, address, telephone number and e-mail address of the person's current or past employer;
  - (c) whether the person has an office or status referred to in subsection (1).
- (6) On receipt of a request under subsection (5) the public body shall provide the requested information.

2012 cE-0.3 s280.1; 2013 cN-5.5 s16

**Name and expiry date**

**17(1)** A commissioner for oaths shall, on each document that the commissioner for oaths signs in that capacity, legibly print, or stamp in legible printing, next to the commissioner for oaths' signature,

- (a) the commissioner for oaths' name,
- (b) the words "A Commissioner for Oaths in and for Alberta",
- (c) if appointed under section 15, the date on which the commissioner for oaths' appointment expires, and
- (d) if the commissioner for oaths is acting by virtue of an office or status referred to in section 16(1) or (2), the office or status that applies to the commissioner for oaths.

(2) A commissioner for oaths who fails to comply with this section is guilty of an offence and liable to a fine of not more than \$1000.

#### **Duties and conduct of a commissioner**

**18(1)** The Minister may, by regulation, establish a code of conduct for commissioners for oaths.

(2) The Minister may issue directives governing the duties and conduct of commissioners for oaths.

(3) The code of conduct and directives referred to in this section must be made available to every commissioner for oaths in a manner determined by the Minister.

#### **Prohibitions**

**19(1)** No person shall, unless authorized to do so under this Part or by another law in force in Alberta,

- (a) administer an oath,
- (b) take or receive an affidavit, affirmation or declaration, or
- (c) hold himself or herself out as or represent himself or herself as a commissioner for oaths.

(2) Subsection (1) does not apply to the administering of an oath or the taking or receiving of an affidavit, declaration or affirmation in Alberta for use only in another jurisdiction by a person who is authorized to do so by the laws of that other jurisdiction.

(3) A person who contravenes this section is guilty of an offence and liable to a fine of not more than \$5000.

#### **Applications**

**20** A person may, in accordance with the regulations, apply for an appointment as a commissioner for oaths if the person

- (a) is 18 years of age or older, and
- (b) repealed 2016 c23 s4,
- (c) resides in Alberta or in the part of the City of Lloydminster that is located in Saskatchewan.

2013 cN-5.5 s20;2016 c23 s4

**Proof of appointment**

**21(1)** The Minister may issue a document that the Minister considers appropriate to indicate

- (a) that a person is a commissioner for oaths, and
- (b) the date when the appointment as a commissioner for oaths expires.

**(2)** A document issued pursuant to subsection (1) is admissible in any court as evidence of the appointment without further proof of the appointment or proof of the signature of any person who signed or issued the document.

**Minister may issue written directions**

**22(1)** If it appears that a commissioner for oaths is not complying with this Act, the regulations, or the code of conduct or a directive referred to in section 18, the Minister may issue written directions to the commissioner for oaths concerning the commissioner for oaths' failure to comply.

**(2)** The Minister may provide the written directions and communicate information regarding the written directions that the Minister considers to be appropriate

- (a) if the commissioner for oaths is a judge, to the Judicial Council established under the *Judicature Act*,
- (b) if the commissioner for oaths is a lawyer or student-at-law, to The Law Society of Alberta,
- (c) if the commissioner for oaths administers oaths or takes or receives affidavits, affirmations and declarations within the scope of his or her employment or in an official capacity, to an employer, supervisor or other person as the Minister considers to be appropriate, and
- (d) to any other person as the Minister considers to be necessary for the administration of this Act.

**Minister may refuse, suspend or revoke**

**23(1)** The Minister may refuse an application for appointment or suspend or revoke the appointment of a commissioner for oaths if

- (a) the applicant or commissioner for oaths fails to comply with this Act, the regulations, the code of conduct or a directive referred to in section 18 or a written direction referred to in section 22,

- (b) the applicant or commissioner for oaths is convicted of an offence under this Act,
  - (c) the applicant or commissioner for oaths is charged with misrepresentation, fraud, breach of trust or an offence under the *Criminal Code* (Canada),
  - (d) the applicant or commissioner for oaths made an untrue statement in his or her application for appointment, or
  - (e) the Minister considers it appropriate to do so.
- (2) If the Minister suspends or revokes an appointment under this section, the Minister may
- (a) provide, publish or issue a notice of the suspension or revocation in the manner provided for by regulation or that the Minister considers to be appropriate, and
  - (b) communicate, in the manner that the Minister considers to be appropriate, the information regarding the suspension or revocation that the Minister considers to be necessary for the administration of this Act.
- (3) A decision made by the Minister under this section is final.

### Regulations

#### 24 The Minister may make regulations

- (a) respecting the term of appointments for the purposes of section 15(2);
- (b) establishing the code of conduct referred to in section 18;
- (c) respecting the directives referred to in section 18;
- (d) respecting the form and manner in which an application under section 20 must be made, including, without limitation, regulations
  - (i) requiring the payment of fees in respect of an application and the manner in which the fees must be paid, and
  - (ii) respecting the requirements that must be satisfied or the information that must be provided by a person who applies for appointment as a commissioner for oaths;
- (e) respecting the collection, use and disclosure of information, including personal information, for the purposes of

- (i) confirming that a commissioner for oaths has an office or status referred to in section 16(1) or (2),
  - (ii) authenticating a commissioner for oaths' signature,
  - (iii) considering and approving applications, issuing written directions or suspending or revoking appointments under this Part and providing, publishing or issuing notices of suspensions or revocations, and
  - (iv) any other purpose necessary for the administration of this Act;
- (f) respecting written directions referred to in section 22 or a decision under section 23 to refuse, suspend or revoke an appointment, including regulations respecting any notices and documents that may or must be provided, published or issued;
- (g) respecting any other matter or thing that the Minister considers advisable for the administration of this Part.

#### **Transitional**

**25** Every commissioner for oaths appointed pursuant to section 6 of the *Commissioners for Oaths Act*, RSA 2000 cC-20, or under any predecessor of that Act, continues as a commissioner for oaths until the expiry of his or her appointment pursuant to that Act and may be dealt with pursuant to this Part as if he or she had been appointed pursuant to this Part.

### **Part 3 General Matters**

#### **Investigation if required**

**26(1)** The Minister may, on the Minister's own initiative, appoint a qualified person to conduct any investigation that the Minister considers to be necessary for the protection of the public interest, regarding any matter that may be in contravention of this Act, the regulations, an applicable code of conduct, a directive issued under section 6 or 18, or a written direction issued under section 10 or 22.

**(2)** A person appointed to conduct an investigation under subsection (1), in the course of an investigation, may exercise the powers and shall perform the duties provided for by regulation.

#### **Protection from liability**

**27(1)** No action lies against the Minister, a designate of the Minister or a person appointed to conduct an investigation under

section 26 for anything done or omitted to be done in good faith and in purporting to act under this Act or the regulations.

(2) No action for defamation may be founded on a communication if the communication is requested, made, issued or published in good faith and in purporting to act under this Act or the regulations by the Minister, a designate of the Minister or a person appointed to conduct an investigation under section 26.

#### **Regulations**

**28** The Minister may make regulations

- (a) respecting appointments under section 26;
- (b) respecting the powers and duties of a person appointed to conduct an investigation.

### **Part 4 Consequential Amendments, Repeals and Coming into Force**

**29 to 32** *(These sections make consequential amendments to other Acts. The amendments have been incorporated into those Acts.)*

#### **Repeals**

**33(1)** The *Commissioners for Oaths Act*, RSA 2000 cC-20, is repealed.

**(2)** The *Notaries Public Act*, RSA 2000 cN-6, is repealed.

#### **Coming into force**

**34** This Act comes into force on Proclamation.

*(NOTE: Proclaimed in force April 30, 2015.)*









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Province of Alberta

## NOTARIES AND COMMISSIONERS ACT

# COMMISSIONERS FOR OATHS REGULATION

### **Alberta Regulation 219/2014**

With amendments up to and including Alberta Regulation 197/2021

Current as of November 8, 2021

### Office Consolidation

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(Consolidated up to 197/2021)

**ALBERTA REGULATION 219/2014**  
**Notaries and Commissioners Act**  
**COMMISSIONERS FOR OATHS REGULATION**

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Schedule

**Expiry of appointment**

- 1** Unless revoked, an appointment under Part 2 of the Act expires on the 3rd anniversary of the commissioner for oaths' birthday after the date of his or her appointment.

**Code of conduct**

- 2** The code of conduct referred to in section 18(1) of the Act is set out in the Schedule.

**Directives governing the duties and conduct of commissioners**

- 3** A directive referred to in section 18(2) of the Act must be published in the form and manner determined by the Minister.

**Applications**

- 4(1)** The application referred to in section 20 of the Act shall be submitted in a form and manner satisfactory to the Minister.
- (2)** The application shall be supported by an affidavit satisfactory to the Minister, if the Minister so requires.

**Fees**

**5(1)** Subject to subsection (2), the fee payable for an appointment under Part 2 of the Act is \$50.

**(2)** No fee is payable under subsection (1) for an appointment as commissioner for oaths for the purposes of employment with

- (a) the Government of Alberta or Canada or an agency of either,
- (b) the Metis Settlements General Council or a Metis settlement,
- (c) a municipality, or
- (d) a social service organization.

AR 219/2014 s5;197/2021

**Written directions and notices**

**6(1)** A written direction issued to a commissioner for oaths under section 22 of the Act must be sent to the last known address or e-mail address of that individual.

**(2)** The refusal of an application or a notice of the suspension or revocation of an appointment referred to in section 23 of the Act must be

- (a) provided in writing, and
- (b) sent to the applicant or commissioner for oaths at that individual's last known address or e-mail address.

**Records and information**

**7(1)** For the purposes of section 24(e) of the Act, the Minister may collect, use and disclose information, including personal information, for the purposes of

- (a) confirming that a commissioner for oaths has an office or status referred to in section 16(1) or (2) of the Act,
- (b) authenticating a commissioner for oaths' signature,
- (c) considering and approving applications, issuing written directions or suspending or revoking appointments under Part 2 of the Act and providing, publishing or issuing notices of suspensions or revocations, and
- (d) any other purpose required for the administration of the Act.

(2) The Minister may collect, use or disclose information referred to in this section indirectly, without the consent of the commissioner for oaths to which the information relates.

**Repeal**

**8** The *Commissioners for Oaths Fee Regulation* (AR 65/2003) is repealed.

**Expiry**

**9** For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on April 30, 2024.

**Coming into force**

**10** This Regulation comes into force on the coming into force of the *Notaries and Commissioners Act*.

**Schedule****Code of Conduct for  
Commissioners for Oaths**

- 1** A commissioner for oaths must
- (a) discharge all of the commissioner for oaths' responsibilities with honesty, dignity and integrity;
  - (b) treat all persons fairly, courteously and with respect;
  - (c) provide services in a professional, ethical and responsible manner;
  - (d) comply with the terms and conditions of the commissioner for oaths' appointment;
  - (e) comply with
    - (i) the *Notaries and Commissioners Act*,
    - (ii) the applicable regulations under the *Notaries and Commissioners Act*,
    - (iii) any other law or directives that govern the conduct of commissioners for oaths in the discharge of their responsibilities, and

- (iv) any direction issued to the commissioner for oaths under section 22 of the Act;
- (f) act in a manner that maintains and upholds the honour and reputation of the office of commissioner for oaths;
- (g) maintain up-to-date knowledge on the law and directives governing the duties and conduct of commissioners for oaths;
- (h) hold in strict confidence all information of a confidential nature that comes to the commissioner for oaths' knowledge, except as is required to perform the services of the commissioner for oaths or as otherwise required by law.


**2** A commissioner for oaths must not

- (a) mislead or attempt to mislead anyone in the discharge of the commissioner for oaths' responsibilities;
- (b) commission or participate in the preparation or delivery of any document that is false, incomplete, misleading, deceptive or fraudulent;
- (c) commission or participate in the preparation or delivery of any document that
  - (i) has the appearance of being validly issued by a court or other legitimate authority but is not,
  - (ii) is intended to or has the effect of deceiving any person, or
  - (iii) otherwise is lacking valid legal effect.







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**MEETING DATE:** October 24, 2023  
**PREPARED BY:** Danielle Nealon, Executive & Legislative Coordinator  
**PRESENTED BY:** Kim Isaak, Chief Administrative Officer  
**SUBJECT:** **2023 – 2024 Regular Council and Standing Committee of Council Meeting Schedule**

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## **BACKGROUND**

At the Organizational Meeting, it is required, through resolution, to set the dates and times for Regular Council Meetings and Standing Committee of Council Meetings for the 2023 – 2024 term.

## **DISCUSSION**

Setting of the Regular Council Meeting schedule and that of the Standing Committee of Council Schedule has been done so, considering statutory holidays over the course of the year.

Reference to the setting of meeting dates and times is further identified in the following:

- Council Procedural Bylaw; and
- *Municipal Government Act.*

## **ADMINISTRATIVE RECOMMENDATION**

1. That Council approve the proposed 2023 - 2024 schedule where Town of Blackfalds Regular Council Meetings are held on the second and fourth Tuesday of each month commencing at 7:00 p.m. in Council Chambers at the Municipal Office and that the meeting of December 26<sup>th</sup> be cancelled due to being a statutory holiday for Boxing Day.
2. That Council approve the proposed 2023 - 2024 schedule where Town of Blackfalds Standing Committee of Council Meetings are held every third Monday of each month commencing at 7:00 p.m. in Council Chambers at the Municipal Office with no meeting in February, May and October due to the third Monday falling on statutory holidays (Family Day, Victoria Day and Thanksgiving Day).

## **ALTERNATIVES**

- a) That Council refer this item to Administration for further consideration.

## **ATTACHMENTS**

- *Proposed 2023 – 2024 Regular Council and Standing Committee of Council Meeting Schedule*
- *2023 - 2024 Council and Committee Meeting Schedule*

## **APPROVALS**



Kim Isaak,  
Chief Administrative Officer



Department Director/Author

The public is invited to attend all Regular Council, Standing Committee of Council Meetings and Public Hearings

## Regular Council Meeting Schedule

Second and Fourth Tuesday  
Regularly Commencing at 7:00 pm

## Standing Committee of Council Meeting Schedule

Third Monday  
Regularly Commencing at 7:00 pm

<b>2023</b>	November	14, 28	<b>2023</b>	November	20
	December	12, 26 (Cancelled)		December	18
<b>2024</b>	January	9, 23	<b>2024</b>	January	15
	February	13, 27		February	19 (Cancelled)
	March	12, 26		March	18
	April	9, 23		April	15
	May	14, 28		May	20 (Cancelled)
	June	11, 25		June	17
	July	9, 23		July	15
	August	13, 27		August	19
	September	10, 24		September	16
	October	8, 22*		October	14 (Cancelled)
		*Organizational Meeting + Regular Council Meeting			

Meeting dates and times are subject to change. Public notification of any variance to the approved schedule will be conducted in accordance with the MGA and Town of Blackfalds Bylaws and Policies.

Town of Blackfalds  
**2023-2024 Council Meeting Calendar**

November 2023						
Sun	Mon	Tue	Wed	Thur	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December 2023						
Sun	Mon	Tue	Wed	Thur	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

January 2024						
Sun	Mon	Tue	Wed	Thur	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

February						
Sun	Mon	Tue	Wed	Thur	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

S

March						
Sun	Mon	Tue	Wed	Thur	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April						
Sun	Mon	Tue	Wed	Thur	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

May						
Sun	Mon	Tue	Wed	Thur	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

June						
Sun	Mon	Tue	Wed	Thur	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July						
Sun	Mon	Tue	Wed	Thur	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

August						
Sun	Mon	Tue	Wed	Thur	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September						
Sun	Mon	Tue	Wed	Thur	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October						
Sun	Mon	Tue	Wed	Thur	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Council Meetings	
	Regular Council (RCM)
	Standing Committee (SCC)
	Organizational Meeting
	Stat Holidays
	Meeting Cancelled

Council Boards and Committees	
	Blackfalds & District Recreation, Culture and Parks Board
	Economic Development & Tourism Advisory Committee
	Family & Community Support Services (FCSS) Board
	Municipal Library Board

Meetings are Scheduled as Needed	
	Municipal Planning Commission (MPC)
	Subdivision and Development Appeal Board (SDAB)
	Municipal Emergency Management Committee
	IDP/ICF Committee
	Policing Committee
	Grievance Committee

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**MEETING DATE:** October 24, 2023

**PREPARED BY:** Kim Isaak, Chief Administrative Officer

**SUBJECT:** **Appointment of Deputy Mayor**

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## **BACKGROUND**

The Council Meeting Procedure Bylaw identifies that the roster for Deputy Mayor Appointments is made during the Organizational Meeting of Council, which had occurred at the 2021 Organizational Meeting of Council for the entire 2021-2025 Council Term.

## **DISCUSSION**

As a result of a request from Councillor Stendie to relinquish her position of Deputy Mayor and the by-election electing Councillor Coulter, the roster that was approved at the 2021 Organizational Meeting of Council was revised and approved at a Regular Meeting of Council held on August 9, 2022.

The Deputy Mayor rotation over the period of the four (4) year term is as follows:

Councillor Appel	November 2021 – August 15, 2022
Councillor Svab	August 16, 2022 – May 31, 2023
Councillor Dennis	June 1, 2023 – March 15, 2024
Councillor Sands	March 16, 2024 – December 2024
Councillor Coulter	January 1, 2025 – October 15, 2025

## **ATTACHMENTS**

None

## **APPROVALS**



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Kim Isaak,  
Chief Administrative Officer

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Department Director/Author

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**MEETING DATE:** October 24, 2023

**PREPARED BY:** Kim Isaak, Chief Administrative Officer

**PRESENTED BY:** Kim Isaak, Chief Administrative Officer

**SUBJECT:** **Federation of Canadian Municipalities Attendance**

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## **BACKGROUND**

The Federation of Canadian Municipalities (FCM) has been the national voice of municipal government since 1901 and represents 90% of Canada's municipal population. Members include Canada's largest cities, small urban and rural communities, and approximately 20 provincial and territorial municipal associations. Municipal leaders from all parts of Canada assemble annually to establish FCM policy on key issues. The Federation of Canadian Municipalities annual conference has been attended by Blackfalds Council and the CAO for the past 14 years. This annual conference brings together municipal leaders from across Canada and offers participants the opportunity to learn from each other, network with peers and build productive working relationships, along with the opportunity to attend valuable workshops and webinars.

## **DISCUSSION**

At the 2021 Organizational Meeting of Council attendance for the FCM Conferences for the four-year Council term was approved. As per that approval, the attendance for the 2024 and 2025 years is listed below:

Calgary, AB June 6 <sup>th</sup> - 9 <sup>th</sup> , 2024	Mayor, CAO All of Council
Ottawa, Ont. May 28 <sup>th</sup> – June 1 <sup>st</sup> , 2025	Mayor, CAO Councillor Sands & Councillor Svab

Administration is seeking to re-confirm those attending for the remaining two (2) years of the term.

## **ADMINISTRATION RECOMMENDATION**

1. That Council re-confirm attendance for the Federation of Canadian Municipalities for 2024 and 2025.

## **APPROVALS**



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Kim Isaak,  
Chief Administrative Officer

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Department Director/Author

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**MEETING DATE:** October 24, 2023

**PREPARED BY:** Kim Isaak, Chief Administrative Officer

**PRESENTED BY:** Kim Isaak, Chief Administrative Officer

**SUBJECT:** **Alberta Municipalities Convention Attendance**

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## **BACKGROUND**

The Alberta Urban Municipalities Association (AMA) was founded in 1905 and today represents Alberta's urban municipalities. Their brand officially became the Alberta Municipalities Association in 2021. Representation of the association includes cities, towns, villages, summer villages, and specialized municipalities, as well as associate and affiliate members. AMA offers important advocacy services as well as a broad range of business services to its members.

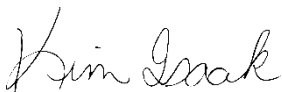
## **DISCUSSION**

The Alberta Municipalities Convention is held each fall, typically in Edmonton or Calgary, with attendance from Albertan municipalities, dignitaries, speakers, and trade show presenters. The 2024 AMA Convention & AMSC Trade Show will be held September 25<sup>th</sup> – 27<sup>th</sup> at the Westerner Park. The Convention is available for attendance by all Council members with sufficient budget in place for this activity.

## **ADMINISTRATION RECOMMENDATION**

1. That Council move that all of Council and the CAO will attend the 2024 Alberta Municipalities Association Convention in Red Deer taking place for September 25<sup>th</sup> to the 27<sup>th</sup>, 2024.

## **APPROVALS**



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Kim Isaak,  
Chief Administrative Officer

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Department Director/Author



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**MEETING DATE:** October 24, 2023

**PREPARED BY:** Danielle Nealon, Executive & Legislative Coordinator

**PRESENTED BY:** Kim Isaak, Chief Administrative Officer

**SUBJECT:** **Members at Large Appointments to Town of Blackfalds Boards, Committees and Commissions**

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## **BACKGROUND**

Annually, at the Organizational Meeting, Council appoints Members at Large to the various Town Boards, Committees and Commissions where vacancies exist, or terms have expired. These appointments are made in accordance with each Town Board, Committee and Commission Bylaw or Terms of Reference.

The FCSS Volunteer Programmer receives and processes the volunteer applications, with the objective to have as many volunteers as possible involved in our numerous Boards, Committees and Commissions. The applicant information is compiled and presented to Council.

## **DISCUSSION**

Attached is the Town of Blackfalds Boards, Committees and Commissions Spreadsheet outlining vacancies in each Board, Committee and Commission.

A brief description for each Board, Committee and Commission, the Council Board/Committee Policy No. 147.20, and bylaws and terms of reference for the Boards, Committees and Commissions are attached.

Administration is recommending that Council consider the passing the following motions as outlined below.

## **FINANCIAL IMPLICATIONS**

None

## **ADMINISTRATIVE RECOMMENDATION**

1. That the following Member at Large appointments be made to the Economic Development and Tourism Advisory Committee for a 2-year term commencing October 24, 2023, and expiring at the Organizational Meeting of Council to be held in October 2025:
  - Ray Offert
  - Cory Twerdoclib
  - Christa French
  - Taylor Mitchel
2. That the following Member at Large appointments be made to the Family and Community Support Services Board for a 3-year term commencing October 24, 2023, and expiring at the Organizational Meeting of Council to be held in October 2026:
  - Melissa MacLeod
  - Cliff Soper
  - Jessalyn Parsons

- Auralei Agrey
- Annette Bugutsky

3. That the following Member at Large appointments be made to the Municipal Library Board for a 3-year term commencing October 24, 2023, and expiring at the Organizational Meeting of Council to be held in October 2026.

**Note: The following individuals have applied for the Municipal Library Board, and there are only two vacancies at this time:**

- Glyn Evans
- Ann Siford
- Linda Murrell

4. That the following Member at Large appointments be made to the Recreation Culture and Parks Board for a 3-year term commencing October 24, 2023, and expiring at the Organizational Meeting of Council to be held in October 2026:

- Kayla Marquis
- Louise Rellis

5. That the following Member at Large appointments be made to the Policing Committee for a 3-year term commencing October 24, 2023, and expiring at the Organizational Meeting of Council to be held in October 2026.

- Theresa Fanko
- Tom Tompkins
- Lance Chalmers
- Michael Woykin

6. That the following Member at Large appointments be made to the Policing Committee for a 1-year term commencing October 24, 2023, and expiring at the Organizational Meeting of Council to be held in October 2024.

- Alejandro Garcia Miranda
- Richard Poole

## ALTERNATIVES

- a) That Council refer this item to Administration for further consideration.

## ATTACHMENTS

- 2023-2024 Boards, Committees and Commissions Spreadsheet
- Board and Committee Bylaws and Terms of Reference for:
  - EDTAC, Terms of Reference
  - FCSS Board Bylaw No. 1221.18
  - Municipal Library Board Bylaw No. 1224.18
  - Recreation Culture and Parks Board Bylaw No. 1120.11
  - Policing Committee Bylaw No. 1125.11
  - Municipal Planning Commission Bylaw No. 1075.0

## APPROVALS



Kim Isaak,  
Chief Administrative Officer



Department Director/Author

TOWN OF BLACKFALDS 2023- 2024 BOARDS, COMMITTEES AND COMMISSIONS  
ORGANIZATIONAL MEETING  
OCTOBER 24, 2023

Economic Development & Tourism Advisory Committee	Family and Community Support Services (FCSS)	Municipal Library Board	Recreation Culture & Parks Board	Policing Committee	Municipal Planning Commission	Council Remuneration (2025)	Grievance Committee	Municipal Emergency Management Committee	55+ Housing Building Committee
Terms of Reference	Bylaw 1221/18	Bylaw 1224/18	Bylaw 1120/11	Bylaw 1125/11	Bylaw 1075/08	Policy 288/13	RES. 1004/13	Bylaw 1117/11	
Typically First or Second Monday of Sept, Nov, Jan, Mar and May at 7:00pm	Second Thursday of the month at 7:00pm	First Tuesday of the month at 6:30pm	First Wednesday of the month at 6:30pm	Meets quarterly, the first Wednesday of the month at 6:30pm	Prior to Council meetings as required	Review by policy in a municipal election year - no council appointments	16 month alphabetical rotation - as required	Typically once per year	Ad-Hoc / Project
<b>TERM:</b> Two (2) year period. Members may reapply but reappointment is not guaranteed	<b>TERM:</b> Three (3) year period not to exceed two (2) consecutive terms or six (6) consecutive years	As per Library Act/Regulations	<b>TERM:</b> Three (3) year period not to exceed two (2) consecutive terms or six (6) consecutive years	<b>TERM:</b> One (1), Two (2) or Three (3) year period unless appointed to complete a resigned term	<b>TERM:</b> One (1) year period			By Resolution Council appointments typically determined annually at the Org Meeting	Town Staff: Kim, Sue B
<b>Minimum 10 members:</b> 2 Members of Council Minimum 8 Members-at-Large	<b>Minimum 8 members/max 10:</b> 2 Members of Council 5-7 Members-at-Large 1 Lacombe County resident	As per Library Act/Regulations	<b>8 Members:</b> 2 Members of Council 5 Members-at-Large 1 Appointed by Lacombe County	<b>7 Voting Members:</b> 2 Members of Council 5 Members-at-Large - 1 of whom may be a youth 16-18 years of age who attends school	<b>Minimum 5 Members:</b> 3 Members of Council 2 Members-at-Large - May not include members of Subdivision & Development Appeal Board	<b>3 members at large</b> - no Council appointments	<b>2 members of Council</b> per term	3 members of Council invited representatives	Joint with Bethany Group
Council Member	Council Member	Council Member	Council Member	Council Member	Council Member			Council Member	Council Member
Mayor Hoover - Ex Officio	Mayor Hoover - Ex Officio	Mayor Hoover - Ex Officio	Mayor Hoover - Ex Officio	Mayor Hoover - Ex Officio	Mayor Hoover - Ex Officio			Mayor Hoover - Ex Officio	Mayor Hoover - Ex Officio
1 Appel	1 Sands	1 Coulter	1 Stendie	1 Appel	1 Svab / CHAIR			Appel/Coulter Oct 21 - Feb 23	Coulter
2 Dennis	2 Stendie	2 Svab	2 Svab	2 Svab	2 Sands/ VICE-CHAIR			Dennis/Sands Mar 23 - Jun 24	
					3 Dennis			Stendie/Svab Jul 24 - Oct 25	
<b>Appointed Members at Large:</b>	<b>Appointed Members at Large:</b>	<b>Appointed Members at Large:</b>	<b>Appointed Members at Large:</b>	<b>Appointed Members at Large:</b>	<b>Appointed Members at Large:</b>	<b>Appointed Members at Large:</b>		<b>Invited Representatives:</b>	<b>Appointed Members at Large:</b>
1 Robert Hogan 2024	1 Dena Thomas 2024	1 Caitlin Ranger 2024	1 Jill Bried 2024	1 Sheila Giffin 2024	1 Vacant	1 Vacant		Invited Representatives: See 8 and 8A of Bylaw	
2 Denise Sumner 2024	2 Sheila Giffin 2024	2 Ray Offert 2024	2 Trent Kroetsch 2024	2 Vacant	2 Vacant	2 Vacant			
3 Craig Schroh 2024	3 Glenda Brown 2025	3 Richard Poole 2024	3 Kristy Lawrence 2025	3 Vacant		3 Vacant			
4 Kyle Brathwaite 2024	4 Vacant	4 Vincent Wolfe 2025	4 Vacant	4 Vacant					
5 Melissa MacLeod 2024	5 Vacant	5 Glenda Brown 2025	5 Vacant	5 Vacant					
6 Clifford Soper 2024	6 Vacant	6 Starr Sinclair 2025							
7 Vacant	7 Vacant	7 Vacant							
8+ Vacant	Lacombe County Resident	8 Vacant							
Vacant			Lacombe County Rep						
Vacant	Vacant		Barb Shepherd						
Vacant									

EXTERNAL BOARDS, COMMITTEES AND COMMISSIONS	COUNCIL REPRESENTATIVE					MEMBERS AT LARGE / STAFF / OUTSIDE APPOINTMENTS				
Lacombe Foundation	Mayor Hoover	Dennis (alt)								
Town of Blackfalds/Lacombe County Intermunicipal Development Plan and Intermunicipal Collaboration Framework Committee	Mayor Hoover	Stendie	Sands	Appel (alt)	Lacombe County Barb Shepherd	Lacombe County Paula Law				
Blackfalds Chamber of Commerce	Appel	Stendie (alt)			Lacombe County Barb Shepherd					
Central Alberta Economic Partnership	Mayor Hoover	Dennis (alt)				VACANT				
Parkland Regional Library	Coulter	Dennis (alt)								
Blackfalds School Parent Council - IREC	Dennis	Appel (alt)								
Blackfalds School Parent Council - IRIC	Mayor Hoover	Sands (alt)								
Blackfalds School Parent Council - IRJC	Svab	Mayor Hoover (alt)								
St. Gregory the Great Catholic School Parent Council	Mayor Hoover	Appel (alt)								
North Red Deer River Water Commission	Mayor Hoover	Appel (alt)								
North Red Deer Regional Wastewater Services Commission	Mayor Hoover	Appel (alt)								
Lacombe County Fire Service Advisory Committee	Svab	Dennis (alt)								
Lacombe Regional Emergency Partnership - LREMP /	Sands	Stendie (alt)				Lacombe County Ken Wigmore	Lacombe County Barb Shepherd (alt)			
Red Deer River Municipal Users Group	Mayor Hoover	(alt)								
Red Deer River Watershed Alliance	Mayor Hoover	Sands (alt)								
Blackfalds Health Practitioners Attraction & Retention Committee	Appel	Coulter (alt)								
Rural Red Deer Restorative Justice Advisory Council	Dennis	Sands (alt)								



## BOARD AND COMMITTEE INFORMATION

### Economic Development and Tourism Advisory Committee (EDTAC)

The Economic Development and Tourism Advisory Committee (EDTAC) typically meets on the first or second Monday in September, November, January, March and May and is governed by a Terms of Reference. The EDTAC is comprised of a minimum of eleven (11) members comprising of:

- 2 members of Council
- Minimum 8 members-at-large
- 1 Lacombe County Council member

Members are appointed for a two (2) year term.

The EDTAC appointment process includes recruitment by the Economic Development Officer and applications must be accompanied by a letter of interest. Members should have experience in or a passion for business, entrepreneurship, innovation or economic development.

For the next term, there are six (6) vacancies for members at large. There are five members re-applying and six new applicants, with three agreeing to serve on other Boards/Committees.

This Committee is administered by the Economic Development Officer and the CAO.

### Family and Community Support Services Board (FCSS)

The Family and Community Support Services Board meets the second Thursday of each month (except July and August) and is governed by Bylaw No. 1224.18. The Board consists of a minimum of 8 members to a maximum of 10, including:

- 2 members of Council
- 5-7 members-at-large
- 1 Lacombe County citizen at large

Members are appointed for a three (3) year term.

For the next term, there are three (3) at members-at-large vacancies, as well as a Lacombe County citizen at large. There are three current members ineligible to re-apply, but have applied to other Board and Committees.

The FCSS Manager and FCSS Admin staff assist and advise the Board.

### Municipal Library Board

The Municipal Library Board meets the first Tuesday of each month and is governed by Bylaw No. 1224.18 and the Alberta Libraries Act and Regulations. In accordance with the Libraries Act, a municipal board shall consist of not fewer than 5 and not more than 10 members appointed by Council (s. 4(1), *Libraries Act, RSA 1980, Chapter L-12*), with not more than 2 members of Council.

For the next term, two (2) members-at-large have re-applied for appointment to a three-year term.



## BOARD AND COMMITTEE INFORMATION

### Recreation, Culture and Parks Board (RCP)

The Recreation, Culture and Parks Board meets the first Wednesday of each month and is governed by Bylaw No. 1120/11. The Board consists of eight (8) members:

- 2 members of Council
- 5 members-at-large
- 1 Lacombe County

Members are appointed for a three (3) year term.

For the upcoming term, there are two (2) members-at-large vacancies, with one current member re-applying and four new applicants - one new member to be appointed and three appointed to other Boards/Committees.

The Parks and Facilities Manager, Abbey Centre General Manager and CSD Administrative Assistant assist and advise the Board, along with the Director of Community Services and any additional staff required to provide information.

### Policing Committee

The Policing Committee meets four times annually, typically on the fourth Wednesday and is governed by Bylaw No. 1125/11. The Committee consists of seven (7) voting members:

- 2 members of Council
- 5 members-at-large (may include one youth representative)

Members are appointed for a three (3) year term.

For the upcoming term, there are three (3) members-at-large vacancies, with two current members re-applying and three new applicants - one new member to be appointed and two appointed to other Boards/Committees.

The officer in charge of the Blackfalds RCMP, or his/her designate, and the CAO, or his/her designate, shall attend Committee meetings in an advisory, non-voting capacity.

### Municipal Planning Commission (MPC)

The Municipal Planning Commission (MPC) meets as required prior to Regular Council Meetings and is governed by Bylaw No. 1075/08. The Commission consists of at least five persons:

- 3 members of Council
- 2 members-at-large

Term – One year

A Member of the Commission shall not include a development officer or a member of the SDAB

For the upcoming term, there are two (2) members-at-large vacancies, with three new applicants - two new members to be appointed and one appointed to other Boards/Committees.



## BOARD AND COMMITTEE INFORMATION

### Municipal Emergency Management Committee

The Municipal Emergency Management Committee meets once a year and is governed by the Municipal Emergency Management Bylaw No. 1117/11. The Committee consists of three members of Council, appointed annually at the Organizational Meeting, and invited representatives.

### Ad-Hoc Working Committees

Council has the authority to form Ad-Hoc Committees for a specific task or objective and can be dissolved after the completion of the task or achievement of the objective. Since the last Organizational Meeting, two Ad-Hoc Committees have been eliminated and currently, the Town has only one working Committee, the 55+ Housing Building Committee. This Committee consists of:

- 1 member of Council
- 3 members of the Bethany Group
- 2 Town staff – CAO and FCSS Manager



## 1. Purpose

The purpose of the Economic Development & Tourism Advisory Committee (EDTAC) is to provide guidance and advice to the Economic Development Officer and to assist Administration in the implementation of the strategies outlined in the Economic Development Business Plan that serve to enhance economic development and tourism in the Town of Blackfalds.

## 2. Scope

The tasks of the Economic Development & Tourism Advisory Committee include:

- Provide input, feedback and advice on the strategies in the Economic Development Business Plan (EDBP);
- Provide advice and comment on recommendations that the Economic Development Officer (EDO) may take forward to Council;
- Recommend additional strategies, ideas and solutions related to economic development and tourism in the Town of Blackfalds and area;
- Bring forward and support projects that support the Town's economic development and tourism goals;
- Serve as a conduit or collaboration channel to the public, business community or investors in support of development and prosperity of the business and tourism communities;
- Monitor progress of the EDBP Action Plan and assist with revision to the EDBP, as required.

## 3. Membership and Selection

The Economic Development & Tourism Advisory Committee is comprised of a minimum of eleven members that are appointed by Council. Members serve a two (2) year term and may reapply for their positions, but reappointment is not guaranteed. Membership includes:

- A maximum of two (2) Town Councillors;
- A maximum of one (1) Lacombe County Councillor;
- A minimum of eight (8) members from the public at large. Persons require experience in or a passion for business, innovation or economic development. Backgrounds in, but not limited to the following, are beneficial:
  - Blackfalds area business owner and operator;
  - Blackfalds & District Chamber of Commerce executive member;
  - Entrepreneur;
  - Investor / financier;
  - Commercial realty;
  - Land development;
  - Tourism operator.
- EDO &/or Chief Administrative Officer (both are non-voting);
- The Chief Elected Official may serve as an ex-officio voting member and may be involved in projects as requested by the EDTAC.



The majority of members must maintain residence within the Town of Blackfalds. Those without residence must have a vested interest in the community and economic development region by means of, but not limited to land or business ownership or investment.

Council will select and appoint all EDTAC members on the basis of a demonstrated appreciation of and participation in community economic development matters outlined in the letter of interest that is required along with the Volunteer Application Form. Academic qualification, availability, work experience, community involvement, knowledge and professional expertise will also be taken into consideration.

#### **4. Member Roles and Responsibilities**

Members of the EDTAC are expected to:

- RSVP to all meeting requests sent out by the EDO, at the request of the Chair;
- Attend all regularly scheduled meetings;
- Remain impartial and objective;
- Fully participate in discussions and decisions, listen actively, share insights and experiences, communicate regularly, and provide constructive input;
- Chair any project sub-committees, as required by the EDTAC;
- Actively participate in the project sub-committees of interest.

EDTAC members may resign by providing written notice. If a member is absent for three consecutive meetings, the position may be declared vacant.

The EDTAC will select and appoint a Chair to serve a 1-year term at the November meeting.

The Chair will work with the EDO to determine the agenda and preside over the EDTAC meetings. Members are also encouraged to provide agenda items to the EDO a minimum of one week prior to the meeting.

#### **5. Meeting Format, Voting, and Schedules**

EDTAC meetings are intended to be informal and structured to encourage maximum flexibility and open, honest debate. Format expectations include:

- Consensus / majority driven decision-making, with voting done, when required, taken by show of hands;
- EDTAC members will speak with one voice once a decision has been made;
- Quorum will be considered as a minimum of 50% of active voting members;
- If votes are equal for and against, the motion is defeated.

Any decision of the EDTAC is not binding on the Town of Blackfalds until it is approved by Council. Where administration's recommendation varies from that of the committee both will be brought forward.

Meetings will typically take place starting at 7:00 pm on the first or second Monday of September, November, January, March, and May. The Chair may call additional meetings as required.

The EDTAC may establish project subcommittees as required. These sub-committees may include non-EDTAC members. Project sub-committees will report back to the EDTAC through the sub-committee Chair.



## 6. Role and Responsibility of Administration

The Town of Blackfalds will:

- Provide meeting space and refreshments/snacks;
- Distribute meeting agendas and related files to the members no later than the Friday prior to the meeting;
- Assume minute taking and information distribution services;
- Provide analytical and other expertise required by EDTAC. This may include consulting services, as required.

The EDO will orient new members with the EDTAC Terms of Reference and deliver ongoing progress reports to Council on behalf of the Economic Development & Tourism Advisory Committee.

## 7. Amendment, Modification or Variation

- These Terms of Reference shall come into effect January 1, 2017 by way of Council Resolution 316/16.
- These Terms of Reference shall rescind Economic Development and Tourism Bylaw 1087/09.
- These Terms of Reference may be amended, varied or modified in writing after consultation and agreement by EDTAC members and with approval from Council.

  
\_\_\_\_\_  
**Chief Elected Official**  
\_\_\_\_\_  
**Chief Administrative Officer**

Approval Date: December 15 2016



**TOWN OF BLACKFALDS  
BYLAW 1221/18**

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**BEING A BYLAW OF THE TOWN OF BLACKFALDS IN THE PROVINCE OF ALBERTA FOR THE BLACKFALDS AND DISTRICT FAMILY AND COMMUNITY SUPPORT SERVICES BOARD.**

---

WHEREAS the Town of Blackfalds, in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act*, being Chapter M 26.1 of the Revised Statutes of Alberta, 2000 and amendments thereto, and under the authority of the Family and Community Support Services Act, R.S.A. 1981, Chapter F-1.1 is authorized to provide for the establishment, administration and operation of a family and community support services program within the municipality;

AND WHEREAS the Municipal Council of the Town of Blackfalds, in cooperation with the Province of Alberta, has authorized a Family and Community Support Services Program in the community to develop community awareness and resources, to strengthen and preserve human initiative, to preclude individual or family breakdown, and to include any activity of which all members of the community can avail themselves for the enrichment of their physical, mental and social well-being;

NOW THEREFORE, the Council of the Town of Blackfalds, duly assembled, enacts as follows:

**PART 1 – TITLE**

- 1 This Bylaw may be cited as “Blackfalds and District Family and Community Support Services Board Bylaw” of the Town of Blackfalds.

**PART 2 – DEFINITIONS**

- 2 In this Bylaw, the following terms (unless the context specifically requires otherwise) shall have the following meanings:
  - a) **“BOARD MEMBER”** shall mean and include all appointed members of the Blackfalds and District Family and Community Support Services Board.
  - b) **“COUNCIL”** shall mean the Elected Municipal Council of the Town of Blackfalds.
  - c) **“COUNTY”** shall mean Lacombe County.
  - d) **“COMMUNITY ORGANIZATION”** shall mean a local society, organization or club which provides services to residents within the district.
  - e) **“DIRECTOR”** shall mean the Director of Community Services or his/her designate who is the employee of the Town charged with control over FCSS for the Town and other such duties as may be directed by Council or the Chief Administrative Officer, or (designate).
  - f) **“DISTRICT”** shall mean the Family and Community Support Services Regional District.
  - g) **“MEMBER-AT-LARGE”** shall mean any person who is a resident of the Town of Blackfalds or Lacombe County.
  - h) **“TOWN”** shall mean the Municipal Corporation of the Town of Blackfalds.

**PART 3 – ESTABLISHMENT**

- 3 There is hereby established and constituted an advisory board to be known as the “Blackfalds and District Family and Community Support Services Board” (FCSS Board) to exercise the duties and powers and to perform the functions as prescribed in this Bylaw.



**TOWN OF BLACKFALDS  
BYLAW 1221/18**

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**PART 4 – MEMBERSHIP**

- 4 The composition of the Board shall consist of a minimum of eight (8) members and a maximum of ten (10 members) who shall be appointed by resolution of Council. The Board shall be comprised of:
  - a) Two (2) members of Council appointed annually at the Organizational Meeting.
  - b) A minimum of five (5) to a maximum of seven (7) members-at-large who shall be residents of Blackfalds.
  - c) A minimum of one (1) to a maximum of three (3) member-at-large members who shall be residents of Lacombe County.
- 5 Whenever possible and practical, these members of the Board shall be appointed so as to represent the different age groups and interests of the Family and Community Support Services Regional District.
- 6 Member-at-Large appointments recommended may be recommended by the Board and approved by Council:
  - a) Annually at the Organizational Meeting in October; and/or
  - b) As positions become vacant.
- 7 Members shall not be from the same household.
- 8 Members of the Board shall serve without remuneration.
- 9 There shall be appointed by the Town, through the Director of Community Services, an employee who will be designated to serve as the administrative liaison, to assist and advise the Board. Employees of the Town are not eligible for appointment to the Board, nor do they have voting privileges. The administrative employee shall, through the Chair of the board, undertake the administrative duties of the Board, including but not limited to:
  - a) Notifying members of meetings.
  - b) Preparing agendas and distributing to Board members no later than 4 calendar days 5 days prior to each scheduled meeting.
  - c) Preparing minutes and distributing to Board members within 7 days after each meeting. Following formal adoption by the Board, the minutes will be provided to Council for formal approval at a Regular Council Meeting.
  - d) Maintaining records and facilitating the actions of the Board.
  - e) Provide advice, conduct research and gather information as required by the Board.
- 10 In addition to the Director or designate, the Board may solicit information or advice through representatives from the following agencies, organizations and/or associations that the Board considers appropriate:
  - a) Family & Community Support Services Association of Alberta (FCSSAA)
  - b) Child & Family Services Act (CFSA)
  - 8 Any other agency or organization that the Board considers appropriate to consult.
- 11 Wherever possible, the Board shall ensure new members are aware of:





## TOWN OF BLACKFALDS BYLAW 1221/18

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- a) Local, regional, provincial, and federal government legislation which effect municipal Family and Community Support Services.
- b) Local policies, procedures and bylaws regarding municipal Family and Community Support Services.
- c) Local community clubs and organizations which are involved, in some way, with municipal Family and Community Support Services.
- d) Current and proposed projects, programs, and services of the Board, and;
- e) The local Social Needs Assessment Master Plan and General Municipal Plans.

### PART 5 – TERM

- 12 Council shall appoint members at large to the Board for a term of up to three (3) years.
- 13 The term of any member so appointed shall not exceed two (2) consecutive terms, or six (6) consecutive years.
- 14 Council may extend the term of a Board member by up to one year to ensure there are not more than three (3) members of the Board leaving within 12 months of each other, and at the request of the Board.
- 15 Any member may resign from the Board at any time upon sending written notice to the Board and to Council to that effect.
- 16 An appointed member ceases to be a member of the Board when:
  - a) He or she fails to attend three (3) consecutive regular meetings of the Board or one third (1/3) or more of the regular meetings of the Board scheduled in a year between Council Organizational Meetings unless otherwise excused by resolution of the Board;
  - b) His or her term expires;
  - c) He or she is removed from office by resolution of Council;
  - d) He or she ceases to be a resident of the Family and Community Support Services District;
  - e) He or she provides written notice of resignation from the Board, and in the case of a member appointed from Council, he or she resigns his or her position on Council;
- 17 The Board may appoint sub-committees to address any of the matters coming within the scope and jurisdiction of the Board and may engage members of the community, as long as there is at least one Board Member on the sub-committee.

### PART 6 – MEETINGS

- 18 Following the annual Organization Meeting of Council in each year, and within the first two meetings of the Board, the Board shall elect a Chairperson. Immediately thereafter, the Board shall elect a Vice-Chairperson who shall act in the absence of the Chairperson.
- 19 The Board shall hold at least six (6) regular meetings annually at a time and place so designated by the Board.
- 20 A special meeting may be called by the Chairperson at any time, or by special request of 50% of the members of the Board.
- 21 A majority of the voting members of the Board constitutes a quorum.



**TOWN OF BLACKFALDS  
BYLAW 1221/18**

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- 22 Each member eligible for voting, and present at a meeting of the Board, shall vote when the vote is taken unless a pecuniary interest in a matter is declared.
- 23 In the event of a tie when a vote is taken, the motion shall be lost.
- 24 Only those Board members present at the meeting of the Board where an item is brought forward for discussion shall take part in deliberations and decisions of the Board on that specific matter.
- 25 The Chair may facilitate motions via e-mail vote where necessary and appropriate. Electronic motions will be formally ratified at the next meeting of the Board and reflected in the meeting minutes.
- 26 Individuals and groups may present to the Board at a meeting if the presentation is related to the Board and its mandate. Notice (in writing) must be received by the Chairperson and/or the Director of Community Services or delegated staff from any delegation wishing to address the Board, no later than one week prior to the next scheduled meeting.
- 27 The Board shall ensure meetings are conducted using Roberts Rules of Order.
- 28 Meetings of the Board shall be open to the public, except when discussing confidential matters.

**PART 7 – ROLE OF THE BOARD**

- 29 The Board shall advise and make recommendations to Council on the development, provision, and quality of a broad range of Family and Community Support Services, programs, and board members appointments in the Regional Family and Community Support Services Districts.
- 30 The Board shall advise and make recommendations to Council on the allocation of grants and funds to community organizations.
- 31 The Board shall promote collaboration throughout the regional district to encourage the sharing of all available resources towards the provision of preventative Social Services opportunities for everyone in the district.
- 32 Each member of the Board is responsible for representing the broad preventative social services interests of the Regional Family and Community Support Services District, as well as contributing to the responsible and prudent direction regarding these interests to the elected officials of the municipality.
- 33 The Board shall function as a Liaison of the Town by:
  - a) Maintaining effective lines of communication with all agencies and organizations by delivering preventative social services in the Regional Family and Community Support Services District.
  - b) Acting on behalf of all residents of the Regional Family and Community Support Services District by bringing forth their concerns to Council.
- 34 The Board shall advise and make recommendations regarding the preparation of a Social Needs Assessment Master Plan at least every five (5) years outlining, in order of priority, the basic development of Family and Community Support Services resources.
- 35 The Board shall monitor and review operating policies and procedures and make recommendations to Council regarding the creation and implementation of Bylaws, policies, and procedures relating to preventative social services matters in accordance with the Social Needs Assessment Master Plan.





**TOWN OF BLACKFALDS  
BYLAW 1221/18**

- 36 The Board shall adjudicate the nomination process for annual volunteer recognition awards for the Town of Blackfalds and recommend award recipients to Council.
- 37 Members of the Board shall sign an oath of confidentiality agreeing to confidentiality as bound under the FOIP Act and Regulations. The acceptance and signing of the oath is one step towards the Town demonstrating that it has taken measured steps to inform and educate board members to protect personal information and mitigate the risk of a breach.
- 38 Members of the Board will provide a current Criminal Records Check.

**PART 8 – PROCEEDINGS**

- 39 In fulfilling its mandate, the Board is empowered to:
- a) appoint sub-committees of the Board to deal with specific components of its duties as determined by the Board; and
  - b) appoint special committees of its members and/or citizens at large to deal with any special study of assignment within its jurisdiction; a committee so appointed shall deal only with the matter of question referred to it for consideration and shall be disbanded upon completion of the assignment.
- 40 Administration annually will prepare a detailed FCSS budget for review and consideration of the Board which will reflect the needs of the FCSS mandate. The FCSS budget will then be incorporated into the overall Town budget package which is then brought before Council through the defined Town budget process. The FCSS budget will include written descriptions, showing in reasonable form and detail, expenditures included for the next fiscal year with respect to all matters over which the Board has jurisdiction.
- 41 Donated Family and Community Support Services funds remaining at the end of any budget year may be held in municipal reserves for Council approved municipal Family and Community Support Services projects providing these funds are reported and shown in the annual audit report.
- 42 The Board may recommend to Council special projects for allocation of reserve funds generated by FCSS related activities.

**PART 9 – REPEAL**

- 43 That Bylaw 1134/12 is hereby rescinded upon this Bylaw coming into effect.

**PART 10 – DATE OF FORCE**

- 44 This Bylaw shall take full force and effect upon the date of its final passage.

READ for the first time this 27<sup>th</sup> day of MARCH, A.D. 2018

(RES. 66/18)

  
MAYOR RICHARD POOLE

  
CAO MYRON THOMPSON



TOWN OF BLACKFALDS  
BYLAW 1221/18

READ for the second time this 22<sup>ND</sup> day of May, A.D. 2018

(RES. 142/18)

Richard Poole  
MAYOR RICHARD POOLE

[Signature]  
CAO MYRON THOMPSON

READ for the third and final time this 22<sup>ND</sup> day of May, A.D. 2018

(RES. 143/18)

Richard Poole  
MAYOR RICHARD POOLE

[Signature]  
CAO MYRON THOMPSON





**TOWN OF BLACKFALDS  
BYLAW 1224/18**

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**BEING A BYLAW OF THE TOWN OF BLACKFALDS IN THE PROVINCE OF ALBERTA TO  
PROVIDE FOR THE ESTABLISHMENT OF A MUNICIPAL LIBRARY BOARD.**

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A Bylaw of the Town of Blackfalds, in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act (MGA)*, Revised Statutes of Alberta 2000 Chapter M-26, and amendments thereto, for the purpose of the establishment of a Municipal Library Board.

AND WHEREAS, pursuant to the Province of Alberta Libraries Act RSA 2000 Chapter L-11 and the Libraries Regulation, and any amendments thereto.

NOW THEREFORE, with the authority under the MGA, the Alberta Libraries Act and Library Regulation, the Municipal Council of the Town of Blackfalds, duly assembled hereby enacts as follows:

**PART 1 – TITLE**

- 1 That this Bylaw shall be cited as the Town of Blackfalds “Municipal Library Board” Bylaw.

**PART 2 - Purpose**

- 2 That there shall be established a Municipal Library Board for the Town of Blackfalds.
- 3 That, on being established, the Municipal Library Board is a corporation under the Libraries Act and Library Regulations, and shall operate in accordance with the Libraries Act and applicable Regulations.
- 4 That the policies and bylaws of the Municipal Library Board shall be governed in accordance with the Libraries Act and Libraries Regulations, and any amendments thereto.
- 5 That the Municipal Library Board may, through the Town’s Volunteer Programmer, review new member applications, and make recommendations to Council for appointment where board vacancies exist, in accordance with Part 1 of the Libraries Act.
- 6 That the Municipal Library Board Role is to:
  - 6.1 Establish the purpose, the vision and mission and operational policies of the Municipal Library; and,
  - 6.2 Plan for the future and set the rate of progress towards achievement of the library’s purpose through goals and objectives, by ensuring there are sufficient funds to achieve the budget, and by overseeing the budget and funding allocations, all in accordance with the Libraries Act and Regulation.
  - 6.3 Make complete annual reports to the Town of Blackfalds Council and other reports from time to time, as requested.
- 7 That the role of Appointed Council to the Board is to:
  - 7.1 Be active voting members.
  - 7.2 Act as liaison between the Board and Council.

**PART 4 - RESCIND**

- 8 That Bylaws 701/91, 832/98, 870/00 and 873/00 are hereby repealed upon this Bylaw coming into effect.

**PART 5 - DATE OF FORCE**

- 9 This Bylaw shall take effect on the date of the final passing thereof.

READ for the first time this 12<sup>th</sup> day of JUNE, A.D. 2018

(RES. 156/18)

  
\_\_\_\_\_  
MAYOR RICHARD POOLE

  
\_\_\_\_\_  
CAO MYRON THOMPSON





TOWN OF BLACKFALDS  
BYLAW 1224/18

READ for the second time this 26<sup>th</sup> day of JUNE, A.D. 2018

(RES. 171/18)

Richard Poole  
MAYOR RICHARD POOLE

[Signature]  
CAO MYRON THOMPSON

READ for the third and final time this 26<sup>th</sup> day of JUNE, A.D. 2018

(RES. 172/18)

Richard Poole  
MAYOR RICHARD POOLE

[Signature]  
CAO MYRON THOMPSON

Attachments:

1. Alberta Libraries Act
2. Alberta Library Regulation

## BYLAWS OF THE BLACKFALDS PUBLIC LIBRARY

The Blackfalds Public Library enacts the following bylaw pursuant to the *Libraries Act, R.S.A. 2000, Chapter L-11, Section 36*.

### 1. DEFINITIONS

For the purposes of this bylaw, the expression:

- a) "Act" refers to the Library Act, R.S.A. 2000, Chapter L-11 and amendments from time to time.
- b) "Board" means the Blackfalds Public Library Board.
- c) "Borrower" means the person to whom a library borrower's card has been issued.
- d) "Library Manager" means the person charged by the Board with the operation of the Blackfalds Public Library.
- e) "Library Materials" means any items, regardless of format, that are held in the Blackfalds Public Library's collection or are borrowed by the Blackfalds Public Library.

### 2. LIBRARY FACILITY

- 2.1 The portion of any building used for public library purposes is open to any member of the public **FREE OF CHARGE** during the hours of opening as set out by the Blackfalds Public Library Board.
- 2.2 Charges for the use of library premises not normally used for public library purposes are set out in Schedule "D"

### 3. BORROWER'S CARD

- 3.1 Any resident of a community located in the Parkland Regional Library System can apply for a borrower's card.
- 3.2 An application for a borrower's card must be:
  - a) In a form determined by the Library Manager, which may include providing proof of residency.
  - b) If the applicant is less than 18 years old, a parent or guardian must accompany the applicant or give written permission.

### 4. RESPONSIBILITIES OF BORROWERS

- 4.1 A borrower's card may only be used by the person to whom it is issued.
- 4.2 A borrower will tell library staff of any change of contact information.
- 4.3 A borrower will tell library staff immediately if their borrower's card is lost or stolen.
- 4.4 A borrower will take proper care of any library item entrusted to their care.

- 4.5 A borrower should return any library item to the library on or before the due date as provided in Schedule B.

## **5. LOAN OF LIBRARY MATERIALS**

- 5.1 In accordance with the Libraries Act Section 36 (3), there shall be NO CHARGE for the use of library materials. This includes materials used on the premises, materials loaned to a borrower or materials acquired from other sources.
- 5.2 The loan periods for library materials are set out in Schedule B.
- 5.3 Library materials may be reserved and/or renewed in accordance with system-wide practices of the Parkland Regional Library.

## **6. PENALTY PROVISIONS**

- 6.1 The fines for late return of materials are set out in Schedule C.
- 6.2 The fines for damaged or lost materials are set out in Schedule C.
- 6.3 The procedures for demanding the return of overdue materials are set out in Schedule C.
- 6.4 Borrowing privileges may be revoked by the Library Manager for the reasons set out in Schedule C.
- 6.5 A person who has had their borrowing privileges revoked may, within 30 days of having their privileges revoked, make an appeal to the Board in writing setting out the grounds for the appeal.
- 6.6 The decision of the Board in an appeal is final and not subject to further appeal.

## **7. FOIP (Freedom of Information and Protection of Privacy Bylaw)**

### **7.1 Purpose:**

The purpose of this bylaw is to establish the administrative structure of the Blackfalds Public Library in relation to the Freedom of Information and Protection of Privacy Act and to set associated fees.

### **7.2 Definitions:**

For the purpose of this bylaw, unless the context otherwise requires:

- a) "Act" means the Freedom of Information and Protection of Privacy Act, R.S.A. 2000, and amendments from time to time.
- b) "Applicant" means a person who makes a request for access to a record under Section 7(1) of the Act.
- c) "Board" means the Blackfalds Public Library Board and includes any committee, commission, panel, agency or corporation that is created or represented by the Blackfalds Public Library Board and all the members or officers of which are appointed or chosen by the Blackfalds Public Library Board.
- d) "Library Manager" means the person charged by the Board with the operation of the Blackfalds Public Library.

e) "Province" means the Province of Alberta.

7.3 **Authority:**

The Library Manager shall be responsible and accountable for all decisions taken under the Act.

7.4 **Fees:**

Where an applicant is required to pay a fee for services, the fee payable is in accordance with the Freedom of Information and Protection of Privacy Regulation, AR200/95, as amended from time to time or any successor Regulation that sets fees for requests for information from the province.

# **BLACKFALDS PUBLIC LIBRARY BYLAWS**

## **SCHEDULES**

### **Schedule "A" – Borrower's Card Fees**

All memberships are free.

To renew membership, a customer must be a member "in good standing" that is, a customer may renew membership with outstanding fines on it, but the patron must pay down fines to under \$25.00 to take out any library materials. They also must have dealt with any lost books as per Schedule C.

### **Schedule "B" – Loan Periods for Library Materials**

Loan periods for library materials follow system-wide practices for the Parkland Regional Library.

### **Schedule "C" – Penalty Provisions**

Damaged or lost materials will be charged the purchase price of the item before the borrower may be reinstated as a member in good standing. These fees may be waived or reduced at the discretion of the Library Manager.

The following fines are set by Parkland Regional Library. These fines may be waived or reduced at the discretion of the Library Manager.

Fines for all materials are \$0.25 per day per item. No fines will accumulate on any day the library is closed. Late fines will not exceed the replacement value of the material and will be capped at \$10.00 per item.

Library privileges will be suspended once late or lost/damaged fines reach \$25.00

Family library privileges will be suspended if one person in the family group reaches maximum fines of \$25.00.

### **Schedule "D" – Room Rental Fees**

Booking the meeting room is dependent on availability and rates are equal to the Town of Blackfalds room rental rate schedule which may be subject to change.

Local - \$25.00/hour

Non Local - \$30.00/hour

Local Not for Profit - \$15.00/hour

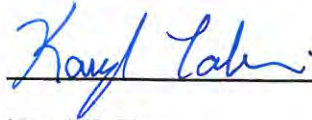
Room Rental Deposit - \$100.00



## BYLAWS OF THE BLACKFALDS PUBLIC LIBRARY

READ for the first time this 6<sup>th</sup> day of March A.D. 2018

(RES:       )



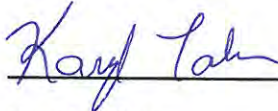
Karyl Tobin  
Chairperson of the Library Board



Carley Binder  
Library Manager

READ for the second time this 3 day of April A.D. 2018

(RES:       )



Karyl Tobin  
Chairperson of the Library Board



Carley Binder  
Library Manager

READ for the third time this 3 day of April A.D. 2018

(RES:       )



Karyl Tobin  
Chairperson of the Library Board



Carley Binder  
Library Manager



Province of Alberta

## **LIBRARIES ACT**

Revised Statutes of Alberta 2000  
Chapter L-11

Current as of October 4, 2007

### **Office Consolidation**

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## Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

## Amendments Not in Force

This consolidation incorporates only those amendments in force on the consolidation date shown on the cover. It does not include the following amendments:

2012 cE-0.3 s275 amends ss1(o) and 10(3).

## Regulations

The following is a list of the regulations made under the *Libraries Act* that are filed as Alberta Regulations under the Regulations Act

	<b>Alta. Reg.</b>	<i>Amendments</i>
<b>Libraries Act</b>		
Libraries .....	141/98 .....	282/99, 251/2001, 193/2003, 172/2007, 68/2008, 180/2013



# **LIBRARIES ACT**

## **Chapter L-11**

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HER MAJESTY, by and with the advice and consent of the  
Legislative Assembly of Alberta, enacts as follows:

### Definitions

**1** In this Act,

- (a) “basic information service” means basic information service as defined in the regulations for the purposes of this Act;
- (b) “board” means a municipal board, intermunicipal library board, library system board, community board or federation board;
- (c) “community board” means a community library board established or continued under Part 3;
- (d) “community library” means a library established or continued under Part 3;
- (e) “council” means
  - (i) in the case of a city, town, municipal district, village, summer village or specialized municipality, the council;
  - (ii) in the case of a school authority, the board of trustees,
  - (iii) in the case of a Metis settlement, the settlement council,
  - (iv) in the case of an improvement district, the Minister responsible for the *Municipal Government Act*, or
  - (v) in the case of a special area, the Minister responsible for the *Special Areas Act*;
- (f) “federation board” means a federation board established under Part 4;
- (f.1) “intermunicipal library board” means an intermunicipal library board established under Part 1.1;
- (g) “library system” means a library system established, or a regional library continued, as a library system under Part 2;
- (h) “library system board” means a library system board under Part 2;

- (i) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (j) “municipal board” means a municipal library board;
- (k) “municipal library” means a library that provides public library services under the control and management of a municipal library board or an intermunicipal library board;
- (l) “municipality” means municipality as defined in the *Municipal Government Act*;
- (m) “public library” means a municipal library, library system or community library;
- (n) “Public Library Rate” means the rate assessed and levied pursuant to section 11;
- (o) “school authority” means a school district, school division or regional division.

RSA 2000 cL-11 s1;2006 c5 s2

## **Part 1**

### **Municipal Libraries**

#### **Application**

**2** This Part applies to every municipal library board maintained in whole or in part by property taxes and

- (a) established under this Part, or
- (b) continued under this Part.

RSA 2000 cL-11 s2;2006 c5 s3

#### **Municipal board**

**3(1)** The council of a municipality may, by bylaw, establish a municipal library board.

**(2)** The council shall forward a copy of a bylaw made under subsection (1) to the Minister.

**(3)** Repealed 2006 c5 s4.

**(4)** On being established, the municipal library board is a corporation and shall be known as “The (name of municipality) Library Board”.

(5) The boards of management of all public libraries to which Part 3 of the *Libraries Act*, RSA 1980 cL-12, applies are continued as municipal library boards under this Act.

RSA 2000 cL-11 s3;2006 c5 s4

#### **Appointment**

**4(1)** A municipal board shall consist of not fewer than 5 and not more than 10 members appointed by council.

(2) A person who is an employee of the municipal board is not eligible to be a member of that board.

(3) Not more than 2 members of council may be members of the municipal board.

(4) A member of the municipal board is eligible to be reappointed for only 2 additional consecutive terms of office, unless at least 2/3 of the whole council passes a resolution stating that the member may be reappointed as a member for more than 3 consecutive terms.

(5) Subject to subsection (6), appointments to the municipal board shall be for a term of up to 3 years.

(6) When appointments are made in respect of a first municipal board, council shall, as nearly as may be possible, appoint 1/3 of the members for a term of one year, 1/3 of the members for a term of 2 years and the remaining members for a term of 3 years.

(7) Notwithstanding this section, the term of office of a member continues until a member is appointed in that member's place.

1983 cL-12.1 s10;1998 c19 s5

#### **Date of appointment**

**5(1)** The appointments of the members of the municipal board shall be made on the date fixed by council.

(2) Any vacancy arising from any cause must be filled by council as soon as reasonably possible for council to do so.

1983 cL-12.1 s11

#### **Validity of proceedings**

**6** No resolution, bylaw, proceeding or action of any kind of the municipal board may be held invalid or set aside for the reason that any person whose election to council has been judged invalid acted as a member of the board.

1983 cL-12.1 s12

**Board duties**

**7** The municipal board, subject to any enactment that limits its authority, has full management and control of the municipal library and shall, in accordance with the regulations, organize, promote and maintain comprehensive and efficient library services in the municipality and may co-operate with other boards and libraries in the provision of those services.

1983 cL-12.1 s13

**Budget**

**8(1)** The municipal board shall before December 1 in each year prepare a budget and an estimate of the money required during the ensuing fiscal year to operate and manage the municipal library.

**(2)** The budget and the estimate of money shall be forthwith submitted to the council of the municipality.

**(3)** Council may approve the estimate under subsection (1) in whole or in part.

RSA 2000 cL-11 s8;2006 c5 s5

**Accounts**

**9** The municipal board shall

- (a) keep accounts of its receipts, payments, credits and liabilities,
- (b) have a person who is not a member of the municipal board and whose qualifications are satisfactory to council review the accounts each calendar year and prepare a financial report in a form satisfactory to council, and
- (c) submit the financial report to council immediately after its completion.

RSA 2000 cL-11 s9;2006 c5 s6

**Library building and equipment**

**10(1)** When money is required for the purpose of acquiring real property for the purposes of a building to be used as a municipal library or for erecting, repairing, furnishing and equipping a building to be used as a municipal library, the council may, at the request of the municipal board, take all necessary steps to furnish the money requested or the portion of it that the council considers expedient.

**(2)** Money approved by the council under subsection (1) may be borrowed by the council under the authority of a bylaw and on the

security of debentures, which shall be termed "Public Library Debentures".

(3) The provisions of the *Municipal Government Act* or the *School Act*, as the case may be, governing

- (a) the passing of bylaws for borrowing money,
- (b) the issue and form of debentures, and
- (c) the assessment, levy and collection of money necessary to meet the indebtedness incurred by the issue of debentures,

apply to the borrowing of money under subsection (2).

1983 cL-12.1 s16

#### **Dissolution, amalgamation or annexation of municipality**

**10.1(1)** If the Lieutenant Governor in Council makes an order under the *Municipal Government Act* dissolving a municipality, that order is deemed to dissolve any municipal library board established by that municipality and to pass to the municipality, immediately prior to the dissolution of the municipality, all the rights, assets and liabilities of the municipal library board.

(2) When an amalgamation of municipal authorities has been initiated under Part 4 of the *Municipal Government Act* and no agreement can be reached among those municipal authorities regarding the rights, assets and liabilities of a municipal library board, the Lieutenant Governor in Council may, by order, dissolve the municipal library board and may make any order the Lieutenant Governor in Council considers appropriate in respect of the disposition of the rights, assets and liabilities of the municipal library board.

(3) When an annexation of land from one municipal authority to another municipal authority has been initiated under Part 4 of the *Municipal Government Act* and no agreement can be reached between the municipal authorities regarding the rights, assets and liabilities of a municipal library board established by the municipal authority from which the land is to be annexed, the Lieutenant Governor in Council may, by order, dissolve the municipal library board and may make any order the Lieutenant Governor in Council considers appropriate in respect of the disposition of the rights, assets and liabilities of the municipal library board.

2006 c5 s7

**11** Repealed 2006 c5 s8.

**Dissolution of board**

**12(1)** If a municipal board fails to open a library to the public for a period of 2 years, the council may make an ex parte application to the Court of Queen's Bench for an order declaring the municipal board dissolved.

**(2)** The order dissolving the municipal board vests in the municipality all the property of the municipal board, and the council through its proper officers may take possession of the vested property and dispose of it in any manner it considers advisable.

1983 cL-12.1 s18

## **Part 1.1 Intermunicipal Library Boards**

**Definition**

**12.1** In this Part, "intermunicipal agreement" means an agreement under section 12.2.

2006 c5 s9

**Intermunicipal library board**

**12.2(1)** The council of a municipality may, by bylaw, authorize the municipality to enter into an agreement that meets the requirements of the regulations with one or two other municipalities respecting the establishment of an intermunicipal library board to provide library services to the residents of the municipalities.

**(2)** The council of each municipality that is a party to the agreement shall forward a copy of the bylaw and the agreement under subsection (1) to the Minister.

**(3)** On receipt of the bylaws and the agreement under subsection (2) the Minister may, by order, establish an intermunicipal library board.

**(4)** An intermunicipal library board established under subsection (3) is a corporation with the name set out in the Ministerial order.

2006 c5 s9

**Members of board**

**12.3(1)** An intermunicipal library board consists of the members appointed to the board in accordance with the intermunicipal agreement.



(2) A person who is an employee of an intermunicipal library board is not eligible to be a member of that board.

2006 c5 s9

**Validity of proceedings**

**12.4** Where a person has acted as a member of an intermunicipal library board, no resolution, bylaw, proceeding or action of any kind of the intermunicipal library board may be held invalid or set aside for the reason that that person's election to the council of a municipality is invalid.

2006 c5 s9

**Board duties**

**12.5** An intermunicipal library board, subject to any enactment that limits its authority, has full management and control of the municipal library established by the board and shall, in accordance with the regulations, organize, promote and maintain comprehensive and efficient library services in the municipalities that are the parties to the intermunicipal agreement respecting that board and may co-operate with other boards and libraries in the provision of those services.

2006 c5 s9

**Budget**

**12.6** Each year an intermunicipal library board shall, before the date specified in the intermunicipal agreement respecting that board, submit to each municipality that is a party to the agreement a budget and an estimate of the money required during the ensuing fiscal year to operate and manage the intermunicipal library board, including the amounts to be paid by each municipality in accordance with the agreement.

2006 c5 s9

**Accounts**

**12.7** An intermunicipal library board shall

- (a) keep accounts of its receipts, payments, credits and liabilities,
- (b) have a person who is not a member of the intermunicipal library board and whose qualifications are approved in accordance with the intermunicipal agreement respecting that board review the accounts each calendar year and prepare a financial report in the form required by the intermunicipal agreement, and

- (c) submit the financial report to the council of each municipality that is a party to the intermunicipal agreement immediately after its completion.

2006 c5 s9

## Part 2

### Library Systems

#### Library system

**13** Subject to this Act and the regulations, a municipality, improvement district, special area, Metis settlement or school authority,

- (a) on entering into and becoming a party to an agreement that contains provisions on terms required by regulations, with one or more municipalities, improvement districts, special areas, Metis settlements or school authorities, and
- (b) on complying with the regulations,

may request the Minister to establish a library system.

1983 cL-12.1 s19;1998 c19 s7

#### Library system board

**14(1)** On receipt of a request referred to in section 13, the Minister may

- (a) establish a library system board, and
- (b) prescribe the boundaries of the library system,

and when the Minister does so the parties to the agreement described in section 13 become members of the library system.

**(2)** On being established, the library system board is a corporation and shall be known as “The (name of region) Library Board”.

**(3)** All boards of management of regional libraries under the *Libraries Act*, RSA 1980 cL-12, are continued as library system boards under this Act.

**(4)** The agreements referred to in section 13 that have been entered into under the *Libraries Act*, RSA 1980 cL-12, are continued under this Act, as modified by this Act.

1983 cL-12.1 s20

**Joining an existing library system**

**15** A municipality, improvement district, special area, Metis settlement or school authority may, in accordance with the regulations, become a member of a library system by complying with the terms of the agreement referred to in section 13, becoming a party to the agreement and receiving the approval of the Minister.

1983 cL-12.1 s21;1998 c19 s8

**Appointment**

**16** A library system board shall consist of

- (a) one member for each municipality, Metis settlement and school authority that is a member of the library system who is appointed by the council of the municipality, Metis settlement or school authority,
- (b) one member for each improvement district that is a member of the library system, who is appointed by the Minister responsible for the *Municipal Government Act*,
- (c) one member for each special area that is a member of the library system, who is appointed by the Minister responsible for the *Special Areas Act*, and
- (d) any additional members appointed in accordance with the regulations.

1983 cL-12.1 s22;1998 c19 s9

**System board duties**

**17** The library system board, subject to any enactment that limits its authority and the agreement described in section 13, has full management and control of the library system and shall, in accordance with the regulations and in co-operation with other boards, organize, promote and maintain comprehensive and efficient library services and may

- (a) borrow from time to time for the purpose of defraying its operating expenses an amount not exceeding 50% of the amount expended by it during its immediately preceding fiscal year;
- (b) fix fees for the use of library services by residents of a municipality within the boundaries of the library system that does not receive library services from the library system board.

1983 cL-12.1 s23

**Budget**

**18(1)** The library system board shall, on or before a date specified by each municipality, improvement district, special area and school authority that is a party to the agreement described in section 13, submit to each of them a budget and an estimate of the money required during the ensuing fiscal year to operate and manage the library system, including the amounts to be paid by each of them.

**(2)** Budget approval and compliance with the amounts to be paid by each party to the agreement described in section 13 shall be in accordance with the terms of that agreement.

1983 cL-12.1 s24

**Restriction of authority**

**19** Notwithstanding this Part, if a municipal library has been established in a municipality and is receiving library services from the library system board, the authority of the library system board and the municipal library board or intermunicipal library board is limited by the terms of any agreement described in section 12.2 or 13.

RSA 2000 cL-11 s19;2006 c5 s10

**Establishment and capital grants**

**20** A municipality, improvement district, special area or school authority may grant money for capital works requirements and grant money to establish a library system.

1983 cL-12.1 s26

**Annual grants**

**21(1)** If an improvement district or a special area is a party to an agreement described in section 13,

- (a) the Minister responsible for the *Municipal Government Act*, in the case of an improvement district, or
- (b) the Minister responsible for the *Special Areas Act*, in the case of a special area,

may, in addition to all other rates and assessments assessed and levied for the purposes of an improvement district or special area, assess and levy from year to year a special annual rate on the assessed value of all property liable to taxation in the improvement district or special area for the purposes of the library system board and shall, on behalf of the improvement district or special area, make an annual grant, from the money derived from the special annual rate, to the library system board with respect to its budget under section 18.

(2) If a school authority is a party to an agreement described in section 13, the school authority may make an annual grant to the library system board with respect to its budget under section 18.

1983 cL-12.1 s27

#### **Withdrawal from the library system agreements**

**22** At any time after the expiration of 3 years from the date that the party entered into the agreement, a party to an agreement described in section 13 may, by giving 12 months' notice, withdraw from the agreement.

1983 cL-12.1 s28

#### **Dissolution of a library system board**

**23(1)** If a library system board fails to provide library services in accordance with the regulations for 2 years, the majority of the parties to the agreement described in section 13 may join in making an application to the Court of Queen's Bench for an order declaring the library system board dissolved.

(2) The Court, in the order dissolving the board, shall vest the property of the library system board in the Minister or in the councils of the parties to the agreement described in section 13 severally or in common as it considers just, or make any other disposition of the property that it considers just in the circumstances and the Minister and the councils may then take possession of the property and dispose of it as considered advisable by them, in accordance with any terms or conditions in the order.

1983 cL-12.1 s29

#### **Borrowing for library system boards**

**24** A municipality or a school authority that is a party to an agreement described in section 13 may, with the approval of the Minister, borrow money to acquire real property for the purposes of a building to be used as the headquarters of a library system or for erecting, repairing, furnishing and equipping a building to be used as the headquarters of a library system, and section 10(2) and (3) apply to the borrowing of the money.

1983 cL-12.1 s30

## **Part 3 Community Libraries**

#### **Community library**

**25** In any area, other than a municipality, where library services are not provided by a library system board, any association of persons, whether incorporated or not, may apply to the Minister to

be established as a community library board and to be authorized to provide library services to the public in that area.

1983 cL-12.1 s31

#### **Community library board**

**26(1)** The Minister may establish a community library board and prescribe the boundaries of the community library.

**(2)** On being established, a community library board is a corporation and shall be known as “The (name of the library) Community Library Board”.

**(3)** All community library boards under the *Libraries Act*, RSA 1980 cL-12, are continued as community library boards under this Act.

**(4)** The members of the community board shall be appointed in the manner and on the conditions prescribed by the Minister.

1983 cL-12.1 s32;1998 c19 s10

#### **Community board duties**

**27** The community board, subject to any enactment that limits its authority, has full management and control of the community library and may

- (a) provide library services within the boundaries of the community library in accordance with the regulations, and
- (b) raise funds for the support of the community library, including the fixing of an annual membership fee.

1983 cL-12.1 s33

#### **Dissolution of board**

**28** On the formation of a library system board, a municipal library board or an intermunicipal library board in an area where a community board is authorized to provide library services, the Minister may order that a community board be dissolved and dispose of its property in consultation with the persons who were the members of the dissolved community board.

RSA 2000 cL-11 s28;2006 c5 s11

## **Part 4 Federations**

#### **Forming a federation board**

**29(1)** Two or more municipal boards, on entering into an agreement that meets the requirements of this Act and the

regulations, may request the Minister to establish a federation board.

**(2)** An agreement described in subsection (1) must include

- (a) either The City of Calgary Library Board or The City of Edmonton Library Board as a party to the agreement;
- (b) provisions on establishing a plan for the co-operative provision of library services among the parties to the agreement;
- (c) provisions respecting the amount or portion of federation board expenses that each party to the agreement is responsible for.

**(3)** On receipt of a request under subsection (1), the Minister may

- (a) establish a federation board, and
- (b) name the federation board.

**(4)** On being established, a federation board is a corporation that consists of one person selected by each of the parties to the agreement described in subsection (1).

**(5)** A municipal board may join an existing federation board if

- (a) that municipal board applies for membership in the federation board,
- (b) that municipal board meets the requirements of this Act and the regulations,
- (c) that municipal board enters into an agreement with the federation board for membership and becomes a party to the agreement described in subsection (1),
- (d) the members of the federation board make any necessary amendments to the agreement described in subsection (1), and
- (e) the Minister approves the agreement referred to in clause (c), the amendments referred to in clause (d) and the municipal board's becoming a party to the agreement described in subsection (1).

**(6)** The Minister may order that a federation board be dissolved and dispose of its property in consultation with the members of the federation board when it is dissolved.

1998 c19 s12

**Operating a federation board**

**30(1)** A federation board must

- (a) facilitate the enhancement of library services offered by its members to the public, and
- (b) encourage its members to co-operate with each other in the provision of library services to the public.

**(2)** A federation board may not borrow money for payment of its operating expenses in an amount that exceeds 50% of the money it spent on its operating expenses in the immediately preceding fiscal year.

**(3)** Each municipal board that is a party to an agreement referred to in section 29(1) must appoint one of its members to represent it at meetings of the federation board.

**(4)** A representative under subsection (3) may serve a term of up to 3 years.

**(5)** A federation board must prepare a budget prior to December 1 of each year for the next fiscal year.

**(6)** The fiscal year of a federation board is the same as the fiscal year of a municipality under the *Municipal Government Act*.

1998 c19 s12

## **Part 5 General**

**Board member disqualification**

**31(1)** A person is disqualified from remaining a member of a board if the person fails to attend, without being authorized by a resolution of the board to do so, 3 consecutive regular meetings of the board.

**(2)** If a member of a board is disqualified from remaining a member under subsection (1), the person is deemed to have resigned the person's seat on the board.

1983 cL-12.1 s35

**Chair of board**

**32** A board shall elect a chair and any other officers it considers necessary from among its members.

1983 cL-12.1 s36



**Meetings**

**33(1)** A board shall meet at least once every 4 months and at any other times it considers necessary.

**(2)** If the regulations require a library system board to have an executive, that executive must meet at least once every 3 months and at any other times it considers necessary.

1983 cL-12.1 s37;1998 c19 s13

**Record of meetings**

**34(1)** All minutes, resolutions and bylaws of a board shall be entered in books to be kept by it for that purpose and the books shall be signed by the chair or acting chair.

**(2)** The minutes, resolutions and bylaws entered in books and purporting to be signed under subsection (1) are deemed to be original minutes, resolutions and bylaws, and the books shall be admitted in evidence as proof in all judicial and other proceedings without proof of the signature or official character of the person purporting to have signed them.

1983 cL-12.1 s38

**Library agreements**

**35** With the consent in writing of the Minister, a board in a municipal district may enter into agreements with any other municipal board or intermunicipal library board relating to the provision of library services to the residents of that municipal district.

RSA 2000 cL-11 s35;2006 c5 s12

**Safety and use of library facilities**

**36(1)** A board may pass bylaws for the safety and use of the library, including

- (a) the terms and conditions under which
  - (i) the public may be admitted to the building,
  - (ii) public library property may be used or borrowed by members of the public, and
  - (iii) borrowing privileges may be suspended or forfeited;
- (b) notwithstanding subsection (3), fees to be paid by members of the public for
  - (i) the issuance of library borrowing cards,

- (ii) the use of those parts of the building not used for the purposes of the public library,
  - (iii) photocopying,
  - (iv) receiving information in a printed, electronic, magnetic or other format, and
  - (v) receiving, on request, a library service not normally provided by a public library;
- (c) penalties to be paid by members of the public for abuse of borrowing privileges.

**(2)** The *Regulations Act* does not apply to bylaws passed under subsection (1).

**(3)** A bylaw or part of a bylaw that requires a member of the public to pay a fee or charge for any of the following is invalid:

- (a) admittance to any portion of a building used for public library purposes;
- (b) using library resources on library premises;
- (c) borrowing library resources, in any format, normally lent by the library;
- (d) acquiring library resources through inter-library loan;
- (e) consultation with members of the library staff;
- (f) receiving basic information service.

1983 cL-12.1 s40;1998 c19 s14

#### **Bylaw transmission**

**37(1)** A municipal library board, on passing a bylaw under section 36, shall forthwith forward a copy of the bylaw to the council of the municipality.

**(2)** An intermunicipal library board, on passing a bylaw under section 36, shall forthwith forward a copy of the bylaw to the council of each municipality that is a party to the intermunicipal agreement respecting that board.

RSA 2000 cL-11 s37;2006 c5 s13

#### **Bylaw invalidated**

**38** The council of a municipality may disallow a bylaw passed by a municipal board it has appointed.

1983 cL-12.1 s42

**Authorization to inspect**

**39(1)** The Minister or a person authorized in writing by the Minister may, during regular business hours, inspect the books, records and accounts of a board.

**(2)** A person authorized under subsection (1) shall, while inspecting the books, records or accounts of a board, carry identification in the prescribed form and present it on request.

1983 cL-12.1 s43

**Regulations**

**40** The Minister may make regulations

- (a) respecting the establishment, maintenance, operation and management of public libraries;
- (b) respecting the acquisition, provision, management, maintenance and disposition of library materials and facilities by public libraries;
- (c) respecting the planning for, and provision and management of, library services;
- (d) governing the filing, by boards, of returns and reports, and their contents;
- (e) respecting the inspection of public libraries;
- (f) prescribing the form of identification for persons authorized to inspect public libraries;
- (g) providing for the making of any surveys by boards that the Minister considers necessary or advisable for the purpose of obtaining information to assist in the formulation of policies respecting matters to which this Act relates;
- (g.1) governing the matters required to be dealt with in agreements described in section 12.2;
- (h) prescribing conditions to be complied with by any municipality, Metis settlement or school authority prior to its association with a library system;
- (i) governing the matters required to be dealt with in agreements described in section 13 and the requirements and procedure to establish or expand a library system;
- (j) respecting the disposition and transfer of library assets by municipal boards desirous of disposing of them to library

system boards on entering into agreements described in section 13;

- (j.1) respecting the dissolution of intermunicipal library boards;
- (k) subject to section 16, governing appointments to library system boards and the terms of office of their members;
- (l) respecting requirements for establishing a federation board and for membership in a federation board;
- (m) defining basic information service for the purposes of this Act.

RSA 2000 cL-11 s40;2006 c5 s14

### **Offence**

**41(1)** Any person who wilfully contravenes any bylaw under section 36 is guilty of an offence.

**(2)** A person who wilfully retains any book, record, film or other library property from any public library established and conducted under the authority of this Act is guilty of an offence.

**(3)** A person who obstructs the Minister or a person authorized in writing by the Minister to act on the Minister's behalf in the inspection of the records of a public library is guilty of an offence.

1983 cL-12.1 s45

### **Disposition of fines**

**42(1)** Any fine or penalty imposed pursuant to an offence under section 41(1) inures to the benefit of the board whose bylaw was contravened.

**(2)** Any fine or penalty imposed pursuant to an offence under section 41(2) inures to the board having the management or control of the property in respect of which the offence was committed.

1983 cL-12.1 s46





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Province of Alberta

## LIBRARIES ACT

# LIBRARIES REGULATION

### **Alberta Regulation 141/1998**

With amendments up to and including Alberta Regulation 180/2013

### Office Consolidation

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(Consolidated up to 180/2013)

**ALBERTA REGULATION 141/98**

**Libraries Act**

**LIBRARIES REGULATION**

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**Definitions**

**1** In this Regulation,

- (a) “Act” means the *Libraries Act*;
- (b) “Deputy Minister” means the Deputy Minister of Municipal Affairs;
- (b.1) “intermunicipal agreement” means an intermunicipal agreement under section 12.2 of the Act;
- (c) “library resources” means any material, regardless of format, that is held in a library’s collection and includes books, periodicals, audio recordings, video recordings, projected media, paintings, drawings, photographs, micromaterials, toys and games, kits, CD-ROMs and electronic databases;
- (d) “library service point” means a facility that provides public library services under the control and management of a board;
- (e) “resource sharing” means making available to other libraries the library resources owned by a board, the information contained in those resources and the staff expertise required to locate and make available the information or the library resources.

AR 141/98 s1;172/2007;68/2008

**Definition for Act**

**2** For the purposes of the Act, “basic information service” means public access to current and accurate information and assistance with making use of information, communication technology and library resources.

## **Part 1 Boards Generally**

**Reports of by-laws**

**3** Every board shall, within one year of being established, file with the Minister a report that contains any by-laws passed by it under section 36 of the Act and shall file further reports on any additional by-laws immediately after their passage.

AR 141/98 s3;251/2001

**Reports of policies**

**4(1)** Subject to subsection (2), every board shall file with the Minister a report that contains the policies established by it under section 7.

**(2)** A report under subsection (1) shall be filed

- (a) by a community board immediately after establishing the policies,
- (b) by a municipal board or intermunicipal library board within 2 years of the board's establishment, and
- (c) by a library system board or a federation board, within 3 years of the board's establishment.

**(3)** When a board revises any policy established by it under section 7, the board shall immediately file with the Minister a report of the revision.

AR 141/98 s4;172/2007

**Meetings open to public**

**5(1)** Every meeting of a board is open to the public.

**(2)** A person or group may make representations to a board at its meeting if the representations relate to the board and its programs.

**Public inspection of by-laws**

**6(1)** Every board that operates a library service point shall make its by-laws available for inspection by any person during the hours that the library service point is open to the public.

**(2)** A person who inspects a by-law under subsection (1) may copy it according to the conditions and procedures established by the board.

**Policies**

**7(1)** Subject to section 36 of the Act, every board shall establish policies with respect to the following:

- (a) confidentiality of user records, except where disclosure is required by law;
- (b) orientation and continuing education of board members and staff, including expenses for attendance at library meetings, conference workshops and courses and for memberships in library associations;

- (c) finance, including designation of expenses for which board members and staff will be reimbursed, the form and manner in which those expenses shall be claimed and the appointment of signing officers for the board.

(2) Every board that operates a library service point shall, in addition to establishing policies under subsection (1), establish policies with respect to the following:

- (a) personnel, including job descriptions and performance appraisals for employees and volunteers, qualifications for staff positions, working hours, conditions of employment and a grievance procedure;
- (b) selection, acquisition, purchase and disposition of library resources, including a policy respecting gifts and donations;
- (c) resource sharing, including participation in a provincial resource sharing network and the conditions that apply to the acquisition of library resources and information from other sources, including inter-library loans and information in electronic databases;
- (d) provision of library resources to persons unable to use conventional print resources, including provision in co-operation with community agencies;
- (e) the terms and conditions under which library resources will be loaned to members of the library for use in a location other than the library;
- (f) hours of service at each library service point;
- (g) the terms and conditions for use of any areas of a building managed by the board that are not normally used for library purposes, including who may use those areas.

(3) A library system board shall also establish a policy with respect to the provision of municipal library services to any member municipality that does not have a municipal board and shall ensure that by-laws under section 3 and policies under subsections (1) and (2) apply to those library services.

AR 141/98 s7;251/2001

#### **Some types of inspections**

**8** Without limiting the generality of section 39 of the Act, the Minister or a person authorized by the Minister may inspect the books, records and accounts of a board

- (a) to determine the extent to which a board is meeting the requirement to provide comprehensive and efficient service as defined by that board,
- (b) to determine compliance with the *Libraries Act* and the regulations under the Act,
- (c) to determine the adequacy of accounting practices and financial controls,
- (d) to determine the use to which provincial grants are put, and
- (e) to assist a board in periodic reviews of its administrative practices, policies, library collections and any other matters on which a board may request advice.

AR 141/98 s8;251/2001

**Identification of inspector**

**9** Any person authorized by the Minister to inspect pursuant to section 39 of the Act

- (a) shall carry an identification card bearing that person's photograph, name, position and the signature of the Deputy Minister, or
- (b) shall carry an identification card bearing that person's photograph, name and position and shall also carry written authorization from the Minister to do the inspection.

AR 141/98 s9;251/2001

## **Part 2 Community Boards**

**Functions**

**10** In managing and controlling a community library, a community board may

- (a) assemble, make available, promote, preserve and dispose of organized collections of library resources that, in the opinion of the community board, are needed to meet the needs and interests of the community,
- (b) provide staff with the knowledge and ability to help library users find the ideas, information and resources to meet their interests,

- (c) initiate and promote information services, program events, exhibits and other informational activities related to its goals and objectives, and
- (d) provide fixtures, furnishings and accommodation necessary for proper operation and maintenance of the library services and do all things necessary to keep its assets in a proper state of preservation and repair.

**Report to Minister**

**11** A community board shall annually complete and file with the Minister a report in a form and containing the information required by the Minister.

**Minutes to be filed upon request**

**12** The Deputy Minister may, by written request, require a community board to file copies of the minutes of each of its meetings with the Deputy Minister for the purpose of determining if the community board is complying with the Act and this Regulation.

### **Part 3**

## **Municipal Boards and Intermunicipal Library Boards**

**Plan of service**

**13(1)** In managing and controlling a municipal library, a municipal board or intermunicipal library board shall

- (a) within 3 years of being established, develop and file with the Minister a plan of service with a mission statement and goals and objectives based on a needs assessment of the municipality or municipalities served by the board, and
- (b) annually review its plan of service.

**(2)** A municipal board or intermunicipal library board shall file with the Minister a copy of its current plan of service with goals and objectives not less frequently than every 5 years following the date on which the plan was previously filed with the Minister.

AR 141/98 s13;193/2003;172/2007

**Employment of professional librarian**

**14(1)** Subject to subsection (3), the following shall, within 2 years of completing a plan of service under section 13(1)(a), employ a

graduate of a postgraduate library program in Canada or a person with equivalent qualifications from another country:

- (a) a municipal board of any municipality with a population of 10 000 or more;
- (b) an intermunicipal library board that serves municipalities with a total population of 10 000 or more.

(2) Repealed AR 193/2003 s3.

(3) This section does not apply to any municipal board or intermunicipal library board that

- (a) does not operate a library service point, and
- (b) has an agreement under section 35 of the Act with another municipal board or intermunicipal library board that employs a person referred to in subsection (1).

AR 141/98 s14;251/2001;193/2003;172/2007

#### **Report to Minister**

**15** A municipal board or intermunicipal library board shall annually complete and file with the Minister a report in a form and containing the information required by the Minister.

AR 141/98 s15;172/2007

#### **Requests by Deputy Minister**

**16** The Deputy Minister may, by written request, require a municipal board or intermunicipal library board

- (a) to file copies of the minutes of each of its meetings with the Deputy Minister for the purpose of determining if the board is complying with the Act and this Regulation;
- (b) to make any survey that the Minister considers necessary
  - (i) to obtain information on resource sharing, or
  - (ii) to assist in the development of policies and procedures regarding networking between libraries.

AR 141/98 s16;172/2007

#### **When municipal library may be in a school**

**17** A municipal board or intermunicipal library board shall not operate a library housed in a school unless

- (a) the board enters into an agreement with the school authority that sets out the responsibilities of the board and



the school authority for the operation of the library, including the responsibilities of the employees and volunteers of both,

- (b) the board has its own bank account and signing officers, none of whom are employees of the school authority, and
- (c) the library is open to the public outside of the hours during which the school is in operation for regular classes, including being open during evenings or weekends or both, and during the summer.

AR 141/98 s17;172/2007

#### **Contents of intermunicipal agreement**

**17.1** An intermunicipal agreement shall, at a minimum, contain the following:

- (a) a formal indication of each municipality's desire to enter into the intermunicipal agreement;
- (b) a starting date for the intermunicipal agreement;
- (c) provision for a third municipality to become a party to the intermunicipal agreement after the starting date if only 2 municipalities enter into the intermunicipal agreement initially;
- (d) provision for the appointment of not more than 10 and not fewer than 7 members to the intermunicipal library board, with a requirement that only one member of council from each municipality that is a party to the agreement may be appointed as a member to the intermunicipal library board;
- (e) terms respecting the terms of appointment of the members of the intermunicipal library board;
- (f) the annual date by which the intermunicipal library board must submit a budget and an estimate of the money required during the ensuing fiscal year to each municipality that is a party to the intermunicipal agreement;
- (g) terms specifying how the intermunicipal library board must calculate the estimate of the money required during the ensuing fiscal year and each municipality's share of that money, the date on which payment of the money becomes due from each municipality, and how the money is to be paid;

- (h) terms specifying the form of the financial report to be prepared under section 12.7 of the Act and setting out a process for the approval of the qualifications of the person who will review the accounts of the intermunicipal library board and prepare the financial report;
- (i) terms governing the process for amending and terminating the intermunicipal agreement;
- (j) details of the assets and liabilities that each municipality that is a party to the intermunicipal agreement will transfer to the intermunicipal library board on the formation of the board;
- (k) where the intermunicipal agreement is an agreement between 3 municipalities, terms respecting the transfer of assets and liabilities of the intermunicipal library board in the event that one of the 3 municipalities withdraws from the agreement;
- (l) a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that are parties to the intermunicipal agreement;
- (m) terms respecting the notice that a municipality must give to the intermunicipal library board and to the other municipalities that are parties to the intermunicipal agreement before making an application under section 17.2.

AR 172/2007 s10

**Dissolution of intermunicipal library board**

**17.2(1)** The council of a municipality that is a party to an intermunicipal agreement may, by bylaw, authorize the municipality to apply to the Minister to dissolve the intermunicipal library board.

**(2)** An application to the Minister to dissolve an intermunicipal library board must contain a proposed winding-up plan that addresses the transfer of all of the assets and liabilities of the intermunicipal library board.

**(3)** If complete applications to dissolve an intermunicipal library board are received

- (a) from one or both municipalities that are parties to an intermunicipal agreement that is between 2 municipalities, or

- (b) from 2 or 3 municipalities that are parties to the intermunicipal agreement that is between 3 municipalities,

the Minister may, by order, dissolve the intermunicipal library board and transfer the assets and liabilities of the intermunicipal library board in accordance with the proposed winding-up plan or in any other manner the Minister considers appropriate if the municipalities cannot agree as to how the assets and liabilities should be distributed.

AR 172/2007 s10

## **Part 4**

### **Library System Boards**

#### **Plan of service**

**18(1)** In managing and controlling a library system, a library system board shall, within 4 years of being established, develop and file with the Minister a plan of service with a mission statement and goals and objectives based on an assessment of

- (a) the needs of the municipal boards and intermunicipal library boards within the library system,
- (b) the library needs of those school authorities that are parties to an agreement referred to in section 13 of the Act, and
- (c) the need for public library service generally.

**(2)** A library system board shall review and file with the Minister a copy of its plan of service with goals and objectives every 3 years following the date on which the plan was previously filed with the Minister.

**(3)** In developing a plan of service under this section, a library system board shall establish and include procedures to address the following:

- (a) co-operation with municipal boards and intermunicipal library boards to assemble, make available, promote, preserve and dispose of organized collections of library resources to meet the needs and interests of the communities served;
- (b) employment of suitably qualified staff, with the knowledge and ability to help municipal boards and intermunicipal library boards and their employees to provide comprehensive and efficient library service as well as to operate the library system;

- (c) co-operation with municipal boards, intermunicipal library boards and other groups in the communities that it serves in the initiation and provision of information services, program events and other activities related to its goals and objectives;
- (d) provision of fixtures, furnishings and accommodation necessary for proper operation and maintenance of the library services and maintenance of the assets of the library system board in a proper state of preservation and repair;
- (e) the development, implementation and operation of a provincial resource sharing network in partnership with the Minister and other library system boards.

AR 141/98 s18;251/2001;193/2003;172/2007

#### **Employment of professional librarians**

**19(1)** A library system board shall employ, for every 25 000 persons that it serves, a graduate of a postgraduate library program in Canada or a person with equivalent qualifications from another country.

**(2)** A calculation under subsection (1) of the number of persons that a library system board serves shall exclude the population of any municipality in which a municipal board or intermunicipal library board employs a person under section 14.

AR 141/98 s19;172/2007

#### **Reports to Minister**

**20(1)** A library system board shall annually complete and file with the Minister a report in a form and containing the information required by the Minister with respect to

- (a) the library system board, and
- (b) each library service point as specified by the Minister.

**(2)** A library system board shall file with the Minister a report containing its minutes and resolutions as soon as practicable after each meeting of the board.

#### **Requests by Deputy Minister**

**21** The Deputy Minister may, by written request, require a library system board

- (a) to make any survey that the Minister considers necessary

- (i) to obtain information on resource sharing, or
- (ii) to assist in the development of policies and procedures regarding networking between libraries;
- (b) to provide any information that the Minister considers necessary to undertake a systematic review of library services within the library system.

## **Part 5**

### **Completion of Library Systems**

#### **Definitions**

**22** In this Part,

- (a) “agreement” means an agreement referred to in section 13 of the Act;
- (b) “jurisdiction” means a municipality, an improvement district, a special area or a Metis settlement;
- (c) “resource centre” means a municipal library within a library system that the library system board designates as a resource centre.

AR 141/98 s22;251/2001

#### **Library system membership**

**23** A jurisdiction or school authority shall not request the Minister to establish a library system under section 13 of the Act unless a minimum of 75% of the parties to the agreement are jurisdictions.

AR 141/98 s23;251/2001

#### **Resolutions before membership**

**24(1)** Before a jurisdiction that is not a party to an intermunicipal agreement becomes a member of a library system,

- (a) the municipal board in the jurisdiction shall pass a resolution accepting service from the library system board and providing its recommendations to the jurisdiction’s council with respect to the agreement, and
- (b) the jurisdiction’s council shall pass a resolution assenting to the agreement.

**(1.1)** Before a jurisdiction that is a party to an intermunicipal agreement becomes a member of a library system,

- (a) the intermunicipal library board established by the intermunicipal agreement shall pass a resolution accepting service from the library system board for that jurisdiction and providing its recommendations to the council of each jurisdiction that is a party to the intermunicipal agreement with respect to the agreement, and
- (b) the jurisdiction's council shall pass a resolution assenting to the agreement.

**(2)** Before a school authority becomes a member of a library system, it shall pass a resolution accepting service from the library system board on the terms and conditions prescribed by that board.

AR 141/98 s24;172/2007

#### **Contents of agreement**

**25(1)** An agreement shall at a minimum contain the following terms:

- (a) a formal indication of the parties' desire to enter into an agreement;
- (b) a starting date for the agreement;
- (c) provision for parties to become members of the library system after the starting date;
- (d) terms setting out the powers and duties of the library system board;
- (e) provision for the establishment of an executive committee of not more than 10 persons when the number of members of the library system board is more than 20, and a statement of the powers and duties of that committee;
- (f) terms specifying how to calculate the estimate of the money required under section 18 of the Act, the date on which payment of the money becomes due and how the money is to be paid;
- (g) an explanation of the financial relationship between the library system board and the parties to the agreement;
- (h) an explanation of the financial relationship between the library system board and the municipal boards and intermunicipal library boards;
- (i) terms setting out the services that the library system board will provide, including a commitment to make all library

resources acquired by the board available to all residents served by the library system;

- (j) an explanation of the relationship between the library system board, the municipal boards, the intermunicipal library boards and the board of the resource centre respecting the provision of library services, subject to section 19 of the Act;
- (k) provision for expansion of the library system to all jurisdictions within the prescribed boundaries;
- (l) terms specifying the reports required by the library system board from municipal boards, intermunicipal library boards and advisory committees and the reports to be provided by the library system board to the councils;
- (m) terms governing the method for amendment, extension and renewal of the agreement.

(2) An agreement shall be signed by the persons authorized by the councils to enter into the agreement and by the chairs of municipal boards and intermunicipal library boards where they exist.

(3) to (5) Repealed AR 180/2013 s2.

AR 141/98 s25;251/2001;193/2003;172/2007;180/2013

#### **Notice of withdrawal**

**26** If a party to an agreement gives notice of withdrawal under section 22 of the Act, the library system board

- (a) shall, not later than 90 days prior to the effective date of withdrawal, provide to that party's council and municipal board or intermunicipal library board, if any, a written appraisal of the expected effects of that withdrawal on the provision of library services to the residents of that jurisdiction or school authority, and
- (b) may request a review by that party's council and municipal board or intermunicipal library board, if any, of the notice of withdrawal.

AR 141/98 s26;251/2001;172/2007

#### **Request to Minister**

**27(1)** A jurisdiction or school authority that wants to become a member of an existing library system shall forward to the Minister a request to that effect.

(2) Section 23 applies to an application under this section.

(3) The Minister shall not approve an application to join an existing library system unless a minimum of 75% of the parties to the agreement are jurisdictions.

### **Mergers**

**28(1)** Two or more library system boards may apply to the Minister for a merger of their library systems into a single library system if at least 51% of the parties to each agreement, representing at least 51% of the population of each library system, have passed a resolution approving the proposed merger.

(2) An application under subsection (1)

- (a) shall be submitted not less than 60 days prior to the date on which the proposed merger is planned to take effect, and
- (b) shall be accompanied with the following:
  - (i) a proposed agreement to effect the merger;
  - (ii) a budget for the next fiscal year of the proposed library system;
  - (iii) a plan of service with goals and objectives for the proposed library system;
  - (iv) any recommendation for revision of boundaries.

### **Personal property of municipal board**

**29** All personal property of a municipal board or intermunicipal library board on the date on which a council signs an agreement affecting that board remains the property of the municipal board or intermunicipal library board unless

- (a) the municipal board or intermunicipal library board agrees, by resolution of a 2/3 majority of its membership, to transfer its assets to the library system board, or
- (b) in the case of library resources, the municipal board or intermunicipal library board agrees, by resolution, to transfer its library resources to the library system board for use elsewhere in the library system or for disposal.

AR 141/98 s29;172/2007



**Real property of library system board**

**30** A library system board may not hold or own real property unless it is required for the purposes of administering the library system or for distribution of library resources.

**Advisory committee**

**31(1)** A member of a library system board who is appointed by the council of a jurisdiction that does not have a municipal board or intermunicipal library board shall receive any concerns respecting library service to that jurisdiction's residents from an advisory committee appointed by the council to transmit those concerns.

**(2)** If a council does not appoint an advisory committee, the library system board may appoint an advisory committee to act under subsection (1).

AR 141/98 s31;172/2007

**Library system board members**

**32(1)** When a library system board is established, it shall prepare a list that names every library system board member appointed by the councils that have signed the agreement.

**(2)** An appointment under section 16(a) of the Act shall not exceed a term of 3 years.

**(3)** A council of a municipality, Metis settlement or school authority shall not appoint a member under section 16(a) of the Act to serve for more than 9 consecutive years without the approval of 2/3 of all the members of that council.

**(4)** Any vacancy in the membership of a library system board shall be filled in accordance with section 16 of the Act as soon as reasonably possible.

**(5)** Subject to subsections (4) and (6), a council may, with respect to appointments under section 16(a) of the Act, appoint an alternate member to the library system board if its library system board member

(a) is unable to attend a meeting of the library system board, and

(b) has given notice to the library system board that an alternate member will attend.

**(6)** The alternate member shall not act in place of the library system board member at more than 2 consecutive meetings except by resolution of the library system board.

AR 141/98 s32;251/2001

**Appointment of additional members**

**33(1)** The Minister may, for terms determined by the Minister, appoint pursuant to section 16(d) of the Act additional members to a library system board if the Minister considers it necessary for the effective management of the board.

**(2)** The board of a resource centre may, pursuant to section 16(d) of the Act, appoint one additional member to the library system board for a term not exceeding 3 years.

AR 141/98 s33;251/2001

**Library system boundaries**

**34(1)** For the purposes of section 14(1)(b) of the Act, the boundaries of each library system are as set out in the Schedule to this Regulation.

**(2)** Notwithstanding the Schedule, the municipalities of Grande Cache and Swan Hills may join either the Peace or Yellowhead library systems.

AR 141/98 s34;282/99;251/2001

**Provincial resource sharing network**

**35** Every jurisdiction and school authority that is a member of a library system shall, for the purpose of managing its library services or public libraries, meet the requirements of the provincial resource sharing network.

## **Part 6 Federation Boards**

**Definition**

**36** In this Part, “agreement” means an agreement referred to in section 29 of the Act.

AR 141/98 s36;251/2001

**Eligible municipal boards**

**37(1)** The municipal boards of Strathcona County, St. Albert or Fort Saskatchewan may form a federation board with The City of Edmonton Library Board.

**(2)** The municipal board of Airdrie may form a federation board with The City of Calgary Library Board.

**Resolution before membership**

**38** Before becoming a member of a federation board, a municipal board shall pass a resolution accepting service from the federation board according to the agreement.

**Documents for Minister's approval**

**39(1)** Before an agreement is entered into, the municipal boards that propose to form a federation board shall provide the following documents to the Minister:

- (a) written resolutions from 2 or more municipal boards, one of which must be either The City of Calgary Library Board or The City of Edmonton Library Board, that endorse the formation of a federation board and signify assent to the terms of the proposed agreement;
- (b) a plan of service with goals and objectives for the proposed federation board;
- (c) a budget for the first 2 fiscal years of the proposed federation board.

**(2)** Each document referred to in subsection (1) must be approved by the municipal boards not more than 90 days before being provided to the Minister.

**(3)** On receiving approval from the Minister of the documents provided under subsection (1), municipal boards that enter into an agreement may proceed with a request to the Minister under section 29(1) of the Act to establish a federation board.

**(4)** A request under section 29(1) of the Act shall be accompanied with the following:

- (a) a copy of the agreement signed by each party;
- (b) a list of the names, addresses and telephone numbers of each party's board members.

AR 141/98 s39;251/2001

**Contents of agreement**

**40(1)** An agreement shall at a minimum contain the following terms:

- (a) a formal indication of the parties' desire to enter into an agreement;
- (b) a starting date for the agreement;

- (c) provision for parties to become members of the federation board after the starting date;
  - (d) terms setting out the powers and duties of the federation board;
  - (e) an explanation of the relationship between the federation board and each member respecting the manner in which the relationship will operate and how library services will be provided;
  - (f) terms specifying how to calculate each party's share of the federation board expenses under section 29(2)(c) of the Act, the date on which payment of the money becomes due and how the money is to be paid;
  - (g) an explanation of the financial relationship between the federation board and the parties to the agreement;
  - (h) terms setting out the services that the federation board will provide, including a commitment to make all library resources acquired by the board available to all residents served by the members of the federation board;
  - (i) terms specifying the reports that are required to be provided to each other by the federation board and the municipal boards;
  - (j) terms governing the method for amendment, extension and renewal of the agreement.
- (2) An agreement shall be signed by the persons authorized by the municipal boards to enter into the agreement.

AR 141/98 s40;251/2001

**Personal property of municipal board**

**41** All personal property of a municipal board on the date on which it enters into an agreement remains the property of the municipal board.

**Real property**

**42** A federation board may not own or hold real property.

**Federation board members**

**43(1)** When a federation board is established, it shall prepare a list that names every federation board member appointed by each party to the agreement.

(2) Any vacancy arising from any cause in the membership of a federation board shall be filled in accordance with section 30 of the Act as soon as reasonably possible.

(3) Subject to subsection (2), a municipal board may, with respect to appointments under section 30 of the Act, appoint an alternate member to the federation board if its federation board member

- (a) is unable to attend a meeting of the federation board, and
- (b) has given notice to the federation board that an alternate member will attend.

AR 141/98 s43;251/2001

#### **Plan of service**

**44(1)** In managing and controlling a federation, a federation board shall, within 4 years of being established, prepare and file with the Minister a report that

- (a) assesses the needs of its member municipal boards for federation services,
- (b) assesses the need for public library service generally, and
- (c) develops goals and objectives suitable to meeting those needs.

(2) A federation board shall review at least every 3 years the goals and objectives developed under subsection (1).

(3) A federation board

- (a) shall, within one year of filing its report under subsection (1), develop and file with the Minister a plan for comprehensive and efficient service that implements the goals and objectives developed under subsection (1), and
- (b) shall review and file with the Minister a copy of its plan under clause (a) not less frequently than every 5 years and not more frequently than every 3 years following the date on which the plan was previously filed with the Minister.

#### **Reports to Minister**

**45** A federation board shall

- (a) annually complete and file with the Minister a report in a form and containing the information required by the Minister, and

- (b) file with the Minister a report containing its minutes and resolutions as soon as practicable after each meeting of the board.

#### **Requests by Deputy Minister**

**46** The Deputy Minister may, by written request, require a federation board

- (a) to make any survey that the Minister considers necessary
  - (i) to obtain information on resource sharing, or
  - (ii) to assist in the development of policies and procedures regarding networking between libraries;
- (b) to provide any information that the Minister considers necessary to undertake a systematic review of library services within the federation.

## **Part 7 Repeal and Expiry**

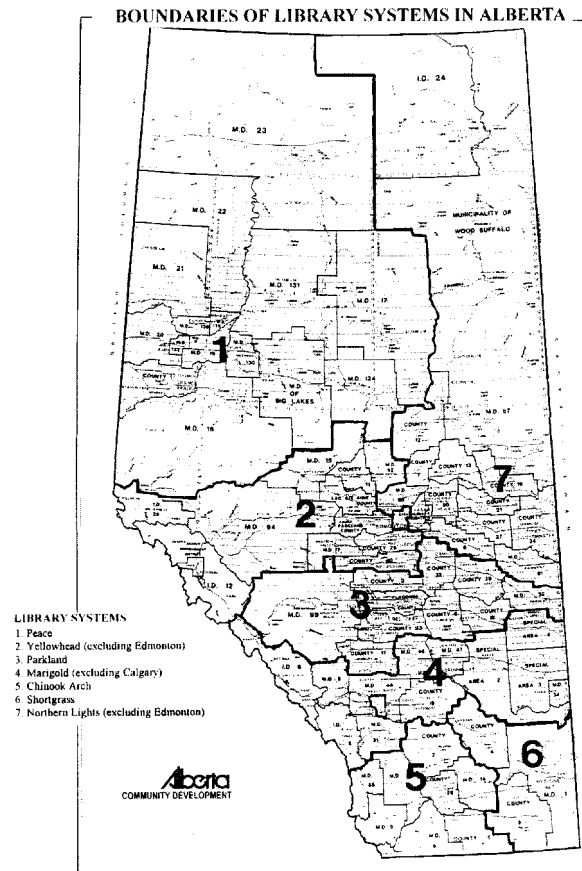
#### **Repeal**

**47** The *Libraries Regulation* (AR 342/84) is repealed.

#### **Expiry**

**48** For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on September 30, 2018.

AR 141/98 s48;193/2003;172/2007;180/2013


**Schedule**









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## TOWN OF BLACKFALDS BY-LAW 1120/11

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### A BYLAW OF THE TOWN OF BLACKFALDS IN THE PROVINCE OF ALBERTA TO ESTABLISH THE BLACKFALDS AND DISTRICT RECREATION, CULTURE & PARKS BOARD.

---

A Bylaw of the Town of Blackfalds, in the Province of Alberta, pursuant to the provisions of the Municipal Government Act being Chapter m-26.1 of the Revised Statutes of Alberta 2000 and amendments thereto.

NOW THEREFORE, the Municipal Council of the Town of Blackfalds, duly assembled, enacts as follows:

#### PART 1 – TITLE

- 1.1 This By-law may be cited as “Blackfalds and District Recreation, Culture and Parks Board By-Law” of the Town of Blackfalds.

#### PART 2 – DEFINITIONS

- 2.1 **BOARD** shall mean and include all members of the Blackfalds and District Recreation, Culture and Parks Board.
- 2.2 **COUNCIL** shall mean the Council of the Town of Blackfalds.
- 2.3 **DIRECTOR** shall mean the Director of Community Services or his/her designate.
- 2.4 **MEMBER** shall mean a member of the Blackfalds and District Recreation, Culture Parks Board.
- 2.5 **TOWN** shall mean the Town of Blackfalds.
- 2.6 **COUNTY** shall mean Lacombe County.
- 2.7 **DISTRICT** shall mean the Regional Recreation District established by the Regional Recreation Agreement with the Lacombe County as outlined in Schedule “A” attached hereto.
- 2.8 **COMMUNITY ORGANIZATION** shall mean a local society, organization or club which provides services to residents within the district.

#### PART 3 – ESTABLISHMENT

- 3.1 There is hereby established and constituted an advisory board to be known as the “Blackfalds and District Recreation, Culture and Parks Board” to exercise the duties and powers and to perform the functions as prescribed in this By-Law.
- 3.2 The Board shall consist of eight (8) members: five (5) members shall be appointed by Council from the public-at-large, two (2) shall be appointed from the Council of the Town of Blackfalds and one (1) shall be appointed by Lacombe County. Appointments to the Board shall be made or reviewed annually at the Organizational Meeting of Council.
- 3.3 The five (5) public-at-large members of the Board shall be a resident of the Regional Recreation District (Schedule A). Whenever possible and practical, these members

of the Board shall be appointed so as to represent the different age groups and interests of the Regional Recreation District.

3.4 The one (1) Lacombe County member shall be a Councillor or resident of the Regional Recreation District (Schedule A).

3.5 Wherever possible, the Board shall ensure new members are aware of:

- a) Local, regional, provincial, and federal government legislation which effect municipal recreation.
- b) Local policy and procedures regarding municipal recreation services.
- c) Local community clubs and organizations which are involved, in some way, with municipal recreation service.
- d) Current and proposed projects, programs, and services of the Board, and;
- e) The local Recreation Master Plan and General Municipal Plan.

3.6 There shall be appointed by the Town, a Director of Community Services, or a designate from the Community Services Department staff, who shall assist and advise the Board. The Director, or designate, shall undertake the administrative duties of the Board including, but not limited to, the notifying of members of meetings, preparing of agendas, preparing of minutes, maintaining records and facilitating the actions of the Board.

3.7 In addition to the Director, the Board may solicit information and advice from representatives from the following agencies or organizations, and/or associations that the Board feels assistance can be obtained from:

- a) Alberta Tourism, Parks and Recreation
- b) Alberta Culture and Community Spirit
- c) Alberta Recreation and Parks Association (A.R.P.A.)
- d) Alberta Sport, Recreation, Parks and Wildlife Foundation (A.S.R.P.W.)
- e) Alberta Association of Recreation Facility Personnel (A.A.R.F.P.)
- f) Any other agency or organization that the Board feels assistance can be obtained from.

3.8 Neither the Director, designate or any Advisor shall have voting privileges.

#### **PART IV – TERM**

4.1 Council shall appoint two (2) members of Council the Board. Council appointments shall be made at the Organizational Meetings.

4.2 The Council of the Town of Blackfalds shall designate members to the Board who shall hold office for a three (3) year period.

4.3 The term of any member so appointed shall not exceed two (2) consecutive terms, or six (6) consecutive years.

4.4 Any member may resign from the Board at any time upon sending written notice to the Board and to Council to that effect.

4.5 An appointed member ceases to be a member of the Board when:

- a) He or she fails to attend three (3) consecutive regular meetings of the Board or one third (1/3) or more of the regular meetings of the Board scheduled in a year between Council Organizational Meetings unless otherwise excused by resolution of the Board.



- b) His or her term expires,
  - c) He or she is removed from office by resolution of Council,
  - d) He or she ceases to be a resident of the Regional Recreation District,
  - e) He or she provides written notice of resignation from the Board, and in the case of a member appointed from Council, he or she resigns his or her position on Council.
- 4.6 If a member ceases to be a member of the Board before the expiration of his or her term, Council shall appoint another eligible person as follows:
- a) If the term being vacated is less than one (1) year, the appointment of an eligible person shall hold office.
    - i) Until the annual Organization Meeting of the second year following the date of appointment;
    - ii) Until the annual Organizational Meeting of the third year following the date of appointment;
  - b) If the term being vacated is more than one (1) year, the appointment of an eligible person shall hold office for the remainder of the term.
  - c) To allow for Council's and Administration's discretion to ensure that there are not more than three members of the Board leaving at one time.

## **PART V – MEETINGS**

- 5.1 At the first meeting of the Board following the annual Organization Meeting of Council in each year, the Board shall appoint a Chairperson. Immediately thereafter, the Board shall appoint a Vice-Chairperson who shall act in the absence of the Chairperson.
- 5.2 The Board shall hold at least eight (8) regular meetings annually at a time and place so designated by the Board.
- 5.3 A special meeting may be called by the Chairperson at any time or by special request of any four (4) members of the Board.
- 5.4 A majority of the members of the Board constitutes a quorum.
- 5.5 Each member present at a meeting of the Board shall vote when the vote is taken unless a pecuniary interest in a matter is declared.
- 5.6 In the event of a tie when a vote is taken, the motion shall be lost.
- 5.7 Meetings of the Board shall be open to the public. Individuals and groups may make a presentation to the Board at a meeting if the presentation is related to the Board and its mandate.
  - a) One week prior to the next scheduled meeting, notice (in writing) must be received by the Chairperson or the Director of Community Services from any delegation wishing to address the Board.
  - b) Delegations will be given a maximum of fifteen (15) minutes to address the Board.

- 5.8 The Board shall ensure meetings are conducted using Roberts Rules of Order.

## **PART VI – ROLE OF THE BOARD**

- 6.1 The Board shall advise and make recommendations to Council on the development, provision, and quality of a broad range of recreational and cultural services, facilities, programs, board members appointments, parks and green spaces in the Regional Recreational Districts.
- 6.2 The Board shall advise and make recommendations to Council on the allocation of grants and funds to community organizations.
- 6.3 The Board shall promote a co-operative spirit throughout the district to encourage the sharing of all available resources towards the provision of recreation opportunities for everyone in the district.
- 6.4 Each member of the Board is responsible for representing the broad recreation, culture, and parks interests of the Regional Recreation District, as well as contributing to the responsible and prudent direction regarding these interests to the elected officials of the municipality.
- 6.5 The Board shall function as a Liaison by:
- a) Maintaining effective lines of communication with all agencies and organizations by delivering recreation and cultural services in the Regional Recreation District.
  - b) Acting on behalf of all residents of the Regional Recreation District by bringing forth their concerns to Council.
  - c) Reporting to Council, via Council Representatives monthly regarding the status of municipal recreation, cultural, and parks services which may be of concern to Council.
- 6.6 The Board shall advise and make recommendations regarding the preparation of a Recreation Master Plan at least every five (5) years outlining, in order of priority, the basic development of recreation, cultural and parks resources.
- 6.7 The Board shall monitor and review operating policies and procedures and make recommendations to Council regarding the creation and implementation of by-laws, policies, and procedures relating to recreation, culture and parks matters in accordance with the Recreation Master Plan.

## **PART VII – PROCEEDINGS**

- 7.1 In fulfilling its mandate, the Board is empowered to:
- a) appoint sub-committees of the Board to deal with specific components of its duties as determined by the Board; and
  - b) appoint special committees of its members and/or citizens at large to deal with any special study of assignment within its jurisdiction; a committee so appointed shall deal only with the matter of question referred to it for consideration and shall be disbanded upon completion of the assignment.



- 7.2 Annually, at a date established from time to time by Council, the Board shall submit to Council a written budget showing in reasonable form and detail, expenditures proposed to be made by the Board during the next following year with respect to all matters over which the Board has jurisdiction. If Council does not establish such a date, December 1 shall be considered the date by default.
- 7.3 Donated recreation funds remaining at the end of any budget year may be held in Municipal Reserves for Council Approved Municipal Recreation Projects providing these funds are reported and shown in the annual Audit Report.
- 7.4 Members of the Board shall serve without remuneration.

#### PART VIII – LIMITATIONS

- 8.1 By Law 705/91 and 828/98 are rescinded.
- 8.2 This By-Law shall take full force and effect upon the date of its passage.

Read for a first time this 26<sup>th</sup> day of April A.D. 20 11  
(RES NO. 140/11)

  
MAYOR MELODIE STOL

  
CORINNE NEWMAN  
CHIEF ADMINISTRATIVE OFFICER

Read for a second time this 26<sup>th</sup> day of April A.D. 20 11  
(RES NO. 141/11)

  
MAYOR MELODIE STOL

  
CORINNE NEWMAN  
CHIEF ADMINISTRATIVE OFFICER

READ FOR A THIRD TIME THIS 26<sup>th</sup> DAY OF April A.D. 20 11  
(RES NO. 143/11)

  
MAYOR MELODIE STOL

  
CORINNE NEWMAN  
CHIEF ADMINISTRATIVE OFFICER



**TOWN OF BLACKFALDS  
BYLAW NO. 1125/11**

---

**A BY-LAW OF THE TOWN OF BLACKFALDS, IN THE PROVINCE OF ALBERTA  
TO ESTABLISH A POLICING COMMITTEE**

---

**WHEREAS** the Municipal Government Act, R.S.A. 2000, c. M-26 and regulations as amended, provides that Council may pass bylaws in relation to services provided by or on behalf of the municipality;

**AND WHEREAS** the Police Act, R.S.A. 2000, c. P-17 and regulations as amended, provides that a municipality which has entered into an Agreement with the Government of Canada for the provision of policing services through the Royal Canadian Mounted Police may, by Bylaw, establish a Policing Committee;

**AND WHEREAS** the member in charge of the Municipal Police Service shall, in enforcing the By-laws of the Municipality, act under the lawful direction of the Chief Administrative Officer or such other person as the Chief Administrative Officer may, in writing, designate;

**AND WHEREAS** the council of the Town of Blackfalds deems it advisable to establish a Policing Committee to advise them of policing matters;

**AND WHEREAS** Council, by the By-law, shall prescribe the rules and regulations governing proceedings and meetings of the Committee.

**NOW THEREFORE** the Council of the Town of Blackfalds, in the Province of Alberta, duly assembled, enacts as follows:

**NAME AND DEFINITIONS**

1. This by-law may be referred as the "Policing Committee By-law".
2. For the purpose of this by-law:
  - (a) "Agreement" means the agreement between the Town of Blackfalds and the Government of Canada for the provision of police services for the municipality;
  - (b) "Chief Administrative Officer" means the person appointed to the position of Chief Administrative Officer by the Council of the Town of Blackfalds and includes any person that the Chief Administrative Officer may appoint as his or her designate for purposes carrying out his responsibilities under this Bylaw and further includes any person that may be appointed to act in the absence of the Chief Administrative Officer.
  - (c) "Committee" means Blackfalds Policing Committee;
  - (d) "Council" means the duly elected Municipal Council of the Town of Blackfalds;
  - (e) "Officer in Charge" means the Officer in charge of the local RCMP detachment in the Town of Blackfalds;
  - (f) Criminal Record is being convicted of a crime punishable by indictment
  - (g) "RCMP" means the Royal Canadian Mounted Police force or any member of that police force as the case may require; and
  - (h) "Town" means the Town of Blackfalds, a Municipal Corporation in the Province of Alberta, or the geographical area contained within the boundaries of the Town of Blackfalds as the context may require.

**DUTIES AND RESPONSIBILITIES**

3. The overall objectives of the Policing Committee is to act as a liaison between Town Council, the RCMP detachment, By-law Enforcement and the citizens of Blackfalds and foster responsible community action towards the creation of a safe, secure community. The Committee shall endeavor to do this by encouraging an environment, which allows for public concerns to be addressed by all affected parties. Specific duties and responsibilities are to:
  - (a) provide community feedback to the RCMP concerning policing and by-law enforcement strategies and activities;



- (b) in consultation with the officer in charge, develop a yearly plan of priorities and strategies for municipal policing and advise Council on the annual RCMP Goals and Priorities;
- (c) cooperate and liaise with community groups in creating programs or pursuing initiatives to improve public safety;
- (d) represent the interests and concerns of the public to the officer in charge;
- (e) make recommendations to Council relating to policing matters or relevant community issues on its own initiative or upon request of Council;
- (f) recommend to Council the appointment of a Public Complaints Director; and
- (g) represent the interests of Council to the Officer in charge.

#### **COMPOSITION OF THE COMMITTEE**

- 4. The committee shall consist of seven (7) voting members who shall be appointed by resolution of Council as follows:
  - (a) Five (5) citizens residing within the Town of Blackfalds, one of whom may be a youth between the age of sixteen and eighteen who attends school;
  - (b) Two (2) Town of Blackfalds Council members.
- 5. The Mayor shall be a member (ex-officio) of the Committee and his or her term of office shall coincide with his or her term of office on Council.
- 6. The Officer in Charge of the Blackfalds RCMP, or his/her designate, shall attend the Committee meetings in an advisory, non-voting capacity.
- 7. The Chief Administrative Officer, or his designate, shall attend the Committee meetings in an advisory, non-voting capacity.
- 8. The Committee, as a public body must comply with *Freedom of Information and Protection of Privacy (FOIP)* Legislation and have a designated Coordinator. The Town of Blackfalds FOIP Coordinator will act as the FOIP Coordinator for the Blackfalds Policing Committee and is responsible for ensuring that personal information is managed in accordance with FOIP legislation. Requests for information involving the Committee should be directed to the Town of Blackfalds FOIP Coordinator subject to their fees and policies.

#### **MEMBERSHIP**

- 8. Each member from the public at large shall be appointed to the Committee for one (1), two (2) or three (3) year terms, whichever Council deems appropriate, commencing at Council's annual Organizational meeting, unless he or she is appointed to complete the term of another member who resigns before their term is up.
- 9. Members shall remain in office until their respective successors are appointed.
- 10. Where a member ceases to be a member of the Committee before the expiration of his or her term, Council may appoint another eligible person for the unexpired portion of the term.
- 11. All persons appointed to the Committee shall:
  - (a) Take the oath prescribed in Schedule 2 of the Police Act.
  - (b) Not have a criminal record.
  - (c) Not be hired in any capacity with the Royal Canadian Mounted Police, any Provincial Police Force, the Provincial Attorney General's Department of the Department of the Solicitor General of Alberta and Town Bylaw Enforcement Service;
  - (d) Be of the full age if eighteen (18) years, except for the youth representative, who shall be at least sixteen (16) years of age.
  - (e) Participate in the Roles and Responsibilities of Policing Oversight Committee Members Training

#### **RESIGNATION AND REMOVAL**

- 12. Any member may resign from the Committee at any time upon providing written notice to Council to that effect.

13. Council may terminate a member's appointment to the Committee at any time, and particularly when the member;
  - (a) Fails to attend three (3) consecutive regular meetings of the Committee, unless absence is caused through illness or is authorized in advance by resolution of the Committee;
  - (b) Ceases to be a resident of the Town;
  - (c) is hired in a full-time, permanent capacity with the Town Bylaw Enforcement Service or the RCMP; or
  - (d) is convicted of a crime punishable by indictment.

#### **OFFICERS OF THE COMMITTEE**

14. The Chairman and Vice Chairman of the Committee shall be elected from amongst its members at the first regular meeting of each year.
15. All members of the Committee shall vote on every motion, including the Chairman (subject to Section #27).
16. The Chief Administrative Officer, or his or her designate, shall attend all Committee meetings and insure that the minutes will be prepared and submitted to the Committee for approval at the next meeting. A copy of these minutes shall then be forwarded to Council.

#### **MEETINGS**

17. The Committee shall hold regular meetings at a frequency to be determined from time to time by the Committee, but not less than four (4) meetings per year.
18. Special meetings may be called by the Chairman or, in his absence, the Vice-Chairman, by providing the members with 24 hours notice. The Committee may, by unanimous consent, waive notice of a special meeting at any time if every member of the Committee is present.
19. Four (4) voting members of the Committee at a meeting shall constitute a quorum.
20. The Committee shall be governed by Robert's Rules of Order.
21. An agenda shall be prepared by the Chief Administrative Officer or his or her designate, in consultation with the Chairman, or in his absence, the Vice-Chairman, and circulated to the members prior to each Policing Committee meeting.
22. Each member, including the Chairman, shall have one vote. Motions shall only be carried upon receiving a majority of votes. In the event of a tie vote, a motion will be deemed to be defeated.
23. Meetings of the Policing Committee shall be open to the public, but all matters relating to personnel, conduct and contracts with the Royal Canadian Mounted Police and security of police operations shall be conducted in private or closed meetings.
24. The Policing Committee shall make reports to Council on matters of public concern as the Policing Committee deems are in the public interest. The Policing Committee shall also report to Council on any matter when requested to do so by resolution of Council.

#### **SUB COMMITTEES**

25. The Committee may appoint sub-committees or ad hoc committees which may include persons from outside the Committee as it may consider necessary or desirable. The Committee shall define the terms of reference and tenure of each sub-committee or ad hoc committee. Sub-Committees or ad hoc committees may be terminated by a simple motion at any regular meeting.

#### **LIMITATIONS**

26. Neither the Committee nor any member shall have the power to pledge the credit of the Town in connection with any matters whatsoever, nor shall the Committee or any member thereof have any power to authorize any expenditure to be charged against the Town.

#### **CONFLICT OF INTEREST**

27. No member shall participate in any discussion nor vote upon any matter that may involve a pecuniary interest of the type referred to in Division 6 of the Municipal Government Act being Chapter M-26, R.S.A. 2000, as amended.

**EFFECTIVE DATE**

This By-law shall come into effect on the date of final reading.

READ for the first time this 30<sup>th</sup> day of August A.D., 2011.  
(RES. 254 /11)

  
\_\_\_\_\_  
Melodie Stol  
Chief Elected Official

  
\_\_\_\_\_  
Corinne Newman  
Chief Administrative Officer

READ for the second time this 30<sup>th</sup> day of August A.D. 2011  
(RES. 283/11)

  
\_\_\_\_\_  
Melodie Stol  
Chief Elected Official

  
\_\_\_\_\_  
Corinne Newman  
Chief Administrative Officer

READ for the third time this 30<sup>th</sup> day of August A.D. 2011.  
(RES. 284/11)

  
\_\_\_\_\_  
Melodie Stol  
Chief Elected Official

  
\_\_\_\_\_  
Corinne Newman  
Chief Administrative Officer



**TOWN OF BLACKFALDS  
BYLAW 1224/18**

---

**BEING A BYLAW OF THE TOWN OF BLACKFALDS IN THE PROVINCE OF ALBERTA TO  
PROVIDE FOR THE ESTABLISHMENT OF A MUNICIPAL LIBRARY BOARD.**

---

A Bylaw of the Town of Blackfalds, in the Province of Alberta, pursuant to the provisions of the *Municipal Government Act (MGA)*, Revised Statutes of Alberta 2000 Chapter M-26, and amendments thereto, for the purpose of the establishment of a Municipal Library Board.

AND WHEREAS, pursuant to the Province of Alberta Libraries Act RSA 2000 Chapter L-11 and the Libraries Regulation, and any amendments thereto.

NOW THEREFORE, with the authority under the MGA, the Alberta Libraries Act and Library Regulation, the Municipal Council of the Town of Blackfalds, duly assembled hereby enacts as follows:

**PART 1 – TITLE**

- 1 That this Bylaw shall be cited as the Town of Blackfalds “Municipal Library Board” Bylaw.

**PART 2 - Purpose**

- 2 That there shall be established a Municipal Library Board for the Town of Blackfalds.
- 3 That, on being established, the Municipal Library Board is a corporation under the Libraries Act and Library Regulations, and shall operate in accordance with the Libraries Act and applicable Regulations.
- 4 That the policies and bylaws of the Municipal Library Board shall be governed in accordance with the Libraries Act and Libraries Regulations, and any amendments thereto.
- 5 That the Municipal Library Board may, through the Town’s Volunteer Programmer, review new member applications, and make recommendations to Council for appointment where board vacancies exist, in accordance with Part 1 of the Libraries Act.
- 6 That the Municipal Library Board Role is to:
  - 6.1 Establish the purpose, the vision and mission and operational policies of the Municipal Library; and,
  - 6.2 Plan for the future and set the rate of progress towards achievement of the library’s purpose through goals and objectives, by ensuring there are sufficient funds to achieve the budget, and by overseeing the budget and funding allocations, all in accordance with the Libraries Act and Regulation.
  - 6.3 Make complete annual reports to the Town of Blackfalds Council and other reports from time to time, as requested.
- 7 That the role of Appointed Council to the Board is to:
  - 7.1 Be active voting members.
  - 7.2 Act as liaison between the Board and Council.

**PART 4 - RESCIND**

- 8 That Bylaws 701/91, 832/98, 870/00 and 873/00 are hereby repealed upon this Bylaw coming into effect.

**PART 5 - DATE OF FORCE**

- 9 This Bylaw shall take effect on the date of the final passing thereof.

READ for the first time this 12<sup>th</sup> day of JUNE, A.D. 2018

(RES. 156/18)

  
\_\_\_\_\_  
MAYOR RICHARD POOLE

  
\_\_\_\_\_  
CAO MYRON THOMPSON



TOWN OF BLACKFALDS  
BYLAW 1224/18

READ for the second time this 26<sup>th</sup> day of JUNE, A.D. 2018

(RES. 171/18)

Richard Poole  
MAYOR RICHARD POOLE

[Signature]  
CAO MYRON THOMPSON

READ for the third and final time this 26<sup>th</sup> day of JUNE, A.D. 2018

(RES. 172/18)

Richard Poole  
MAYOR RICHARD POOLE

[Signature]  
CAO MYRON THOMPSON

Attachments:

1. Alberta Libraries Act
2. Alberta Library Regulation



## BYLAWS OF THE BLACKFALDS PUBLIC LIBRARY

The Blackfalds Public Library enacts the following bylaw pursuant to the *Libraries Act, R.S.A. 2000, Chapter L-11, Section 36*.

### 1. DEFINITIONS

For the purposes of this bylaw, the expression:

- a) "Act" refers to the Library Act, R.S.A. 2000, Chapter L-11 and amendments from time to time.
- b) "Board" means the Blackfalds Public Library Board.
- c) "Borrower" means the person to whom a library borrower's card has been issued.
- d) "Library Manager" means the person charged by the Board with the operation of the Blackfalds Public Library.
- e) "Library Materials" means any items, regardless of format, that are held in the Blackfalds Public Library's collection or are borrowed by the Blackfalds Public Library.

### 2. LIBRARY FACILITY

- 2.1 The portion of any building used for public library purposes is open to any member of the public **FREE OF CHARGE** during the hours of opening as set out by the Blackfalds Public Library Board.
- 2.2 Charges for the use of library premises not normally used for public library purposes are set out in Schedule "D"

### 3. BORROWER'S CARD

- 3.1 Any resident of a community located in the Parkland Regional Library System can apply for a borrower's card.
- 3.2 An application for a borrower's card must be:
  - a) In a form determined by the Library Manager, which may include providing proof of residency.
  - b) If the applicant is less than 18 years old, a parent or guardian must accompany the applicant or give written permission.

### 4. RESPONSIBILITIES OF BORROWERS

- 4.1 A borrower's card may only be used by the person to whom it is issued.
- 4.2 A borrower will tell library staff of any change of contact information.
- 4.3 A borrower will tell library staff immediately if their borrower's card is lost or stolen.
- 4.4 A borrower will take proper care of any library item entrusted to their care.

- 4.5 A borrower should return any library item to the library on or before the due date as provided in Schedule B.

## **5. LOAN OF LIBRARY MATERIALS**

- 5.1 In accordance with the Libraries Act Section 36 (3), there shall be NO CHARGE for the use of library materials. This includes materials used on the premises, materials loaned to a borrower or materials acquired from other sources.
- 5.2 The loan periods for library materials are set out in Schedule B.
- 5.3 Library materials may be reserved and/or renewed in accordance with system-wide practices of the Parkland Regional Library.

## **6. PENALTY PROVISIONS**

- 6.1 The fines for late return of materials are set out in Schedule C.
- 6.2 The fines for damaged or lost materials are set out in Schedule C.
- 6.3 The procedures for demanding the return of overdue materials are set out in Schedule C.
- 6.4 Borrowing privileges may be revoked by the Library Manager for the reasons set out in Schedule C.
- 6.5 A person who has had their borrowing privileges revoked may, within 30 days of having their privileges revoked, make an appeal to the Board in writing setting out the grounds for the appeal.
- 6.6 The decision of the Board in an appeal is final and not subject to further appeal.

## **7. FOIP (Freedom of Information and Protection of Privacy Bylaw)**

### **7.1 Purpose:**

The purpose of this bylaw is to establish the administrative structure of the Blackfalds Public Library in relation to the Freedom of Information and Protection of Privacy Act and to set associated fees.

### **7.2 Definitions:**

For the purpose of this bylaw, unless the context otherwise requires:

- a) "Act" means the Freedom of Information and Protection of Privacy Act, R.S.A. 2000, and amendments from time to time.
- b) "Applicant" means a person who makes a request for access to a record under Section 7(1) of the Act.
- c) "Board" means the Blackfalds Public Library Board and includes any committee, commission, panel, agency or corporation that is created or represented by the Blackfalds Public Library Board and all the members or officers of which are appointed or chosen by the Blackfalds Public Library Board.
- d) "Library Manager" means the person charged by the Board with the operation of the Blackfalds Public Library.

e) "Province" means the Province of Alberta.

7.3 **Authority:**

The Library Manager shall be responsible and accountable for all decisions taken under the Act.

7.4 **Fees:**

Where an applicant is required to pay a fee for services, the fee payable is in accordance with the Freedom of Information and Protection of Privacy Regulation, AR200/95, as amended from time to time or any successor Regulation that sets fees for requests for information from the province.



# **BLACKFALDS PUBLIC LIBRARY BYLAWS**

## **SCHEDULES**

### **Schedule "A" – Borrower's Card Fees**

All memberships are free.

To renew membership, a customer must be a member "in good standing" that is, a customer may renew membership with outstanding fines on it, but the patron must pay down fines to under \$25.00 to take out any library materials. They also must have dealt with any lost books as per Schedule C.

### **Schedule "B" – Loan Periods for Library Materials**

Loan periods for library materials follow system-wide practices for the Parkland Regional Library.

### **Schedule "C" – Penalty Provisions**

Damaged or lost materials will be charged the purchase price of the item before the borrower may be reinstated as a member in good standing. These fees may be waived or reduced at the discretion of the Library Manager.

The following fines are set by Parkland Regional Library. These fines may be waived or reduced at the discretion of the Library Manager.

Fines for all materials are \$0.25 per day per item. No fines will accumulate on any day the library is closed. Late fines will not exceed the replacement value of the material and will be capped at \$10.00 per item.

Library privileges will be suspended once late or lost/damaged fines reach \$25.00

Family library privileges will be suspended if one person in the family group reaches maximum fines of \$25.00.

### **Schedule "D" – Room Rental Fees**

Booking the meeting room is dependent on availability and rates are equal to the Town of Blackfalds room rental rate schedule which may be subject to change.

Local - \$25.00/hour

Non Local - \$30.00/hour

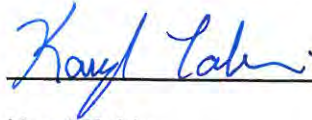
Local Not for Profit - \$15.00/hour

Room Rental Deposit - \$100.00

## BYLAWS OF THE BLACKFALDS PUBLIC LIBRARY

READ for the first time this 6<sup>th</sup> day of March A.D. 2018

(RES:       )



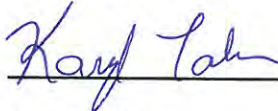
Karyl Tobin  
Chairperson of the Library Board



Carley Binder  
Library Manager

READ for the second time this 3 day of April A.D. 2018

(RES:       )




Karyl Tobin  
Chairperson of the Library Board



Carley Binder  
Library Manager

READ for the third time this 3 day of April A.D. 2018

(RES:       )



Karyl Tobin  
Chairperson of the Library Board



Carley Binder  
Library Manager



Province of Alberta

## **LIBRARIES ACT**

Revised Statutes of Alberta 2000  
Chapter L-11

Current as of October 4, 2007

### **Office Consolidation**

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\*The year of first publication of the legal materials is to be completed.

## Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

## Amendments Not in Force

This consolidation incorporates only those amendments in force on the consolidation date shown on the cover. It does not include the following amendments:

2012 cE-0.3 s275 amends ss1(o) and 10(3).

## Regulations

The following is a list of the regulations made under the *Libraries Act* that are filed as Alberta Regulations under the Regulations Act

	<b>Alta. Reg.</b>	<i>Amendments</i>
<b>Libraries Act</b>		
Libraries .....	141/98 .....	282/99, 251/2001, 193/2003, 172/2007, 68/2008, 180/2013

# **LIBRARIES ACT**

## **Chapter L-11**

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HER MAJESTY, by and with the advice and consent of the  
Legislative Assembly of Alberta, enacts as follows:

### Definitions

**1** In this Act,

- (a) “basic information service” means basic information service as defined in the regulations for the purposes of this Act;
- (b) “board” means a municipal board, intermunicipal library board, library system board, community board or federation board;
- (c) “community board” means a community library board established or continued under Part 3;
- (d) “community library” means a library established or continued under Part 3;
- (e) “council” means
  - (i) in the case of a city, town, municipal district, village, summer village or specialized municipality, the council;
  - (ii) in the case of a school authority, the board of trustees,
  - (iii) in the case of a Metis settlement, the settlement council,
  - (iv) in the case of an improvement district, the Minister responsible for the *Municipal Government Act*, or
  - (v) in the case of a special area, the Minister responsible for the *Special Areas Act*;
- (f) “federation board” means a federation board established under Part 4;
- (f.1) “intermunicipal library board” means an intermunicipal library board established under Part 1.1;
- (g) “library system” means a library system established, or a regional library continued, as a library system under Part 2;
- (h) “library system board” means a library system board under Part 2;

- (i) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;
- (j) “municipal board” means a municipal library board;
- (k) “municipal library” means a library that provides public library services under the control and management of a municipal library board or an intermunicipal library board;
- (l) “municipality” means municipality as defined in the *Municipal Government Act*;
- (m) “public library” means a municipal library, library system or community library;
- (n) “Public Library Rate” means the rate assessed and levied pursuant to section 11;
- (o) “school authority” means a school district, school division or regional division.

RSA 2000 cL-11 s1;2006 c5 s2

## **Part 1**

### **Municipal Libraries**

#### **Application**

**2** This Part applies to every municipal library board maintained in whole or in part by property taxes and

- (a) established under this Part, or
- (b) continued under this Part.

RSA 2000 cL-11 s2;2006 c5 s3

#### **Municipal board**

**3(1)** The council of a municipality may, by bylaw, establish a municipal library board.

**(2)** The council shall forward a copy of a bylaw made under subsection (1) to the Minister.

**(3)** Repealed 2006 c5 s4.

**(4)** On being established, the municipal library board is a corporation and shall be known as “The (name of municipality) Library Board”.



(5) The boards of management of all public libraries to which Part 3 of the *Libraries Act*, RSA 1980 cL-12, applies are continued as municipal library boards under this Act.

RSA 2000 cL-11 s3;2006 c5 s4

#### **Appointment**

**4(1)** A municipal board shall consist of not fewer than 5 and not more than 10 members appointed by council.

(2) A person who is an employee of the municipal board is not eligible to be a member of that board.

(3) Not more than 2 members of council may be members of the municipal board.

(4) A member of the municipal board is eligible to be reappointed for only 2 additional consecutive terms of office, unless at least 2/3 of the whole council passes a resolution stating that the member may be reappointed as a member for more than 3 consecutive terms.

(5) Subject to subsection (6), appointments to the municipal board shall be for a term of up to 3 years.

(6) When appointments are made in respect of a first municipal board, council shall, as nearly as may be possible, appoint 1/3 of the members for a term of one year, 1/3 of the members for a term of 2 years and the remaining members for a term of 3 years.

(7) Notwithstanding this section, the term of office of a member continues until a member is appointed in that member's place.

1983 cL-12.1 s10;1998 c19 s5

#### **Date of appointment**

**5(1)** The appointments of the members of the municipal board shall be made on the date fixed by council.

(2) Any vacancy arising from any cause must be filled by council as soon as reasonably possible for council to do so.

1983 cL-12.1 s11

#### **Validity of proceedings**

**6** No resolution, bylaw, proceeding or action of any kind of the municipal board may be held invalid or set aside for the reason that any person whose election to council has been judged invalid acted as a member of the board.

1983 cL-12.1 s12

**Board duties**

**7** The municipal board, subject to any enactment that limits its authority, has full management and control of the municipal library and shall, in accordance with the regulations, organize, promote and maintain comprehensive and efficient library services in the municipality and may co-operate with other boards and libraries in the provision of those services.

1983 cL-12.1 s13

**Budget**

**8(1)** The municipal board shall before December 1 in each year prepare a budget and an estimate of the money required during the ensuing fiscal year to operate and manage the municipal library.

**(2)** The budget and the estimate of money shall be forthwith submitted to the council of the municipality.

**(3)** Council may approve the estimate under subsection (1) in whole or in part.

RSA 2000 cL-11 s8;2006 c5 s5

**Accounts**

**9** The municipal board shall

- (a) keep accounts of its receipts, payments, credits and liabilities,
- (b) have a person who is not a member of the municipal board and whose qualifications are satisfactory to council review the accounts each calendar year and prepare a financial report in a form satisfactory to council, and
- (c) submit the financial report to council immediately after its completion.

RSA 2000 cL-11 s9;2006 c5 s6

**Library building and equipment**

**10(1)** When money is required for the purpose of acquiring real property for the purposes of a building to be used as a municipal library or for erecting, repairing, furnishing and equipping a building to be used as a municipal library, the council may, at the request of the municipal board, take all necessary steps to furnish the money requested or the portion of it that the council considers expedient.

**(2)** Money approved by the council under subsection (1) may be borrowed by the council under the authority of a bylaw and on the

security of debentures, which shall be termed "Public Library Debentures".

(3) The provisions of the *Municipal Government Act* or the *School Act*, as the case may be, governing

- (a) the passing of bylaws for borrowing money,
- (b) the issue and form of debentures, and
- (c) the assessment, levy and collection of money necessary to meet the indebtedness incurred by the issue of debentures,

apply to the borrowing of money under subsection (2).

1983 cL-12.1 s16

#### **Dissolution, amalgamation or annexation of municipality**

**10.1(1)** If the Lieutenant Governor in Council makes an order under the *Municipal Government Act* dissolving a municipality, that order is deemed to dissolve any municipal library board established by that municipality and to pass to the municipality, immediately prior to the dissolution of the municipality, all the rights, assets and liabilities of the municipal library board.

(2) When an amalgamation of municipal authorities has been initiated under Part 4 of the *Municipal Government Act* and no agreement can be reached among those municipal authorities regarding the rights, assets and liabilities of a municipal library board, the Lieutenant Governor in Council may, by order, dissolve the municipal library board and may make any order the Lieutenant Governor in Council considers appropriate in respect of the disposition of the rights, assets and liabilities of the municipal library board.

(3) When an annexation of land from one municipal authority to another municipal authority has been initiated under Part 4 of the *Municipal Government Act* and no agreement can be reached between the municipal authorities regarding the rights, assets and liabilities of a municipal library board established by the municipal authority from which the land is to be annexed, the Lieutenant Governor in Council may, by order, dissolve the municipal library board and may make any order the Lieutenant Governor in Council considers appropriate in respect of the disposition of the rights, assets and liabilities of the municipal library board.

2006 c5 s7

**11** Repealed 2006 c5 s8.

**Dissolution of board**

**12(1)** If a municipal board fails to open a library to the public for a period of 2 years, the council may make an ex parte application to the Court of Queen's Bench for an order declaring the municipal board dissolved.

**(2)** The order dissolving the municipal board vests in the municipality all the property of the municipal board, and the council through its proper officers may take possession of the vested property and dispose of it in any manner it considers advisable.

1983 cL-12.1 s18

## **Part 1.1 Intermunicipal Library Boards**

**Definition**

**12.1** In this Part, "intermunicipal agreement" means an agreement under section 12.2.

2006 c5 s9

**Intermunicipal library board**

**12.2(1)** The council of a municipality may, by bylaw, authorize the municipality to enter into an agreement that meets the requirements of the regulations with one or two other municipalities respecting the establishment of an intermunicipal library board to provide library services to the residents of the municipalities.

**(2)** The council of each municipality that is a party to the agreement shall forward a copy of the bylaw and the agreement under subsection (1) to the Minister.

**(3)** On receipt of the bylaws and the agreement under subsection (2) the Minister may, by order, establish an intermunicipal library board.

**(4)** An intermunicipal library board established under subsection (3) is a corporation with the name set out in the Ministerial order.

2006 c5 s9

**Members of board**

**12.3(1)** An intermunicipal library board consists of the members appointed to the board in accordance with the intermunicipal agreement.

(2) A person who is an employee of an intermunicipal library board is not eligible to be a member of that board.

2006 c5 s9

**Validity of proceedings**

**12.4** Where a person has acted as a member of an intermunicipal library board, no resolution, bylaw, proceeding or action of any kind of the intermunicipal library board may be held invalid or set aside for the reason that that person's election to the council of a municipality is invalid.

2006 c5 s9

**Board duties**

**12.5** An intermunicipal library board, subject to any enactment that limits its authority, has full management and control of the municipal library established by the board and shall, in accordance with the regulations, organize, promote and maintain comprehensive and efficient library services in the municipalities that are the parties to the intermunicipal agreement respecting that board and may co-operate with other boards and libraries in the provision of those services.

2006 c5 s9

**Budget**

**12.6** Each year an intermunicipal library board shall, before the date specified in the intermunicipal agreement respecting that board, submit to each municipality that is a party to the agreement a budget and an estimate of the money required during the ensuing fiscal year to operate and manage the intermunicipal library board, including the amounts to be paid by each municipality in accordance with the agreement.

2006 c5 s9

**Accounts**

**12.7** An intermunicipal library board shall

- (a) keep accounts of its receipts, payments, credits and liabilities,
- (b) have a person who is not a member of the intermunicipal library board and whose qualifications are approved in accordance with the intermunicipal agreement respecting that board review the accounts each calendar year and prepare a financial report in the form required by the intermunicipal agreement, and

- (c) submit the financial report to the council of each municipality that is a party to the intermunicipal agreement immediately after its completion.

2006 c5 s9

## Part 2 Library Systems

### Library system

**13** Subject to this Act and the regulations, a municipality, improvement district, special area, Metis settlement or school authority,

- (a) on entering into and becoming a party to an agreement that contains provisions on terms required by regulations, with one or more municipalities, improvement districts, special areas, Metis settlements or school authorities, and
- (b) on complying with the regulations,

may request the Minister to establish a library system.

1983 cL-12.1 s19;1998 c19 s7

### Library system board

**14(1)** On receipt of a request referred to in section 13, the Minister may

- (a) establish a library system board, and
- (b) prescribe the boundaries of the library system,

and when the Minister does so the parties to the agreement described in section 13 become members of the library system.

**(2)** On being established, the library system board is a corporation and shall be known as “The (name of region) Library Board”.

**(3)** All boards of management of regional libraries under the *Libraries Act*, RSA 1980 cL-12, are continued as library system boards under this Act.

**(4)** The agreements referred to in section 13 that have been entered into under the *Libraries Act*, RSA 1980 cL-12, are continued under this Act, as modified by this Act.

1983 cL-12.1 s20

**Joining an existing library system**

**15** A municipality, improvement district, special area, Metis settlement or school authority may, in accordance with the regulations, become a member of a library system by complying with the terms of the agreement referred to in section 13, becoming a party to the agreement and receiving the approval of the Minister.

1983 cL-12.1 s21;1998 c19 s8

**Appointment**

**16** A library system board shall consist of

- (a) one member for each municipality, Metis settlement and school authority that is a member of the library system who is appointed by the council of the municipality, Metis settlement or school authority,
- (b) one member for each improvement district that is a member of the library system, who is appointed by the Minister responsible for the *Municipal Government Act*,
- (c) one member for each special area that is a member of the library system, who is appointed by the Minister responsible for the *Special Areas Act*, and
- (d) any additional members appointed in accordance with the regulations.

1983 cL-12.1 s22;1998 c19 s9

**System board duties**

**17** The library system board, subject to any enactment that limits its authority and the agreement described in section 13, has full management and control of the library system and shall, in accordance with the regulations and in co-operation with other boards, organize, promote and maintain comprehensive and efficient library services and may

- (a) borrow from time to time for the purpose of defraying its operating expenses an amount not exceeding 50% of the amount expended by it during its immediately preceding fiscal year;
- (b) fix fees for the use of library services by residents of a municipality within the boundaries of the library system that does not receive library services from the library system board.

1983 cL-12.1 s23

**Budget**

**18(1)** The library system board shall, on or before a date specified by each municipality, improvement district, special area and school authority that is a party to the agreement described in section 13, submit to each of them a budget and an estimate of the money required during the ensuing fiscal year to operate and manage the library system, including the amounts to be paid by each of them.

**(2)** Budget approval and compliance with the amounts to be paid by each party to the agreement described in section 13 shall be in accordance with the terms of that agreement.

1983 cL-12.1 s24

**Restriction of authority**

**19** Notwithstanding this Part, if a municipal library has been established in a municipality and is receiving library services from the library system board, the authority of the library system board and the municipal library board or intermunicipal library board is limited by the terms of any agreement described in section 12.2 or 13.

RSA 2000 cL-11 s19;2006 c5 s10

**Establishment and capital grants**

**20** A municipality, improvement district, special area or school authority may grant money for capital works requirements and grant money to establish a library system.

1983 cL-12.1 s26

**Annual grants**

**21(1)** If an improvement district or a special area is a party to an agreement described in section 13,

- (a) the Minister responsible for the *Municipal Government Act*, in the case of an improvement district, or
- (b) the Minister responsible for the *Special Areas Act*, in the case of a special area,

may, in addition to all other rates and assessments assessed and levied for the purposes of an improvement district or special area, assess and levy from year to year a special annual rate on the assessed value of all property liable to taxation in the improvement district or special area for the purposes of the library system board and shall, on behalf of the improvement district or special area, make an annual grant, from the money derived from the special annual rate, to the library system board with respect to its budget under section 18.



(2) If a school authority is a party to an agreement described in section 13, the school authority may make an annual grant to the library system board with respect to its budget under section 18.

1983 cL-12.1 s27

#### **Withdrawal from the library system agreements**

**22** At any time after the expiration of 3 years from the date that the party entered into the agreement, a party to an agreement described in section 13 may, by giving 12 months' notice, withdraw from the agreement.

1983 cL-12.1 s28

#### **Dissolution of a library system board**

**23(1)** If a library system board fails to provide library services in accordance with the regulations for 2 years, the majority of the parties to the agreement described in section 13 may join in making an application to the Court of Queen's Bench for an order declaring the library system board dissolved.

(2) The Court, in the order dissolving the board, shall vest the property of the library system board in the Minister or in the councils of the parties to the agreement described in section 13 severally or in common as it considers just, or make any other disposition of the property that it considers just in the circumstances and the Minister and the councils may then take possession of the property and dispose of it as considered advisable by them, in accordance with any terms or conditions in the order.

1983 cL-12.1 s29

#### **Borrowing for library system boards**

**24** A municipality or a school authority that is a party to an agreement described in section 13 may, with the approval of the Minister, borrow money to acquire real property for the purposes of a building to be used as the headquarters of a library system or for erecting, repairing, furnishing and equipping a building to be used as the headquarters of a library system, and section 10(2) and (3) apply to the borrowing of the money.

1983 cL-12.1 s30

## **Part 3 Community Libraries**

#### **Community library**

**25** In any area, other than a municipality, where library services are not provided by a library system board, any association of persons, whether incorporated or not, may apply to the Minister to

be established as a community library board and to be authorized to provide library services to the public in that area.

1983 cL-12.1 s31

#### **Community library board**

**26(1)** The Minister may establish a community library board and prescribe the boundaries of the community library.

**(2)** On being established, a community library board is a corporation and shall be known as “The (name of the library) Community Library Board”.

**(3)** All community library boards under the *Libraries Act*, RSA 1980 cL-12, are continued as community library boards under this Act.

**(4)** The members of the community board shall be appointed in the manner and on the conditions prescribed by the Minister.

1983 cL-12.1 s32;1998 c19 s10

#### **Community board duties**

**27** The community board, subject to any enactment that limits its authority, has full management and control of the community library and may

- (a) provide library services within the boundaries of the community library in accordance with the regulations, and
- (b) raise funds for the support of the community library, including the fixing of an annual membership fee.

1983 cL-12.1 s33

#### **Dissolution of board**

**28** On the formation of a library system board, a municipal library board or an intermunicipal library board in an area where a community board is authorized to provide library services, the Minister may order that a community board be dissolved and dispose of its property in consultation with the persons who were the members of the dissolved community board.

RSA 2000 cL-11 s28;2006 c5 s11

## **Part 4 Federations**

#### **Forming a federation board**

**29(1)** Two or more municipal boards, on entering into an agreement that meets the requirements of this Act and the

regulations, may request the Minister to establish a federation board.

**(2)** An agreement described in subsection (1) must include

- (a) either The City of Calgary Library Board or The City of Edmonton Library Board as a party to the agreement;
- (b) provisions on establishing a plan for the co-operative provision of library services among the parties to the agreement;
- (c) provisions respecting the amount or portion of federation board expenses that each party to the agreement is responsible for.

**(3)** On receipt of a request under subsection (1), the Minister may

- (a) establish a federation board, and
- (b) name the federation board.

**(4)** On being established, a federation board is a corporation that consists of one person selected by each of the parties to the agreement described in subsection (1).

**(5)** A municipal board may join an existing federation board if

- (a) that municipal board applies for membership in the federation board,
- (b) that municipal board meets the requirements of this Act and the regulations,
- (c) that municipal board enters into an agreement with the federation board for membership and becomes a party to the agreement described in subsection (1),
- (d) the members of the federation board make any necessary amendments to the agreement described in subsection (1), and
- (e) the Minister approves the agreement referred to in clause (c), the amendments referred to in clause (d) and the municipal board's becoming a party to the agreement described in subsection (1).

**(6)** The Minister may order that a federation board be dissolved and dispose of its property in consultation with the members of the federation board when it is dissolved.

1998 c19 s12

**Operating a federation board**

**30(1)** A federation board must

- (a) facilitate the enhancement of library services offered by its members to the public, and
- (b) encourage its members to co-operate with each other in the provision of library services to the public.

**(2)** A federation board may not borrow money for payment of its operating expenses in an amount that exceeds 50% of the money it spent on its operating expenses in the immediately preceding fiscal year.

**(3)** Each municipal board that is a party to an agreement referred to in section 29(1) must appoint one of its members to represent it at meetings of the federation board.

**(4)** A representative under subsection (3) may serve a term of up to 3 years.

**(5)** A federation board must prepare a budget prior to December 1 of each year for the next fiscal year.

**(6)** The fiscal year of a federation board is the same as the fiscal year of a municipality under the *Municipal Government Act*.

1998 c19 s12

## **Part 5 General**

**Board member disqualification**

**31(1)** A person is disqualified from remaining a member of a board if the person fails to attend, without being authorized by a resolution of the board to do so, 3 consecutive regular meetings of the board.

**(2)** If a member of a board is disqualified from remaining a member under subsection (1), the person is deemed to have resigned the person's seat on the board.

1983 cL-12.1 s35

**Chair of board**

**32** A board shall elect a chair and any other officers it considers necessary from among its members.

1983 cL-12.1 s36

**Meetings**

**33(1)** A board shall meet at least once every 4 months and at any other times it considers necessary.

**(2)** If the regulations require a library system board to have an executive, that executive must meet at least once every 3 months and at any other times it considers necessary.

1983 cL-12.1 s37;1998 c19 s13

**Record of meetings**

**34(1)** All minutes, resolutions and bylaws of a board shall be entered in books to be kept by it for that purpose and the books shall be signed by the chair or acting chair.

**(2)** The minutes, resolutions and bylaws entered in books and purporting to be signed under subsection (1) are deemed to be original minutes, resolutions and bylaws, and the books shall be admitted in evidence as proof in all judicial and other proceedings without proof of the signature or official character of the person purporting to have signed them.

1983 cL-12.1 s38

**Library agreements**

**35** With the consent in writing of the Minister, a board in a municipal district may enter into agreements with any other municipal board or intermunicipal library board relating to the provision of library services to the residents of that municipal district.

RSA 2000 cL-11 s35;2006 c5 s12

**Safety and use of library facilities**

**36(1)** A board may pass bylaws for the safety and use of the library, including

- (a) the terms and conditions under which
  - (i) the public may be admitted to the building,
  - (ii) public library property may be used or borrowed by members of the public, and
  - (iii) borrowing privileges may be suspended or forfeited;
- (b) notwithstanding subsection (3), fees to be paid by members of the public for
  - (i) the issuance of library borrowing cards,

- (ii) the use of those parts of the building not used for the purposes of the public library,
  - (iii) photocopying,
  - (iv) receiving information in a printed, electronic, magnetic or other format, and
  - (v) receiving, on request, a library service not normally provided by a public library;
- (c) penalties to be paid by members of the public for abuse of borrowing privileges.

(2) The *Regulations Act* does not apply to bylaws passed under subsection (1).

(3) A bylaw or part of a bylaw that requires a member of the public to pay a fee or charge for any of the following is invalid:

- (a) admittance to any portion of a building used for public library purposes;
- (b) using library resources on library premises;
- (c) borrowing library resources, in any format, normally lent by the library;
- (d) acquiring library resources through inter-library loan;
- (e) consultation with members of the library staff;
- (f) receiving basic information service.

1983 cL-12.1 s40;1998 c19 s14

#### **Bylaw transmission**

**37(1)** A municipal library board, on passing a bylaw under section 36, shall forthwith forward a copy of the bylaw to the council of the municipality.

(2) An intermunicipal library board, on passing a bylaw under section 36, shall forthwith forward a copy of the bylaw to the council of each municipality that is a party to the intermunicipal agreement respecting that board.

RSA 2000 cL-11 s37;2006 c5 s13

#### **Bylaw invalidated**

**38** The council of a municipality may disallow a bylaw passed by a municipal board it has appointed.

1983 cL-12.1 s42

**Authorization to inspect**

**39(1)** The Minister or a person authorized in writing by the Minister may, during regular business hours, inspect the books, records and accounts of a board.

**(2)** A person authorized under subsection (1) shall, while inspecting the books, records or accounts of a board, carry identification in the prescribed form and present it on request.

1983 cL-12.1 s43

**Regulations**

**40** The Minister may make regulations

- (a) respecting the establishment, maintenance, operation and management of public libraries;
- (b) respecting the acquisition, provision, management, maintenance and disposition of library materials and facilities by public libraries;
- (c) respecting the planning for, and provision and management of, library services;
- (d) governing the filing, by boards, of returns and reports, and their contents;
- (e) respecting the inspection of public libraries;
- (f) prescribing the form of identification for persons authorized to inspect public libraries;
- (g) providing for the making of any surveys by boards that the Minister considers necessary or advisable for the purpose of obtaining information to assist in the formulation of policies respecting matters to which this Act relates;
- (g.1) governing the matters required to be dealt with in agreements described in section 12.2;
- (h) prescribing conditions to be complied with by any municipality, Metis settlement or school authority prior to its association with a library system;
- (i) governing the matters required to be dealt with in agreements described in section 13 and the requirements and procedure to establish or expand a library system;
- (j) respecting the disposition and transfer of library assets by municipal boards desirous of disposing of them to library

system boards on entering into agreements described in section 13;

- (j.1) respecting the dissolution of intermunicipal library boards;
- (k) subject to section 16, governing appointments to library system boards and the terms of office of their members;
- (l) respecting requirements for establishing a federation board and for membership in a federation board;
- (m) defining basic information service for the purposes of this Act.

RSA 2000 cL-11 s40;2006 c5 s14

### **Offence**

**41(1)** Any person who wilfully contravenes any bylaw under section 36 is guilty of an offence.

**(2)** A person who wilfully retains any book, record, film or other library property from any public library established and conducted under the authority of this Act is guilty of an offence.

**(3)** A person who obstructs the Minister or a person authorized in writing by the Minister to act on the Minister's behalf in the inspection of the records of a public library is guilty of an offence.

1983 cL-12.1 s45

### **Disposition of fines**

**42(1)** Any fine or penalty imposed pursuant to an offence under section 41(1) inures to the benefit of the board whose bylaw was contravened.

**(2)** Any fine or penalty imposed pursuant to an offence under section 41(2) inures to the board having the management or control of the property in respect of which the offence was committed.

1983 cL-12.1 s46







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Province of Alberta

## LIBRARIES ACT

# LIBRARIES REGULATION

### **Alberta Regulation 141/1998**

With amendments up to and including Alberta Regulation 180/2013

### Office Consolidation

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### **Note**

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(Consolidated up to 180/2013)

**ALBERTA REGULATION 141/98**

**Libraries Act**

**LIBRARIES REGULATION**

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**Definitions**

**1** In this Regulation,

- (a) “Act” means the *Libraries Act*;
- (b) “Deputy Minister” means the Deputy Minister of Municipal Affairs;
- (b.1) “intermunicipal agreement” means an intermunicipal agreement under section 12.2 of the Act;
- (c) “library resources” means any material, regardless of format, that is held in a library’s collection and includes books, periodicals, audio recordings, video recordings, projected media, paintings, drawings, photographs, micromaterials, toys and games, kits, CD-ROMs and electronic databases;
- (d) “library service point” means a facility that provides public library services under the control and management of a board;
- (e) “resource sharing” means making available to other libraries the library resources owned by a board, the information contained in those resources and the staff expertise required to locate and make available the information or the library resources.

AR 141/98 s1;172/2007;68/2008

**Definition for Act**

**2** For the purposes of the Act, “basic information service” means public access to current and accurate information and assistance with making use of information, communication technology and library resources.

## **Part 1 Boards Generally**

**Reports of by-laws**

**3** Every board shall, within one year of being established, file with the Minister a report that contains any by-laws passed by it under section 36 of the Act and shall file further reports on any additional by-laws immediately after their passage.

AR 141/98 s3;251/2001

**Reports of policies**

**4(1)** Subject to subsection (2), every board shall file with the Minister a report that contains the policies established by it under section 7.

**(2)** A report under subsection (1) shall be filed

- (a) by a community board immediately after establishing the policies,
- (b) by a municipal board or intermunicipal library board within 2 years of the board's establishment, and
- (c) by a library system board or a federation board, within 3 years of the board's establishment.

**(3)** When a board revises any policy established by it under section 7, the board shall immediately file with the Minister a report of the revision.

AR 141/98 s4;172/2007

**Meetings open to public**

**5(1)** Every meeting of a board is open to the public.

**(2)** A person or group may make representations to a board at its meeting if the representations relate to the board and its programs.

**Public inspection of by-laws**

**6(1)** Every board that operates a library service point shall make its by-laws available for inspection by any person during the hours that the library service point is open to the public.

**(2)** A person who inspects a by-law under subsection (1) may copy it according to the conditions and procedures established by the board.

**Policies**

**7(1)** Subject to section 36 of the Act, every board shall establish policies with respect to the following:

- (a) confidentiality of user records, except where disclosure is required by law;
- (b) orientation and continuing education of board members and staff, including expenses for attendance at library meetings, conference workshops and courses and for memberships in library associations;



- (c) finance, including designation of expenses for which board members and staff will be reimbursed, the form and manner in which those expenses shall be claimed and the appointment of signing officers for the board.

(2) Every board that operates a library service point shall, in addition to establishing policies under subsection (1), establish policies with respect to the following:

- (a) personnel, including job descriptions and performance appraisals for employees and volunteers, qualifications for staff positions, working hours, conditions of employment and a grievance procedure;
- (b) selection, acquisition, purchase and disposition of library resources, including a policy respecting gifts and donations;
- (c) resource sharing, including participation in a provincial resource sharing network and the conditions that apply to the acquisition of library resources and information from other sources, including inter-library loans and information in electronic databases;
- (d) provision of library resources to persons unable to use conventional print resources, including provision in co-operation with community agencies;
- (e) the terms and conditions under which library resources will be loaned to members of the library for use in a location other than the library;
- (f) hours of service at each library service point;
- (g) the terms and conditions for use of any areas of a building managed by the board that are not normally used for library purposes, including who may use those areas.

(3) A library system board shall also establish a policy with respect to the provision of municipal library services to any member municipality that does not have a municipal board and shall ensure that by-laws under section 3 and policies under subsections (1) and (2) apply to those library services.

AR 141/98 s7;251/2001

#### **Some types of inspections**

**8** Without limiting the generality of section 39 of the Act, the Minister or a person authorized by the Minister may inspect the books, records and accounts of a board

- (a) to determine the extent to which a board is meeting the requirement to provide comprehensive and efficient service as defined by that board,
- (b) to determine compliance with the *Libraries Act* and the regulations under the Act,
- (c) to determine the adequacy of accounting practices and financial controls,
- (d) to determine the use to which provincial grants are put, and
- (e) to assist a board in periodic reviews of its administrative practices, policies, library collections and any other matters on which a board may request advice.

AR 141/98 s8;251/2001

**Identification of inspector**

**9** Any person authorized by the Minister to inspect pursuant to section 39 of the Act

- (a) shall carry an identification card bearing that person's photograph, name, position and the signature of the Deputy Minister, or
- (b) shall carry an identification card bearing that person's photograph, name and position and shall also carry written authorization from the Minister to do the inspection.

AR 141/98 s9;251/2001

## **Part 2 Community Boards**

**Functions**

**10** In managing and controlling a community library, a community board may

- (a) assemble, make available, promote, preserve and dispose of organized collections of library resources that, in the opinion of the community board, are needed to meet the needs and interests of the community,
- (b) provide staff with the knowledge and ability to help library users find the ideas, information and resources to meet their interests,

- (c) initiate and promote information services, program events, exhibits and other informational activities related to its goals and objectives, and
- (d) provide fixtures, furnishings and accommodation necessary for proper operation and maintenance of the library services and do all things necessary to keep its assets in a proper state of preservation and repair.

**Report to Minister**

**11** A community board shall annually complete and file with the Minister a report in a form and containing the information required by the Minister.

**Minutes to be filed upon request**

**12** The Deputy Minister may, by written request, require a community board to file copies of the minutes of each of its meetings with the Deputy Minister for the purpose of determining if the community board is complying with the Act and this Regulation.

### **Part 3**

## **Municipal Boards and Intermunicipal Library Boards**

**Plan of service**

**13(1)** In managing and controlling a municipal library, a municipal board or intermunicipal library board shall

- (a) within 3 years of being established, develop and file with the Minister a plan of service with a mission statement and goals and objectives based on a needs assessment of the municipality or municipalities served by the board, and
- (b) annually review its plan of service.

**(2)** A municipal board or intermunicipal library board shall file with the Minister a copy of its current plan of service with goals and objectives not less frequently than every 5 years following the date on which the plan was previously filed with the Minister.

AR 141/98 s13;193/2003;172/2007

**Employment of professional librarian**

**14(1)** Subject to subsection (3), the following shall, within 2 years of completing a plan of service under section 13(1)(a), employ a

graduate of a postgraduate library program in Canada or a person with equivalent qualifications from another country:

- (a) a municipal board of any municipality with a population of 10 000 or more;
- (b) an intermunicipal library board that serves municipalities with a total population of 10 000 or more.

(2) Repealed AR 193/2003 s3.

(3) This section does not apply to any municipal board or intermunicipal library board that

- (a) does not operate a library service point, and
- (b) has an agreement under section 35 of the Act with another municipal board or intermunicipal library board that employs a person referred to in subsection (1).

AR 141/98 s14;251/2001;193/2003;172/2007

#### **Report to Minister**

**15** A municipal board or intermunicipal library board shall annually complete and file with the Minister a report in a form and containing the information required by the Minister.

AR 141/98 s15;172/2007

#### **Requests by Deputy Minister**

**16** The Deputy Minister may, by written request, require a municipal board or intermunicipal library board

- (a) to file copies of the minutes of each of its meetings with the Deputy Minister for the purpose of determining if the board is complying with the Act and this Regulation;
- (b) to make any survey that the Minister considers necessary
  - (i) to obtain information on resource sharing, or
  - (ii) to assist in the development of policies and procedures regarding networking between libraries.

AR 141/98 s16;172/2007

#### **When municipal library may be in a school**

**17** A municipal board or intermunicipal library board shall not operate a library housed in a school unless

- (a) the board enters into an agreement with the school authority that sets out the responsibilities of the board and

the school authority for the operation of the library, including the responsibilities of the employees and volunteers of both,

- (b) the board has its own bank account and signing officers, none of whom are employees of the school authority, and
- (c) the library is open to the public outside of the hours during which the school is in operation for regular classes, including being open during evenings or weekends or both, and during the summer.

AR 141/98 s17;172/2007

#### **Contents of intermunicipal agreement**

**17.1** An intermunicipal agreement shall, at a minimum, contain the following:

- (a) a formal indication of each municipality's desire to enter into the intermunicipal agreement;
- (b) a starting date for the intermunicipal agreement;
- (c) provision for a third municipality to become a party to the intermunicipal agreement after the starting date if only 2 municipalities enter into the intermunicipal agreement initially;
- (d) provision for the appointment of not more than 10 and not fewer than 7 members to the intermunicipal library board, with a requirement that only one member of council from each municipality that is a party to the agreement may be appointed as a member to the intermunicipal library board;
- (e) terms respecting the terms of appointment of the members of the intermunicipal library board;
- (f) the annual date by which the intermunicipal library board must submit a budget and an estimate of the money required during the ensuing fiscal year to each municipality that is a party to the intermunicipal agreement;
- (g) terms specifying how the intermunicipal library board must calculate the estimate of the money required during the ensuing fiscal year and each municipality's share of that money, the date on which payment of the money becomes due from each municipality, and how the money is to be paid;

- (h) terms specifying the form of the financial report to be prepared under section 12.7 of the Act and setting out a process for the approval of the qualifications of the person who will review the accounts of the intermunicipal library board and prepare the financial report;
- (i) terms governing the process for amending and terminating the intermunicipal agreement;
- (j) details of the assets and liabilities that each municipality that is a party to the intermunicipal agreement will transfer to the intermunicipal library board on the formation of the board;
- (k) where the intermunicipal agreement is an agreement between 3 municipalities, terms respecting the transfer of assets and liabilities of the intermunicipal library board in the event that one of the 3 municipalities withdraws from the agreement;
- (l) a procedure to be used to resolve or attempt to resolve any conflict between the municipalities that are parties to the intermunicipal agreement;
- (m) terms respecting the notice that a municipality must give to the intermunicipal library board and to the other municipalities that are parties to the intermunicipal agreement before making an application under section 17.2.

AR 172/2007 s10

**Dissolution of intermunicipal library board**

**17.2(1)** The council of a municipality that is a party to an intermunicipal agreement may, by bylaw, authorize the municipality to apply to the Minister to dissolve the intermunicipal library board.

**(2)** An application to the Minister to dissolve an intermunicipal library board must contain a proposed winding-up plan that addresses the transfer of all of the assets and liabilities of the intermunicipal library board.

**(3)** If complete applications to dissolve an intermunicipal library board are received

- (a) from one or both municipalities that are parties to an intermunicipal agreement that is between 2 municipalities, or

- (b) from 2 or 3 municipalities that are parties to the intermunicipal agreement that is between 3 municipalities,

the Minister may, by order, dissolve the intermunicipal library board and transfer the assets and liabilities of the intermunicipal library board in accordance with the proposed winding-up plan or in any other manner the Minister considers appropriate if the municipalities cannot agree as to how the assets and liabilities should be distributed.

AR 172/2007 s10

## **Part 4**

### **Library System Boards**

#### **Plan of service**

**18(1)** In managing and controlling a library system, a library system board shall, within 4 years of being established, develop and file with the Minister a plan of service with a mission statement and goals and objectives based on an assessment of

- (a) the needs of the municipal boards and intermunicipal library boards within the library system,
- (b) the library needs of those school authorities that are parties to an agreement referred to in section 13 of the Act, and
- (c) the need for public library service generally.

**(2)** A library system board shall review and file with the Minister a copy of its plan of service with goals and objectives every 3 years following the date on which the plan was previously filed with the Minister.

**(3)** In developing a plan of service under this section, a library system board shall establish and include procedures to address the following:

- (a) co-operation with municipal boards and intermunicipal library boards to assemble, make available, promote, preserve and dispose of organized collections of library resources to meet the needs and interests of the communities served;
- (b) employment of suitably qualified staff, with the knowledge and ability to help municipal boards and intermunicipal library boards and their employees to provide comprehensive and efficient library service as well as to operate the library system;

- (c) co-operation with municipal boards, intermunicipal library boards and other groups in the communities that it serves in the initiation and provision of information services, program events and other activities related to its goals and objectives;
- (d) provision of fixtures, furnishings and accommodation necessary for proper operation and maintenance of the library services and maintenance of the assets of the library system board in a proper state of preservation and repair;
- (e) the development, implementation and operation of a provincial resource sharing network in partnership with the Minister and other library system boards.

AR 141/98 s18;251/2001;193/2003;172/2007

#### **Employment of professional librarians**

**19(1)** A library system board shall employ, for every 25 000 persons that it serves, a graduate of a postgraduate library program in Canada or a person with equivalent qualifications from another country.

**(2)** A calculation under subsection (1) of the number of persons that a library system board serves shall exclude the population of any municipality in which a municipal board or intermunicipal library board employs a person under section 14.

AR 141/98 s19;172/2007

#### **Reports to Minister**

**20(1)** A library system board shall annually complete and file with the Minister a report in a form and containing the information required by the Minister with respect to

- (a) the library system board, and
- (b) each library service point as specified by the Minister.

**(2)** A library system board shall file with the Minister a report containing its minutes and resolutions as soon as practicable after each meeting of the board.

#### **Requests by Deputy Minister**

**21** The Deputy Minister may, by written request, require a library system board

- (a) to make any survey that the Minister considers necessary



- (i) to obtain information on resource sharing, or
- (ii) to assist in the development of policies and procedures regarding networking between libraries;
- (b) to provide any information that the Minister considers necessary to undertake a systematic review of library services within the library system.

## **Part 5**

### **Completion of Library Systems**

#### **Definitions**

**22** In this Part,

- (a) “agreement” means an agreement referred to in section 13 of the Act;
- (b) “jurisdiction” means a municipality, an improvement district, a special area or a Metis settlement;
- (c) “resource centre” means a municipal library within a library system that the library system board designates as a resource centre.

AR 141/98 s22;251/2001

#### **Library system membership**

**23** A jurisdiction or school authority shall not request the Minister to establish a library system under section 13 of the Act unless a minimum of 75% of the parties to the agreement are jurisdictions.

AR 141/98 s23;251/2001

#### **Resolutions before membership**

**24(1)** Before a jurisdiction that is not a party to an intermunicipal agreement becomes a member of a library system,

- (a) the municipal board in the jurisdiction shall pass a resolution accepting service from the library system board and providing its recommendations to the jurisdiction’s council with respect to the agreement, and
- (b) the jurisdiction’s council shall pass a resolution assenting to the agreement.

**(1.1)** Before a jurisdiction that is a party to an intermunicipal agreement becomes a member of a library system,

- (a) the intermunicipal library board established by the intermunicipal agreement shall pass a resolution accepting service from the library system board for that jurisdiction and providing its recommendations to the council of each jurisdiction that is a party to the intermunicipal agreement with respect to the agreement, and
- (b) the jurisdiction's council shall pass a resolution assenting to the agreement.

**(2)** Before a school authority becomes a member of a library system, it shall pass a resolution accepting service from the library system board on the terms and conditions prescribed by that board.

AR 141/98 s24;172/2007

#### **Contents of agreement**

**25(1)** An agreement shall at a minimum contain the following terms:

- (a) a formal indication of the parties' desire to enter into an agreement;
- (b) a starting date for the agreement;
- (c) provision for parties to become members of the library system after the starting date;
- (d) terms setting out the powers and duties of the library system board;
- (e) provision for the establishment of an executive committee of not more than 10 persons when the number of members of the library system board is more than 20, and a statement of the powers and duties of that committee;
- (f) terms specifying how to calculate the estimate of the money required under section 18 of the Act, the date on which payment of the money becomes due and how the money is to be paid;
- (g) an explanation of the financial relationship between the library system board and the parties to the agreement;
- (h) an explanation of the financial relationship between the library system board and the municipal boards and intermunicipal library boards;
- (i) terms setting out the services that the library system board will provide, including a commitment to make all library

resources acquired by the board available to all residents served by the library system;

- (j) an explanation of the relationship between the library system board, the municipal boards, the intermunicipal library boards and the board of the resource centre respecting the provision of library services, subject to section 19 of the Act;
- (k) provision for expansion of the library system to all jurisdictions within the prescribed boundaries;
- (l) terms specifying the reports required by the library system board from municipal boards, intermunicipal library boards and advisory committees and the reports to be provided by the library system board to the councils;
- (m) terms governing the method for amendment, extension and renewal of the agreement.

(2) An agreement shall be signed by the persons authorized by the councils to enter into the agreement and by the chairs of municipal boards and intermunicipal library boards where they exist.

(3) to (5) Repealed AR 180/2013 s2.

AR 141/98 s25;251/2001;193/2003;172/2007;180/2013

#### **Notice of withdrawal**

**26** If a party to an agreement gives notice of withdrawal under section 22 of the Act, the library system board

- (a) shall, not later than 90 days prior to the effective date of withdrawal, provide to that party's council and municipal board or intermunicipal library board, if any, a written appraisal of the expected effects of that withdrawal on the provision of library services to the residents of that jurisdiction or school authority, and
- (b) may request a review by that party's council and municipal board or intermunicipal library board, if any, of the notice of withdrawal.

AR 141/98 s26;251/2001;172/2007

#### **Request to Minister**

**27(1)** A jurisdiction or school authority that wants to become a member of an existing library system shall forward to the Minister a request to that effect.

(2) Section 23 applies to an application under this section.

(3) The Minister shall not approve an application to join an existing library system unless a minimum of 75% of the parties to the agreement are jurisdictions.

### **Mergers**

**28(1)** Two or more library system boards may apply to the Minister for a merger of their library systems into a single library system if at least 51% of the parties to each agreement, representing at least 51% of the population of each library system, have passed a resolution approving the proposed merger.

(2) An application under subsection (1)

- (a) shall be submitted not less than 60 days prior to the date on which the proposed merger is planned to take effect, and
- (b) shall be accompanied with the following:
  - (i) a proposed agreement to effect the merger;
  - (ii) a budget for the next fiscal year of the proposed library system;
  - (iii) a plan of service with goals and objectives for the proposed library system;
  - (iv) any recommendation for revision of boundaries.

### **Personal property of municipal board**

**29** All personal property of a municipal board or intermunicipal library board on the date on which a council signs an agreement affecting that board remains the property of the municipal board or intermunicipal library board unless

- (a) the municipal board or intermunicipal library board agrees, by resolution of a 2/3 majority of its membership, to transfer its assets to the library system board, or
- (b) in the case of library resources, the municipal board or intermunicipal library board agrees, by resolution, to transfer its library resources to the library system board for use elsewhere in the library system or for disposal.

AR 141/98 s29;172/2007

**Real property of library system board**

**30** A library system board may not hold or own real property unless it is required for the purposes of administering the library system or for distribution of library resources.

**Advisory committee**

**31(1)** A member of a library system board who is appointed by the council of a jurisdiction that does not have a municipal board or intermunicipal library board shall receive any concerns respecting library service to that jurisdiction's residents from an advisory committee appointed by the council to transmit those concerns.

**(2)** If a council does not appoint an advisory committee, the library system board may appoint an advisory committee to act under subsection (1).

AR 141/98 s31;172/2007

**Library system board members**

**32(1)** When a library system board is established, it shall prepare a list that names every library system board member appointed by the councils that have signed the agreement.

**(2)** An appointment under section 16(a) of the Act shall not exceed a term of 3 years.

**(3)** A council of a municipality, Metis settlement or school authority shall not appoint a member under section 16(a) of the Act to serve for more than 9 consecutive years without the approval of 2/3 of all the members of that council.

**(4)** Any vacancy in the membership of a library system board shall be filled in accordance with section 16 of the Act as soon as reasonably possible.

**(5)** Subject to subsections (4) and (6), a council may, with respect to appointments under section 16(a) of the Act, appoint an alternate member to the library system board if its library system board member

(a) is unable to attend a meeting of the library system board, and

(b) has given notice to the library system board that an alternate member will attend.

**(6)** The alternate member shall not act in place of the library system board member at more than 2 consecutive meetings except by resolution of the library system board.

AR 141/98 s32;251/2001

**Appointment of additional members**

**33(1)** The Minister may, for terms determined by the Minister, appoint pursuant to section 16(d) of the Act additional members to a library system board if the Minister considers it necessary for the effective management of the board.

**(2)** The board of a resource centre may, pursuant to section 16(d) of the Act, appoint one additional member to the library system board for a term not exceeding 3 years.

AR 141/98 s33;251/2001

**Library system boundaries**

**34(1)** For the purposes of section 14(1)(b) of the Act, the boundaries of each library system are as set out in the Schedule to this Regulation.

**(2)** Notwithstanding the Schedule, the municipalities of Grande Cache and Swan Hills may join either the Peace or Yellowhead library systems.

AR 141/98 s34;282/99;251/2001

**Provincial resource sharing network**

**35** Every jurisdiction and school authority that is a member of a library system shall, for the purpose of managing its library services or public libraries, meet the requirements of the provincial resource sharing network.

## **Part 6 Federation Boards**

**Definition**

**36** In this Part, “agreement” means an agreement referred to in section 29 of the Act.

AR 141/98 s36;251/2001

**Eligible municipal boards**

**37(1)** The municipal boards of Strathcona County, St. Albert or Fort Saskatchewan may form a federation board with The City of Edmonton Library Board.

**(2)** The municipal board of Airdrie may form a federation board with The City of Calgary Library Board.

**Resolution before membership**

**38** Before becoming a member of a federation board, a municipal board shall pass a resolution accepting service from the federation board according to the agreement.

**Documents for Minister's approval**

**39(1)** Before an agreement is entered into, the municipal boards that propose to form a federation board shall provide the following documents to the Minister:

- (a) written resolutions from 2 or more municipal boards, one of which must be either The City of Calgary Library Board or The City of Edmonton Library Board, that endorse the formation of a federation board and signify assent to the terms of the proposed agreement;
- (b) a plan of service with goals and objectives for the proposed federation board;
- (c) a budget for the first 2 fiscal years of the proposed federation board.

**(2)** Each document referred to in subsection (1) must be approved by the municipal boards not more than 90 days before being provided to the Minister.

**(3)** On receiving approval from the Minister of the documents provided under subsection (1), municipal boards that enter into an agreement may proceed with a request to the Minister under section 29(1) of the Act to establish a federation board.

**(4)** A request under section 29(1) of the Act shall be accompanied with the following:

- (a) a copy of the agreement signed by each party;
- (b) a list of the names, addresses and telephone numbers of each party's board members.

AR 141/98 s39;251/2001

**Contents of agreement**

**40(1)** An agreement shall at a minimum contain the following terms:

- (a) a formal indication of the parties' desire to enter into an agreement;
- (b) a starting date for the agreement;

- (c) provision for parties to become members of the federation board after the starting date;
  - (d) terms setting out the powers and duties of the federation board;
  - (e) an explanation of the relationship between the federation board and each member respecting the manner in which the relationship will operate and how library services will be provided;
  - (f) terms specifying how to calculate each party's share of the federation board expenses under section 29(2)(c) of the Act, the date on which payment of the money becomes due and how the money is to be paid;
  - (g) an explanation of the financial relationship between the federation board and the parties to the agreement;
  - (h) terms setting out the services that the federation board will provide, including a commitment to make all library resources acquired by the board available to all residents served by the members of the federation board;
  - (i) terms specifying the reports that are required to be provided to each other by the federation board and the municipal boards;
  - (j) terms governing the method for amendment, extension and renewal of the agreement.
- (2) An agreement shall be signed by the persons authorized by the municipal boards to enter into the agreement.

AR 141/98 s40;251/2001

**Personal property of municipal board**

**41** All personal property of a municipal board on the date on which it enters into an agreement remains the property of the municipal board.

**Real property**

**42** A federation board may not own or hold real property.

**Federation board members**

**43(1)** When a federation board is established, it shall prepare a list that names every federation board member appointed by each party to the agreement.



(2) Any vacancy arising from any cause in the membership of a federation board shall be filled in accordance with section 30 of the Act as soon as reasonably possible.

(3) Subject to subsection (2), a municipal board may, with respect to appointments under section 30 of the Act, appoint an alternate member to the federation board if its federation board member

- (a) is unable to attend a meeting of the federation board, and
- (b) has given notice to the federation board that an alternate member will attend.

AR 141/98 s43;251/2001

#### **Plan of service**

**44(1)** In managing and controlling a federation, a federation board shall, within 4 years of being established, prepare and file with the Minister a report that

- (a) assesses the needs of its member municipal boards for federation services,
- (b) assesses the need for public library service generally, and
- (c) develops goals and objectives suitable to meeting those needs.

(2) A federation board shall review at least every 3 years the goals and objectives developed under subsection (1).

(3) A federation board

- (a) shall, within one year of filing its report under subsection (1), develop and file with the Minister a plan for comprehensive and efficient service that implements the goals and objectives developed under subsection (1), and
- (b) shall review and file with the Minister a copy of its plan under clause (a) not less frequently than every 5 years and not more frequently than every 3 years following the date on which the plan was previously filed with the Minister.

#### **Reports to Minister**

**45** A federation board shall

- (a) annually complete and file with the Minister a report in a form and containing the information required by the Minister, and

- (b) file with the Minister a report containing its minutes and resolutions as soon as practicable after each meeting of the board.

#### **Requests by Deputy Minister**

**46** The Deputy Minister may, by written request, require a federation board

- (a) to make any survey that the Minister considers necessary
  - (i) to obtain information on resource sharing, or
  - (ii) to assist in the development of policies and procedures regarding networking between libraries;
- (b) to provide any information that the Minister considers necessary to undertake a systematic review of library services within the federation.

## **Part 7 Repeal and Expiry**

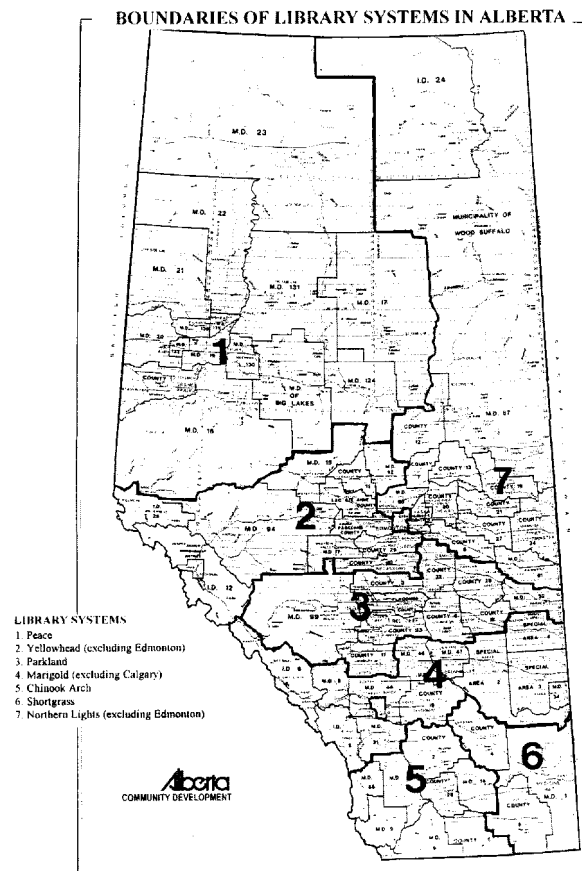
#### **Repeal**

**47** The *Libraries Regulation* (AR 342/84) is repealed.

#### **Expiry**

**48** For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on September 30, 2018.


AR 141/98 s48;193/2003;172/2007;180/2013

**Schedule**







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**MEETING DATE:** October 24, 2023

**PREPARED BY:** Danielle Nealon, Executive & Legislative Coordinator

**PRESENTED BY:** Kim Isaak, Chief Administrative Officer

**SUBJECT:** **Council Appointments to Town of Blackfalds Boards, Committees and Commissions**

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## **BACKGROUND**

Annually, at the Organizational Meeting, Council appointments are made to Town of Blackfalds Boards, Committees and Commissions.

## **DISCUSSION**

Attached is a spreadsheet outlining the Council appointments for the 2022 Organizational Meeting of Council.

## **FINANCIAL IMPLICATIONS**

None.

## **ADMINISTRATIVE RECOMMENDATION**

1. That Council determine the appointments to the various Town of Blackfalds Boards, Committees and Commission and put forth a motion for the applicable appointments.


## **ALTERNATIVES**

*None, as Council must appoint Council members at the Organization Meeting in accordance with the Council Procedural Bylaw.*

## **ATTACHMENTS**

- *None*

## **APPROVALS**



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Kim Isaak,  
Chief Administrative Officer



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Department Director/Author

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**MEETING DATE:** October 25, 2022

**PREPARED BY:** Danielle Nealon, Executive & Legislative Coordinator

**PRESENTED BY:** Kim Isaak, Chief Administrative Officer

**SUBJECT:** **Council Member Appointments to External Boards, Committees and Commissions**

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**BACKGROUND**

Annually at the Organizational Meeting, members of Council are appointed to various external Boards, Committees and Commissions for the upcoming year until the following Organizational Meeting.

**DISCUSSION**

The External Boards, Committees and Commissions are listed at the bottom of the Town of Blackfalds 2023-2024 Boards, Committees and Commissions Spreadsheet.

**FINANCIAL IMPLICATIONS**

None

**ADMINISTRATIVE RECOMMENDATION**

1. That Council formally appoint members to external Boards, Committees and Commissions.

**ALTERNATIVES**

*None, as Council must appoint Council members at the Organization Meeting in accordance with the Council Procedural Bylaw.*

**ATTACHMENTS**

- None

**APPROVALS**

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Kim Isaak,  
Chief Administrative Officer



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Department Director/Author