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1. **Call to Order**
 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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 - Inter-Municipal Collaboration Framework (ICF) Committee
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 - Central Alberta Economic Partnership (CAEP)
 - Parkland Regional Library System (PRLS) Board

- Blackfalds Schools Parent Council (IREC, IRIC, IRJC, St. Gregory the Great Catholic School)
 - Central Alberta Regional Trails Society (CARTS)
 - Lacombe Regional Emergency Partnership Plan Advisory Committee (LREMP)
 - North Red Deer River Water Commission (NRDRWC)
 - Red Deer River Municipal Users Group (RDRMUG)
 - Red Deer River Watershed Alliance
 - Lacombe County Fire Services Partnership Advisory Committee
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13. **Adjournment**

MEETING DATE: October 25, 2022

PREPARED BY: Myron Thompson, Chief Administrative Officer

PRESENTED BY: Myron Thompson, Chief Administrative Officer

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

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 2016*
- *Province of Alberta Notaries and Commissioners Act – Commissioners for Oaths Regulation*

APPROVALS



CAO Myron Thompson

Department Director/Author



Province of Alberta

NOTARIES AND COMMISSIONERS ACT

Statutes of Alberta, 2013
Chapter N-5.5

Current as of September 1, 2022

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.

Alta. Reg.	<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 Provincial Court, the Court of Queen’s Bench or the Court of Appeal and includes an applications judge appointed under the *Court of Queen’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

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

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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 25, 2022

PREPARED BY: Myron Thompson, Chief Administrative Officer

PRESENTED BY: Myron Thompson, Chief Administrative Officer

SUBJECT: **Council Procedural Bylaw 1265.22**

BACKGROUND

A Procedural Bylaw provides a formal procedure to ensure that Council Meetings and Committee Meetings are effective through the establishment of conduct. Council's Procedural Bylaw 1265.22, Part 5 sets out the requirements for the Organizational Meeting as well rules of procedure for governing processes as relates to Council and Committee Meetings. Bylaw 1265.22 also serves to regulate the conduct of Councillors and members of committees established by Council.

Town Council utilizes the annual Organizational Meeting to review requirements and expectations of their appointment, as required through the *Municipal Government Act*, as well as supplementary references. Bylaw 1265.22, being the Procedural Bylaw provides very important information to assist Council members in attendance of their duties.

DISCUSSION

Procedural Bylaw 1265.22 is attached as a reference and serves as a reminder and guide to assist Council in their service to the community. Administration will have the Procedural Bylaw as a topic of discussion for review at the upcoming Council Retreat in November and it is expected that the Bylaw will be brought before Council for updates prior to year-end.

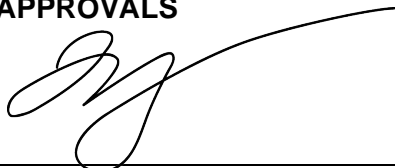
FINANCIAL IMPLICATIONS

None

ATTACHMENTS

- *Council Procedural Bylaw 1265.22*

APPROVALS



CAO Myron Thompson

Department Director/Author

BEING A BYLAW OF THE TOWN OF BLACKFALDS, IN THE PROVINCE OF ALBERTA TO REGULATE THE PROCEEDINGS AND CONDUCT OF COUNCIL AND COUNCIL COMMITTEE MEETINGS.

WHEREAS the *Municipal Government Act*, S.A. 2000, Chapter M-26, as amended, provides that a Council may pass Bylaws in relation to the procedure and conduct of Council, and committees established by Council, and may regulate the conduct of Councillors and members of committees established by Council;

AND WHEREAS Council has deemed it necessary to regulate the procedure and conduct at meetings of council and committees established by Council;

AND WHEREAS Council has deemed it necessary to regulate procedures for receiving and responding to communications and submissions to Council;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE TOWN OF BLACKFALDS, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

PART 1 - TITLE

1. That this Bylaw may be cited as the "**Council Procedural Bylaw**" of the Town of Blackfalds.

PART 2 - DEFINITIONS

2. In this Bylaw:
 - a) "**Act**" means the Municipal Government Act (MGA or the Act), as amended.
 - b) "**Administrative Inquiry**" is a request from a Member of Council to the Administration, made at a meeting, for the future provision of information and report.
 - c) "**Administrative Representative**" refers to the senior Administration resource person appointed to a Committee by the CAO.
 - d) "**Agenda**" means the list and order of business items for any meeting of Council, or Committees.
 - e) "**New Business**" shall mean any matter appearing before Council for the first time on an Agenda that requires a decision of Council.
 - f) "**Bylaw**" means a Municipal Bylaw of the Town.
 - g) "**CAO**" means the Chief Administrative Officer.
 - h) "**Chairperson**" means the Member elected from among the Members of a Committee to preside at all meetings of the Committee.
 - i) "**Committee**" means a committee, board, commission, authority, task force, ad-hoc working group or any other public body established by Council pursuant to this Bylaw.
 - j) "**Council**" means the elected officials, being the Mayor and Councillors of the Town of Blackfalds.
 - k) "**Council Committee Meeting**" means a meeting of Council of the Whole and referred specifically as the Standing Committee of Council.
 - l) "**Council Meetings**" are regularly scheduled or Special Meetings that require the attendance of Council.
 - m) "**Delegation**" shall mean one or more persons who have formally requested or have been requested to appear before Council at a Council or Standing Committee Meeting, in accordance with this Bylaw.
 - n) "**Deputy Mayor**" means the Member of Council appointed pursuant to this Bylaw to act as Mayor in the absence or incapacity of the Mayor.

- o) **“Ex-officio”** means membership by virtue of one’s office and/or where appointed by Council.
- p) **“FOIP”** means the *Freedom of Information and Protection of Privacy Act* of Alberta.
- q) **“In-Camera”** means a part of the meeting closed to the public at which no resolution or bylaw may be passed, except a resolution to recommend to Council or revert to a meeting held in public.
- r) **“Live Streaming”** means to transmit or receive live video and audio coverage of (an event) over the Internet.
- s) **“Majority of Council”** means fifty (50%) plus 1 of those present, unless Council provides otherwise in this Bylaw;
- t) **“Mayor”** means the Chief Elected Official of the Town of Blackfalds duly elected.
- u) **“Media Representatives”** shall mean an employee or agent of a Licensed Broadcaster, a member of the Alberta Weekly Newspaper Association or a member of the Alberta Press Council.
- v) **“Member”** means a member of Council duly elected and continuing to hold office, or a member of a Committee duly appointed by Council.
- w) **“Motion”** means a question that has been placed before Council, but which has not yet been subject to a vote by Council.
- x) **“Municipal Government Act”** means the law under which all Alberta municipalities are empowered to shape their communities.
- y) **“Notice of Motion”** is the means by which a member of Council brings business before Council.
- z) **“Organizational Meeting”** shall mean the meeting held for the purpose of scheduling Council Meetings and to make Council appointments to Committees of Council, to be held annually no later than the 2nd Regular Council meeting in October.
- aa) **“Officer”** means the Chief Administrative Officer, Director of Community Services, Director of Corporate Services, Director of Infrastructure and Property Services, or their delegates, all of whom shall be recorded in official minutes if their attendance is required.
- bb) **“Point of Information”** means a request or statement directed to the Presiding Officer, or through the Presiding Officer to another Member or to the administration, for or about information relevant to the business at hand, but not related to a Point of Procedure;
- cc) **“Point of Order”** means the raising of a question by a Member with the view of calling attention to any departure from this Bylaw or the customary proceedings in debate or in the conduct of Council's business.
- dd) **“Point of Privilege”** means all matters affecting the rights and exemptions of Council collectively or the propriety of the conduct of individual Members and includes but is not limited to, the following.
 - i. the organization or existence of Council
 - ii. the comfort of Members
 - iii. the conduct of Administration or members of the public in attendance at the meeting, and the reputation of Members or Council as a whole
- ee) **“Point of Procedure”** means a question directed to the Presiding Officer to obtain information on a matter of parliamentary law or the rules of Council to assist a Member to:
 - i. make an appropriate motion
 - ii. raise a Point of Order
 - iii. understand the procedure, or

- iv. understand the effect of a motion
- ff) **“Presiding Officer”** shall mean the Mayor or the Deputy Mayor; or in the absence of the two, any other Member of Council appointed by Council to preside at the Meeting from those Members of Council present.
- gg) **“Public Hearing”** means a meeting of the Council, or that portion of a meeting of Council during which members of the public make representations to Council in accordance with Section 230 of the Municipal Government Act.
- hh) **“Question of Privilege”** means raising of a question which concerns a Member, or Council collectively, when a Member believes that another Member has spoken disrespectfully towards them or Council, or when they believe their comments have been misunderstood or misinterpreted by another Member;
- ii) **“Quorum”** means the majority of Members, fifty (50%) plus 1 of those present, unless Council provides otherwise in this Bylaw;
- jj) **“Resolution”** means a Motion passed by a majority of Council.
- kk) **“Special Meeting”** means a meeting called by the Mayor or by vote of 2/3 of Council pursuant to the Act;
- ll) **“Standing Committee of Council”** is a procedural device that permits Council greater freedom of debate.
- mm) **“Terms of Reference”** means those terms pertinent to the establishment and mandate of a Committee and which are:
 - i. in addition to or beyond the parameters of this Bylaw; and
- nn) **“Town”** means the Corporation or the Town of Blackfalds.
- oo) **“Video”** means the recording, reproducing or broadcasting of moving visual images and audio made either digitally or on videotape.

PART 3 – APPLICATION

- 3. This Bylaw applies to:
 - (a) all Regular Council meetings, and
 - (b) all Standing Committee meetings, and
 - (c) all Special Council meetings, and
 - (d) all Council Committee meetings, except for:
 - i. when Council has granted permission to a Committee to establish its own procedures, and
- 4. The precedence of the rules governing the procedure of Council is:
 - (a) the MGA – the Act;
 - (b) other Provincial legislation;
 - (c) this Bylaw, and;
 - (d) a Council Code of Conduct Bylaw, and;
 - (e) the current edition of Robert’s Rules of Order and Parliamentary Procedure.
- 5. To the extent that a matter is not dealt within the Act or this Bylaw, Council shall have regard to Robert’s Rules of Order and Parliamentary Procedure.
- 6. Subject to the appeal process set out in Section 78 of this Bylaw, the Presiding Officer or Chairperson shall interpret procedure.
- 7. In the absence of a statutory obligation, any provision of this Bylaw may be temporarily altered or suspended by an affirmative vote of two-thirds of all Members present. A motion to temporarily alter or suspend this Bylaw is not debatable or amendable.

PART 4 - GENERAL

8. No Member of Council shall direct or interfere with the performance of any work for the Municipality and shall seek all information through the office of the Chief Administrative Officer or their designate.
9. Members of Council shall subscribe to the Alberta Municipalities Association Ethical Guidelines of Conduct for Members of Council (*Appendix A*) and adhere to the Town of Blackfalds Council Code of Conduct Bylaw (and any amendments hereto).
10. A breach of any Section of the Bylaw by any Member of Council may place the Member of Council in the position of censure by Council.
11. Public Hearings, when required or requested by Council, will be held prior to second reading.
12. Motions of Council and any questions of parliamentary procedures shall be dealt with in the manner set out in this Bylaw and the current edition of Robert's Rules of Order and Parliamentary Procedures.

PART 5 - ORGANIZATIONAL MEETING

13. Council shall hold an Annual Organizational Meeting each year no later than the 2nd Regular Council Meeting in October.
14. The CAO shall set the time and place for the Organizational Meeting, with the business of the meeting being limited to:
 - (a) the appointments of Members to Committees which Council is entitled to make; and
 - (b) the roster of Deputy Mayors for the Council term; and
 - (c) any other business required by the Act, or which Council or the CAO may direct.
15. Appointments of Council Members to Committees shall be for a term of one year, unless otherwise specified.

PART 6 - INAUGURAL MEETING

16. The Organizational Meeting immediately following a general municipal election shall be called the 'Inaugural Meeting'.
17. The Mayor and each Councillor shall take the prescribed Oath of Office as the first order of business at the Inaugural Meeting.
18. Until the Mayor has taken the Oath of Office, the CAO shall chair the Inaugural Meeting.

PART 7 - MEETINGS OF COUNCIL

19. Regular Meetings of Council shall be held in the Council Chambers unless notice is given in accordance with the Act and this Bylaw that the Regular Meeting will be held elsewhere in the Community.
20. Regular Meetings of Council shall be held on the second and fourth Tuesday of every month.
21. If a Regular Meeting of Council falls on a Statutory Holiday, the meeting will take place on the day chosen by Council at the Organizational Meeting.
22. Regular Meetings of Council shall commence at 7:00 p.m.
23. Standing Committee of Council is considered to be a Committee of the Whole meeting and typically takes place the third Monday of every month.
24. Standing Committee of Council meetings that fall on a statutory holiday may be cancelled for that respective month as chosen by Council at the Organizational Meeting.
25. Standing Committee of Council shall commence at 7:00 p.m.

26. Special Meetings may be called and notice of such Special Meetings shall be given in accordance with the provisions of the Act and this Bylaw.
27. Councillors shall each serve an eight-month rotation as Deputy Mayor, rotating in the manner as agreed upon by Council.
28. A Member who has a pecuniary interest in a matter before Council shall disclose the general nature of the pecuniary interest, and abstain from discussing the matter or voting on the matter, and leave the room until discussion and voting on the matter are concluded, as prescribed in the Act.
29. Council meetings will be recorded and broadcasted through live streaming over the internet and through Town of Blackfalds media channels, as prescribed through applicable Town Policies, Bylaws and in accordance with legislation.

PART 8 – ELECTRONIC PARTICIPATION AT MEETINGS IN EXTENUATING CIRCUMSTANCES

30. Should a state of emergency or extenuating circumstances where restrictive measures are required occur, electronic participation may be allowed by a member of Council, of a board or committee. Members participating electronically will be counted in determining whether a quorum of members is present and may participate electronically in a meeting.
31. A Council member shall be permitted to attend a meeting using electronic communication if that location is able to support its use, ensuring that all Council members participating in the meeting are able to communicate effectively.
32. A Council member attending a meeting via electronic communications is deemed to be present at the meeting for whatever period of time the connection via electronic communications remains active.
33. The Mayor, Deputy Mayor or Presiding Officer shall announce to those in attendance at the Council meeting that a Council member is attending the meeting by means of electronic communications.
34. Where the Rules of Procedure conflict with the need to facilitate electronic participation, the Mayor, in consultation with the CAO, shall have the authority to modify the Rules of Procedure to ensure Members can effectively participate in the meeting.
35. When a Council member attends a Closed Session, they will be required to confirm that they are attending the Closed Session alone.
36. The CAO, in consultation with the Mayor, shall establish practices and procedures for electronic participation.
37. Members must notify the CAO a minimum of twenty-four hours prior to the meeting of their intention to participate electronically.
38. The CAO may provide for the electronic participation of staff, including that of the CAO.

PART 9 - NOTICE OF MEETINGS

39. For all meetings requiring notice, the notice must be:
 - (a) issued a minimum of 24-hours prior to the meeting date;
 - (b) in writing and specify the time, date, location and purpose the meeting;
 - (c) electronically distributed via email to each Council or Committee Member;
 - (d) posted at the Town Office – at the Civic Cultural Centre; and
 - (e) given any other notification as requested by Council or the Committee.
 - (f) Despite Section 27, the Mayor may call a Special Meeting of Council, on shorter notice without giving notice to the public, provided two-thirds (2/3) of the whole Council give written consent to holding the Meeting before the Meeting begins.

PART 10 - CANCELLATION OF MEETINGS

40. A Regular Meeting may be cancelled:
- a) by a majority of Members at a previously held meeting; or
 - b) with the written consent of a majority, providing twenty-four (24) hours' notice is provided to Members and the public; or
 - c) with the written consent of two-thirds (2/3) of the whole Council if twenty-four (24) hours' notice is not provided to the public.
41. A Special Meeting, called under the initiative of the Mayor, may be cancelled:
- a) by the Mayor if twenty-four (24) hours written notice is provided to all Members and the public; or
 - b) if less than twenty-four (24) hours' notice is provided, the Mayor may cancel with the written consent of two-thirds (2/3) of the whole Council.
42. A Special Meeting, requested in writing by a majority of the Members, may be cancelled:
- a) with the written consent of the requesting Members, if twenty-four (24) hours' notice is provided to the Members and the public; or
 - b) if less than twenty-four (24) hours' notice is provided, with the written consent of two-thirds (2/3) of the whole Council.

PART 11 - AGENDA

43. The Agenda shall list the items and order of business for the meeting.
44. The CAO shall ensure copies of the Agenda are:
- a) available online to the public no later than 4:00 pm on the Friday prior to the day on which the Regular Council meeting is held and by 4:00 pm on the Thursday prior to a Standing Committee meeting or any Council meeting held on a Monday.
 - b) Electronically distributed and available to all members of Council and Officers who are entitled to receive copies.
45. The CAO shall make the Agenda and all reports and supplementary materials (unless they must or may be withheld under the Act or any other statute dealing with access to information) available on the municipal website to the media and public.
46. All agenda submissions shall be received by the CAO no later than 4:30pm on the Wednesday prior to agenda posting.
47. Only material which has been received in accordance with Section 38 of this Bylaw shall be considered at the meeting for which the Agenda is prepared.
- a) If an emergent or time sensitive matter needs to be brought before Council at any meeting the item shall:
 - i. be accompanied by a brief explanation from an Officer indicating the reasons for, and the degree of urgency of the item; and
 - ii. be permitted to be added by the Presiding Officer considered as an addendum to the Agenda upon a majority vote of Council.
48. The standard order of business on the Agenda shall be as follows unless Council otherwise determines by a majority of vote a change in order:
- (a) Call to Order
 - (b) Land Acknowledgement
 - (c) Adoption of Agenda
 - (d) Delegation
 - (e) Public Hearing
 - (f) Business Arising from Minutes
 - (g) Business
 - (h) Action Correspondence
 - (i) Information
 - (j) Round Table
 - (k) Approval of Minutes
 - (l) Notices of Motion

- (m) Business for the Good of Council
 - (n) Confidential
 - (o) Adjournment
49. The Presiding Officer shall call the meeting to order at the time appointed at the prescribed meeting time in accordance with Section 22.
50. Council must vote to adopt or amend the agenda prior to carrying out any business.
51. If a delegation wishes to make a presentation to Council the Delegation must submit a written request in the form of a Delegation Application to the office of the CAO, no later than noon on the Wednesday prior to a Regular Council meeting. The Delegation Application is provided as *Appendix B*.
52. Public Hearings shall be conducted in accordance with the procedures set out in *Appendix C*.
53. Business Arising from Minutes will include business which was on the agenda of a previous meeting and was not completed and will include all information relative to the issue including the expected motion.
54. Business items include templated reports from Administration for items requesting direction from Standing Committee or a decision from Council, or information items on a Committee or Council report.
- a) Items included as information require no motion of acceptance or approval.
 - b) Request for Decision items include a recommendation by Administration and a request for a decision by Council, at which time Council may:
 - i. Vote on the recommended motion; or
 - ii. Refer back to Administration for further consideration; or
 - iii. Vote on an amended motion as determined through debate and presented by a member of Council.
55. Action Correspondence includes items that require follow up action which in turn requires a motion of Council.
56. Information includes items of correspondence addressed to Mayor and/or Council and all content shall be subject to the *Freedom of Information and Privacy Act*.
57. Round Table will take place only on the second Regular Council meeting each month and Council will provide Administration, by the 16th of each month, a summary report of meetings, events and activities using the template provided.
- a) The CAO Report will include monthly administrative activities and will be provided as a verbal report at the second monthly Regular Council Meeting.
58. Approval of Minutes will include the minutes from a prior Council meeting and will be circulated within the agenda package.
- a) Upon determination that minutes are accurate and contain no major errors or omissions, Council shall adopt the minutes as circulated.
 - b) Minutes that require major amendments must be amended and brought forward to the next meeting for adoption.
 - c) Minor amendments may include spelling, grammar and any changes that do not affect the context of an item or a motion of Council.
59. Where a Confidential matter is included on the agenda, the section of FOIP that allows information to be protected from disclosure will be cited on the agenda and reflected in the minutes, as set out in *Appendix D – Guideline to Matters Which can be Discussed In Camera Meetings*. Confidential items are those items that are discussed as per Section 197(2) of the *Municipal Government Act* “In Camera” and are confidential items of discussion between Council, Administration and invited persons. No minutes, notes, or recordings of the discussions will take place and any reports provided to Council will be returned to the CAO.
60. A Notice of Motion is made to serve notice of intent and must give sufficient detail so that the subject of the Motion and any proposed action can be determined, must state the date of the meeting at which the Motion will be made, and must meet the following requirements:

- a) Any member of Council may make a Motion introducing any new matter of municipal business provided that the Notice of Motion has been brought forward at a meeting of Council held at least seven days before the meeting at which time the motion will be debated or Council passes a Motion by majority vote dispensing of the period of notice.
- b) A Council member who submits a written Notice of Motion to the CAO, to be read at a meeting, need not be present during the reading of the notice.
- c) When notice has been given, the CAO will include the proposed Motion in the Agenda of the meeting for the date indicated in the Notice of Motion.
- d) If the Council Member is not present for the indicated date, the Motion will be deferred to the next regular Council meeting. If the Council Member is not present at the next regular Council meeting the Motion will be removed from the Agenda and may only be made by a new Notice of Motion.

PART 12 - COMMUNICATIONS

- 61. When a letter or correspondence is addressed to Council, it shall be directed through the CAO and shall:
 - a) be on paper or in a printable form;
 - b) be placed on an agenda as either an Information item or Action Correspondence;
 - c) and properly placed within the Town's filing system.
- 62. Follow up on the correspondence may include:
 - a) Discussion on the item under information during the Regular Council Meeting;
 - b) Directive to Administration to provide response to the item of correspondence.
- 63. In situations where the CAO considers correspondence to be libelous, impertinent or improper, the CAO will summarize the content of the communication verbally and inform Council that it is being withheld.

PART 13 - QUORUM

- 64. When a quorum is present at the time set for commencement of a Council meeting, the Presiding Officer shall call the meeting to order.
- 65. If there is a quorum present at the time set for commencement of a meeting, but the Mayor and Deputy Mayor are absent, the CAO shall call the meeting to order and shall call for a Presiding Officer to be chosen by resolution.
- 66. If a quorum is not constituted within fifteen minutes from the time set for commencement of a Council meeting, the CAO shall record the names of all the Members present and adjourn the meeting.
- 67. If a Council meeting is adjourned for:
 - a) failure to constitute a quorum; or
 - b) due to loss of quorum as a result of a Member leaving the meeting;
- 68. The Agenda delivered for that Council meeting shall be considered at the next Regular Meeting of Council unless a Special Meeting is conducted to complete such business.

PART 14 - ADJOURNMENT

- 69. Regular Council Meetings shall adjourn no later than 10:00 pm unless: if in session at that time, except to conclude the matter under discussion, and Council shall recess and reconvene at 6:00 pm on the next business day unless:
 - a) A matter under discussion has not concluded;
 - b) otherwise directed by Council; or
 - c) Council, by resolution of a majority vote, taken as soon before 10:00 pm as the business permits, agree to an extension of the meeting beyond 10:00 pm.

70. If adjournment takes place and unfinished business remains, these items will be carried over to the next regular meeting of Council.
71. A Member may move a motion to adjourn a Meeting at any time, except when:
 - a) another Member has the floor;
 - b) a call for a vote has been made;
 - c) the Members are voting Council is In-Camera; or
 - d) a previous motion to adjourn has been defeated and no other intervening proceedings have taken place.
72. A motion to adjourn shall be put without comment or debate.
73. When all items of an approved agenda have been dealt with, the Presiding Officer may adjourn the meeting without requiring a motion or vote by Council.

PART 15 – RECESS

74. Any Member may move that Council recess or break for a specific period. After the recess, business will be resumed at the point when it was interrupted. This motion may not be used to interrupt a speaker.
75. A motion to recess may be amended only as to length of time, but neither the motion nor the amendment is debatable.
76. If no speaker is addressing Council, the Presiding Officer may call a recess for a specific period.

PART 16 – MINUTES OF COUNCIL MEETINGS

77. The CAO shall ensure minutes of a Council meeting are prepared and included in the agenda package distributed to each Member of Council for the next meeting.
78. Minutes shall be available to the public including on the Town's website on the same week as to when they were approved by Council.
79. The Presiding Officer shall present the minutes to Council with a request for a motion to formally accept the Minutes.
80. Any Member of Council may make a motion requesting that the Minutes be amended to correct any inaccuracy or omission.
81. Minor changes may be made to the minutes to correct errors in grammar, spelling and punctuation or to correct the omission of a word necessary to the meaning or continuity of a sentence. No change shall be allowed which would alter the actual decision made by Council.
82. If a Member wishes to challenge the accuracy of the minutes of a previous meeting, the Member must make the challenge known to the CAO before Council has officially confirmed the minutes.

PART 17 – CONDUCT OF BUSINESS

83. Council meetings will be held in public and no person may be excluded except for:
 - a) improper conduct; or
 - b) Council may, by resolution, meet In-Camera to discuss any matter if a statute authorizes the holding of that meeting in the absence of the public.
84. The Presiding Officer shall preserve order, decorum, and decide questions of procedure subject to an appeal of Council; and the decision of the Presiding Officer shall be final unless reversed by a majority vote of the members present, without debate.
85. A member called to order by the Presiding Officer shall immediately cease further comment and may appeal the call to order to the Council or Committee. The Council or Committee, if appealed to, shall decide on the case without debate and by way of a majority vote of the members present. If there is no appeal, the decision of the Presiding Officer shall be final.

86. No Member of Council shall:
- speak without first being recognized by the Presiding Officer; and being granted the floor.
 - speak twice to the same item after a motion on any agenda item,, without the leave of Council, until every member of Council has an opportunity to speak, except to make an inquiry or an explanation that may have been misconstrued; and no Member of Council having first received their opportunity to speak.
 - Speaking twice does not include asking questions or subsequent questions on an item, as this information is gathered by Council Members to make informed decisions. Speaking is referring to when a Council Member debates a motion.
87. The Presiding Officer shall give each Member of Council, who wishes to speak on a matter on the Council Agenda, an opportunity to do so before calling the question.
88. When a Member or Officer wishes to speak at a Council meeting, they shall obtain the approval of the Presiding Officer before doing so.
89. Every Member of Council, and every member of Administration present at the meeting, in speaking to any question or Motion, shall address themselves only to the Presiding Officer.
90. When any Point of Order, Point of Procedure, or Question of Privilege arises, it shall be immediately taken into consideration.
91. When the Presiding Officer is called upon to decide a Point of Order, Point of Procedure, or Question of Privilege the point shall be stated, succinctly and the Presiding Officer shall when giving his/her decision on the point cite the rule or authority applicable to the same.
92. When a Point of Information is raised, the Presiding Officer shall answer the question or direct the question to the appropriate Member of Council, or Administration.
93. When a Point of Privilege arises, the Presiding Officer shall rule upon the admissibility of the question and, if the Presiding Officer rules favorably, the Member of Council who raised the Point of Privilege shall be permitted to pursue the point.
94. When the Presiding Officer wishes to debate or make a motion, he / she shall vacate the Chair and request another Member to take the Chair, in the following order:
- Deputy Mayor
 - Any other Member of Council.
95. If no other Member of Council is willing to accept the Chair, the Presiding Officer will continue as Chair, however, will be allowed to make a motion and/or debate under the same rights and restrictions as other Members.
96. A person who is not a Member or Officer shall not address Council unless they first obtain permission from the Presiding Officer.
97. Members of the public gallery during a Council meeting:
- Shall not address Council without permission;
 - Shall maintain order and quiet; and
 - Shall not applaud or otherwise interrupt any speech or action of the Members, or any other person addressing Council.
98. The Presiding Officer may, in accordance with the Act, expel and exclude any person who creates a disturbance or acts improperly.
99. When a Member or Officer is addressing the Presiding Officer every other Member or Officer shall:
- Remain quiet and seated;
 - Not interrupt the speaker except on a Point of Order, Point of Procedure or Question of Privilege; and
 - Not carry on a private conversation.

100. When a Member is addressing Council, the Member shall:

- a) Not speak disrespectfully of others;
- b) Not shout, raise his / her voice or use offensive language;
- c) Not reflect on any vote of Council except when moving to rescind it and shall not reflect on the motives of the Members who voted on the motion, or the mover of the motion;
- d) Assume personal responsibility for any statement quoted to Council or upon request of Council shall give the source of the information.

101. When a Member wishes to leave the Council Chambers while a Meeting of Council is in progress, he/she must indicate his /her intention and await the Presiding Officer's permission prior to leaving.

PART 18 – MOTIONS

102. A member who wishes to submit a motion in excess of 25 words shall do so in writing to the Presiding Officer and Recording Secretary.

103. After a motion has been moved, and prior to any vote, it is the property of Council and may not be withdrawn without the consent of a majority of Council.

104. Every motion or resolution shall be stated or read by the mover.

105. Any motion made in the negative shall be ruled out of order.

106. A request may be made to have the Recording Secretary read back the motion, as made, for clarity prior to being put to vote.

107. Council or committees may act on a motion pertaining to a subject which is not on the agenda with unanimous consent only.

108. When duly moved, a motion will be open for discussion and debate. The Presiding Officer will determine if a Member can speak twice to the same issue prior to other Members and officers have the opportunity.

109. The mover of a motion may speak and vote for or against the motion.

110. No motion other than an amending motion or motion to table or refer shall be considered until the motion already before Council has been disposed of.

111. Notices of Motion shall be in accordance with Section 57 of this Bylaw.

112. When a motion is tabled without being settled, no similar or conflicting motion which would restrict action on the first motion may be introduced or adopted.

113. Where the Town has a contractual liability or obligation, Council shall not reconsider, vary, revoke, or replace any motion except to the extent that it does not avoid or interfere with such liability or obligation.

114. The following motions are not debatable by Members:

- a) Adjournment
- b) To take a recess
- c) Question of Privilege
- d) Point of Order
- e) To limit debate on a matter before Members
- f) To table the matter

115. There shall be a maximum of three motions on the floor at a time, the main motion, and up to two amending motions.

116. Amending Motions are those motions where word(s) or paragraphs are inserted or struck out of the original motion and can be made by any Member and must be in agreement to the Member originating the motion.

117. Amendments shall be voted on in a reverse order to that in which they have been moved, and all amendments shall be decided on or withdrawn before the original motion is put to a vote.

118. To refer a Motion is to state which Committee or Administrative department is to receive the motion for research/further information, and shall include terms, timelines and other relevant information.
119. A motion to postpone any matter shall include in the motion:
- a) a specific time to which the matter is postponed; or
 - b) provision that the matter is to be postponed indefinitely.
120. A motion to postpone a matter is amendable and debatable.
121. Any matter that has been postponed to a particular date, or indefinitely, shall not be considered by Council before the date set, except on a majority vote of the Members present.
122. A tabling motion allows a matter without debate to be set aside and brought back at a later date.
123. A Motion to adjourn is not subject to debate and is voted on immediately.

PART 19 - VOTING ON MOTIONS

124. When debate on a motion is closed, the Presiding Officer shall put the motion to a vote, and this decision shall be final unless overruled by a majority vote of the Members present at the meeting.
125. No member shall leave the Council Chamber after a question is put to a vote and before the vote is taken.
126. If any Member of Council wishes to have a Recorded vote, the request for a recorded vote must be made prior to the vote being taken and recorded in the meeting minutes. (Section 185 MGA).
127. Votes on all motions must be taken as follows:
- a) the Presiding Officer must declare the motion and call for the vote;
 - b) Members must vote by a show of hands
 - c) the Presiding Officer must declare the result of the vote.
128. After the Presiding Officer declares the result of the vote, Members may not change their vote for any reason.
129. A question or motion shall be declared lost when it:
- a) does not receive the required majority of votes; or
 - b) receives an equal division of votes.
130. Each Member present shall vote on every motion as prescribed by the Act, unless the Act or other provincial or federal enactment requires or permits the Member to abstain, in which case the Member shall cite the legislative authority for abstaining, and the CAO shall record the abstention and reasons in the minutes.
131. Council Members who abstain from voting during Closed Sessions are subject to the provision above, unless they are abstaining for a reason that is considered confidential under the Freedom of Information and Privacy Act.
132. A Member shall not vote on a matter if they are absent from the Council Chambers when the matter has been heard, the vote is called.
133. The outcome of every vote shall be incorporated into the official minutes.
134. Where a motion is not carried unanimously by those members present, then the names of those who voted for and against a motion shall be entered upon the minutes for motions that are carried or defeated.

PART 20 – BYLAWS & POLICIES

135. Draft bylaws and policies shall be prepared by the appropriate Administration member and shall be reviewed at a meeting of the Standing Committee of Council before being

presented at a Regular Council Meeting.

136. When a Bylaw is presented to Council for enactment, the CAO shall publish the number and title of the Bylaw in the Agenda.
137. The CAO shall provide a copy of the Bylaw in full and include it in the agenda package.
138. Every Bylaw shall have three readings. Only the title or identifying number must be read at each reading.
139. A Bylaw shall be introduced for first reading by a motion that the Bylaw be read a first time.
140. Prior to first reading, a Member may ask questions of clarification concerning the Bylaw.
141. Council shall vote on the motion for first reading of a Bylaw without amendment or debate.
142. A Bylaw shall be introduced for second reading by a motion that it be read a second time.
143. After a Member has made a motion for second reading of a Bylaw, Council may:
 - a) debate the substance of the Bylaw; and
 - b) propose and consider amendments to the Bylaw.
144. A Bylaw shall not be given more than two readings at one meeting unless the Members present unanimously consent that the Bylaw may be presented to Council for third reading.
145. When Council unanimously consents that a Bylaw may be presented for third reading:
 - a) motion for third reading of the Bylaw shall be made;
 - b) Council shall vote on the motion without amendment or debate;
146. A Bylaw shall be passed when a majority of the Members voting on third reading vote in favor, provided some other applicable Provincial Statute or Bylaw does not require a greater majority.
147. In conformance with the Act:
 - a) if a Bylaw does not receive third reading within two years from the date of first reading, the previous readings are deemed to have been rescinded; and
 - b) if a Bylaw is defeated on second or third reading the previous readings are deemed to have been rescinded.
148. Upon being passed, a Bylaw shall be signed by the Presiding Officer of the meeting at which it was passed as well as the CAO, and then shall have the Town's corporate seal applied.
149. Hard copies of all Bylaws and Policies will be maintained and will be provided as public information on the Town's official website.
150. Bylaws which require approval from the Province of Alberta shall receive two readings prior to submission of a certified copy to the Provincial authorities. The third reading will take place only after the signed approval of the Provincial Authority is received.
151. Bylaws and policies will come into effect as soon as they are passed unless they contain a deferred date for implementation.
152. Policies shall be presented for discussion and passed by a simple majority at one sitting and shall come into effect as soon as they are passed unless they contain a deferred date for implementation.
153. Upon being passed, a Policy shall be signed by the Presiding Officer of the meeting at which it was passed as well as the CAO.

PART 21 – STANDING COMMITTEE OF COUNCIL

154. Standing Committee of Council is considered to be Committee of the Whole.
155. The Deputy Mayor will chair or be the Presiding Officer for the Standing Committee of Council.
156. Quorum of the Standing Committee of Council is a majority of Council Members.
157. Procedures in Standing Committee of Council only differ from Council's in that:
- a) A member of Council may speak more than once, provided that all Council members who wish to speak to the matter have been permitted to speak;
 - b) a member of Council may speak even though there is no motion on the floor, but if there is a motion on the floor, a Council member shall only address that motion;
 - c) the only motions permitted are:
 - i. to make recommendations to Council to adopt reports and/or to recommend amendments;
 - ii. to amend its own recommendations;
 - iii. to move to meet In-Camera and subsequently to revert to a meeting held in public;
 - iv. to recess

PART 22 - COMMITTEES

158. Council may establish Committees as are necessary or advisable for the orderly and efficient handling of the affairs of the Town through the Board/Committee Policy and established Terms of Reference for said Boards & Committees.

PART 23 - REPEAL

159. That Bylaw 1183.14 and 1233.19 are hereby repealed upon this Bylaw coming into effect.

PART 24 - DATE OF FORCE

160. That this Bylaw shall come into effect, upon the date on which it is finally read and passed.

READ for the first time this _____ day of _____, A.D. 20__.

(RES.)

MAYOR JAMIE HOOVER

CAO MYRON THOMPSON

READ for the second time this _____ day of _____, A.D. 20__.

(RES.)

MAYOR JAMIE HOOVER

CAO MYRON THOMPSON

READ for the third and final time this _____ day of _____, A.D. 20__.

(RES. _____)

MAYOR JAMIE HOOVER

CAO MYRON THOMPSON

List of Appendices:

Appendix A - AUMA Ethical Guidelines
Appendix B - Delegation Application
Appendix C - Public Hearing Process and Template
Appendix D - Guideline to Matters which can be Discussed In Camera Meetings

Legislative References:

Municipal Government Act of Alberta – and any amendments
Town of Blackfalds Policy 136.19
Town of Blackfalds Bylaw – Council Code of Conduct

MEETING DATE: October 25, 2022

PREPARED BY: Myron Thompson, Chief Administrative Officer

PRESENTED BY: Myron Thompson, Chief Administrative Officer

SUBJECT: **Code of Conduct and Ethics for Elected Officials Bylaw 1272.22**

BACKGROUND

On October 26, 2017, Bill 20 of the *Municipal Government Act* required that Municipal Councils by bylaw, must establish a code of conduct governing the conduct of councilor's that applies to all councillors equally and that this requirement was to be met by July 23, 2018. The Code of Conduct Bylaw 1226.18 that was formally adopted at that time. This bylaw ensured that there was mandatory obligation of adherence and that the Municipality met all the minimum standards established by the Code of Conduct for Elected Officials Regulation. It is a requirement that this Bylaw be reviewed and updated every four years and it was earlier this year that a new Code of Conduct and Ethics for Elected Officials Bylaw 1272.22 was formally adopted by Council on June 14th therefore rescinding of Bylaw 1226.18.

DISCUSSION

The updated Council Code of Conduct and Ethics Bylaw 1272.22 was brought about through determined changes needed with bylaw 1226.18 as well as the review and recommended changes resulting from a code of conduct investigation undertaken by a consultant earlier this year. Third and final reading to Bylaw 1272.22 took place on June 14th of this year.

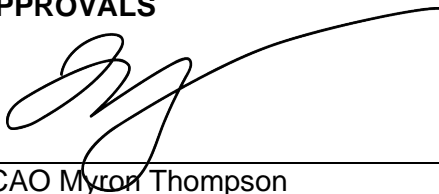
FINANCIAL IMPLICATIONS

None

ATTACHMENTS

- *Code of Conduct and Ethics for Elected Officials Bylaw 1272.22*

APPROVALS



CAO Myron Thompson

Department Director/Author

**BEING A BYLAW OF THE TOWN OF BLACKFALDS IN THE PROVINCE OF ALBERTA TO
ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF COUNCIL**

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, for the purpose of compliance under the modernized MGA.

WHEREAS, pursuant to section 146.1(1) of the *Municipal Government Act*, a council must, by bylaw, establish a code of conduct governing the conduct of members;

WHEREAS the Alberta Code of Conduct for Elected Officials Regulation provides minimum requirements for the contents of the Code of Conduct

AND WHEREAS, pursuant to section 153 of the *Municipal Government Act*, members have a duty to adhere to the code of conduct established by the council;

AND WHEREAS, the public is entitled to expect the highest standards of conduct from the members that it elects to council for the Town of Blackfalds;

AND WHEREAS, the establishment of a code of conduct for members of council is consistent with the principles of transparent and accountable government;

AND WHEREAS, a code of conduct ensures that members of council share a common understanding of acceptable conduct extending beyond the legislative provisions governing the conduct of members;

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

PART 1 - TITLE

- 1 This Bylaw may be referred to as the “**Council Code of Conduct Bylaw**”.

PART 2 - DEFINITIONS

- 2 In this Bylaw, words have the meanings set out in the Act, except that:
 - a. “**Act**” means the Municipal Government Act, R.S.A. 2000, c. M-26, and associated regulations, as amended;
 - b. “**Administration**” means the administrative and operational arm of the Municipality, comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the Chief Administrative Officer;
 - c. “**CAO**” means the chief administrative officer of the Municipality, or their delegate;
 - d. “**FOIP**” means Alberta’s Freedom of Information and Protection of Privacy Act, RSA 2000, c. F-25, any associated regulations, and any amendments or successor legislation;
 - e. “**Investigator**” means Council or the individual or body established by Council to investigate and report on complaints;
 - f. “**Member**” means a member of Council and includes a Councillor or the Mayor;
 - g. “**Municipality**” means the municipal corporation of the Town of Blackfalds.

PART 3 - PURPOSE AND APPLICATION

- 3 The purpose of this Bylaw is to establish standards for the ethical conduct of members relating to their roles and obligations as representatives of the Municipality and a procedure for the investigation and enforcement of those standards.
- 4 This Code of Conduct applies to the Mayor and all members of Council.
- 5 The purpose of the Code of Conduct is to provide a formal document setting out expectations and support for high standards of member conduct and to prevent ethical conflicts and assist in their resolution.

PART 4 – PROPOSED ADDITION ON ROLES**6 COUNCIL ROLE**

- a. The fundamental role of Council is to provide direction, make policy decisions and to represent the public interest.
- b. Council must not exercise a power, function or duty that is specifically assigned to the Chief Administrative Officer provided through legislation or bylaw.

7 COUNCIL DUTIES

- a. To consider and promote the welfare and interests of the municipality as a whole.
- b. To promote intermunicipal land use planning and service delivery.
- c. Develop and evaluate policies, programs, and services of the municipality.
- d. Actively and diligently participate in Council and Committee meetings.
- e. Keep in confidence matters discussed in closed sessions (in-camera) at Council or Committee meetings until such time as the issue is discussed at a meeting held in public.
- f. To support the role of the Council and its Administration, the policies and Bylaws of the municipality and the decisions of the Council.
- g. To attend mandatory member orientation training which shall be held no later than 90 days after a member takes the oath of office.
- h. To adhere to all policies, procedures and bylaws enacted by Council, including this Code of Conduct.

8 MAYOR DUTIES

- a. Performs the duties of a member.
- b. Presides at Council meetings, including the preservation of good order and decorum, ruling on Points of Order and deciding all questions relating to the orderly procedure of the meeting.
- c. Acts as Official Council spokesperson.

PART 5 - REPRESENTING THE MUNICIPALITY**9 Members shall:**

- a. act honestly and, in good faith, serve the welfare and interests of the Municipality as a whole;
- b. perform their functions and duties in a conscientious and diligent manner with integrity, accountability and transparency;
- c. conduct themselves in a professional manner, with dignity, and make every effort to participate diligently in the meetings of Council, committees of Council and other bodies to which they are appointed by Council; and
- d. arrange their private affairs and conduct themselves in a manner that promotes public confidence and will bear close public scrutiny.
- e. be transparent and accountable with respect to all expenditures and strictly comply with all municipal bylaws, policies and procedures regarding claims for remuneration and expenses.

PART 6 - COMMUNICATING ON BEHALF OF THE MUNICIPALITY

- 10 Unless Council directs otherwise, the Mayor is Council's official spokesperson and in the absence of the Mayor it is the Deputy Mayor. All inquiries from the media regarding the official Council position on an issue shall be referred to Council's official spokesperson.
11. A member must not claim to speak on behalf of Council unless authorized to do so by the whole of Council.
- 12 A member who is authorized to act as Council's official spokesperson must ensure that their comments accurately reflect the official position and will of Council as a whole, even if the member personally disagrees with Council's position.
- 13 No member shall make a statement when they know that statement is false.
- 14 No member shall make a statement with the intent to mislead Council or members of the public.

PART 7 – USE OF SOCIAL MEDIA

- 15 Members may use social media either with a personal account or a government official account; however, they shall conduct themselves respectfully and ethically.
- 16 Members utilizing social media shall abide by any Town policies in place with respect to behavior and content and shall support the role of Council and respect the differences of opinion.
- 17 Abiding by Town policies will include both elected official social media accounts as well as private social media accounts when content relates to Town business and activities.

PART 8 - RESPECTING THE DECISION-MAKING PROCESS

- 18 Decision making authority lies with Council, and not with any individual member. Council may only act by bylaw or resolution passed at a Council meeting held in public at which there is a quorum present.

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- 19 No member shall attempt to bind the Municipality or give direction to employees in Administration, agents, contractors, consultants or other service providers or prospective vendors to the Municipality.
 - 20 Members shall conduct and convey Council business and all their duties in an open and transparent manner and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions, except those matters that are exceptions to disclosure required by the Freedom of Information and Protection of Privacy Act.
 - 21 Members shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.

PART 9 - ADHERENCE TO POLICIES, PROCEDURES AND BYLAWS

- 22 Members shall uphold the law established by the Parliament of Canada and the Legislature of Alberta and the bylaws, policies and procedures adopted by Council.
- 23 Members shall respect the Municipality as an institution, its bylaws, policies and procedures and shall encourage public respect for the Municipality, its bylaws, policies and procedures.
- 24 Members must not encourage disobedience of any bylaw, policy or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.

PART 10 - RESPECTFUL INTERACTIONS WITH COUNCIL MEMBERS, STAFF, THE PUBLIC AND OTHERS

-
- 25 Members shall act in a manner that demonstrates fairness, respect for individual differences and opinions, and an intention to work together for the common good and in furtherance of the public interest.
 - 26 Members shall treat one another, employees of the Municipality and members of the public with courtesy, dignity and respect and without abuse, bullying or intimidation.
 - 27 No member shall use indecent, abusive, or insulting words or expressions toward another member, any employee of the Municipality, or any member of the public.
 - 28 No member shall speak or conduct themselves in a manner that is discriminatory to any individual based on the person's race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation.
 - 29 Members shall not involve themselves in matters of Administration which fall within the jurisdiction of the Chief Administrative Officer, or which are identified as powers of the Chief Administrative Officer by the Municipal Government Act, the Chief Administrative Officer Bylaw, or by any other legislation or enactment of Council
 - 30 Members shall demonstrate compliance with any other policy or bylaw relating to respectful behavior in the workplace.
 - 31 Members shall respect the fact that employees in Administration work for the Municipality as a corporate body and are charged with making recommendations that reflect their professional expertise and a corporate perspective and that employees are required to do so without undue influence from any member or group of members.

32 Members must not:

- a. involve themselves in matters of Administration, which fall within the jurisdiction of the CAO, as defined by Part 2 of this Bylaw;
- b. use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any employee of the Municipality with the intent of interfering in the employee's duties; or
- c. maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of employees of the Municipality.

PART 11 - CONFIDENTIAL INFORMATION

33 Members must keep in confidence matters discussed in private at a Council or Council committee meeting until the matter is discussed at a meeting held in public.

34 In the course of their duties, members may also become privy to confidential information received outside of an in-camera meeting. Members must not:

- a. disclose or release by any means to any member of the public, including the media, any confidential information acquired by virtue of their office, unless the disclosure is required by law or authorized by Council;
- b. access or attempt to gain access to confidential information in the custody or control of the Municipality unless it is necessary for the performance of the member's duties and is not otherwise prohibited by Council, and only then if the information is acquired through appropriate channels in accordance with applicable Council bylaws and policies;

35 No member shall use confidential information for personal benefit or for the benefit of any other individual organization.

PART 12 - CONFLICTS OF INTEREST

36 Members have a statutory duty to comply with the pecuniary interest provisions set out in Part 5, Division 6 of the Act and a corresponding duty to vote unless required or permitted to abstain under the Act or another enactment.

37 Members are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends or associates, business or otherwise.

38 Members shall approach decision-making with an open mind that is capable of persuasion.

PART 13 - IMPROPER USE OF INFLUENCE

39 No member shall use the influence of the member's office for any purpose other than for the exercise of the member's official duties.

40 No member shall act as a paid agent to advocate on behalf of any individual, organization or corporate entity before Council or a Committee of Council or any other body established by Council.

41 Members shall refrain from using their positions to obtain employment with the Municipality for themselves, family members or close associates. Members are ineligible to apply or be considered for any position with the Municipality while they hold their elected position.

PART 14 - USE OF MUNICIPAL ASSETS AND SERVICES

- 42 Members shall use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a member, subject to the following limited exceptions:
- a. municipal property, equipment, service, supplies and staff resources that are available to the general public may be used by a member for personal use upon the same terms and conditions as members of the general public, including booking and payment of any applicable fees or charges
 - b. electronic communication devices, including but not limited to desktop computers, laptops, tablets, and smartphones, which are supplied by the Municipality to a member, may be used by the member for personal use, provided that the use is not for personal gain, or activities generally considered to be offensive or inappropriate.

PART 15 - ORIENTATION AND OTHER TRAINING ATTENDANCE

- 43 Every member must attend the orientation training offered by the Municipality within 90 days after the member takes the oath of office.
- 44 Unless excused by Council, every member must attend any other training organized at the direction of Council for the benefit of members throughout the Council term.

PART 16 – GIFTS AND HOSPITALITY

- 45 Members shall not accept gifts, hospitality or other benefits that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved.
- 46 Gifts received by a member on behalf of the Municipality as a matter of official protocol which have significance or historical value for the Municipality shall be left with the Municipality when the member ceases to hold office.
- 47 No member shall use any facilities, equipment, supplies, services, municipal logo or other resources of the Municipality for any election campaign or campaign-related activity.

PART 17 - INFORMAL COMPLAINT PROCESS

- 48 Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying conduct that they believe violates this Bylaw. However, an individual is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined below.

49 INFORMAL COMPLAINT PROCEDURE

- a. Any person or a representative of an organization who has identified or witnessed behavior or an activity by a member of Council, that they believe is in contravention of the Council Code of Conduct (the "Code"), may wish to address the prohibited behavior or activity themselves as follows:
 - i. Advise the member that the behavior or activity contravenes the Code;
 - ii. Encourage the member to stop the prohibited behavior or activity;
 - iii. Keep a written record of the incident(s) including dates, times, locations, other persons present, and any other relevant information;

- iv. If applicable, confirm to the member your satisfaction with the response of the member; or if applicable, advise the member of your dissatisfaction with the response; and
 - v. Consider the need to pursue the matter in accordance with the formal complaint procedure outlined in Part 18, or in accordance with another applicable judicial or quasi-judicial process or complaint procedure.
- b. All persons and organizations are encouraged to initially pursue this informal complaint procedure as a means of stopping and remedying a behavior or activity that is prohibited by the Code. With the consent of the complaining individual or organization and the member, the Integrity Commissioner may be part of any informal process. However, it is not a precondition or a prerequisite that those complaining must pursue the informal complaint procedure before pursuing the Formal Complaint Procedure in Part B.

PART 18 - FORMAL COMPLAINT PROCESS

50 FORMAL COMPLAINT PROCEDURE

- a. Any person who has identified or witnessed conduct by a member that the person reasonably believes, in good faith, is in contravention of this Bylaw may file a formal complaint in accordance with the following procedure:
 - i. All complaints shall be made in writing and shall be dated and signed by an identifiable individual;
 - ii. All complaints shall be addressed to the Investigator;
 - iii. The complaint must set out reasonable and probable grounds for the allegation that the member has contravened this Bylaw, including a detailed description of the facts, as they are known, giving rise to the allegation including date, time, witnesses, and points of the code that were breached;
 - iv. If the facts, as reported, include the name of one or more members who are alleged to be responsible for the breach of this Bylaw, the member or members concerned shall receive a copy of the complaint submitted to the Investigator;
 - v. Upon receipt of a complaint under this Bylaw, the Investigator shall review the complaint and decide whether to proceed to investigate the complaint or not. If the Investigator is of the opinion that a complaint is frivolous or vexatious or is not made in good faith, or that there are no grounds or insufficient grounds for conducting an investigation, the Investigator may choose not to investigate or, if already commenced, may terminate any investigation, or may dispose of the complaint in a summary manner. In that event, the complainant and Council, if Council is not the Investigator, shall be notified of the Investigator's decision;
 - vi. Successive complaints received by the same party and determined to be frivolous or vexatious will not be considered nor acted upon.
 - vii. If the Investigator decides to investigate the complaint, the Investigator shall take such steps as it may consider appropriate, which may include seeking legal advice. All proceedings of the Investigator regarding the investigation shall be confidential;
 - viii. If the Investigator is not Council, the Investigator shall, upon conclusion of the investigation, provide the Council and the member who is the subject of the complaint, the results of the Investigator's investigation;

- ix. A member who is the subject of an investigation shall be afforded procedural fairness, including an opportunity to respond to the allegations before Council deliberates and makes any decision or any sanction is imposed;
- x. A member who is the subject of an investigation is entitled to be represented by legal counsel, at the member's sole expense.
- xi. Council, the CAO and the Integrity Commissioner, and every person acting under his or her instructions, shall preserve confidentiality with respect to all matters that come to his or her attention in the course of any investigation under the Code except as required by law in a criminal proceeding.

PART 19 - COMPLIANCE AND ENFORCEMENT

- 51 Members shall uphold the letter and the spirit of intent of this Bylaw.
- 52 Members are expected to cooperate in every way possible in securing compliance with the application and enforcement of this Bylaw.
- 53 No member shall:
 - a. undertake any act of reprisal or threaten reprisal against a complainant or any other person for providing relevant information to Council or to any other person;
 - b. obstruct Council, or any other person, in carrying out the objectives or requirements of this Bylaw.
- 54 Sanctions that may be imposed on a member, by Council, upon a finding that the member has breached this Bylaw may include:
 - a. a letter of reprimand addressed to the member;
 - b. requesting the member to issue a letter of apology;
 - c. publication of a letter of reprimand or request for apology and the member's response;
 - d. suspension or removal of the appointment of a member as the deputy chief elected official or acting chief elected official under section 152 of the Act;
 - e. suspension or removal of the chief elected official's presiding duties under section 154 of the Act;
 - f. suspension or removal from some or all Council committees and bodies to which council has the right to appoint members;
 - g. reduction or suspension of remuneration as defined in section 275.1 of the Act corresponding to a reduction in duties, excluding allowances for attendance at council meetings;
 - h. any other sanction Council deems reasonable and appropriate in the circumstances provided that the sanction does not prevent a member from fulfilling the legislated duties of a member and the sanction is not contrary to the Act.

PART 20 - REVIEW

- 55 This Bylaw shall be brought forward for review at the beginning of each term of Council, when relevant legislation is amended, and at any other time that Council considers

appropriate to ensure that it remains current and continues to accurately reflect the standards of ethical conduct expected of members.

PART 21 - DATE OF FORCE

56 That this Bylaw shall come into effect, upon the date on which it is finally read and passed.

PART 22– REPEAL OF BYLAW 1226.18

57 Bylaw 1226.18 – Council Code of Conduct Bylaw, and any amendments thereto, are hereby repealed.

READ for the first time this _____ day of _____, A.D. 202__.

(RES.)

MAYOR JAMIE HOOVER

CAO MYRON THOMPSON

READ for the second time this _____ day of _____, A.D. 202__.

(RES.)

MAYOR JAMIE HOOVER

CAO MYRON THOMPSON

READ for the third and final time this _____ day of _____, A.D. 202__.

(RES.)

MAYOR JAMIE HOOVER

CAO MYRON THOMPSON

Municipal Affairs

Municipal Councillors’ Guidelines for Conflict of Interest

Alberta Municipal Affairs (2010) *Municipal Councillors' Guidelines for Conflict of Interest*
Edmonton: Alberta Municipal Affairs

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Municipal Councillors' Guidelines for Conflict of Interest

Alberta's municipal councillors have a strong record of public service to their communities. As a public servant, you are responsible for upholding the public interest ahead of any private interests you may have.

Read part 5 of the *Municipal Government Act (MGA)* to learn what is expected of you.

This document is only a guide to the legislation. Consult your solicitor for advice on specific situations.

Disqualification

Section 174 of the *MGA* describes the reasons for disqualification from council.

Nomination

First of all, if you never were, or cease to be qualified to be nominated as a candidate for council, then you are not qualified to remain a member of the council (see sections 21 to 23 and 47 of the *Local Authorities Election Act*).

To remain qualified you must:

- retain Canadian citizenship
- continue to reside in the municipality (and in a rural municipality, reside in electoral division)
- not be appointed as the auditor, an officer or employee of the municipality
- keep your tax and other accounts with the municipality paid up.

Attendance

Section 174 of the *MGA* says that if you are absent from all the regular meetings of the council for an eight-week period, you are not qualified to remain a member of council.

The council may approve your absence for a longer period of time. To do so, they must pass a resolution before the close of the last meeting in the eight-week period.

Suppose the first regular meeting which you missed was on the Tuesday of week one. Not later than the Tuesday of week eight, you would either have to attend a regular council meeting or arrange to have the council pass a resolution authorizing your absence. If, for any reason, the last regular meeting at which the resolution could be passed is not held, then the resolution may be passed at the next regular meeting of the council.

Participating in the decision-making process at council meetings is a very important part of your commitment. Your electors have a right to expect that you will attend council meetings, present your views, and vote.

Conviction for an Offence

Section 174 of the *MGA* states that if you are convicted of an offence punishable by imprisonment for five years or more, or an offence under section 123, 124 or 125 of the *Criminal Code* (Canada), you are not qualified to remain a member of the council.

Your electors have a right to expect that you will be a responsible member of society. If you are convicted of a serious offence, it may well raise questions about whether you can provide suitable representation for the municipality.

Municipal Councillors' Guidelines for Conflict of Interest

Pecuniary Interest

Definition

Section 170 of the *MGA* describes pecuniary interest as something which could monetarily affect you, your spouse, or adult interdependent partner, or children, your parents or the parents of your spouse (in other words, your immediate family), or a business which employs you or in which you have an interest.

Specifically, pecuniary interest means an interest in a matter which could monetarily affect:

- you
- a corporation, other than a distributing corporation, in which you are a shareholder, director or officer
- a distributing corporation in which you beneficially own voting shares carrying at least 10% of the voting rights attached to the voting shares of the corporation or of which you are a director or officer
- a partnership or firm of which you are a member.

This section also says that “a councillor has a pecuniary interest in a matter if (a) the matter could monetarily affect the councillor or an employer of the councillor, or (b) the councillor knows or should know that the matter could monetarily affect the councillor’s family.” You must decide when you have a pecuniary interest. Council cannot make the decision for you.

Section 172 of the *MGA* sets out the procedure you must follow if a matter in which you have

a pecuniary interest comes before any meeting in which you are taking part in your capacity as a member of council. Failure to follow these procedures could lead to your disqualification.

Exceptions

Several exceptions are listed in section 170(3) of the *MGA* so that an overly-restrictive interpretation of the provisions will not disrupt the affairs of the municipality or your function as a councillor. See the Appendix for section 170(3).

What to Do

Section 172 of the *MGA* says that you may not take part in the decision-making on any matter in which you have a pecuniary interest. The legislation attempts to ensure that you are not discriminated either for or against by virtue of your membership on the council

If you have a pecuniary interest:

- you are to disclose that you have an interest and its general nature
- you are to abstain from any discussion of the matter and from voting
- you are to leave the room until the matter has been dealt with, and
- you should make sure that your abstention is recorded in the minutes.

For example, you might say “Mr. Mayor, I am abstaining on this matter because I am a shareholder in the company. I am leaving the room and I ask that my abstention be recorded.”

If the matter is one in which you, as an elector or property owner, have a right to be heard by

Municipal Councillors' Guidelines for Conflict of Interest

council (for example, a land use bylaw amendment, lane or street closure, etc.), you are to disclose your interest and abstain, but you may remain in the room to be heard by council in the same manner as any person who is not a member of the council. In this case, you should follow the procedure required of any other person to be placed on the list of delegations to be heard by the council. When the matter comes up for hearing, you might say "Madam Mayor, I am abstaining from this matter because I own the property affected. I ask that my abstention be recorded."

You should then leave the council table and go to the area where the public sits. The mayor should call you to make your presentation in the same manner as any other person. You should state your case, answer any questions that may be posed to you and then be seated for the remainder of the public hearing.

When the council debates the matter it would be advisable to leave the room during the decision-making process.

Temporary Absence

On occasion, you may be temporarily absent from a meeting when a matter in which you have an interest comes up for discussion. If so, upon returning to the meeting, or as soon as you discover that the matter was discussed, you are to disclose the general nature of your interest. Make sure that the secretary notes your disclosure in the minutes.

The purpose of this provision is to ensure that a member of council does not avoid disclosing an interest by simply leaving the meeting

before the matter is discussed and returning after the discussion is complete. If some matter is discussed by council while you are temporarily absent from a meeting, upon your return and as soon as you become aware of the matter, you should get the attention of the chair and say something like "Mr. Mayor, during my absence a matter was discussed in which I have an interest. I am disclosing that my husband is an employee of the company and I ask that my disclosure be recorded in the minutes."

All Meetings

The disclosure and abstention rules apply to every meeting of council and any of its committees. They also apply to you at a meeting of any board, committee or agency to which you are appointed as a representative of the council (section 172(6) of the *MGA*). In other words, any time that you are acting as a councillor, the disclosure and abstention rules apply to you.

It is important to remember to ask the secretary at any of these meetings to record your abstention and to check that it is actually included in the minutes.

Doing Business

Although there is no prohibition on doing business with the municipality when you are a member of council, every contract or agreement with the municipality in which you have an interest must be approved by council (section 173 of the *MGA*). So, if your council has delegated purchasing authority to the administration, it is important that those officials know of any business interests that

Municipal Councillors' Guidelines for Conflict of Interest

you have and that you make sure the council approves of any contract with your business. You cannot raise the matter in council, but, if you submit a bid or offer, you can note the matter must receive council approval. If it doesn't, you may be disqualified and the contract has no force or effect.

The following are the only exceptions:

- if the contract or agreement is for the performance of work or the provision of a service in the case of an emergency, or
- if the contract or agreement is for the sale of goods or services to the municipality or to persons contracting with the municipality at competitive prices by a dealer in those goods or services, that is incidental to, or in the ordinary course of business.

Disqualification

Section 174 of the *MGA* states in part you shall resign your seat if:

- you never were or cease to be qualified for nomination
- you violate the attendance requirements
- you are convicted of a relevant offence
- you do not abstain from voting if required to
- you become an employee of the municipality.

If you do not resign, then an elector of the municipality or the council may apply to a judge for an order determining whether or not you have disqualified yourself (section 175 of the *MGA*).

The judge may declare you to be disqualified and your seat to be vacated or that you are qualified to remain a member of the council. In certain instances, the judge may also dismiss the application if the judge is of the opinion that the disqualification arose inadvertently or as a result of a genuine error in judgment. If the disqualification is for using information that was used to gain a pecuniary benefit, the judge may order you to pay to the municipality, a sum of damages determined by the court.

If you are found to be disqualified for pecuniary interest disqualification, you may only be a candidate at the next general election if you are then qualified for nomination under the *Local Authorities Election Act* (see section 174(4) of the *MGA*).

List of Interests

If you have extensive business interests, it may be difficult for you to know when these businesses are dealing with your municipality. It may be even more difficult for purchasing agents to identify a contract which requires the approval of council because a member of council has an interest.

In such cases, it may help everyone involved – yourself included - if a listing of interests is available in the office. Therefore, provision is made for council, by bylaw, to require its members to file a statement with a designated officer showing the names of their immediate families and any business in which they have an interest (section 171 of the *MGA*).

Municipal Councillors' Guidelines for Conflict of Interest

The designated officer is to compile a list of all the names on the statements and provide it to the officials and employees of the municipality indicated in the bylaw.

This provision is permissive. This means the council has the power to pass such a bylaw if it thinks it is necessary. However, council is not required to do so.

These rules are designed to protect the public interest while ensuring that your ability to work is not adversely affected by your election to council.

In order that the public interest is served and seen to be served, it is important that you be open and honest about dealing with the municipality.

Be fair to yourself, your electors, and your municipality by keeping your private interests in harmony with the public interest.

Remember

- If you vote on a matter in which you have pecuniary interest, you are subject to disqualification, even if you vote against your interest.
- Ask to have your abstention recorded in the minutes and check the minutes to see that it actually has been recorded.
- The rules apply at all meetings of your council and its committees, and at the meetings of any board, commission, committee or agency to which you are appointed as a representative of the council.
- If your council passes a bylaw requiring a listing of interests, keep your list up-to-date by regularly informing the designated officer of additions or deletions.
- If you are in doubt as to whether you have a pecuniary interest, get a letter from your own solicitor giving advice to you.

This guide is an information summary only and has no legislative sanction. For certainty, refer to the *Municipal Government Act*. Copies can be purchased from **Alberta Queen's Printer Bookstore**:

Main Floor, Park Plaza Building
10611 – 98 Avenue
Edmonton, Alberta T5K 2P7
Ph: (780) 427-4952

Appendix

Municipal Government Act Section 170(3)

“A councillor does not have a pecuniary interest by reason only of any interest

- (a) that the councillor, an employer of the councillor or a member of the councillor's family may have as an elector, taxpayer or utility customer of the municipality,
- (b) that the councillor or a member of the councillor's family may have by reason of being appointed by the council as a director of a company incorporated for the purpose of carrying on business for and on behalf of the municipality or by reason of being appointed as the representative of the council on another body,
- (c) that the councillor or member of the councillor's family may have with respect to any allowance, honorarium, remuneration or benefit to which the councillor or member of the councillor's family may be entitled by being appointed by the council to a position described in clause (b),
- (d) that the councillor may have with respect to any allowance, honorarium, remuneration or benefit to which the councillor may be entitled by being a councillor,
- (e) that the councillor or a member of the councillor's family may have by being employed by the Government of Canada, the Government of Alberta or a federal or provincial Crown corporation or agency, except with respect to a matter directly affecting the department, corporation or agency of which the councillor or family member is an employee,
- (f) that a member of the councillor's family may have by having an employer, other than the municipality, that is monetarily affected by a decision of the municipality,
- (g) that the councillor or a member of the councillor's family may have by being a member or director of a non-profit organization as defined in section 241(f) or a service club,
- (h) that the councillor or member of the councillor's family may have
 - (i) by being appointed as the volunteer chief or other volunteer officer of a fire or ambulance service or emergency measures organization or other volunteer organization or service, or
 - (ii) by reason of remuneration received as a volunteer member of any of those voluntary organizations or services,
- (i) of the councillor, an employer of the councillor or a member of the councillor's family that is held in common with the majority of electors of the municipality or, if the matter affects only part of the municipality, with the majority of electors in that part,
- (j) that is so remote or insignificant that it cannot reasonably be regarded as likely to influence the councillor, or
- (k) that a councillor may have by discussing or voting on a bylaw that applies to businesses or business activities when the councillor, an employer of the councillor or a member of the councillor's family has an interest in a business, unless the only business affected by the bylaw is the business of the councillor, employer of the councillor or the councillor's family.”

Pecuniary interest for municipal councillors

JANUARY 2021

Classification: Public

Pecuniary Interest for Municipal Councillors

Published by Alberta Municipal Affairs

The Government of Alberta and Municipal Affairs will not be liable for any damages that result from the use of this guide. While Municipal Affairs attempts to ensure the accuracy of the information contained within this guide, a municipality and/or councillor may wish to obtain advice from a lawyer, in order to ensure the legislative requirements with regards to pecuniary interest provisions are met. Municipal Affairs and the Government of Alberta do not warrant or make any other representations regarding the use, accuracy, applicability, or reliability of this guide.

It is important to recognize that this guide has been developed as a reference for, and as an explanatory document to the *Municipal Government Act* (MGA). This guide is not legal advice, and it cannot be used in place of consulting with a lawyer. This guide cannot anticipate every aspect, circumstance or situation that municipalities or councillors may encounter. If a municipality or councillor needs help finding a lawyer, please visit the Law Society of Alberta website.

Should this guide conflict with the *Municipal Government Act* (MGA), RSA 2000, Chapter M-26, in word or interpretation, the legislation shall prevail.

January 2021

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Pecuniary Interest

Alberta's municipal councillors have a strong record of public service to their communities. As a public servant, you are responsible for upholding the public interest ahead of any private interests you may have.

The *Municipal Government Act* (MGA) describes pecuniary interest and sets out the procedures you must follow if a matter in which you have a pecuniary interest comes up at a council meeting or a committee of council meeting. These rules are designed to protect the public interest while ensuring that your ability to work is not adversely affected by your election to council.

In order that the public interest is served and seen to be served, it is important you be open and honest about dealing with the municipality. Be fair to yourself, your electors and your municipality by keeping your private interests in harmony with the public interest.

This document is only a guide to the legislation. It is recommended you consult your solicitor for advice on specific situations.

Definition

Section 170 of the MGA describes pecuniary interest as something which could monetarily affect you, your spouse, or adult interdependent partner, your children, your parents or the parents of your spouse (in other words, your immediate family), or a business which employs you or in which you have an interest.

Specifically, pecuniary interest means an interest in a matter which could monetarily affect:

- You;
- a corporation, other than a distributing corporation, in which you are a shareholder, director or officer;
- a distributing corporation in which you; beneficially own voting shares carrying at least 10% of the voting rights attached to the voting shares of the corporation or of which you are a director or officer; and/or
- a partnership or firm of which you are a member.

This section also says that *"a councillor has a pecuniary interest in a matter if (a) the matter could monetarily affect the councillor or an employer of the councillor, or (b) the councillor knows or should know that the matter could monetarily affect the councillor's family."* You must decide when you have a pecuniary interest. Council cannot make the decision for you.

Exceptions

Several exceptions are listed in section 170(3) of the MGA so that an overly-restrictive interpretation of the provisions will not disrupt the affairs of the municipality or your function as a councillor.

A councillor does not have a pecuniary interest only because of any interest:

- the councillor, an employer of the councillor or a member of the councillor's family may have as an elector, taxpayer or utility customer of the municipality;
- the councillor or a member of the councillor's family may have by reason of being appointed by the council as a director of a company incorporated for the purpose of carrying on business for and on behalf of the municipality or by reason of being appointed as the representative of the council on another body;
- the councillor or member of the councillor's family may have with respect to any allowance, honorarium, remuneration or benefit to which the councillor or member of the councillor's family may be entitled by being appointed by the council to a position described above;
- the councillor may have with respect to any allowance, honorarium, remuneration or benefit to which the councillor may be entitled by being a councillor;
- the councillor or a member of the councillor's family may have by being employed by the Government of Canada, the Government of Alberta or a federal or provincial Crown corporation or agency, except with respect to a matter directly affecting the department, corporation or agency of which the councillor or family member is an employee;
- a member of the councillor's family may have by having an employer, other than the municipality, that is monetarily affected by a decision of the municipality;
- the councillor or a member of the councillor's family may have by being a member or director of a non-profit organization as defined in section 241(f) or a service club;
- the councillor or member of the councillor's family may have:
 - by being appointed as the volunteer chief or other volunteer officer of a fire or ambulance service or emergency measures organization or other volunteer organization or service; or
 - by reason of remuneration received as a volunteer member of any of those voluntary organizations or services.

- the councillor, an employer of the councillor or a member of the councillor's family that is held in common with the majority of electors of the municipality or, if the matter affects only part of the municipality, with the majority of electors in that part;
- the interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the councillor; or
- they discuss or vote on a bylaw that applies to businesses or business activities when the councillor, an employer of the councillor or a member of the councillor's family has an interest in a business, unless the only business affected by the bylaw is the business of the councillor, employer of the councillor or the councillor's family.

What to Do

Section 172 of the MGA sets out the procedure you must follow if a matter in which you have a pecuniary interest comes before any meeting in which you are taking part in your capacity as a member of council. Failure to follow these procedures could lead to your disqualification from council.

This section says that you may not take part in the discussion and decision-making on any matter in which you have a pecuniary interest. The legislation attempts to ensure that you are not discriminated either for or against by virtue of your membership on council.

If you have a pecuniary interest:

- you are to disclose that you have an interest and its general nature;
- you are to abstain from any discussion of the matter and from voting; and
- you are to leave the room until the matter has been dealt with, and you should make sure that your abstention is recorded in the minutes.

For example, you might say *“Mr. Mayor, I am abstaining on this matter because I am a shareholder in the company. I am leaving the room and I ask that my abstention be recorded.”*

If the matter is one in which you, as an elector or property owner, have a right to be heard by council (for example, a land use bylaw amendment, lane or street closure, etc.), you are to disclose your interest and abstain, but you may remain in the room to be heard by council in the same manner as any person who is not a member of council. In this case, you should follow the procedure required of any other person to be placed on the list of delegations to be heard by council. When the matter comes up for hearing, you might say *“Madam Mayor, I am abstaining from this matter because I own the property affected. I ask that my abstention be recorded.”*

You should then leave the council table and go to the area where the public sits. The mayor should call you to make your presentation in the same manner as any other person. You should state your case, answer any questions that may be asked of you and then be seated in the public area for the remainder of the public hearing.

When council debates the matter, it would be advisable to leave the room during the decision-making process.

Temporary Absence

On occasion, you may be temporarily absent from a meeting when a matter in which you have an interest comes up for discussion. If so, upon returning to the meeting, or as soon as you discover that the matter was discussed, you are to disclose the general nature of your interest. The MGA requires the secretary to note your disclosure in the minutes.

The purpose of this provision is to ensure that a member of council does not avoid disclosing an interest by simply leaving the meeting before the matter is discussed and returning after the discussion is complete. If some matter is discussed by council while you are temporarily absent from a meeting, upon your return and as soon as you become aware of the matter, you should get the attention of the chair and say something like *“Mr. Mayor, during my absence a matter was discussed in which I have an interest. I am disclosing that my husband is an employee of the company and I ask that my disclosure be recorded in the minutes.”*

All Meetings

The disclosure and abstention rules apply to every meeting of council and any of its committees. They also apply to you at a meeting of any board, committee or agency to which you are appointed as a representative of council (section 172(6) of the MGA). In other words, any time you are acting as a councillor, the disclosure and abstention rules apply to you.

It is important to remember to ask the secretary at any of these meetings to record your abstention and to check that it is actually included in the minutes.

Doing Business

Although there is no prohibition on doing business with the municipality when you are a member of council, every contract or agreement with the municipality in which you have an interest must be approved by council (section 173 of the MGA). So, if your council has delegated purchasing authority to administration, it is important that those officials know of any business interests that you have and that you make sure council approves of any contract with your business. You cannot raise the matter in council, but, if you submit a bid or offer, you can note the matter must

receive council approval. If it doesn't, you will be disqualified and the contract has no force or effect.

The following are the only exceptions:

- if the contract or agreement is for the performance of work or the provision of a service in the case of an emergency; or
- if the contract or agreement is for the sale of goods or services to the municipality or to persons contracting with the municipality at competitive prices by a dealer in those goods or services, that is incidental to, or in the ordinary course of business; or
- the agreement was entered into before your term of councillor started.

Statement of Disclosure of Interests

If you have extensive business interests, it may be difficult for you to know when these businesses are dealing with your municipality. It may be even more difficult for purchasing agents to identify a contract that requires the approval of council because a member of council has an interest.

In such cases, it may help everyone involved – yourself included – if a listing of interests is available in the office. Council may, by bylaw, require its members to file a statement with a designated officer showing the names of their immediate family members and any business in which they have an interest (section 171 of the MGA). The designated officer then compiles a list of all the names reported on the statements and provides it to the employees of the municipality indicated in the bylaw.

This provision is permissive. This means the council has the power to pass such a bylaw; however, is not required to do so.

Remember

If you vote on a matter in which you have pecuniary interest, you are subject to disqualification, even if you vote against your interest.

Ask to have your abstention recorded in the minutes of the meeting. The rules apply at all meetings of your council and its committees, and at the meetings of any board, commission, committee or agency to which you are appointed as a representative of the council.

If your council passes a bylaw requiring a statement of disclosure of interests, keep your statement up-to-date by regularly informing the designated officer of additions or deletions.

If you are in doubt as to whether you have a pecuniary interest, obtain a written legal opinion from your own solicitor.

The Government of Alberta and Municipal Affairs will not be liable for any damages that result from the use of this guide. While Municipal Affairs attempts to ensure the accuracy of the information contained within this guide, a municipality and/or councillor may wish to obtain advice from a lawyer, in order to ensure the legislative requirements with regards to pecuniary interest provisions are met. Municipal Affairs and the Government of Alberta do not warrant or make any other representations regarding the use, accuracy, applicability, or reliability of this guide.

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Copies of the *Municipal Government Act* and the *Local Authorities Election Act* can be purchased from Alberta Queen's Printer Bookstore or accessed on the Queen's Printer website:

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Phone: 780-427-4952

Fax: 780-452-0668

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Website: www.qp.alberta.ca/



What every councillor needs to know

A council member's handbook

The Government of Alberta and Municipal Affairs will not be liable for any damages that result from the use of this handbook. While Municipal Affairs attempts to ensure the accuracy of the information contained within this handbook, a municipality or councillor may wish to obtain advice from legal counsel. Municipal Affairs and the Government of Alberta do not warrant or make any other representations regarding the use, accuracy, applicability, or reliability of this handbook.

Should this handbook conflict with the *Municipal Government Act (MGA)*, RSA 2000, Chapter M-26, the *Local Authorities Election Act (LAEA)*, or any other enactment, the legislation, as the case may be, shall prevail. August 2021

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What every councillor needs to know: A council member's handbook | Municipal Affairs

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Introduction

Congratulations on your election to council. This booklet presents an overview of your responsibilities as a municipal councillor and is intended to help you understand the powers and duties of a municipal council.

History of Local Government in Alberta

The first local government election in Alberta was held in 1883 under the Northwest Municipal Ordinance. Rural local government began with herd districts in 1883, fire districts in 1886, and statute districts in 1887, which were combined into local improvement districts in 1897. Urban local government began with unincorporated town ordinances in 1888. The village ordinance followed in 1895.

In 1912, separate acts were put in place for towns, villages, rural municipal districts, and improvement districts. Cities were incorporated by special charter.

Municipal Government Act

In 1967, the various pieces of municipal legislation were consolidated into the original *Municipal Government Act* (MGA).

In 1994, a further consolidation and revision of municipal legislation took place. The 1994 revisions gave municipalities greater autonomy in local decision making and incorporated the provisions of the former *Planning Act*.

The current MGA is the primary statute governing the affairs of your municipality. The MGA has undergone extensive review and amendments. Your Chief Administrative Officer (CAO) should provide you with a copy.

Section 3 of the MGA states the purposes of a municipality are:

- to provide good government;
- to foster the well-being of the environment;
- to provide services, facilities or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality;
- to develop and maintain safe and viable communities; and
- to work collaboratively with neighbouring municipalities to plan, deliver and fund intermunicipal services.

A municipality is a corporation and has the powers of a natural person, except to the extent that those powers are limited by the MGA or any other enactment. The introduction of natural person powers provides council with a great deal of flexibility in terms of how the municipality is organized and administered, what services are provided, and how those services are delivered. The power to pass bylaws is stated in general terms. This gives councils broad authority and respects their right to govern the municipality in the way that council considers appropriate within the jurisdiction provided under the MGA. However, bylaws authorized by the MGA or any other enactment are subordinate to federal and provincial legislation and regulations.

Council Roles and Responsibilities

Council is the governing body of the municipal corporation and the custodian of its legislative powers. As a councillor, you will exercise the powers of the municipality through decisions made at council meetings and define the policies and direction your municipal administration will put into action.

The MGA provides that councils can only exercise the powers of the municipal corporation in the proper form, either by bylaw or by resolution. What this means is that no individual or group of councillors can make a decision or ask administration to take action; this can only be done through an appropriate bylaw or resolution passed at a public meeting of council.

Your job as a councillor is to work with other council members to set the overall direction of the municipality through your role as a policy-maker. The policies council sets are the guidelines for administration to follow as it handles the operations of the municipality. Much of your time on council will be spent considering new policies and programs and reviewing the current ones to make sure they are working as they should.

Councillor Duties

Under section 153 of the MGA, all councillors have the following duties:

- to consider the welfare and interests of the municipality as a whole and to bring to council's attention anything that would promote the welfare or interests of the municipality;
- to promote an integrated and strategic approach to intermunicipal land use planning and service delivery with neighbouring municipalities;
- to participate generally in developing and evaluating the policies and programs of the municipality;
- to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;
- to obtain information about the operation or administration of the municipality from the chief administrative officer or a person designated by the chief administrative officer;
- to keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public;
- to adhere to the code of conduct established by the council by bylaw; and
- to perform any other duty or function imposed on councillors by this or any other enactment or by the council.

Councillor Liability

As you carry out these duties, the question of liability may arise as a result of your actions. However, section 535 of the MGA was written to protect you from personal liability while acting in good faith for your municipality. This section does not apply in circumstances of defamation and does not protect the municipal corporation from any such liability.

There are several provisions in the MGA that impose liability on a councillor. One of these is found in section 249 which deals with unauthorized expenditures, and is discussed later in more detail under "Procedure for Expenditure Authorization". Another is found in section 275 which deals with borrowings, loans, or guarantees that cause the municipality to exceed its debt limit, and is discussed later in more detail under "Borrowing".

While it is important to be aware of these liabilities, they should not be a concern as long as the municipality follows appropriate process.

The Chief Elected Official (CEO)

(MGA s. 150, 154 and 155)

The CEO, in addition to performing a councillor's duties, must preside when attending a council meeting unless a bylaw provides otherwise. The CEO must also perform any other duty imposed under the MGA or any other enactment. In practice, the CEO is also generally the main spokesperson for the municipality, unless that duty is delegated to another councillor. The title CEO may be changed to one that council believes is appropriate to the office, such as mayor or reeve.

The CEO of a city or town is elected by a vote of a municipality's electors, unless council passes a bylaw requiring council to appoint the CEO from among the councillors. In a village, summer village, or municipal district, council appoints the CEO from among the councillors unless it passes a bylaw providing that the official is to be elected by a vote of the municipality's electors.

Orientation and Training Opportunities

(MGA s. 201.1)

Understanding the relationships, roles and the responsibilities of an elected official and the associated limitations, will be critical to your success in the position. Orientation training must be offered to each councillor, to be held within 90 days after taking the oath of office.

Whether you are newly elected or a returning official, you should take every opportunity to learn about your municipality; key issues affecting the community; and governing processes and procedures. It is mandatory for each municipality to offer orientation training to each councillor within 90 days after the councillor takes the oath of office. This training must include:

- the role of municipalities in Alberta;
- municipal organization and functions;
- key municipal plans, policies and projects;
- roles and responsibilities of council and councillors;
- the municipality's code of conduct bylaw;
- roles and responsibilities of the chief administrative officer and staff;
- budgeting and financial administration;
- public participation policy; and
- any other topic prescribed by the regulations.

Your associations, Alberta Urban Municipalities Association and the Rural Municipalities of Alberta, offer sessions for elected officials. They also offer conferences throughout the year that will provide invaluable information and networking opportunities.

If you are newly elected, attending training, conferences and workshops is an excellent way to obtain the information you need to serve effectively. If you are a returning councillor, your knowledge and experience holds significant value for new councillors.

Policy-Making and Program Monitoring

Council is responsible for considering the types and levels of services that are necessary or desirable for the municipality. This responsibility involves providing input regarding the municipality's programs and services (policy-making) and making sure administration provides the programs and services in the best possible way (program monitoring).

Policy-making provides a way of ensuring that consistent decisions are made on similar matters. Policies should establish general guidelines that council sets for administration to follow. Administration then provides programs and services to the residents according to those policies.

Program monitoring involves staying up to date on the programs and services the municipality offers and assessing the results against what council planned to achieve.

The Entire Municipality

As a councillor, you are elected to look after the interests of the entire municipality. If you are a councillor in a municipality that has wards, you will have to be careful you do not place the interest of the ward or electoral division above the interest of the whole municipality. As difficult as it may be at times, you must base any decision you make on what is best for the entire municipality. Council's effectiveness depends on you providing input as a representative of your area, while thinking and voting for the needs of the whole municipality.

Time Management

As a council member, there will be significant demands on your time. There will be council, council committees, and various other meetings to attend. To participate effectively in all these meetings, you should review meeting materials and become familiar with the issues that will be discussed. Conferences and workshops sponsored by your municipal association or educational institutions will help provide you with the tools to be an effective elected official. If you choose to attend, these

will also help you to understand the wider picture on issues affecting the whole province or other municipalities. Telephone calls, visits from your electors, and community events are all important components of the job. Managing time in order to adequately deal with both personal and public demands is an important part of becoming an effective member of council.

Team Approach

Working as a team with the rest of council and administration will contribute to making your time on council a success. It isn't always going to be easy. Your influence as a council member rests on your ability to persuade other members of council to consider your point of view. When an issue is being studied, be sure to express your views as part of the debate.

Disagreements among council members on specific issues are common and healthy. The respectful exchange of ideas and opinions will lead to good decisions. While working through these debates, keep in mind that you all share the same desire for your municipality to be strong, safe, and viable. You may have different views about how to get there, but you do share broader common goals.

Most votes on a council resolution do not require a consensus of all councillors. As a result, there will be many occasions where a decision is made that you did not support with your vote. However, once the resolution has been passed, it becomes the official direction of the municipality. The health and ongoing success of a municipality is largely dependent upon the ability of councillors to respect and support the decisions of council in principle, despite their personal views during the debate.

Some municipalities have a communications policy in place that directs media through prescribed channels. Becoming familiar with communications procedures will allow you, council, and administration to work as a team and deliver a cohesive message.

Oath of Office

(MGA s. 156)

Before taking part in your first council meeting, you will be required to make and subscribe to the official oath. By the oath, you swear or declare that you will diligently, faithfully, and to the best of your ability, fulfill the duties of the office to which you have been elected.

Organizational Meeting

(MGA s.159 and 192)

The first meeting of council will be the organizational meeting, held within two weeks of the election (or by August 31 for a summer village), or sooner if an election was not required. This marks the official commencement of your term of office and the completion of the previous council's term. This meeting allows council to address preliminary matters such as electing a CEO if necessary, electing a deputy CEO, and commonly includes appointing people to the various committees and other bodies associated with council. If other regular business is to be conducted, the organizational meeting must be adjourned and the regular meeting convened and recorded as a separate meeting.

Procedural Bylaw

Your municipality may have a procedural bylaw (s. 145(b)) to provide a standard format for council meetings and make it easier for members of council, staff, media, and public to understand the decision-making process. A procedural bylaw may provide for naming and prescribing the responsibilities of council committees, provide for the order of business and method of distributing the agenda for council meetings, set rules regarding the proceedings at regular meetings of council, and describe how items may be put on the council agenda.

Regular and Special Meetings

(MGA s. 153, 181, 193, 194, 196, 197, 198, and 199)

It is up to council to decide how many meetings are needed to govern the affairs of the municipality. The decision to hold regular meetings must be made at a meeting with all councillors present. The time and place of a regular meeting can be changed by resolution of council. While all councillors do not have to be at the meeting to change the time or place, all councillors and public must be given 24 hours notice of the change.

All council and council committee meetings must be open to the public, except as noted below. Only people who have been expelled from the meeting because of improper conduct have no right to attend. The provisions of the MGA regarding public presence at meetings are intended to promote public involvement and the accountability of the local government process.

The timing of regular council meetings does not always align with urgent business that requires council attention. There will be times when a special council meeting is required. Section 194 of the MGA states that a special meeting may be called if the CEO believes one is needed and must be called if a majority of councillors request one in writing.

Council and council committees can hold meetings by means of electronic or other communication facilities, (Section 199) rather than in person. Notice must be given to the public of such a meeting, including the way it will be conducted. The facilities must enable all the meeting's participants to watch or hear each other, and the public to watch or listen.

Meetings Closed to the Public

There are times when council or a council committee must discuss something in private. Personnel matters, where it would be unfair to the people involved to have the issue discussed in public, are a common example. In order to recognize specific circumstances that necessitate confidentiality of council discussions, section 197(2) of the MGA allows meetings (or portions of meetings) that are closed to the public where the subject matter falls within one of the exceptions to disclosure in Division 2 Part 1 of the *Freedom of Information and Protection of Privacy Act*. The exceptions include matters where disclosures could be harmful to personal privacy, individual or public safety, law enforcement, intergovernmental relations, or economic or other interests; reveal confidential evaluations, local public confidences, or advice from officials; or disclose information that is subject to legal privilege.

Resolutions or bylaws cannot be passed while in a closed session, other than a motion to proceed with the meeting in an open session. Any decisions must still be made at a meeting open to the public. Under section 153 of the MGA, councillors are required to keep in confidence matters discussed in private at a council or council committee meeting. They must keep this confidence until the matter is discussed at a meeting held in public.

Voting

(MGA s. 183, 184, 185, and 172)

You are on council to make decisions. Under the MGA, you are required to vote on all resolutions and bylaws unless you are required or permitted to abstain from voting under other legislated provisions. Council must ensure that each abstention and the reason for it are recorded in the minutes of the meeting.

If there is a public hearing on a proposed bylaw or resolution, you must abstain from voting on the bylaw or resolution if you were absent from all of a public hearing, and you may abstain if you were absent for a part of a public hearing. Section 172 of the MGA states that you must also abstain from voting on matters in which you have a pecuniary (monetary) interest.

At any time before a vote is taken, you may request that the vote be recorded. The minutes must show the names of the councillors present and how they voted.

Each councillor has one vote. A resolution is passed by receiving the majority of votes from the councillors in attendance at the meeting. When there is a tie vote on a motion, the motion is defeated.

A quorum must be present at a council meeting for any resolution or bylaw to be valid. A quorum is a majority of councillors making up the municipal council. For example, if your council consists of seven councillors (including the CEO); four councillors would constitute a quorum.

Pecuniary Interest

(MGA s. 170 and 172)

Membership on council is a position of public trust. The MGA describes pecuniary interest and sets out the procedure you **must** follow if a matter in which you have a pecuniary interest comes up at a meeting in which you are participating as a member of council. Failure to follow these procedures can lead to disqualification. Further information can be found in the handout "*Pecuniary Interest for Municipal Councillors*", available online at <https://open.alberta.ca/publications/pecuniary-interest-for-municipal-councillors-2021>.

Council Committees

(MGA s. 145 and 203)

Council may create council committees, by bylaw, and appoint committee members. Council may decide to create a temporary committee to look at a specific issue. There may also be standing committees that run from year to year to deal with ongoing issues.

Committees can play a bigger role in making decisions on issues for council. If council wants a committee to make decisions, council may delegate some of its powers to the committee. If a committee makes a decision delegated to it by council, it is then as if the council made the decision itself. Some council decisions, such as passing bylaws or adopting the budget, cannot be delegated.

If council is part of an emergency services committee, you may have some specific responsibilities in the case of a local emergency. You need to know what those responsibilities are and how they are to be carried out. The system of emergency response is described in the *Emergency Management Act*.

Municipal Organization and Administration

A vital part of the smooth operation of municipal government is the interaction between council and administration. Understanding how administration works will help you carry out your role as a municipal councillor.

Your administration exists to take care of the everyday work of running a municipal government. This includes providing a variety of programs and services based on the priorities council has set for the municipality. As a councillor, residents will ask you for information on the municipality's programs and services. Your most important contact is the Chief Administrative Officer (CAO).

Chief Administrative Officer (CAO)

(MGA s. 205, 205.1, 207, 208, and 209)

Every council must establish, by bylaw, a position of CAO. Council may give the position an appropriate title. The CAO is the administrative head of the municipality, and is directly responsible to council for the operational performance of the organization. The CAO is responsible to implement the decisions of council, implement the municipality's policies and programs, advice and inform council on the operation of the municipality, and perform any other duties assigned by council. The CAO, together with the administrative team, will also provide advice, information, and recommendations to council on any matters that council is dealing with.

Successful municipalities have found that clear lines of communication and accountability are essential for effective operation. This is generally achieved when the CAO is provided with the authority to take council direction (through resolutions and bylaws) and implement that direction through the administrative team. Although well intentioned, individual councillor's attempts to become involved by providing direction to the administrative team can blur this accountability. It is

important for council to develop a strong working relationship with your CAO based on mutual respect and trust, and allow the CAO to direct and set priorities for the administrative team.

A performance appraisal system for the CAO is a key building block for a lasting and positive relationship between council and the CAO. Even though the current relationship may be good, a formal appraisal process provides the opportunity to discuss opportunities for improvement. The MGA, therefore, requires that council provide the CAO with an annual written performance evaluation.

Designated Officers

(MGA s. 209 and 210)

A CAO may delegate any of their powers, duties, or functions to a designated officer or an employee. Designated officer positions are established by bylaw and are subject to the CAO's supervision, unless otherwise provided by bylaw. A designated officer may also delegate any of those powers, duties, or functions to an employee of the municipality.

Policies

The importance of policies will become apparent the first time you try to find out if a past council established guidelines on a certain matter. Most successful municipalities maintain a policy manual or files together with an index to enable easy reference. Policies should be approved by council, and should be periodically reviewed and updated to ensure that they continue to be relevant.

Organizational Chart

Most municipalities maintain an organizational chart of the administration structure. A review of the organizational chart will help you to understand the types of functions and services the municipality provides, and how it is organized to deliver those services.

Staff Development

Your human resources are as important as your financial resources. A variety of educational opportunities are available for both new and experienced municipal administrators. The most successful municipalities encourage staff development and training to ensure their employees are able to effectively carry out their duties and stay familiar with new developments in the field of municipal administration.

Finance

Almost everything the municipality is engaged in will have a cost associated with it. You will spend a lot of time on council assessing the financial implications of decisions.

Operating and Capital Budgets

(MGA s. 242, 243, 244, 245, 246, and 247)

The budget is the center of the municipal finance system. Service delivery and project development are always subject to a number of constraints, but financial constraints are generally the most limiting. As a result, the priorities of council will necessarily be reflected in the funding priorities established in the budget. Through the budget, council sets the municipality's priorities for the next year (or number of years) by allocating funding for each program, service, or project. Careful and realistic budget planning and control can translate into better and more cost-effective services for the community.

Many municipalities have a strategic plan that maps out longer term goals and identifies the municipality's priorities over a number of years. A strategic plan can provide year-to-year guidance and direction to the annual budget process, and provides the longer-term context for annual goals.

The MGA requires that every municipality adopt an annual operating and a capital budget. Property and business tax bylaws cannot be passed until both budgets have been adopted. It should be noted that municipalities are not allowed to budget for a deficit; however, some times unexpected circumstances may result in the municipality having a deficit at year end. As long as the deficit does not cause the municipality to have an overall accumulated deficit, net of the value of tangible capital assets, then the municipality remains on-side with legislative requirements and can budget to recover that deficit in future years as council sees fit.

The operating budget is a detailed estimate of how much your municipality needs to spend to meet its ongoing financial obligations and provide programs and services to the residents. The capital budget identifies the sources and uses of funding for fixed assets such as buildings, roads, vehicles, water and sewer facilities, and land.

Long Range Financial Plans

A long-range capital infrastructure plan, covering at least three to five years, is required in order to receive provincial Municipal Sustainability Initiative grant funding. The plan should set out what capital expenditures are needed and when, the future cost of maintaining the asset, when it has been built or purchased, and how the assets will be financed. Additionally, municipalities are required to have, at minimum, a three-year financial plan and five-year capital plan. These plans allow council to see the long-term impact of decisions made today, ensuring council is considering the continued sustainability of the municipality when making financial decisions.

The budget is a plan of council expenditures and revenues over the course of the year. Council needs to keep an eye on what is actually happening to make sure the municipal operations match the budget. It is recommended that council receive regular financial reports at least quarterly from administration that compare actual results to the budget. Financial reports are a good source of information and budget control.

Procedure for Expenditure Authorization

(MGA s. 248 and 249)

Each council must establish procedures to authorize and verify expenditures that are not included in a budget. If you, as a councillor, make an unauthorized expenditure, or vote to spend granted or borrowed funds for a purpose other than that for which they were granted or borrowed, you could be held personally liable under section 249 of the MGA for the amount of the expenditure, grant, or borrowing.

Borrowing

(MGA s. 249, 252, and 275)

The Minister of Municipal Affairs has, by regulation, established municipal debt and debt service limits. As long as a municipality is within the limits, no provincial approvals are required for borrowing, but the Minister's approval is required for any borrowing beyond the debt limits. If you vote for a borrowing that puts the municipality above the regulated debt or debt service limit, you could be held personally liable for the amount of the borrowing, unless the borrowing is approved by the Minister.

Auditor

(MGA s. 276, 277, 278, and 280; Alberta Regulation 313/2000)

Each council must appoint an auditor for the municipality and must submit audited financial statements and an audited financial information return to the Minister of Municipal Affairs by May 1 of each year. In addition, the financial statements or a summary of them must be made available to the public by May 1 of each year. The financial statements must disclose the municipality's debt limits, as well as the salaries of the CEO, individual councillors, the CAO, and the designated officers of the municipality.

Property Assessment, Taxation, and Other Revenues

Assessment

(MGA s. 285, 298, 454, 454.1, 454.2, 454.3, 460, 460.1, 468, and 470)

Property assessment is the process of assigning a dollar value to a property for taxation purposes. In Alberta, property is taxed based on the *ad valorem* principle. *Ad valorem* means “according to value.” This means that the amount of tax paid is based on the value of the property.

Each municipality is responsible for ensuring that each property owner pays his or her share of taxes. Property assessment is the method used to distribute the tax burden among property owners in a municipality.

The market value based standard is used to determine the assessed values for the majority of properties in Alberta. Market value is the price a property might reasonably be expected to sell for if sold by a willing seller to a willing buyer after appropriate time and exposure in an open market.

Some types of properties are difficult to assess using a market value based assessment standard because: they seldom trade in the marketplace (and when they do trade, the sale price usually includes non-assessable items that are difficult to separate from the sale price); they cross municipalities and municipal boundaries; or they are of a unique nature. Municipal Affairs prescribes rates and procedures to assess these types of properties, which are referred to as “regulated property”. Rates and procedures are determined by what a type of property is used for, its activity, or its production capability. There are four types of regulated property:

1. Farmland
2. Designated industrial property
3. Machinery and equipment
4. Railway property

Assessments for all types of property are prepared by professional, certified assessors. Assessors receive training in a variety of areas including property valuation techniques, legislation, and quality assurance. The assessor designated by the Minister of Municipal Affairs assesses designated industrial property, while assessors employed or contracted by municipalities assess all other types of property. Under provincial legislation, a municipality must appoint, by bylaw, a designated assessor. A designated assessor is responsible for the completion of a number of tasks laid out by provincial legislation and regulations.

After the assessed value of a property has been determined, the property is assigned an assessment class. The assessment class determines the tax rate that will be applied to each property, as assessment classes may have different tax rates.

The assessor for the municipality is responsible for assigning the assessment classes to property. Property is classified according to its actual use. The classes are set out in the MGA. They are:

- Class 1 – residential
- Class 2 – non-residential
- Class 3 – farmland
- Class 4 – machinery and equipment

Each year, every municipality is required to send an assessment notice to every assessed person listed on the assessment roll. Each municipality must publish a notification in one issue of a local newspaper to announce that the assessment notices have been mailed to property owners within the municipality.

To ensure property owners have a voice in the property assessment system, the MGA has set out a complaints and appeals system for property owners who have concerns about their assessment.

The process involves filing a complaint with the municipality’s assessment review board. The type of property the complaint is about will determine the type of assessment review board that will hear the complaint. Residential property with three or fewer dwelling units, farmland, or a tax notice other than a property tax notice will be heard by a Local Assessment Review Board (LARB). Residential property with four or more dwelling units or non-residential property will be heard by a Composite

Assessment Review Board (CARB). If the taxpayer believes an error in law or jurisdiction has been made by the assessment review board, the decision may be appealed to the Court of Queen's Bench of Alberta (CQB).

Property Taxation

(MGA s. 242, 297, 318, 354, 355, 356, and 359.1)

Each year, municipal councils determine the amount of money they need to operate their municipality through the budget process. From this amount, the council then subtracts known revenues (for example, licenses, grants, and permits). The remainder is the amount of money the municipality needs to raise through property taxes in order to provide services for the year.

This revenue requirement is then used to calculate the tax rate. The tax rate is the percentage of assessed value at which each property is taxed in a municipality. The revenue requirement is divided by the assessment base (the total value of all assessed properties in the municipality).

The tax rate calculation is expressed in the following formula:

$$\text{Revenue requirement} / \text{Assessment base} = \text{Tax rate.}$$

The tax rate is applied to each individual property assessment using the following formula:

$$\text{Property assessment} \times \text{Tax rate} = \text{Taxes payable.}$$

Council is required to pass a property tax bylaw annually (Section 353). Council may set different municipal tax rates for each of the four assessment classes once each year; however, the difference between non-residential and residential tax rates can be no more than 5:1. Council may also set different tax rates for vacant and improved non-residential property and for different sub-classes of residential property.

If, after sending out the tax notices, the municipality discovers an error or omission in the tax rates, the bylaw can be amended to correct the error, new tax notices sent out and a copy of the new bylaw must be provided to the Minister within 30 days.

In addition to municipal tax rates, municipalities must set tax rates to raise funds that are requisitioned for cost sharing programs such as the Alberta School Foundation Fund. This is discussed in the next section.

For more information on Property Assessment and Taxation, visit: <https://www.alberta.ca/municipal-propertyassessment.aspx>.

Education Tax and Equalized Assessment

(MGA s. 318, 359.1 and 359.2; School Act: Part 6 Division 3, s. 174; Alberta Regulation 22/2004-Sec 10)

Property assessment is used as the basis on which to requisition property taxes from all or a number of municipalities for the financial support of several regional and provincial programs. Equalized assessment is a process that levels the playing field for municipalities so property tax requisitions and grants can be fairly allocated.

Just as property owners pay taxes in proportion to the value of the property they own, municipalities are required to contribute to the provincial education and other requisitions based on the proportion of assessment within their jurisdictions. Equalized assessments are used to determine the specific contributions to be made by each municipality, and they are also used in formulas for provincial grants to municipalities.

Intermunicipal fairness and equity is important when requisitioning property taxes from municipalities or calculating grants. In this regard, it is usually necessary to make some adjustments in the assessment base figures that each municipality reports to the province before those assessments are used to determine each municipality's contribution to a regional or provincial program, or its equitable share of grant dollars. These adjustments are made through the equalized assessment process.

The MGA requires that most properties be assessed at market value. Ideally, all properties would be assessed at 100 per cent of market value. In practice; however, assessments may vary from market value to a limited degree. Because this variance may occur, equalization is used to adjust each municipality's assessments to 100 per cent of market value. The equalization process removes the variations in assessment levels to make the assessment bases more comparable among municipalities. The process produces a set of adjusted, or "equalized," assessments that can then be used to distribute requisitions, or allocate grants, among municipalities in a fair and equitable manner.

For more information on Equalized Assessment, visit: <https://open.alberta.ca/publications/5333000>.

Other Taxes and Revenues

(MGA s. 7, 360, 371, 381, 382, 388, 393, and 399)

In addition to the property tax levy, a municipality may impose a business tax, a special tax, or a local improvement tax. As well, the MGA provides for taxes within a business improvement area and on well drilling equipment.

Under section 360 of the MGA, franchise agreements may exist between a municipality and a utility service (power, gas, cable, telephone) that, among other things, provide for the payment of a franchise fee. The fee is usually a percentage of the distribution charges levied by the utility company, and is a rate set for rent of the municipal rights-of-way, the exclusive franchise rights granted within a municipality, and the property taxes that would otherwise be paid by the utility.

There are other sources of revenue available, mainly user fees. Utility charges for water, sewer treatment, and garbage collection are common in Alberta municipalities. Council may want to develop a policy setting the rates based on the degree of cost recovery considered desirable (full cost recovery is normal for utilities). Fees can also be set for other services, such as recreational facilities, photocopying, or meeting room rentals.

Municipal Grants Web Portal

Information on all provincial grant programs supporting municipalities is available on the Municipal Grants Web Portal at: www.municipalaffairs.alberta.ca/municipalgrants.cfm.

Within this portal, each municipal grant program has its own information page. These pages contain:

- a description of the program, including the type of projects supported and the eligibility requirements;
- links to copies of program guidelines, application forms, and reporting documents;
- a downloadable key dates calendar;
- links to program websites; and
- contact information for provincial program staff should you have any questions.

Contact the Municipal Assessment and Grants Division at 780-422-7125 (or toll-free in Alberta at 310-0000) for more details about the grant programs.

Planning and Development

Council shapes the physical future of the community through its authority over land-use planning and development control. It is the responsibility of council to focus on the future of the community as a whole while balancing the current rights, needs and concerns of property owners and residents. A number of tools are available to council for this purpose.

Alberta Land Stewardship Act (ALSA) Regional Plan

(ALSA s. 20, 21, and 22; MGA s. 618.3 and s. 618.4.)

If an ALSA regional plan is approved or amended, municipalities within an applicable ALSA regional plan are required to review their regulatory instruments, such as but not limited to, existing statutory plans, land-use bylaws, policies and procedures, and make any amendments to comply with the ALSA regional plan. After the review, municipalities are required to file a statutory declaration with the Land Use Secretariat stating that the review is complete and that the municipality is in

compliance with the regional plan. The ALSA regional plan establishes the time within which municipalities must review and amend the plans to achieve compliance.

Where there is an approved ALSA regional plan, the subdivision authority, development authority, municipal planning commission, and subdivision and development appeal board of the municipalities within that region must act in accordance with the applicable ALSA regional plan's policies and outcomes.

Intermunicipal Development Plan

(MGA s. 631, 636, 637 and 638)

Two or more municipalities may adopt an intermunicipal plan (IDP) to address issues of mutual concern with respect to designated lands. The plan must provide for the future use of land, the manner of and proposals for future development, or other matters relating to the area. The plan must include a procedure to resolve, or attempt to resolve, conflicts; a procedure to amend or repeal the plan; and provisions relating to plan administration. If the municipalities cannot agree on the need for an IDP or the issues in the IDP, the Land and Property Rights Tribunal can hear the matter. The Minister may require two (2) or more municipalities to enter into an intermunicipal development plan.

Municipal Development Plan

(MGA s. 632, 636, 637 and 638)

Every council of a municipality must adopt a municipal development plan (MDP). The MDP provides a general framework for development within the municipality and is the official statement of your municipality's policies concerning the desired future pattern of development. The municipality must afford opportunity to affected persons, school boards, adjacent First Nations or Metis Settlements, as well as neighbouring municipalities to review and make comment on the plan. Intermunicipal issues such as coordination of land use and infrastructure must be addressed in the municipality's own municipal development plan. A municipal development plan must be consistent with existing intermunicipal development plan

Intermunicipal Collaboration Framework

(MGA s. 708.28 – 708.43)

Each municipality that shares a common boundary with another municipality must have an Intermunicipal Collaboration Framework (ICF). This framework must provide for the integrated and strategic planning, delivery and funding of intermunicipal services, the stewardship of scarce resources efficiently in providing local services, and to ensure municipalities contribute funding to services that benefit their residents.

If the municipalities involved in an ICF cannot reach an agreement on the framework or disagree on its application, the MGA includes an arbitration process to follow to attempt to resolve any such matters if the ICF dispute resolution process is not successful.

Area Structure and Redevelopment Plans

(MGA s. 633, 634, 635, 636, 637 and 638)

Council may, by bylaw, adopt an area structure plan (ASP) to provide a framework for subdivision and development for a particular area. The area structure plan will generally describe the sequences of development, proposed land use, population density, and the location of major transportation routes and public utilities. An ASP or ARP must be consistent with the municipality's MDP and existing IDPs. When an area is undergoing redevelopment, council may adopt an area redevelopment plan, (ARP) which, in addition to providing guidelines, may result in a redevelopment levy being used to acquire land for park, school, or recreation purposes in the redevelopment area.

Land Use Bylaws

(MGA s. 638.2, 640, 642, 685, and 686)

All municipalities must have a land use bylaw (LUB). This bylaw provides a specific means of implementing the policies that are expressed in a general way in the municipal development plan. For instance, if a council wishes to adopt a direct control district in the land use bylaw, council must also adopt a municipal development plan that establishes that direction. All statutory documents must be consistent with each other. The LUB provides for a system for issuing development permits and divides the municipality into land use districts or 'zones' prescribing permitted and discretionary uses for land, and development standards for each land use district. Council must establish a development authority to administer the development approval process and make decisions.

When an application conforms to the provisions of the LUB and is of a permitted use, a development permit must be issued. Where an application is for a discretionally use, it may be approved with or without conditions, or it may be refused. If an application is refused the applicant may appeal to the subdivision and development appeal board (SDAB) or in certain situations to the Land and Property Rights Tribunal of Alberta. Additionally people who believe they may be affected by the propose development may make submissions to the development authority and may also appeal the decision of the development authority.

Subdivision

(MGA s. 623, 638.2, 652, 654, 655, and 678)

Dividing a piece of land into two or more parcels generally requires approval from a subdivision authority. The authority ensures that the land to be subdivided is appropriate for its proposed use. Council must establish the subdivision authority by bylaw and decide on its membership. Decisions can be appealed to the subdivision and development appeal board, or in certain situations to the Land and Property Rights Tribunal of Alberta. While a subdivision is approved by the subdivision authority, any changes to zoning that accompany the subdivision must be brought to council for approval by bylaw prior to approval of the subdivision application.

Subdivision or Development Agreements

(MGA s. 638.2, 650 and 655)

Prior to a subdivision or development having full approval, your municipality may require a developer to enter into a subdivision or development agreement. These agreements ensure that certain conditions of the proposed development are documented and met. After legal consultation, administration will bring the agreement forward to council for acceptance, after which the application can be given final approval.

Subdivision and Development Appeal Board

(MGA s. 627, 678, and 686)

A municipal council is required to establish a subdivision and development appeal board (SDAB) to act as a quasi-judicial body to deal with subdivision and development appeals. No more than one members of council can serve on a panel hearing a matter under the SDAB. Appeals are usually made by the applicant for a subdivision approval or a development permit, or by persons affected by the development authority's decision. The SDAB appeal hearing must be a public hearing.

Municipal Collaboration and Mediation

Annexation and Intermunicipal Land Use Disputes (MGA s. 690)

Alberta Municipal Affairs Intermunicipal Relations team provides assistance in building collaboration between and within municipalities across Alberta.

The team provides a number of courses to build knowledge in the fields of negotiation, dispute resolution, public input and workplace conflict, and helps municipalities to work within their own organization and intermunicipally to build capacity to collaborate.

The team also provides mediation/facilitated negotiation services to municipalities who have disputes with another municipality or with a regional entity such as a regional services commission. The team:

- works with municipalities to determine whether or not disputes are suitable for mediation;
- works with municipalities to ensure all the necessary preparations are in place to convene a dispute resolution process;
- provides a roster of qualified private sector mediators available to work with municipalities;
- works with municipalities to design dispute resolution training programs, including preparation for mediation, best practices for municipalities, when to use mediation, etc.; and
- provides funding, on a proportional basis, to the parties to cover the costs of retaining the private sector mediator(s).

The MGA requires municipalities to attempt negotiations and consider mediation before bringing an intermunicipal land use dispute under section 690, amalgamation under section 104, or a contested annexation under section 112 to the Land and Property Rights Tribunal.

Municipalities can use facilitated negotiations for any intermunicipal matters at any stage in their negotiations.

For more information on the services of the Intermunicipal Relations team, visit: <https://www.alberta.ca/municipal-dispute-resolution-services.aspx>.

Economic Development

The Economic Developers Association of Alberta (EDA Alberta) is an incorporated, non-profit organization formed to enhance the economic development profession in the province of Alberta, providing an active network of communication, information and education. EDA coordinates programs and workshops for municipal councils and economic development committee members to help communities with their economic plans by creating an awareness of what they can do on the local front to enhance their economic development activities. You can visit their website at www.edaalberta.ca.

Conclusion

This document is a starting point, not the final word. You will benefit from your time on council as you meet new people and develop a greater understanding of the local government process and its role in your community. Your community will benefit from your leadership, vision, and service. Best wishes for your success, and for the success of your community.

This guide is an information summary only and has no legislative sanction. For certainty, refer to the MGA and request your own legal advice. Copies of the MGA or other legislation mentioned in this document can be downloaded or purchased from Alberta Queen's Printer Bookstore:

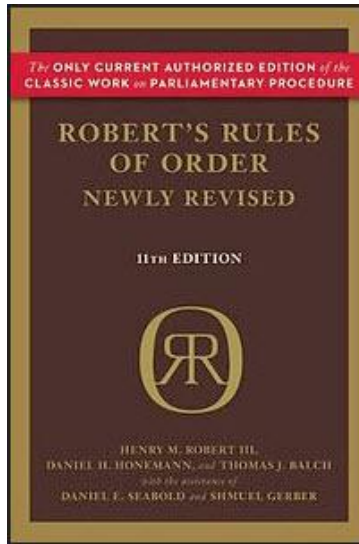
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Robert's Rules of Order - Summary Version

Introduction to Robert's Rules of Order

What Is Parliamentary Procedure?

It is a set of rules for conduct at meetings that allows everyone to be heard and to make decisions without confusion.

Why is Parliamentary Procedure Important?

Because it's a time tested method of conducting business at meetings and public gatherings. It can be adapted to fit the needs of any organization. Today, Robert's Rules of Order newly revised is the basic handbook of operation for most clubs, organizations and other groups. So it's important that everyone know these basic rules!

Organizations using parliamentary procedure usually follow a fixed order of business. Below is a typical example:

1. Call to order.
2. Roll call of members present.
3. Reading of minutes of last meeting.
4. Officer's reports.
5. Committee reports.
6. Special orders --- Important business previously designated for consideration at this meeting.
7. Unfinished business.
8. New business.
9. Announcements.
10. Adjournment.

The method used by members to express themselves is in the form of moving motions. A motion is a proposal that the entire membership take action or a stand on an issue. Individual members can:

1. Call to order.
2. Second motions.
3. Debate motions.
4. Vote on motions.

There are four Basic Types of Motions:

1. Main Motions: The purpose of a main motion is to introduce items to the membership for their consideration. They cannot be made when any other motion is on the floor, and yield to privileged, subsidiary, and incidental motions.
2. Subsidiary Motions: Their purpose is to change or affect how a main motion is handled, and is voted on before a main motion.
3. Privileged Motions: Their purpose is to bring up items that are urgent about special or important matters unrelated to pending business.
4. Incidental Motions: Their purpose is to provide a means of questioning procedure concerning other motions and must be considered before the other motion.

How are Motions Presented?

1. Obtaining the floor
 - a. Wait until the last speaker has finished.
 - b. Rise and address the Chairman by saying, "Mr. Chairman, or Mr. President."
 - c. Wait until the Chairman recognizes you.
2. Make Your Motion
 - a. Speak in a clear and concise manner.
 - b. Always state a motion affirmatively. Say, "I move that we ..." rather than, "I move that we do not ..."
 - c. Avoid personalities and stay on your subject.
3. Wait for Someone to Second Your Motion
4. Another member will second your motion or the Chairman will call for a second.
5. If there is no second to your motion it is lost.
6. The Chairman States Your Motion
 - a. The Chairman will say, "it has been moved and seconded that we ..." Thus placing your motion before the membership for consideration and action.
 - b. The membership then either debates your motion, or may move directly to a vote.
 - c. Once your motion is presented to the membership by the chairman it becomes "assembly property", and cannot be changed by you without the consent of the members.
7. Expanding on Your Motion

- a. The time for you to speak in favor of your motion is at this point in time, rather than at the time you present it.
 - b. The mover is always allowed to speak first.
 - c. All comments and debate must be directed to the chairman.
 - d. Keep to the time limit for speaking that has been established.
 - e. The mover may speak again only after other speakers are finished, unless called upon by the Chairman.
8. Putting the Question to the Membership
 - a. The Chairman asks, "Are you ready to vote on the question?"
 - b. If there is no more discussion, a vote is taken.
 - c. On a motion to move the previous question may be adapted.

Voting on a Motion:

The method of vote on any motion depends on the situation and the by-laws of policy of your organization. There are five methods used to vote by most organizations, they are:

1. By Voice -- The Chairman asks those in favor to say, "aye", those opposed to say "no". Any member may move for a exact count.
2. By Roll Call -- Each member answers "yes" or "no" as his name is called. This method is used when a record of each person's vote is required.
3. By General Consent -- When a motion is not likely to be opposed, the Chairman says, "if there is no objection ...". The membership shows agreement by their silence, however if one member says, "I object," the item must be put to a vote.
4. By Division -- This is a slight verification of a voice vote. It does not require a count unless the chairman so desires. Members raise their hands or stand.
5. By Ballot -- Members write their vote on a slip of paper, this method is used when secrecy is desired.

There are two other motions that are commonly used that relate to voting.

1. Motion to Table -- This motion is often used in the attempt to "kill" a motion. The option is always present, however, to "take from the table", for reconsideration by the membership.
2. Motion to Postpone Indefinitely -- This is often used as a means of parliamentary strategy and allows opponents of motion to test their strength without an actual vote being taken. Also, debate is once again open on the main motion.

Parliamentary Procedure is the best way to get things done at your meetings. But, it will only work if you use it properly.

1. Allow motions that are in order.
2. Have members obtain the floor properly.
3. Speak clearly and concisely.

4. Obey the rules of debate.

Most importantly, *BE COURTEOUS*.

For Fair and Orderly Meetings & Conventions

Provides common rules and procedures for deliberation and debate in order to place the whole membership on the same footing and speaking the same language. The conduct of ALL business is controlled by the general will of the whole membership - the right of the deliberate majority to decide. Complementary is the right of at least a strong minority to require the majority to be deliberate - to act according to its considered judgment AFTER a full and fair "working through" of the issues involved. Robert's Rules provides for constructive and democratic meetings, to help, not hinder, the business of the assembly. Under no circumstances should "undue strictness" be allowed to intimidate members or limit full participation.

The fundamental right of deliberative assemblies requires all questions to be thoroughly discussed before taking action!

The assembly rules - they have the final say on everything!

Silence means consent!

- Obtain the floor (the right to speak) by being the first to stand when the person speaking has finished; state Mr/Madam Chairman. Raising your hand means nothing, and standing while another has the floor is out of order! Must be recognized by the Chair before speaking!
- Debate cannot begin until the Chair has stated the motion or resolution and asked "are you ready for the question?" If no one rises, the chair calls for the vote!
- Before the motion is stated by the Chair (the question) members may suggest modification of the motion; the mover can modify as he pleases, or even withdraw the motion without consent of the seconder; if mover modifies, the seconder can withdraw the second.
- The "immediately pending question" is the last question stated by the Chair! Motion/Resolution - Amendment - Motion to Postpone
- The member moving the "immediately pending question" is entitled to preference to the floor!
- No member can speak twice to the same issue until everyone else wishing to speak has spoken to it once!
- All remarks must be directed to the Chair. Remarks must be courteous in language and deportment - avoid all personalities, never allude to others by name or to motives!

- The agenda and all committee reports are merely recommendations! When presented to the assembly and the question is stated, debate begins and changes occur!

The Rules

- **Point of Privilege:** Pertains to noise, personal comfort, etc. - may interrupt only if necessary!
- **Parliamentary Inquiry:** Inquire as to the correct motion - to accomplish a desired result, or raise a point of order
- **Point of Information:** Generally applies to information desired from the speaker: "I should like to ask the (speaker) a question."
- **Orders of the Day (Agenda):** A call to adhere to the agenda (a deviation from the agenda requires Suspending the Rules)
- **Point of Order:** Infraction of the rules, or improper decorum in speaking. Must be raised immediately after the error is made
- **Main Motion:** Brings new business (the next item on the agenda) before the assembly
- **Divide the Question:** Divides a motion into two or more separate motions (must be able to stand on their own)
- **Consider by Paragraph:** Adoption of paper is held until all paragraphs are debated and amended and entire paper is satisfactory; after all paragraphs are considered, the entire paper is then open to amendment, and paragraphs may be further amended. Any Preamble cannot be considered until debate on the body of the paper has ceased.
- **Amend:** Inserting or striking out words or paragraphs, or substituting whole paragraphs or resolutions
- **Withdraw/Modify Motion:** Applies only after question is stated; mover can accept an amendment without obtaining the floor
- **Commit /Refer/Recommit to Committee:** State the committee to receive the question or resolution; if no committee exists includes size of committee desired and method of selecting the members (election or appointment).
- **Extend Debate:** Applies only to the immediately pending question; extends until a certain time or for a certain period of time
- **Limit Debate:** Closing debate at a certain time, or limiting to a certain period of time
- **Postpone to a Certain Time:** State the time the motion or agenda item will be resumed
- **Object to Consideration:** Objection must be stated before discussion or another motion is stated
- **Lay on the Table:** Temporarily suspends further consideration/action on pending question; may be made after motion to close debate has carried or is pending
- **Take from the Table:** Resumes consideration of item previously "laid on the table" - state the motion to take from the table

- **Reconsider:** Can be made only by one on the prevailing side who has changed position or view
- **Postpone Indefinitely:** Kills the question/resolution for this session - exception: the motion to reconsider can be made this session
- **Previous Question:** Closes debate if successful - may be moved to "**Close Debate**" if preferred
- **Informal Consideration:** Move that the assembly go into "**Committee of the Whole**" - informal debate as if in committee; this committee may limit number or length of speeches or close debate by other means by a 2/3 vote. All votes, however, are formal.
- **Appeal Decision of the Chair:** Appeal for the assembly to decide - must be made before other business is resumed; NOT debatable if relates to decorum, violation of rules or order of business
- **Suspend the Rules:** Allows a violation of the assembly's own rules (except Constitution); the object of the suspension must be specified

Taken from: <http://www.robertsrules.org/>

Parliamentary Motions Guide

Based on *Robert's Rules of Order Newly Revised (11th Edition)*

The motions below are listed in order of precedence. Any motion can be introduced if it is higher on the chart than the pending motion.

YOU WANT TO:	YOU SAY:	INTERRUPT?	2 ND ?	DEBATE?	AMEND?	VOTE?
§21 Close meeting	I move to adjourn	No	Yes	No	No	Majority
§20 Take break	I move to recess for	No	Yes	No	Yes	Majority
§19 Register complaint	I rise to a question of privilege	Yes	No	No	No	None
§18 Make follow agenda	I call for the orders of the day	Yes	No	No	No	None
§17 Lay aside temporarily	I move to lay the question on the table	No	Yes	No	No	Majority
§16 Close debate	I move the previous question	No	Yes	No	No	2/3
§15 Limit or extend debate	I move that debate be limited to ...	No	Yes	No	Yes	2/3
§14 Postpone to a certain time	I move to postpone the motion to ...	No	Yes	Yes	Yes	Majority
§13 Refer to committee	I move to refer the motion to ...	No	Yes	Yes	Yes	Majority
§12 Modify wording of motion	I move to amend the motion by ...	No	Yes	Yes	Yes	Majority
§11 Kill main motion	I move that the motion be postponed indefinitely	No	Yes	Yes	No	Majority
§10 Bring business before assembly (a main motion)	I move that [or "to"] ...	No	Yes	Yes	Yes	Majority

Parliamentary Motions Guide

Based on *Robert's Rules of Order Newly Revised (11th Edition)*

Incidental Motions - No order of precedence. Arise incidentally and decided immediately.

YOU WANT TO:	YOU SAY:	INTERRUPT?	2 ND ?	DEBATE?	AMEND?	VOTE?
§23 Enforce rules	Point of order	Yes	No	No	No	None
§24 Submit matter to assembly	I appeal from the decision of the chair	Yes	Yes	Varies	No	Majority
§25 Suspend rules	I move to suspend the rules which ...	No	Yes	No	No	2/3
§26 Avoid main motion altogether	I object to the consideration of the question	Yes	No	No	No	2/3
§27 Divide motion	I move to divide the question	No	Yes	No	Yes	Majority
§29 Demand rising vote	I call for a division	Yes	No	No	No	None
§33 Parliamentary law question	Parliamentary inquiry	Yes (if urgent)	No	No	No	None
§33 Request information	Request for information	Yes (if urgent)	No	No	No	None

Motions That Bring a Question Again Before the Assembly - no order of precedence. Introduce only when nothing else pending.

§34 Take matter from table	I move to take from the table ...	No	Yes	No	No	Majority
§35 Cancel or change previous action	I move to rescind/ amend something previously adopted...	No	Yes	Yes	Yes	2/3 or maj. w/ notice
§37 Reconsider motion	I move to reconsider the vote ...	No	Yes	Varies	No	Majority

MEETING DATE: October 25, 2022

PREPARED BY: Myron Thompson, Chief Administrative Officer

PRESENTED BY: Myron Thompson, Chief Administrative Officer

SUBJECT: **2022 – 2023 Town of Blackfalds Regular Council Meeting and Standing Committee of Council Meeting Schedule**

BACKGROUND

At the Annual Organizational Meeting it is required, through resolution, to set the dates and times for Regular Council Meetings and Standing Committee Meetings for the 2022 – 2023 term.

DISCUSSION

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

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

- Council Procedural Bylaw 1265.22 – Part 7 – Meetings of Council
- *Municipal Government Act* Revised Statutes of Alberta 2000, Chapter M-26 current as of June 17, 2021, Section 193 and 195.

ADMINISTRATIVE RECOMMENDATION

1. That Council moves to accept the proposed 2022 - 2023 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 27th be cancelled due to being a statutory holiday in lieu of Boxing Day.
2. That Council moves to approve that the Town of Blackfalds Standing Committee Meetings be held every third Monday commencing at 7:00 p.m., with no meeting in February due to the third Monday falling on a statutory holiday.

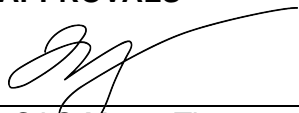
ALTERNATIVES

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

ATTACHMENTS

- *Proposed 2022 – 2023 Town of Blackfalds Regular Council Meeting and Standing Committee of Council Meeting Schedule.*

APPROVALS



CAO Myron Thompson

Department Director/Author

2022 - 2023 Council Meeting Calendar

November 2022

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 2022

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 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				

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				

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

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
	Meeting Cancelled

Meetings as Needed

	Municipal Planning Commission (MPC)
	Subdivision and Development Appeal Board (SDAB)
	Municipal Emergency Management
	Inter-municipal Development Planning
	Grievance Committee
	Policing Committee

MEETING DATE: October 25, 2022

PREPARED BY: Myron Thompson, Chief Administrative Officer

SUBJECT: **Appointment of Deputy Mayor**

BACKGROUND

During the Organizational Meeting Council formally determines and sets the Deputy Mayor appointments over the course of the Council term. The four-year term allows each Council member the equal opportunity to serve as Deputy Mayor for an eight-month term. Section 152(1) of the MGA requires Council to appoint one or more Councillors as Deputy Mayor so that the office is filled at all times. The Council member filling the role of Deputy Mayor will act as the Chief Elected Official when the Chief Elected Official is unable to perform the duties or when the office of the Chief Elected Official is vacant. In addition, the Deputy Mayor will chair the Standing Committee of Council Meetings for their term as outlined.

Councillor Stendie assumed the role of Deputy Mayor commencing this past July. On July 29th she notified Council members and the Chief Administrative Officer of her desire to relinquish the position of Deputy Mayor for unspecified reasons, effective immediately. This may be done by appointing a Council member to this role for the specified rotation period, or by moving the rotation up one eight-month term and having the first serving Councillor also assume the role of Deputy Mayor for the last eight-month rotation period.

DISCUSSION

At the August 9, 2022, Regular Council Meeting, Council extended the five Councillors role as Deputy Mayor for an extra 6-weeks and removed Councillor Valin from the Deputy Mayor rotation and replaced with Councillor Coulter.


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

Councillor Appel	November 2021 - June 2022
Councillor Stendie	July 2022 – February 2023
Councillor Svab	March 2023 – October 2023
Councillor Dennis	November 2023 – June 2024
Councillor Sands	July 2024 – February 2025
Councillor Coulter	March 2025 – October 2025

ATTACHMENTS

None

APPROVALS



CAO Myron Thompson

Department Director/Author

MEETING DATE: October 25, 2022

PREPARED BY: Myron Thompson, Chief Administrative Officer

PRESENTED BY: Myron Thompson, Chief Administrative Officer

SUBJECT: **Council Remuneration and Compensation Policy 156.21**

BACKGROUND

In 2021, the Town of Blackfalds undertook a Council remuneration and compensation review to determine rates for the 2021 – 2025 Council members. A Council Remuneration Review Committee was formed through appointment of citizen representation at the June 22nd, 2021 Regular Meeting of Council. The citizen members were assisted by members of Administration and representatives of Hillcrest Financial, consultants who undertook a survey and analysis for the Council Remuneration process. On July 5, 2021, the Remuneration Committee (comprised of residents of Blackfalds and Administrative staff members) was presented with information by Hillcrest Financial which compared Council compensation and benefits to 12 comparator communities that were in a range of +/- 10% of the Municipal Measurement Index.

DISCUSSION

At the November 9, 2021, Regular Council Meeting Council approved the Council Remuneration Policy 156.21 as presented. The Council Remuneration and Compensation Policy 156.21 is attached as a reference.

FINANCIAL IMPLICATIONS

The adjustments resulted in the following increases:

- Honorariums - \$46,308
- Per Diems - \$2,640
- Technology - \$3,780
- Other (Health Spending) - \$2,975
- 2022 estimated increase - \$55,700

ATTACHMENTS

- *Council Remuneration and Compensation Policy 156/21*

APPROVALS



CAO Myron Thompson

Department Director/Author

Policy No.: 156/21 Policy Title: Council Remuneration & Compensation Department: Office of the CAO Council Approval: November 9, 2021 Reviewed: November 2021 Revised: August 2021 Supersedes Policy/Bylaw: <ul style="list-style-type: none"> • Council Remuneration & Compensation Policy 132/17 • Council Remuneration & Compensation Policy (September 2011) 	Date: November 9, 2021 Resolution #: 340/21
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1. Preamble

- 1.1 The Town of Blackfalds values the contribution of Council and as such will maintain an annual level of remuneration and compensation for the elected officials that fall within the compensation values of the grouping of comparator municipalities as determined through provincial data provisions.

2. Reason for Policy

- 2.1 To outline the remuneration and compensation provided to Mayor and Council through honorarium, per diem rates, expenses, benefits, and professional development, as well as the process for reviews and adjustments as identified through the Terms of Reference – Council Remuneration Review Committee.

3. Authority

- 3.1 Section 242 and 243 of the *Municipal Government Act*, being Chapter M-26 of the Revised Statutes of Alberta, as amended.
- 3.2 Town Council Resolutions

4. Definitions

- 4.1 Council: Council are those elected officials serving the Town of Blackfalds duly elected in accordance with the *Local Authorities Election Act*.
- 4.2 Elected Official: is any member of Council.

5. Responsibilities

- 5.1 Municipal Council to:
- 5.1.1 Approve by resolution this policy and any amendments.
- 5.1.2 Consider the allocation of resources for successful implementation of this policy in

the annual budget process.

5.2 Council Remuneration Review Committee to:

5.2.1 Undertake processes as identified in Appendix “B” – Terms of Reference

6. Exclusions

6.1 None

7. Special Situations

7.1 None

8. Appendix

8.1 Appendix “A” – Compensation provided to Mayor and Council

8.2 Appendix “B” – Terms of Reference – Council Remuneration Review Committee

8.3 Appendix “C” – Council Member Expenses/Reimbursement

9. End of Policy

PROCEDURE	Policy No.: 156/21 Policy Title: Council Remuneration Policy Department: Office of the CAO
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1. Preamble

- 1.1 The remuneration and compensation is reviewed on a four year cycle, conducted in the year of an Municipal election and completed in advance of the election. Mayor and Council will receive an established Salary/Honorarium, and as well per diems and any other allowable expenses as established through Policy 156/21.
- 1.2 Remuneration and compensation levels are established through a +/- 10 percent median of compensation data retrieved through the survey of comparator municipalities that align with Blackfalds within a +/- 10 municipal measurement index as provided through Alberta Municipal Affairs. A dollar amount per capita modifier will be used and is derived by utilizing the 75 percent median honorarium/salary amount divided by the current population. A compensation adjustment will be brought forward annually to Council for consideration at budget time to reflect changes in the Alberta Consumer Price Index and which will align with salary and wage adjustments provided to municipal employees.
- 1.3 Health Benefits provided under the Municipality's current benefit provider are offered as an option for Council members to participate. Coverage is similar to that provided to the organization, with the exclusion of short- and long-term disability.

2. General Procedures

- 2.1 Refer to Appendix "A" – Compensation Provided to Mayor and Councillors.
- 2.2 Refer to Appendix "B" – Terms of Reference – Council Remuneration Review Committee.
- 2.3 Refer to Appendix "C" – Council Member Expenses/Reimbursement

Appendix “A” – Compensation Provided to Mayor and Council

PROCEDURE	Policy No.: 156/21 Policy Title: Council Remuneration Policy Department: Office of the CAO
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1. Preamble:

Council's Salary/Honorarium will be in place for a four-year election term cycle with only annual adjustments made based on the Consumer Price Index (CPI), as approved by Council and in alignment with amounts provided to municipal employees. Council has the duty to participate in Council and Standing Committee Meetings and any other meetings of other bodies to which they are appointed by Council. It is the authority and responsibility of Council to define and determine which meetings will qualify for per diem payments. This recognized responsibility for developing and evaluating the policy and programs of the municipality is included in the Town's annual operating budget.

2. Council Salaries/Honorariums:

2.1 Monthly Honorariums are provided for attendance at all Council meetings, Standing Committee Meetings, Public Hearings, Appointed Boards & Committees and Community Organization Meetings as determined.

2.2 The monthly honorarium for Council member activities and attendance as indicated in 2.1 is as follows:

2.2.1 Chief Elected Official \$4,980

2.2.2 Councillor \$2,369

2.3 Additional honorariums or fees paid from other organizations such as regional or provincial bodies or commission boards will be accepted by a Council member for their participation or attendance. Compensation will not be provided by the Town of Blackfalds in these instances.

3. Per Diems

3.1 A per diem will be provided to members of Council for attendance at Council recognized conferences, conventions, workshops, meetings or other recognized and budget approved activities.

3.2 A per diem will be provided to Council members for attendance at Municipal workshops, open houses, retreats, and budget meetings.

3.3 Per diem meeting rates are as follows:

3.3.1 Flat Rate \$135 (half day)

3.3.2 Flat Rate \$255 (full day)

- 3.4 Per diem rates do not apply to attendance at community events such as Canada Day, Remembrance Day and similar events, general public appearances and social events and activities.

4. Health Benefits

- 4.1 Mayor & Council members are provided the option to participate in the Towns' Employee Benefits Program. The option to participate must take place within 60 days from the beginning of their term commencing and will remain in effect through the duration of their political service.

- 4.2 Specifics of coverage include:

- 4.2.1 Basic Group Life Insurance which entitles Council to coverage of \$25,000. Mayor and Councillors pay 20% of the premiums for this coverage.
- 4.2.2 Dependant Life Insurance which entitles Mayor and Councillors to coverage of \$10,000 for Spouse and \$5,000 per child if they choose family coverage for Extended Health Care. Mayor and Councillors pay 20% of the premiums for this coverage.
- 4.2.3 Dental benefits which entitles Mayor and Councillors to coverage of 100% Basic, 80% Major, 100% Dentures with a combined calendar year maximum of \$2500. Dental also includes 50% Adult and Child Orthodontics to a lifetime maximum of \$3000. Mayor and Councillors are responsible for 20% of the premiums for this coverage.
- 4.2.4 Extended Health Care benefits which entitles Mayor and Councillors to coverage of 100% of prescription drugs and 100% of medical supplies and services to limits as outlined in the employee handbook. Mayor and Councillors are responsible for 20% of the premiums for this coverage.
- 4.2.5 Vision Coverage of \$400.00 per year for children (if they are choosing family coverage for extended health care) and every 2 years for an adult. Mayor and Councillors are responsible for 20% of the premiums for this coverage.
- 4.2.6 Accidental Death and Dismemberment coverage of \$25,000. Mayor and Councillors are responsible for 20% of the premiums for this coverage.
- 4.2.7 Employee Assistance Program is offered to Mayor and Councillors with premiums paid for by the Town.
- 4.2.8 Optional benefits are available with full premiums being the responsibility of Mayor and Councillors. These options include optional life insurance, optional critical illness, and optional dependent life insurance.

- 4.3 Exclusions:

- 4.3.1 Coverage excludes short- and long-term disability.

5. Health/Wellness Spending Account

- 5.1 Council will be provided with a \$425 annual Health and/or Wellness Spending Account.

6. Travel & Subsistence

- 6.1 Council member expenses incurred shall be reimbursed as per Appendix "C" – Reimbursements, and upon submission and approval of a claim form.
- 6.2 The Mayor shall be responsible for approving Councillor's expense claims and the Deputy Mayor responsible for approving the Mayor's expense claims.
- 6.3 Mayor and Council are to submit receipts for meals. In instances where meals are provided at a conference, seminar workshop, or meeting then meal allowances or receipted meals will not be reimbursed unless approved by Council.
- 6.4 The administrative vehicle will be provided for Councillor use for out of town travel that is not overnight. The booking of the vehicle will be made through the Civic Centre reception. Extended travel expense reimbursement will be provided as per Appendix "C" or alternate arrangements will be made in provision of a municipal fleet unit.

7. Professional Development

- 7.1 Professional development will be provided to Mayor and Council as outlined in Policy 155.21 Elected Officials Development Opportunities.

8. Electronic Device and Internet Connection Reimbursement

- 8.1 Members of Council will receive the required electronic devices and software once per Council term (4 years) following the Municipal Election in order to conduct Council duties; equipment will be returned at the expiry of the term should the Council member not be returning on Council.
- 8.2 Reimbursement for the cost of an average high speed internet connection is in effect to offset the personal costs to Council. A paperless agenda and electronic communications combined with the research required via the web makes a reliable high speed internet connection a necessary service to properly execute the duties of council.
- 8.3 Reimbursement for the cost of the internet connection will be paid by the Town to the Council members in December of the year in which the charges occurred. The reimbursement will be prorated monthly for terms that do not equal a full year. The amount of reimbursement is calculated based on an average connection with sufficient data transfer amounts as determined by the council during the annual budget deliberations.
- 8.4 Each Council Member will be reimbursed \$100 per month for internet costs.

9. Telephone

- 9.1 The Chief Elected Official shall be provided with a cell phone by the Town or a payment equal to an amount in lieu of average cost to supply a cell phone will be paid on a monthly basis.

10. General

- 10.1 The Town of Blackfalds is responsible for the payment of the remuneration and compensation as delegated to the Director of Corporate Services who shall distribute payment according to this policy. Honorariums shall be paid no later than the last banking day of each month.
- 10.2 Honorarium and per diem claims shall be submitted on a form provided by the Director of Corporate Services and submitted no later than two days prior to the pay date. All payment requests must be approved by the Mayor prior to submission.
- 10.3 Emergency payments for honorariums may be requested by Council upon arrangements with the Chief Administrative Officer, preferably with one weeks' notice.
- 10.4 Cash advances for up to 80% of the estimated expenditures incurred may be provided upon request being presented at least one week prior to departure.
- 10.5 Expense claim forms as provided by the Director of Corporate Services are to be completed and approved by the Mayor and Deputy Mayor upon return from eligible conventions, seminars, Town business and meetings prior to submission for payment.
- 10.6 Town administration may register Council members for courses and conferences as requested. Council members wishing to register themselves may do so using their municipal credit card. All credit card receipts must be submitted to Accounts Payable for processing.

11. General

- 11.1 Review of this policy will take place through procedures identified in Appendix "B" – i Council Remuneration Review Committee.

Appendix “B” – Terms of Reference – Council Remuneration Review Committee

PROCEDURE	Policy No.: 156/21 Policy Title: Council Remuneration Policy Department: Office of the CAO
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1. Preamble:

- 1.1 A Council Remuneration Review Committee consisting of five citizens from the community will be established by the Chief Administrative Officer to review and make recommendations for compensation to be provided for Mayor and Council ahead of the Municipal Election. The compensation recommendation will be reviewed by the sitting Council and any decisions will be made through formal resolution and come into effect for the new Council following the Municipal Election.

2. Responsibilities:**2.1 Council:**

- 2.1.1 Following the recruitment process for Remuneration Committee members Council will formally appoint these members to the Council Remuneration Committee;
- 2.1.2 Council will duly consider all recommendations brought forward by the Committee;
- 2.1.3 Approve any adjustments to Council remuneration package.

2.2 Chief Administrative Officer:

- 2.2.1 Will act in an advisory role to the Committee;
- 2.2.2 Provide the assistance of a Human Resource Officer to assist in information gathering and analysis, and facilitation process;
- 2.2.3 Provide any information necessary information to the Committee necessary to fulfill their duties;
- 2.2.4 Utilize the current Municipal Affairs Municipal Measurement Index to utilize comparator municipalities. Comparators will be within +/-ten percent in relation to the Town of Blackfalds.
- 2.2.5 Ensure the survey information is collected, compiled, and available for when the Committee is ready to undertake the review..

2.3 Council Remuneration Committee

- 2.3.1 Will elect a Chair and Vice Chair for the Committee;
- 2.3.2 Will make recommendations to Council in relation to Council Remuneration;



- 2.3.3 Will make recommendations to Council in relation to Council Per Diem Rates (daily rate of pay for Elected Officials for attendance at conferences, workshops, seminars, etc.);
- 2.3.4 Will make recommendations to Council in relation to a Benefits Package;
- 2.3.5 Will make recommendations on the compensation rate through establishment of a market average of those communities surveyed;
- 2.3.6 Provide general insight or recommendations on the status (current and within 4 years) relative to the position of Mayor being a part time or full-time position.

1.4 Remuneration Committee Chair Duties

- 1.4.1 Spokesperson for the Committee except for specifically authorized instances;
- 1.4.2 Will ensure that deliberation during Committee meetings will be fair, transparent, efficient and thorough;
- 1.4.3 Will chair Committee meetings with all the commonly accepted power of that position (Roberts Rules);
- 1.4.4 Will ensure that decisions are documented in written format and that recommendations are put in writing for presentation.

2. Procedures for Council Remuneration Committee

- 2.1 The Committee will be established prior to mid-year of an election year. The Committee will complete their review and make recommendation prior to the first Council meeting in August.
- 2.2 The Committee will consist of nine members including five citizens from the Community, the CAO, the Director of Corporate Services, the Human Resource Officer and member of the consulting firm (Human Resource Advisor) that gathered and processed the compensation survey data.
- 2.3 The Committee members chosen will consist of individuals who are active and connected in the Community or have a professional background in finance, business, education, law or governance.
- 2.4 The citizen appointees will be the only Committee members to have voting rights.
- 2.5 The term of the Committee shall be appointed for a term not to exceed one year. Committee.
- 2.6 Meeting dates and times shall be held at the discretion of the Committee and a quorum shall consist of three members.
- 2.7 Each member of the Committee will observe and keep confidential matters relating to the business or affairs of Council members or the Town of Blackfalds which may directly or indirectly come to their knowledge through the Committee activities. Committee members will not discuss or disclose same with any person who is not entitled to such knowledge.

Appendix “C” – Council Member Expenses / Reimbursement

PROCEDURE	Policy No.: 156/21 Policy Title: Council Remuneration Policy Department: Office of the CAO
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REIMBURSEMENT TYPE	AMOUNT
Travel Allowance - Meals	As per current Revenue Canada Agency Travel Allowance - Meals
Travel Allowance – Vehicle Use	As per current Revenue Canada Agency Travel Allowance – Vehicle Use (\$/km)
Travel Allowance - Accommodation Hotel/Motel Private Home	As per receipted expense \$22.25 allowance per overnight stay
Travel Allowance – Taxi/public transportation	As per receipted expense
Rental Vehicles	When authorized and receipted expense
Parking Costs	As per receipted expense
Incidental Expense – Laundry & dry cleaning	As per receipted expense

MEETING DATE: October 25, 2022

PREPARED BY: Myron Thompson, Chief Administrative Officer

SUBJECT: Federation of Canadian Municipalities Attendance

BACKGROUND

The Federation of Canadian Municipalities (FCM) is the national voice of municipal government since 1901 and representing 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

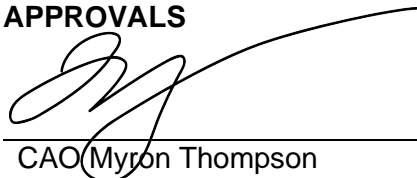
At the Organizational Meeting, Council is requested to determine attendance for the conferences taking place within the four-year term and this was confirmed at the 2021 Organizational Meeting as follows:

Toronto, Ont. May 25 th – 28 th 2023	Mayor, CAO Deputy Mayor Appel & Councillor Stendie
Calgary, AB June 6 th - 9 th 2024	Mayor, CAO All of Council
Ottawa, Ont. May 28 th – June 1 st , 2025	Mayor, CAO Councillor Sands & Councillor Svab

Accommodation and travel arrangements have been confirmed for the 2023 conference however following the Organizational meeting in 2021 there was further discussion on possible changes in Council members' attendance to the various conferences. Administration is seeking to re-confirm those attending for the remaining three years of the term.

ADMINISTRATION RECOMMENDATION

1. That Council confirm attendance for the Federation of Canadian Municipalities for years through to 2025.

APPROVALS

CAO Myron Thompson

Department Director/Author

MEETING DATE: October 25, 2022

PREPARED BY: Myron Thompson, Chief Administrative Officer

SUBJECT: Alberta Municipalities Convention Attendance

BACKGROUND

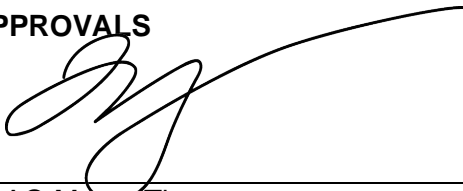
The Alberta Urban Municipalities Association (AMA) was founded in 1905 and today represents Alberta's urban municipalities. Their brand officially became Alberta Municipalities Association in 2021. Representation of the association includes cities, towns, villages, summer villages, and specialized municipalities, 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 2023 AMA Convention & AMSC Trade Show will be held September 27th – 29th at the Edmonton Convention Centre. 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 2023 Alberta Municipalities Association Convention in Edmonton taking place for September 27th to the 29th, 2023.

APPROVALS

CAO Myron Thompson

Department Director/Author

MEETING DATE: October 25, 2022

PREPARED BY: Rick Kreklewich, Director of Community Services

PRESENTED BY: Rick Kreklewich, Director of Community Services

SUBJECT: **FCSS Board Member Resignation**

BACKGROUND

On October 11, 2022, we received an email from Trish Willis to inform us of her resignation from a Member at Large position on the FCSS Board. The FCSS Board consists of two appointed Council members, one Lacombe County citizen and five to seven Members at Large.

DISCUSSION


The timing of this resignation allowed for this position to remain unfilled until the Organizational Meeting on October 25, 2022 where it can be filled along with vacancies on other Council Boards.

ADMINISTRATIVE RECOMMENDATION

1. That Council accept the resignation of Trish Willis from the FCSS Board effective immediately, with regrets.

ATTACHMENTS

- *Trish Willis Resignation Letter*

APPROVALS

CAO Myron Thompson

Department Director/Author

From: [Trish Willis](#)
To: [Sue Bornn](#)
Cc: [Cliff Soper](#); [Dena 2](#); [Jim Sands](#); [melissa](#); [Rebecca Stendie](#); [Samantha Wilson](#); [Sheila Giffin](#); [Sue Penner](#); [Tennielle Gilchrist](#); [Jamie Hoover](#); [Rick Kreklewich](#)
Subject: Re: October FCSS Meeting
Date: October 11, 2022 2:53:20 PM

Hi Sue,

I have to bring Mat to the airport on Thursday so I will not be able to attend the meeting. I have already spoken to Cara, but I just wanted to let you know that I will not be able to continue on the board next year. I have gone back to school and between work and homework, my schedule is too full to continue. I wish you all the best with this project.

Trish

Blackfalds, AB T0M 0J0

T: 403.885.6247

C: 403.588.0974

F: 403.885.0011

This message is private and confidential. If you have received this message in error, please notify us and remove it from your system.

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Trish Willis

MEETING DATE: October 25, 2022

PREPARED BY: Rick Kreklewich, Director of Community Services

PRESENTED BY: Rick Kreklewich, Director of Community Services

SUBJECT: **Municipal Library Board Member Resignation**

BACKGROUND

The Library Administrator received a voicemail from Marjorie Tyess to inform us that she will not be reapplying for the Member at Large position on the Municipal Library Board. The Municipal Library Board consists of two appointed Council members and up to eight Members at Large.

DISCUSSION

The timing of this resignation allowed for this position to remain unfilled until the Organizational Meeting on October 25, 2022 where it can be filled along with vacancies on other Town Boards.

ADMINISTRATIVE RECOMMENDATION

1. That Council accept the resignation of Marjorie Tyess from the Municipal Library Board effective immediately, with regrets.

ATTACHMENTS

- *Municipal Library Board Minutes*

APPROVALS

CAO Myron Thompson

Department Director/Author

**Blackfalds Library Board Meeting Minutes
Oct 4, 2022**

I. Meeting was called to order at 6:37 p.m. by Chair Glyn Evans

Present: Glyn Evans, Laura Svab, Caitlin Ranger, Richard Poole, Ray Olfert, Vincent Wolfe, Edna Coulter, Glenda Brown & Kristel Leeks

Absent: Marjorie Tyess

Regrets:

Staff: Carley Binder

II. Acceptance of the Agenda

MOTION L50-22

Moved by Richard Poole to accept the agenda. **C.U.**

III. Acceptance of the minutes from the last meeting September 2022:

MOTION L51-22

Moved by Laura Svab to accept the September 2022 minutes. **C.U.**

IV. Business from Last Meeting:

- I. New Library – It was determined between Delnor and the Town that the cracked window is not covered under warranty and a Town of Blackfalds expense. Replacement will be approximately 6 weeks from Sept. 14, 2022.
- II. Security – the Town is in discussion with security cameras in the library. Still pending information.

V. Board Basic Workshop – PLSB upcoming workshops – There are 7 upcoming online sessions for Trustees to attend online this fall.

VI. New Business:

I. Acceptance of Income Statement, Direct Bill Payments and Budget Update

MOTION L52-22

Moved by Vince Wolfe to accept income statement, Direct Bill Payments & budget update. **CU.**

II. Stats – September 2022

MOTION L53-22

Moved by Ray Olfert to accept the September 2022 stats as information. **C.U.**

III. Board Member Resignation – Marjorie Tyess resigned from the library board via a phone message dated September 7, 2022.

MOTION L54-22

Moved by Richard Poole to with regrets Marjorie Tyess' resignation from the Library Board. **C.U.**

- IV. **Eagle Builder Centre – Parking** – staff parking or patron parking for dropping off items to the library. Loading zone parking is potentially going to be installed but no confirmation from the Town staff.

MOTION L55-22

Moved by Glenda Brown for Library Administrator to initiate a weekly meeting with Rick Kreklewich, Director of Community Services from the Town to discuss any information concerning the library and the Town for administration and accountability purposes. Table parking at EBC to the November meeting once we find out what sign will be installed at EBC. **C.U.**

VII. **Librarians Report –**

The library received \$29,000 from the Canadian Heritage Grant Funds and we purchased some additional patio furnishings and greenery. We are working on a board games table for upstairs, yoga, counselling/therapy for patrons in the community in addition to staff training on public mental health, Paint & Sip, sensory toys for a new program, Virtual Reality, PS5 & Bean Bag Chairs. Children's programmer is adding a monthly Stem/Steam program to coincide with PD days for schools.

MOTION L56-22

Moved by Ray Olfert to accept as information. **C.U.**

VIII. **Policies** – Nothing to review.

- IX. **Plan of Service** – Committee meeting update. Questionnaire deadline Oct. 15. Committee will meet Oct. 24 at 5:30 to review results and bring back to Nov. board meeting.
Review Plan of Service Mission, Library History & Town profile and let Administration know any changes or recommendations before the next meeting to review changes.

MOTION L57-22

Moved by Richard Poole to table until November's meeting. **C.U.**

- X. **Bylaw** – Nothing new to review.
- XI. **Emergency Planning** – Annual Review in June 2024 - Nothing new to report
- XII. **Budget** – Proposed Budget review 2023 – tournament staffing

MOTION L58-22

Moved by Vince Wolfe to accept the presented budget with a deficit of \$1,314.30 and asked that Library Administration present to Town Council for funding the difference in order to cover extra staffing hours for Tournaments. **C.U.**

XIII. **Adjournment:** Adjourned at 7:57 P.M.

Next Regular Board Meeting: Tuesday, November 1, 2022 at 6:30 pm

Regrets:

MEETING DATE: October 25, 2022

PREPARED BY: Rick Kreklewich, Director of Community Services

PRESENTED BY: Rick Kreklewich, Director of Community Services

SUBJECT: **Recreation, Culture & Parks Board Member Resignation**

BACKGROUND

On July 28, 2022, we received an email from Jennifer Myslicki to inform us that she will not be reapplying for a Member at Large position on the Recreation, Culture and Parks Board. The Recreation, Culture and Parks Board consists of two appointed Council members, one Lacombe County citizen and five members-at-large.

DISCUSSION

The timing of this resignation allowed for this position to remain unfilled until the Organizational Meeting on October 25, 2022 where it can be filled along with vacancies on other Council Boards.

ADMINISTRATIVE RECOMMENDATION

1. That Council accept the resignation of Jennifer Myslicki from the Recreation, Culture & Parks Board effective immediately, with regrets.

ATTACHMENTS

- *Jennifer Myslicki Resignation Letter*

APPROVALS



CAO Myron Thompson



Department Director/Author

From: Jennifer Myslicki <jmyslicki44@gmail.com>

Sent: July 28, 2022 10:23 AM

To: Rick Kreklewich <RKreklewich@blackfalds.ca>

Cc: Alyssa Borix <ABorix@blackfalds.ca>; Cara Kroetsch <CKroetsch@blackfalds.ca>

Subject: Re: Board, Committee, Commission Appointments

Good Morning,

I will not be reapplying. Would you be able to tell me when my last day would be? I have school starting in the middle of September and I want to make sure I don't have any conflicts.

Thank you for the experience to be a part of the community.

Best regards,

Jennifer Myslicki

Policy No.:	147.20	Council Approval: Resolution No.: 262.20 Date: September 21, 2020
Policy Title:	Council Board/Committee Policy and Procedures	
Department:	N/A	
Reviewed:	N/A	
Revised:	Board/Committee Policy (Approved on October 22, 1991 and amended February 12, 2008)	
Supersedes Policy/Bylaw:		

Policy Statement

The Town of Blackfalds Council Boards, Commissions and Committees shall be established by bylaw or terms of reference outlining specific Board/Committee establishment, structure, membership, membership orientation, terms of appointment, attendance at meeting, delegation of authority, staff support and general.

1. Reason for Policy

- 1.1 The purpose of this Policy is to establish and maintain the following Boards/Committees to assist in undertaking the responsibilities of Recreation, Economic Development, Family and Community Support Services (FCSS), Library Services, Policing and Planning and Development Control.

2. Definitions

- 2.1 “**Administrative Liaison**” means staff support provided to Boards/Committees.
- 2.2 “**Advisory Board**” means they provide advice and recommendations to Council which is either endorsed or rejected by motion or Council or via the yearly budget.
- 2.3 “**Board/Committee**” means a Board, Committee, Commission or other body established by Council.
- 2.4 “**Council**” means the Elected Municipal Council of the Town of Blackfalds.
- 2.5 “**Governance Committee**” means a Committee established in support of legislative requirements or to support Council’s governance role.
- 2.6 “**Member**” means a Member of a Board/Committee.
- 2.7 “**Member at Large**” means any person who is a resident of the Town of Blackfalds or Lacombe County.
- 2.8 “**Organizational Meeting**” means the annual Organizational Meeting of Council as required under the Municipal Government Act (MGA).
- 2.9 “**Volunteer**” means a person who performs a service willingly without remuneration.

3. Responsibilities

3.1 Municipal Council to:

- a) approve by resolution this policy and any amendments; and
- b) consider the allocation of resources for successful implementation of this policy in the annual budget process.

3.2 Chief Administrative Officer to:

- a) implement this policy and approve procedures.
- b) ensure policy and procedure reviews occur and verify the implementation of policies and procedures.

3.3 Director of the Department to:

- a) ensure implementation of this policy and procedure.
- b) ensure that this policy and procedure is reviewed every three years.
- c) make recommendations to the Chief Administrative Officer of necessary policy or procedure amendments.

3.4 Manager to:

- a) understand and adhere to this policy and procedure.
- b) ensure employees are aware of this policy and procedure.

3.5 Employees to:

- a) understand and adhere to this policy and procedure.

4. Exclusions

None

5. Special Situations

None

6. Appendix

Appendix A – Volunteer Application Form

Appendix B – Process to Appoint Volunteers to Boards, Committees and Commissions

7. End of Policy

PROCEDURE	Policy No.: 147.20 Policy Title: Council Boards and Committees Policy Department: Administration
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Part A: Council Board/Committee Guidelines

1. Establishment of Council Boards, Commissions and Committees

- 1.1 Town of Blackfalds Council appointed Boards/Committees shall be established by bylaw or terms of reference outlining specific Board/Committee objectives, responsibilities, authority and membership.
- 1.2 Council values the diverse voices of citizens in local governance and demonstrates this value, in part through the establishment and support of boards, committees and commissions.

2. Structure

- 2.1 The Town shall establish and maintain the following Boards/Committees to assist in undertaking the responsibilities of Recreation, Economic Development, Family and Community Support Services (FCSS), Library Services, Policing and Planning and Development Control.
- 2.2 Current established Council Boards/Committees are:
 - a) Blackfalds and District Recreation, Culture & Parks Board
 - b) Economic Development & Tourism Advisory Committee (EDTAC)
 - c) Blackfalds and District Family and Community Support Services Board
 - d) Municipal Library Board
 - e) Municipal Planning Commission (MPC)
 - f) Policing Committee
 - g) Subdivision and Development Appeal Board (SDAB)
 - h) Intermunicipal Assessment Review Board (ARB)

3. Membership

- 3.1 All Boards/Committees may have membership from both Council and the public with the exception of the Assessment Review Board.
- 3.2 Members are appointed by Council resolution at the annual Organizational Meeting or at other times as required.
- 3.3 Board vacancies shall be advertised and applied for on the form provided for this purpose (Appendix A). Appointments shall be made by Council through a screening process as defined in Appendix B.
- 3.4 Members shall be appointed on the condition they adhere to the Council Code of Conduct Bylaw while performing their role as Board Member.
- 3.5 Term of office for members shall be as outlined in their specific Board/Committee bylaw or terms of reference, and all member appointments shall follow the appropriate bylaw regulations.

- 3.6 Council Members who are appointed to the Municipal Library Board are appointed for a three-year term but may submit a written resignation at the annual Organizational Meeting.

Although members are appointed for a three-year term, their appointment will be reviewed annually by Council at the Organizational Meeting with the appointment either being confirmed or cancelled as determined by Council resolution. At the conclusion of the three-year term, former members may re-apply for another three-year term. Council will encourage new membership, however, all applicants, including former members, will be considered equally with appointments being made by Council through the screening process.

- 3.7 The Chief Elected Official, by virtue of his office, is a member of all Boards/Committees to which Council has a right to appoint members and, when in attendance, possesses all the rights, privileges, powers and duties of other members. As a consequence, the Chief Elected Official and Deputy Chief Elected Official may officially act as alternates to any Council Member who cannot attend a board meeting of any Town Board he or she is appointed to.
- 3.8 Immediate family members of Town Council and employees are permitted to serve on Council Boards/Committees, but cannot sit on the same Board/Committee at the same time.
- 3.9 In selecting Board/Committee members, preference may be given to residents of Blackfalds. However, it is also recognized that non-resident applicants who own property or have a business in Town also have a stake in the community and are also entitled to serve on a Board/Committee.
- 3.10 Town staff members cannot sit as a voting member on a Board/Committee.
- 3.11 Former Council Members and Town staff may apply for appointment to a Board/Committee following resignation from Council or termination of employment with the Town.
- 3.12 New members to the Municipal Planning Commission (MPC) and the Subdivision and Development Appeal Board (SDAB) will be required to attend orientation and complete any training as required by legislation.
- 3.13 Members of the Municipal Planning Commission cannot be members of the Subdivision and Development Appeal Board, and vice versa.
- 3.14 All volunteers, including members sitting on Council Boards/Committees and members of Council, are required to annually submit a Volunteer Application form following their appointment to the Volunteer Programmer. Members 18 and older are required to annually submit a Criminal Record Check to be conducted as part of the screening process (Appendix B).

4. Membership Orientation

- 4.1 Membership orientation will be held at the first Board/Committee meeting following the Organizational Meeting.
- 4.2 The orientation session will include:
- a) Organizational Structure;
 - b) Updated Volunteer Application information and Criminal Record Check (must be received by the Volunteer Programmer within 30 days of their appointment);

- c) FOIP Coordinator will provide FOIP Review;
- d) Bylaw or Terms of Reference Review;
- e) Budget (if applicable); and
- f) Clothing Allowance.

5. Term of Appointment

- 5.1 The term of an appointment shall be in accordance with the specific Council Board/Committee bylaw or terms of reference.

6. Attendance at Meetings

- 6.1 Regular attendance of members for Boards/Committees is important to the function and responsibilities of that Board/Committee. The Board/Committee bylaw or terms of reference identify attendance requirements for members and consequences for a breach of these requirements.

7. Delegation of Authority

- 7.1 The Blackfalds and District Recreation, Culture & Parks Board, Blackfalds and District Family and Community Support Services Board and Economic Development & Tourism Advisory Committee are Advisory Boards, and as such, they provide advice and recommendations to Council which is either endorsed or rejected by motion or Council or via the annual budget.
- 7.2 The Municipal Library Board, Municipal Planning Commission and Subdivision and Development Appeal Board are Governance Committees with their own authority and powers provided by their prospective bylaws and by provincial legislation (ie. Libraries Act, Municipal Government Act and Public Safety Services Act).
- 7.3 All Boards except the Library Board may spend Town monies through the authority of its Administration Liaison if such spending was previously approved in the current Town budget.
- 7.4 The Library Board may spend monies provided from the Town annually through the authority provided in accordance with Libraries Act and Bylaw No. 1224/18.

8. Staff Support

- 8.1 Town Administration shall provide staff support to all Boards/Committees, except the Library Board, to prepare agendas, minutes and to facilitate decisions of the Boards/Committees.
- 8.2 Agendas shall be prepared by the staff support person in consultation with the Board/Committee Chairperson.
- 8.3 The Library Board shall utilize their own staff to support their Board.

9. General

- 9.1 Minutes for all Board/Committee meetings shall be circulated to Council via Council agenda packages.

- 9.2 Meetings shall be held regularly in accordance with the Board/Committee bylaws or terms of reference.

Part B: COUNCIL COMMITTEES

10. Structure

- 10.1 The Town shall establish the Council Committees as required to act in an advisory capacity to Council.
- 10.2 Standing Committee of Council:
- a) to provide further opportunities for information gathering and input;
 - b) to facilitate informed decision-making process.
- 10.3 Ad-Hoc Committees to be developed, as required, to do further research of specific issues.

11. Establishment

- 11.1 All Committees shall be established by resolution of Council.

12. Membership

- 12.1 Membership shall consist of Councillors.

13. Authority

- 13.1 All Committees are advisory in nature only. Any decisions to be made must be made by Council upon reviewing the recommendations from the Committees.
- 13.2 No Committee has the authority to spend Town monies.

14. Staff Support

- 14.1 The CAO or designate is a staff resource to all committees, along with any other staff required to provide support.

15. General

- 15.1 Agendas and minutes are to be prepared by staff in consultation with the Chairperson.
- 15.2 Minutes for all committee meetings shall be circulated to Council via Council agenda packages.
- 15.3 The Standing Committee of Council shall be held the third Monday of each month as scheduled by Council with the Deputy Chief Elected Official as Chairperson.
- 15.4 Ad-Hoc Committees shall be dissolved by resolution of Council once the task of Committee is complete.

Part C: ADMINISTRATIVE COMMITTEES**16. Structure**

16.1 Administration shall establish the following committees and others as required dealing with staff issues:

- a) Staff as a whole;
- b) Health & Safety Committee; and
- c) Bargaining Committee.

17. Establishment

17.1 All Administrative Committees shall be established by a motion from the staff committee or by decision by the CAO.

18. Authority

18.1 With respect to personnel matters (benefits, hours, pay, etc.), the Bargaining Committee or staff committee is advisory in nature only, and will provide recommendations to Council for their consideration. However, for other matters, monies may be spent by staff upon recommendations from the administrative committees if such spending was previously approved in the Town budget.

19. General

19.1 Administrative committees shall have no Council representation unless staff requests such.

20. End of Procedure**Approval**

Chief Administrative Officer

Date

MEETING DATE: October 25, 2022

PREPARED BY: Danielle Nealon, Executive & Legislative Coordinator

PRESENTED BY: Myron Thompson, Chief Administrative Officer

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

BACKGROUND

Annually at the Organizational Meeting, Council appoints Members at Large and members of Council 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 recommendations are provided in spreadsheets for presentation to Council.

DISCUSSION

Recommended appointments of Members at Large and Council Members to Town of Blackfalds Boards, Committees and Commissions Spreadsheet is attached and is formatted in columns with colour-coded sections. This spreadsheet lists all current Boards, Committees and Commissions appointments, with current members who are re-applying (in yellow), new applicants recommended for appointment (in blue). Historic Council member appointments to Boards, Committees and Commissions are noted in red.

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 requests that Council appoint Members at Large, followed by Council member appointments. The appointments to external Boards, Committees and Commissions are in a subsequent report.

Note: The Mayor shall serve as an ex-officio member on all Town Boards, Committees and Commissions, and his term shall coincide with the term of office on Council.

FINANCIAL IMPLICATIONS

None

ADMINISTRATIVE RECOMMENDATION

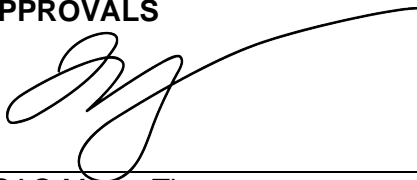
1. That Council appoint Members at Large to Town Boards, Committees and Commissions as recommended by Administration.
2. That Council members be appointed to Town Boards, Committees and Commissions.

ALTERNATIVES

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

ATTACHMENTS

- *2022-2023 Boards, Committees and Commissions Spreadsheet*
- *Board and Committee Information Sheet*
- *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. 1075.08*
 - *Municipal Emergency Management Agency Bylaw No. 1252.20*

APPROVALS_____
CAO Myron Thompson_____
Department Director/Author

ORGANIZATIONAL MEETING

OCTOBER 25, 2022

Economic Development & Tourism Advisory Committee	Family and Community Support Services (FCSS)	Municipal Library Board	Recreation Culture & Parks Board	Policing Committee	Municipal Planning Commission	Subdivision & Development Appeal Board	Council Remuneration (2025)	Grievance Committee	Municipal Emergency Management Committee	55+ Housing Building Committee
Minimum 10 members: 2 Members of Council Minimum 8 Members-at-Large	Minimum 8 members/max 10: 2 Members of Council 5-7 Members-at-Large 1 Lacombe County resident	As per Library Act/Regulations	8 Members: 2 Members of Council 5 Members-at-Large 1 Appointed by Lacombe County	7 Voting Members: 2 Members of Council 5 Members-at-Large - 1 of whom may be a youth 16-18 years of age who attends school	Minimum 5 Members: 3 Members of Council 2 Members-at-Large - May not include members of Subdivision & Development Appeal Board	Minimum 5 Members: 5+ Members-at-Large - no Council appointments - May not include members of Municipal Planning Commission	3 members at large - no Council appointments	2 Members of Council 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	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	Mayor Hoover - Ex Officio
1 Appel	1 Sands	1 Coulter	1 Stendie	1 Appel	1 Svab / CHAIR			Appel/Coulter / Oct 21 - Feb 23	1 Appel	Coulter
2 Dennis	2 Stendie	2 Svab	2 Svab	2 Svab	2 Dennis / VICE-CHAIR			Dennis/Sands / Mar 23 - Jun 24	2 Stendie	
					3 Sands			Stendie/Svab / Jul 24 - Oct 25		
Appointed Members at Large:	Appointed Members at Large:	Appointed Members at Large:	Appointed Members at Large:	Appointed Members at Large:	Appointed Members at Large:	Appointed Members at Large:	Appointed Members at Large:		Invited Representatives:	Appointed Members at Large:
1 Joshua McQueen 2023	1 Melissa MacLeod 2023	1 Kristel Leeks 2023	1 Kim Sommerville 2023	1 Theresa Franko 2023	1 Vacant	1 Vacant	1 Vacant		Invited Representatives: See 8 and 8A of Bylaw	
2 Ray Offert 2023	2 Tennielle Gilchrist 2023	2 Glyn Evans 2023	2 Kala Pandit 2023	2 Lance Chalmers 2023	2 Vacant	2 Vacant	2 Vacant			
3 Vacant	3 Dena Thomas 2024	3 Caitlin Ranger 2024	3 Jill Bried 2024	3 Sheila Giffin 2024		3 Vacant	3 Vacant			
4 Vacant	4 Sheila Giffin 2024	4 Ray Offert 2024	4 Trent Kroetsch 2024	4 Vacant		4 Vacant				
5 Vacant	5 Vacant	5 Richard Poole 2024	5 Vacant	5 Vacant		5+ Vacant				
6 Vacant	6 Vacant	6 Vacant								
7 Vacant	7 Vacant	7 Vacant								
8 Vacant		8 Vacant								
	Lacombe County Resident		Lacombe County Rep							
	1 Clifford Soper 2023		Barb Shepherd							

BOARD MEMBERS REAPPLYING - REAPPOINTMENT ON CURRENT BOARDS						
Economic Development & Tourism Advisory Committee	Family and Community Support Services (FCSS)	Municipal Library Board	Recreation Culture & Parks Board	Policing Committee	Municipal Planning Commission	Subdivision & Development Appeal Board
Robert Hogan (1)		Vincent Wolfe (1)			Alejandro Garcia Miranda (1)	Craig Schroh (2)
Denise Sumner (1)		Glenda Brown (1)				Robert Hogan (2)
Craig Schroh (1)						
Kyle Braithwaite (1)						

[illegible]

Org Meeting Worksheet Legend		
Active Member at Large Term	Vacancy	Mayor/Active Council Member Term
Lacombe County Representative	Lacombe County Resident	Town Staff/Member
		Outside Agency/Member
<p align="center">NEW APPLICATIONS Volunteer Programmer RECOMMENDATIONS (Numbers indicate order of preference)</p>		
New Applications - not being recommended (numbers indicate order of preference)	Expiring Council Member/Term	Expiring Members at Large - Eligible to reapply



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**

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**

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

- 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**

- 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 27th 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 22ND 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 22ND day of May, A.D. 2018

(RES. 143/18)

Richard Poole
MAYOR RICHARD POOLE

[Signature]
CAO MYRON THOMPSON



**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

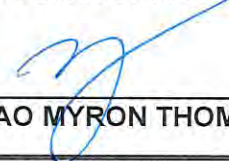
- 9 This Bylaw shall take effect on the date of the final passing thereof.

READ for the first time this 12th 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 26th 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 26th 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

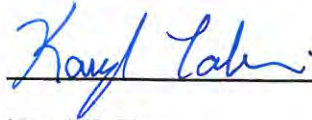
Local Not for Profit - \$15.00/hour

Room Rental Deposit - \$100.00

BYLAWS OF THE BLACKFALDS PUBLIC LIBRARY

READ for the first time this 6th day of March A.D. 2018

(RES:)



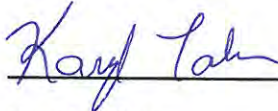
Karyl Tobin
Chairperson of the Library Board



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

	Alta. Reg.	<i>Amendments</i>
Libraries Act		
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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LIBRARIES ACT

LIBRARIES REGULATION

Alberta Regulation 141/1998

With amendments up to and including Alberta Regulation 180/2013

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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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Schedule

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

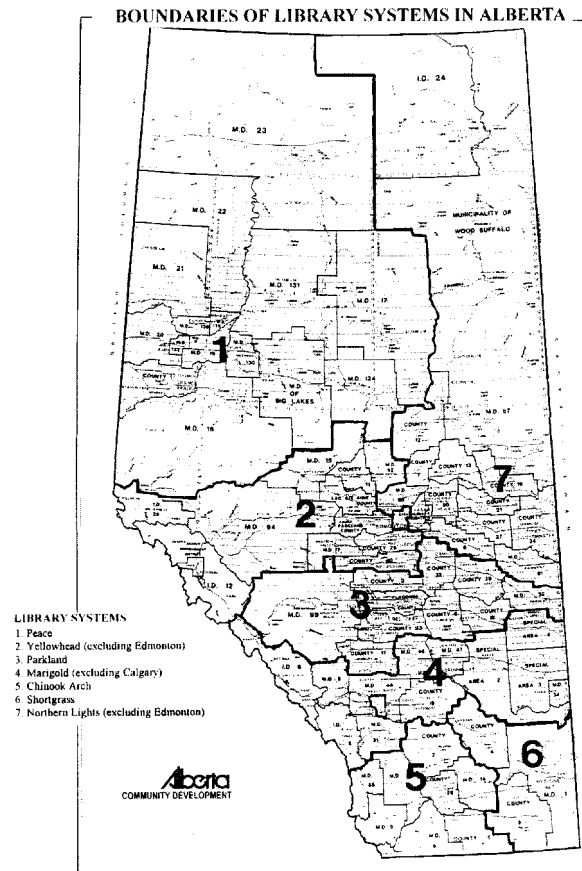
47 The *Libraries Regulation* (AR 342/84) is repealed.

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

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 26th day of April A.D. 20 11
(RES NO. 40/11)


MAYOR MELODIE STOL


CORINNE NEWMAN
CHIEF ADMINISTRATIVE OFFICER

Read for a second time this 26th day of April A.D. 20 11
(RES NO. 41/11)


MAYOR MELODIE STOL


CORINNE NEWMAN
CHIEF ADMINISTRATIVE OFFICER

READ FOR A THIRD TIME THIS 26th DAY OF April A.D. 20 11
(RES NO. 43/11)


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 30th 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 30th 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 30th 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 12th 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 26th 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 26th 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 6th day of March A.D. 2018

(RES:)



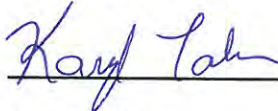
Karyl Tobin
Chairperson of the Library Board



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

	Alta. Reg.	<i>Amendments</i>
Libraries Act		
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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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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Schedule

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

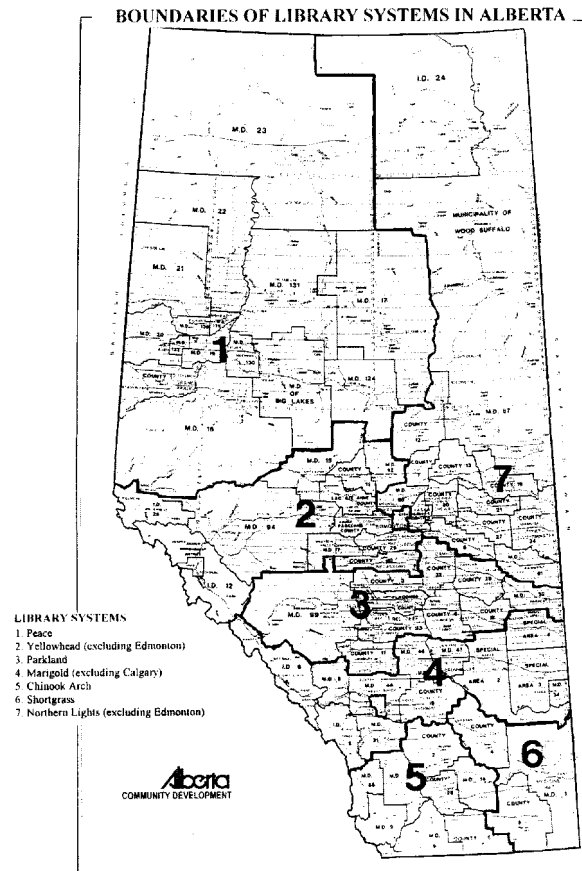
47 The *Libraries Regulation* (AR 342/84) is repealed.

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
BYLAW NO. 1117/11
IN THE PROVINCE OF ALBERTA
MUNICIPAL EMERGENCY MANAGEMENT BYLAW**

WHEREAS the Council of the Town of Blackfalds is responsible for the direction and control of its emergency response and is required, under the Emergency Management Act, Revised Statutes of Alberta 2000, Chapter E-6.8, to appoint a Municipal Emergency Advisory Committee and to establish and maintain a Municipal Emergency Management Agency;

WHEREAS it is desirable in the public interest, and in the interests of public safety, that such a committee be appointed and such an agency be established and maintained to carry out Council's statutory powers and obligations under the said Emergency Management Act;

WHEREAS it is recognized that an emergency or disaster of a jurisdictional or multi-jurisdictional nature could affect any or all of the municipalities within the geographical boundaries of Lacombe County to such a degree that local resources would be inadequate to cope with the situation; and

Whereas Council wishes to enter into a regional emergency management partnership with other municipalities within the geographical boundaries of Lacombe County for the purpose of integrated emergency management planning and operations.

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF BLACKFALDS DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the Municipal Emergency Management Bylaw.
2. In this Bylaw,
 - (a) "Act" means the Emergency Management Act, Revised Statutes of Alberta 2000, Chapter E-6.8;
 - (b) "Council" means the Council of the Town of Blackfalds;
 - (c) "Disaster" means an event that results in serious harm to the safety, health or welfare of people or in widespread damage to property;
 - (d) "Emergency" means an event that requires prompt coordination of action or special regulation of persons or property to protect the safety, health or welfare of people or to limit damage to property;
 - (e) "Lacombe Regional Emergency Management Partnership" means those municipalities who have entered into a joint agreement for the purpose of organizing integrated emergency planning, training, assistance and emergency operations programs;
 - (f) "Lacombe Regional Emergency Advisory Committee" means a regional committee comprised of a Councillor, or designate, from each of the partnering municipalities of the Lacombe Regional Emergency Management Partnership;
 - (g) "Lacombe Regional Emergency Management Agency" means the Directors of Emergency Management, or designate, from each of the partnering municipalities of the Lacombe Regional Emergency Management Partnership;
 - (h) "Lacombe Regional Emergency Management Plan" means the integrated emergency management plan prepared by the Lacombe Regional Emergency Management Agency to coordinate response to an emergency or disaster within the geographic boundaries of Lacombe County.
 - (i) "Minister" means the Minister responsible for the Emergency Management Act;
 - (j) "Municipal Emergency Advisory Committee" means the committee established under this Bylaw; and
 - (k) "Municipal Emergency Management Agency" means the agency established under this Bylaw;
3. There is hereby established a Municipal Emergency Advisory Committee to advise Council on the development of emergency plans and programs.
4. There is hereby established a Municipal Emergency Management Agency to act as the agent of Council to carry out its statutory powers and obligations under the Act. This does not include the power to declare, renew, or terminate a state of local emergency, or the powers contained in Section 12 of this Bylaw.

5. Council shall
 - (a) by resolution, appoint three of its members to serve on the Municipal Emergency Advisory Committee;
 - (b) provide for the payment of expenses of the members of the Municipal Emergency Advisory Committee;
 - (c) by resolution, on the recommendation of the Municipal Emergency Advisory Committee, appoint a Director of Emergency Management and Deputy Director(s) of Emergency Management who shall do those things required of the Director of Emergency Management in that person's absence;
 - (c) ensure that emergency plans and programs are prepared to address potential emergencies or disasters in the Town of Blackfalds;
 - (e) approve the Town of Blackfalds emergency plans and programs; and
 - (f) review the status of the Regional Emergency Management Plan and related plans and programs at least once each year.
6. Council may
 - (a) by Bylaw borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Municipal Emergency Management Agency; and
 - (b) enter into agreements with and make payments or grants, or both, to persons or organizations for the provision of services in the development or implementation of emergency plans or programs, including mutual aid plans and programs.
7. The Town of Blackfalds Emergency Advisory Committee shall
 - (a) review the Regional Emergency Management Plan and related plans and programs on a regular basis; and
 - (b) advise Council, duly assembled, on the status of the Regional Emergency Management Plan and related plans and programs at least once each year.
8. The Municipal Emergency Management Agency shall be comprised of one or more of the following:
 - (a) the Director of Emergency Management;
 - (b) the Deputy Director(s) of Emergency Management;
 - (c) the Commissioner, Chief Administrative Officer, Clerk or other administrative staff member(s) of the municipality;
 - (d) the Police Chief or designate;
 - (e) the Fire Chief or designate;
 - (f) the Communications Officer (Public Information Officer) or designate;
 - (g) the Public Works Manager/Foreman or designate;
 - (h) the Planning and Development Manager or designate;
 - (i) the Family and Community Support Services Manager or designate;
- 8.A In addition, the following public and private organizations may be invited to provide representative(s) to the Municipal Emergency Management Agency:
 - (a) the NCO in Charge, Local RCMP Detachment or designate;
 - (b) the Ambulance Service Manager or designate;
 - (c) the School Division Superintendent or designate;
 - (d) representative(s) from Alberta Health Services;
 - (e) representative(s) from adjacent communities which have entered into mutual aid agreements;
 - (f) representative(s) from local business or business associations (e.g. Chamber of Commerce);
 - (g) representative(s) from local industry or industrial associations;

- (h) representative(s) from local telecommunications service provider;
 - (i) representative(s) from Municipal Affairs, Alberta Emergency Management Agency;
 - (j) representative(s) from Alberta Environment;
 - (k) representative(s) from Alberta Transportation; and
 - (l) anybody else who might serve a useful purpose in the preparation or implementation of the Regional Emergency Management Plan.
9. The Director of Emergency Management shall
- (a) assist in the preparation and coordination of the Regional Emergency Management Plan and prepare and coordinate related plans and programs for the Town of Blackfalds;
 - (b) act as director of emergency operations, or ensure that someone is designated under the Regional Emergency Management Plan to so act, on behalf of the Municipal Emergency Management Agency; and
 - (c) coordinate all emergency services and other resources used in an emergency; and/or
 - (d) ensure that someone is designated to discharge the responsibilities specified in paragraphs (a), (b), and (c).
10. The power to declare, terminate or renew a state of local emergency under the Act, the powers specified in Section 12 of this Bylaw, and the requirement specified in Section 15 of this Bylaw, are hereby delegated to a committee comprised of the Reeve/Mayor, or the Deputy Reeve/Mayor, alone, or in their absence, any two members of Council. This committee may, at any time when it is satisfied that an emergency exists or may exist, by resolution, make a declaration of a state of local emergency.
11. When a state of local emergency is declared, the person or persons making the declaration shall
- (a) ensure that the declaration identifies the nature of the emergency and the area of the Town of Blackfalds in which it exists;
 - (b) cause the details of the declaration to be published immediately by such means of communication considered most likely to notify the population of the area affected; and
 - (c) forward a copy of the declaration to the Minister forthwith.
12. Subject to Section 13, when a state of local emergency is declared, the person or persons making the declaration may
- (a) cause the Lacombe Regional Emergency Management Plan or any related plans or programs to be put into operation;
 - (b) acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an emergency or disaster;
 - (c) authorize or require any qualified person to render aid of a type the person is qualified to provide;
 - (d) control or prohibit travel to or from any area of the Town of Blackfalds;
 - (e) provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and coordinate emergency medical, welfare and other essential services in any part of the Town of Blackfalds
 - (f) cause the evacuation of persons and the removal of livestock and personal property from any area of the Town of Blackfalds that is or may be affected by a disaster and make arrangements for the adequate care and protection of those persons or livestock and of the personal property;
 - (g) authorize the entry into any building or on any land, without warrant, by any person in the course of implementing an emergency plan or program;
 - (h) cause the demolition or removal of any trees, structures or crops if the demolition or removal is necessary or appropriate in order to reach the scene of a disaster, or to attempt to forestall its occurrence or to combat its progress;
 - (i) procure or fix prices for food, clothing, fuel, equipment, medical supplies, or other essential supplies and the use of any property, services, resources or equipment within the Town of Blackfalds for the duration of the state of local emergency;
 - (j) authorize the conscription of persons needed to meet an emergency; and
 - (k) authorize any persons at any time to exercise, in the operation of the Regional Emergency Management Plan and related plans or programs, any power specified in Paragraphs (b)

through (j) in relation to any part of the municipality affected by a declaration of a state of local emergency.

13. When, in the opinion of the person or persons declaring the state of local emergency, an emergency no longer exists in relation to which the declaration was made, they shall, by resolution, terminate the declaration.
14. A declaration of a state of local emergency is considered terminated and ceases to be of any force or effect when
 - (a) a resolution is passed under Section 13;
 - (b) a period of seven days has lapsed since it was declared, unless it is renewed by resolution
 - (d) the Lieutenant Governor in Council makes an order for a state of emergency under the Act, relating to the same area; or
 - (d) the Minister cancels the state of local emergency.
15. When a declaration of a state of local emergency has been terminated, the person or persons who made the declaration shall cause the details of the termination to be published immediately by such means of communication considered most likely to notify the population of the area affected.
16. No action lies against the Town of Blackfalds or a person acting under the Town of Blackfald's direction or authorization for anything done or omitted to be done in good faith while carrying out a power under the Emergency Management Act or the regulations during a state of local emergency.
17. Bylaw No. 1078/08 dealing with the establishment of a Disaster Services/Emergency Management Committee and/or Agency is hereby rescinded.
18. This Bylaw comes into force on the day it is finally passed.

READ for the first time this 22nd day of Feb, 2011.



RES. 69/11


MAYOR MELODIE STOL

C.A.O. CORINNE NEWMAN

READ for the second time this 22nd day of Feb, 2011

RES. 70/11


MAYOR MELODIE STOL

C.A.O. CORINNE NEWMAN

READ for the third and final time this 22nd of Feb, 2011

RES. 72/11


MAYOR MELODIE STOL

C.A.O. CORINNE NEWMAN

MEETING DATE: October 25, 2022

PREPARED BY: Danielle Nealon, Executive & Legislative Coordinator

PRESENTED BY: Myron Thompson, Chief Administrative Officer

SUBJECT: **Council Member Appointments to External Boards, Committees and Commissions**

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 External Boards, Committees and Commissions Spreadsheet, which was sent to Council confidentially and attached hereto.

The External Board and Committee Information Sheet, outlining a brief description of each external Board and Committee is attached for Council review and discussion.

FINANCIAL IMPLICATIONS

None

ADMINISTRATIVE RECOMMENDATION

1. That Council formally appoint members to external Boards, Committees and Commissions.

ALTERNATIVES

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

ATTACHMENTS

- *2022-2023 External Boards, Committees and Commissions Spreadsheet*
- *External Council Board and Committee Information Sheet*

APPROVALS



CAO Myron Thompson

Department Director/Author

TOWN OF BLACKFALDS 2022- 2023 EXTERNAL BOARDS, COMMITTEES AND COMMISSIONS
ORGANIZATIONAL MEETING
OCTOBER 25, 2022

Economic Development & Tourism Advisory Committee	Family and Community Support Services (FCSS)	Municipal Library Board	Recreation Culture & Parks Board	Policing Committee	Municipal Planning Commission	Subdivision & Development Appeal Board	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	Bylaw 1076/08	Policy 288/13	RES. 1004/13	Bylaw 1117/11			
Typically First or Second Monday of Sept, Nov, Jan, Mar and May	Second Thursday of each month	First Tuesday of the month	First Wednesday of the month	Meets quarterly, the first Wednesday of the month	Prior to Council meetings as required	Meets as needed	Review by policy in a municipal election year - no council appointments	16 month alphabetical rotation - as required	Typically once per year	Ad-Hoc / Project		
TERM: Two (2) year period. Members may reapply but reappointment is not guaranteed	TERM: Three (3) year period not to exceed two (2) consecutive terms or six (6) consecutive years	As per Library Act/Regulations	TERM: Three (3) year period not to exceed two (2) consecutive terms or six (6) consecutive years	TERM: One (1), Two (2) or Three (3) year period unless appointed to complete a resigned term	TERM: One (1) year period	TERM: One (1) year term , reappointment eligible upon expiry - no council appointments			By Resolution Council appointments typically determined annually at the Org Meeting	Town Staff: Myron, Sue B		
Minimum 10 members: 2 Members of Council Minimum 8 Members-at-Large	Minimum 8 members/max 10: 2 Members of Council 5-7 Members-at-Large 1 Lacombe County resident	As per Library Act/Regulations	8 Members: 2 Members of Council 5 Members-at-Large 1 Appointed by Lacombe County	7 Voting Members: 2 Members of Council 5 Members-at-Large - 1 of whom may be a youth 16-18 years of age who attends school	Minimum 5 Members: 3 Members of Council 2 Members-at-Large - May not include members of Subdivision & Development Appeal Board	Minimum 5 Members: 5+ Members-at-Large - no Council appointments - May not include members of Municipal Planning Commission			3 members at large - no Council appointments	2 members of Council 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	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	Mayor Hoover - Ex Officio		
1 Appel	1 Sands	1 Coulter	1 Stendie	1 Appel	1 Svab / CHAIR			Appel/Coulter Oct 21 - Feb 23	1 Appel	Coulter		
2 Dennis	2 Stendie	2 Svab	2 Svab	2 Svab	2 Dennis / VICE-CHAIR			Dennis/Sands Mar 23 - Jun 24	2 Stendie			
					3 Sands			Stendie/Svab Jul 24 - Oct 25				
Appointed Members at Large:	Appointed Members at Large:	Appointed Members at Large:	Appointed Members at Large:	Appointed Members at Large:	Appointed Members at Large:	Appointed Members at Large:	Appointed Members at Large:		Invited Representatives:	Appointed Members at Large:		
1 Joshua McQueen 2023	1 Melissa MacLeod 2023	1 Kristel Leeks 2023	1 Kim Sommerville 2023	1 Theresa Franko 2023	1 Vacant	1 Vacant	1 Vacant		Invited Representatives: See 8 and 8A of Bylaw			
2 Ray Olfert 2023	2 Tennielle Gilchrist 2023	2 Glyn Evans 2023	2 Kala Pandit 2023	2 Lance Chalmers 2023	2 Vacant	2 Vacant	2 Vacant					
3 Vacant	3 Dena Thomas 2024	3 Caitlin Ranger 2024	3 Jill Bried 2024	3 Sheila Giffin 2024		3 Vacant	3 Vacant					
4 Vacant	4 Sheila Giffin 2024	4 Ray Olfert 2024	4 Trent Kroetsch 2024	4 Vacant		4 Vacant	4 Vacant					
5 Vacant	5 Vacant	5 Richard Poole 2024	5 Vacant	5 Vacant		5+ Vacant						
6 Vacant	6 Vacant	6 Vacant										
7 Vacant	7 Vacant	7 Vacant										
8 Vacant		8 Vacant										
	Lacombe County Resident											
			Lacombe County Rep									
	1 Clifford Soper 2023		Barb Shepherd									

OUTSIDE BOARDS	COUNCIL REPRESENTATIVE				MEMBERS AT LARGE / STAFF / OUTSIDE APPOINTMENTS					
Lacombe Foundation	Mayor Hoover	Dennis (alt)								
IDP - Inter-Municipal Development Plan Board	Stendie	Sands	Appel (alt)		Lacombe County Barb Shepherd	Lacombe County Paula Law				
ICF - Inter-municipal Collaboration Committee	Mayor Hoover	Stendie	Appel (alt)		Lacombe County Barb Shepherd	Lacombe County Paula Law (alt)				
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	(alt)								
Blackfalds School Parent Council - IRJC	Svab	Mayor Hoover (alt)								
St. Gregory the Great Catholic School Parent Council	Mayor Hoover	(alt)								
Central Alberta Regional Trails Society	Mayor Hoover	(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)	CHAIR CAO Thompson		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 Practioners Attraction & Retention Committee	Appel	Coulter (alt)								
Rural Red Deer Restorative Justice Advisory Council	Dennis	Sands (alt)								



EXTERNAL BOARD AND COMMITTEE INFORMATION

Blackfalds Chamber of Commerce

1 Councillor, 1 alternate

The Blackfalds Chamber of Commerce meets the first Thursday of each month at 7:00 pm in the Town Office.

The Chamber represents the business community by providing services, benefits and leadership for positive growth. The Board is composed of member at large members elected by the membership. The Board also includes one member appointed by Town Council. All members are active voting members.

Central Alberta Economic Partnership

1 Councillor, 1 alternate

The Central Alberta Economic Partnership meets three times a year, with the date, time and location determined by the group.

This partnership represents member communities to advance sustainable regional economic development by working together, with one vision to collectively move the region forward to stimulate the economy, both locally and regionally. All members are active voting members.

Parkland Regional Library (PRL) System

1 Councillor, 1 alternate

The Parkland Regional Library System meets four times a year at the PRL Office in Lacombe.

The purpose of this group is to establish, foster, and maintain good relations with all libraries and government departments in the province for the provision of library service, and to cooperate with any library, regional system, or government department to improve library service. Members of the Board are appointed by the member municipalities and all members are active voting members.

Blackfalds School Parent Council

- IREC 1 Councillor, 1 alternate
- IRIC 1 Councillor, 1 alternate
- IRJC 1 Councillor, 1 alternate
- St.Gregory 1 Councillor, 1 alternate

Meeting dates, times and locations vary for each Council.

The purpose of the Parent Councils is to establish, foster, and maintain good relations within all local schools and Parent Councils for the provision of educational programming. Members of the Parent Councils are appointed by each school.

Central Alberta Regional Trails Society

1 Councillor, 1 alternate



EXTERNAL BOARD AND COMMITTEE INFORMATION

The Central Alberta Regional Trails Society meets every two months (except July and August) at various locations of the members.

The purpose of the Society is to identify the issues, concerns, support, and ideas regarding the designation and development of recreational trail linkages in rural Central Alberta.

North Red Deer River Water Commission (NRDRWC)

1 Councillor, 1 alternate

North Red Deer River Water Commission meets approximately four times a year at the Lacombe City Hall.

The purpose of the Commission is to supply water services to all the member municipalities who are members of the Commission, including the Town of Blackfalds, City of Lacombe, Town of Ponoka, Ponoka County and Lacombe County. All members are active voting members.

North Red Deer Regional Wastewater Services Commission

1 Councillor, 1 alternate

The North Red Deer Regional Wastewater Services Commission meetings are usually coordinated with the NRDRWC meetings.

The Commission is authorized to provide and operate a wastewater supply system for the participating municipalities.

Lacombe County Fire Services Partnership Advisory Committee

1 Councillor, 1 alternate

The Lacombe County Fire Services Partnership Advisory Committee meets once a year prior to November 30 at various locations of the municipal partners

Lacombe Regional Emergency Partnership

1 Councillor, 1 alternate

The Lacombe Regional Emergency Partnership meets twice a year, in the Spring and Fall at various locations of the municipal partners.

This partnership consists of 11 municipalities within Lacombe County who coordinate planning, training and resource management for the group of partnering municipalities.

Red Deer River Municipal Users Group (RDRMUG)

1 Councillor, 1 alternate

The Red Deer River Municipal Users Group meets every second month on the second Monday at 1:00 pm in the Town of Drumheller.



EXTERNAL BOARD AND COMMITTEE INFORMATION

This Group is an association of rural and urban municipalities composed of municipalities within the Red Deer River Basin and communities who receive water from the Red Deer River. The purpose is to provide a unique and essential platform for members to work together towards shared goals. By involving only municipalities and representing elected officials the group is able to focus on long term sustainability.

Red Deer River Watershed Alliance

1 Councillor, 1 alternate

The Red Deer River Watershed Alliance holds two annual meetings in June and the Fall at various participating municipal locations.

The Alliance is a multi-sector, non-profit organization that promotes the good use and proper management of water within the Red Deer River watershed. The purpose is to build an inclusive alliance through collaborative partnership to promote a healthy watershed to ensure a legacy of ecological integrity and economic sustainability