

**COALHURST TOWN COUNCIL AGENDA**  
**FOR THE REGULAR MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON**  
**TUESDAY, JANUARY 17, 2023**

1. Call to Order
2. Land Acknowledgement Statement
3. Adoption of the Agenda
4. Adoption of Previous Minutes
  - a. Regular Meeting of January 3, 2023
5. Delegations
  - a. Citizens without Formal Notice
6. Business of Council
  - a. 2<sup>nd</sup> Reading Bylaw 442-23, Amendment to the Utility Bylaw (424-21):  
Transfer outstanding utility bill balances to taxation.
  - b. 3<sup>rd</sup> Reading Bylaw 442-23, Amendment to the Utility Bylaw (424-21):  
Transfer outstanding utility bill balances to taxation.
  - c. 2<sup>nd</sup> Reading Bylaw 443-23, Amendment to the Procedure Bylaw (422-21):  
Changing authority and recording opposing votes in the minutes.
  - d. 3<sup>rd</sup> Reading Bylaw 443-23, Amendment to the Procedure Bylaw (422-21):  
Changing authority and recording opposing votes in the minutes.
  - e. 2<sup>nd</sup> Reading Bylaw 441-23, A Bylaw to Revise the Rates and Fees Bylaw (439-21).
  - f. 3<sup>rd</sup> Reading Bylaw 441-23, A Bylaw to Revise the Rates and Fees Bylaw (439-21).
  - g. Council Remuneration Policy
  - h. Request to attend SouthGrow event
7. CAO Requests for Decision
  - a. Debentures
8. Administration Reports
  - a. Director of Operations
9. Correspondence
  - a. None

**10. Closed Session**

- a. Land Matter: 93030 Rge Rd 223 –*Sec 24(1)(a) of the Freedom of Information and Protection of Privacy Act*
- b. Communication Strategy – *Sec 24(1)(a) of the Freedom of Information and Protection of Privacy Act.*
- c. Strategic Plan: work plan - *Sec 24(1)(a) of the Freedom of Information and Protection of Privacy Act.*
- d. Personnel Matter – *Sec 24 (1)(b) of the Freedom of Information and Protection of Privacy Act.*

**11. Business Arising from Closed Session**

**12. Adjournment**

**MINUTES: OF THE REGULAR MEETING OF COUNCIL HELD IN COUNCIL CHAMBERS ON TUESDAY, JANUARY 3, 2023**

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COUNCIL:	LYNDSAY MONTINA HEATHER CALDWELL SCOTT AKKERMANS DEBORAH FLORENCE JESSE POTRIE	MAYOR COUNCILLOR COUNCILLOR COUNCILLOR DEPUTY MAYOR
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STAFF:	JEFFREY COFFMAN	CHIEF ADMINISTRATIVE OFFICER
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Mayor Montana called the meeting to order at 6:01 PM.

M#7326-23	Cllr Akkermans moved the adoption of the Agenda as amended, to include Agenda Item 6d: Assessment Review Board Training Request.	<b>Carried</b>
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M#7327-23	Cllr Florence moved the adoption of the Minutes of the Regular Meeting held December 6, 2022.	<b>Carried</b>
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**CITIZENS WITHOUT FORMAL NOTICE**

None

**BUSINESS ARISING**

M#7328-23	6a. Cllr Caldwell moved First Reading of Bylaw 442-23: A Bylaw to Amend the Utility Bylaw (424-21).	<b>Carried</b>
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M#7329-23	6b. Cllr Akkermans moved First Reading of Bylaw 443-23: A Bylaw to Amend the Procedural Bylaw (422-21).	<b>Carried</b>
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M#7330-23	6c. Cllr Caldwell moved First Reading of Bylaw 441-23: A Bylaw to Revise the Fees and Rates Bylaw (439-22).	<b>Carried</b>
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M#7331-23	6d. Cllr Florence moved that Council approve Deputy Mayor Potrie to receive the required Assessment Review Board training and certification through the Land & Property Rights Tribunal.	<b>Carried</b>
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**CAO REQUESTS FOR DECISION**

None

**COUNCIL REPORTS**

Cllr Akkermans: Attended SouthGrow quarterly meeting (elected to the Executive). Participated in Round 2 of CAO evaluations.

Cllr Caldwell: Attended Fire Department “appreciation” and thank you (with treats). Participated in Round 2 of CAO evaluations.

**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD ON  
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Cllr Florence: Attended the Fire Dept open house and several events. Participated in Round 2 of CAO evaluations.

Deputy Mayor Potrie: Participated in Round 2 of CAO evaluations.

Mayor Montana: Attended regular meetings and participated in Round 2 of CAO evaluations.

Committee Chairs updated Council on Committee activities and answered questions.

M#7332-23 Cllr Akkermans moved that the attached Council Committee Minutes be accepted as presented. **Carried**

**ADMINISTRATION REPORTS**

9a. CAO Coffman submitted a written report. Additionally, he updated Council on the Recycle Depot and the completed land transaction (purchase) of the County plot located at 93030 Rge Rd 223.

M#7333-23 Cllr Florence moved to accept the CAO Report as submitted. **Carried**

**CORRESPONDENCE**

M#7334-23 DM Potrie moved that Council approve the request from the Oldman Watershed Council for an April 2022 to March 2023 donation of \$1,308, with funds from MSI-Operating. **Carried**  
**Opposed:** Cllr Florence, Cllr Akkermans

M#7335-23 Cllr Akkermans moved that Council accept the Correspondence as submitted. **Carried**

**CLOSED SESSION**

M#7336-23 DM Potrie moved that Council move to a Closed Session, at 6:47PM. **Carried**  
Attendance included CAO Coffman

M#7337-23 Deputy Mayor Caldwell moved that Council move into Public Session, at 8:02 PM. **Carried**

M#7338-23 Mayor Montana moved that Council direct that the closed session discussions with respect to:

1. Communication Strategy – FOIP s. 24(1)
2. Communication Strategy – FOIP s. 24(1)

remain confidential pursuant to Section 24 (Advice from Officials) of the Freedom of Information and Protection of Privacy Act. **Carried**

**MINUTES OF THE REGULAR MEETING OF COUNCIL HELD ON  
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**BUSINESS ARISING FROM CLOSED SESSION**

**ADJOURNMENT**

M#7339-23

Cllr Florence moved the meeting adjourned at 8:03PM.

**Carried**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Administrative Officer

**BYLAW 442-23**  
**Amendment to the Utility Bylaw (424-21)**  
**Transferring Overdue Utility Balance to Tax Roll**

**BACKGROUND:**

On November 21<sup>st</sup>, the Director of Corporate Services presented the Policy Bylaw Risk Review Committee (PBRRC) with a review of the current process for rectifying overdue water utility accounts. Our *Utility Bylaw* (BL 424-21) outlines the process for dealing with overdue accounts (emphasis added):

3.1.6 The Town may shut off the water supplied to the land or premises of any consumer for any purpose that, in the opinion of the Town, it may be expedient to do so.

7.1.4 In the event any part of a utility bill remains unpaid for two months, the Administrator shall cause a written notice to be served on the delinquent consumer advising that the water service will be discontinued unless that account is paid in full, or a satisfactory payment arrangement has been made, within ten (10) working days of the date on the notice.

7.1.6 If after the ten (10) working days described in Section 7.1.4 any part of the account remains unpaid, the Administrator shall order the service to be discontinued. The utility is considered to be discontinued when the discontinue order is issued.

The PBRRC agreed that to better utilize our staff time and resources, staff ought to be able to use our authority under the MGA as another tool to remedy overdue utility accounts and better manage staff time and resources. Sec 553(1) of the *Municipal Government Act* (MGA) states, “A council may add the following amounts to the tax roll of a parcel of land: (b) unpaid charges referred to in Section 42 for a municipal utility service provided to the parcel by a municipal public utility that are owing by the owner of the parcel.” It would be a preferred and efficient process for the Town to have the *option* of applying an overdue utility account to the tax roll instead of shutting off a water connection.

**COUNCIL ACTION:**

At the December 6, 2022, Regular Meeting of Council, Council approved Motion M#7310-22:

Cllr Akkermans moved that Council amend the Utility Bylaw (BL 424-21) to permit Administration to include the option of moving unpaid utility bills to taxation, as recommended by the Policy Bylaw Risk Review Committee.

Carried

OPPOSED: Councillor Caldwell

**PROPOSED AMENDMENTS:**

Council approved First Reading of this Bylaw on January 3<sup>rd</sup>, 2023. For Council’s consideration is Second and Third Reading of Bylaw 442-23, Amendment to the Utility Bylaw (424-21). The proposed amendments (in italics, below) incorporate the option of moving an outstanding utility balance to taxation:

**7.1.4** In the event any part of a utility bill remains unpaid for two months, the Administrator shall cause a written notice to be served on the delinquent consumer advising that *either*:

*a) the water service will be discontinued, or*

*b) the outstanding utility balance will be applied to the tax roll for the property,*

unless that account is paid in full, or a satisfactory payment arrangement has been made, within ten (10) working days of the date on the notice.

**7.1.6** If after the ten (10) working days described in Section 7.1.4 any part of the account remains unpaid, the Administrator shall *either*:

*a) order the service to be discontinued, or*

*b) transfer the balance owing to the tax roll for that property,*

*as per the written notice in 7.1.4.* In the case of a service disconnection, the utility is considered to be discontinued when the discontinue order is issued.

**PROPOSED READING SCHEDULE:**

First Reading 3 January 2023. Carried. (M#7328-23)

Second Reading 17 January 2023

Third Reading 17 January 2023

**BYLAW NO. 442-23**

**BEING A BYLAW OF THE TOWN OF COALHURST, IN THE PROVINCE OF ALBERTA, TO AMEND BYLAW NO. 424-21, UTILITY BYLAW;**

**WHEREAS** it is necessary to establish rules and provisions to regulate the conduct of business in Council meetings, and to control and maintain order in Council for the enactment of municipal legislation and to provide for dealing with petitions, remonstrations and submissions to the Council;

**WHEREAS** a December 6, 2022 Council Motion (M#7310-22) instructed the CAO to present amendments to the Utility Bylaw (Bylaw 424-21) to permit Administration to include the option of moving unpaid utility bills to taxation;

**PURSUANT** to the provisions of the Municipal Government Act, Statutes of Alberta, Chapter M-26, 2000 as amended;

The Council of the Town of Coalhurst, in the Province of Alberta, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. Utility Bylaw No. 424-21 is amended as follows:

- Section 7 – Rates and Billing

Delete existing 7.1.4 and replace with the following:

7.1.4 In the event any part of a utility bill remains unpaid for two months, the Administrator shall cause a written notice to be served on the delinquent consumer advising that either:

a) the water service will be discontinued, or

b) the outstanding utility balance will be applied to the tax roll for the property,

unless that account is paid in full, or a satisfactory payment arrangement has been made, within ten (10) working days of the date on the notice.

- Section 7 – Rates and Billing

Delete existing 7.1.6 and replace with the following:

7.1.6 If after the ten (10) working days described in Section 7.1.4 any part of the account remains unpaid, the Administrator shall either:

a) order the service to be discontinued, or

b) transfer the balance owing to the tax roll for that property,

as per the written notice in 7.1.4. In the case of a service disconnection, the utility is considered to be discontinued when the discontinue order is issued.



2. This Bylaw comes into force upon the date of the passing of the third and final reading thereof.

READ A FIRST TIME THIS 3rd DAY OF JANUARY, A.D. 2023

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF JANUARY, A.D. 2023

READ A THIRD TIME AND FINALLY PASSED THIS \_\_\_\_\_ DAY OF JANUARY, A.D. 2023

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

**BYLAW NO. 424-21**

**BEING A BYLAW OF THE TOWN OF COALHURST, IN THE PROVINCE OF ALBERTA, RESPECTING WATER WORKS, SEWER WORKS, WASTE MANAGEMENT AND STORM WATER SYSTEMS AND PROVIDING FOR THE SETTING AND COLLECTION OF UTILITY RATES AND CHARGES.**

**WHEREAS** Council may pass bylaws for municipal purposes respecting services provided by or on behalf of the Town of Coalhurst,

**AND WHEREAS** Council may pass bylaws for municipal purposes respecting public utilities.

**NOW THEREFORE**, pursuant to the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26 and amendments, the Council of the Town of Coalhurst, in the Province of Alberta, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

This Bylaw is hereby cited as the Town of Coalhurst "**UTILITY BYLAW**".

**1.1 DEFINITIONS:**

- a. **"ADMINISTRATOR"** means the Chief Administrative Officer for the Town of Coalhurst or his/her designate;
- b. **"ASHES"** means cold residue from the burning of wood, coal and other like material for the purpose of cooking, heating buildings and disposition of combustible materials;
- c. **"AUTHORIZED PERSON"** means any employee of the Town of Coalhurst or outside contractor authorized by the Administrator for the purpose of providing water, sewer or waste management service;
- d. **"COMMERCIAL PREMISES"** means the site, including any building erected thereon, of any cafe, restaurant, hotel, store, warehouse, wholesale or retail business place, office building, factory, industry, or any other site or building except one that is used or intended to be used for residential purposes;
- e. **"CONSUMER"** shall be understood and construed as including the owner of the land and premises in, on or at which any water service line or sewer service line is installed by the Town;
- f. **"DESIGNATED OFFICER"** means a person appointed to that office pursuant to section 210 of the Municipal Government Act, or an authorized delegate thereof;
- g. **"DISPOSAL SITE"** means any premises designated by the CAO or designate for the disposal of waste or any other premises which is approved by Alberta Environment for the disposal of waste;

- h. **"HEALTH INSPECTOR"** means a health inspector for the Chinook Regional Health Authority or a health inspector appointed by the Town;
- i. **"HOUSEHOLDER"** means any owner, occupant, lessee or tenant or any other person in charge of any building or other dwelling used or intended for use as residential premises, including a multiple family dwelling but excluding commercial premises;
- j. **"MULTIPLE FAMILY DWELLING"** is deemed to be a dwelling place comprised of more than one self contained dwelling unit, and without restriction the generality of the foregoing, includes apartment buildings, duplex houses, and single family homes with basement suites containing cooking, living, dining, sleeping and toilet facilities, whether or not such basement suite have a private out-side entrance;
- k. **"MUNICIPAL GOVERNMENT ACT"** means the Municipal Government Act, RSA 2000, c M-26, as amended and any regulations thereunder;
- l. **"MUNICIPAL TAG"** means a notice issued by the Town pursuant to the Municipal Government Act for the purpose of providing a Person with an opportunity to acknowledge a contravention of this Bylaw and to pay a penalty directly to the Town, in order to avoid prosecution for the contravention;
- m. **"ORDER"** means an order described in Section 545 of the Municipal Government Act;
- n. **"OWNER"** shall mean the owner of the serviced property as registered with the Alberta Land Titles Registry;
- o. **"PEACE OFFICER"** means a member of the Royal Canadian Mounted Police or a special constable or Bylaw Enforcement Officer or Peace Officer of the Town of Coahurst;
- p. **"PERSON"** means firm, corporation, owner, occupier, lessee or tenant;
- q. **"PROPRIETOR"** means the owner, occupant, lessee, tenant or any other person in charge of commercial premises;  
  
**"PROVINCIAL PROCEDURES AND PROCEDURES ACT"** means the Provincial Offences Procedure Act. RSA 2000, c P-34, as amended and any regulations thereunder;
- r. **"REFUSE"** includes garbage, ashes, trade refuse and any other waste matter, including bottles, metals, cans or tins, crockery, glass, metal scraps, grass cuttings and other garden waste, cloth, paper, wrappings, sweepings and all other similar items that accumulate in the household or result from commercial or industrial operations, but does not include human or animal excrement or stable refuse;

- s. **"REFUSE COLLECTOR"** means the person or persons authorized by the Town of Coalhurst to collect, remove and dispose of refuse;
- t. **"RESIDENTIAL PREMISES"** means any site including any building that exists thereon that is used or intended for use for residential purposes including both single family and multiple family dwellings;
- u. **"SEWER SERVICE LINE"** means the sanitary sewer line from the building to the street main;
- v. **"STREET MAIN"** means any water and/or sewer main line laid for the service of more than one person;
- w. **"TRADE REFUSE"** means every type of refuse from a commercial premises including refuse resulting from the construction, repair, decorating, clearing or grading of a commercial premise;
- x. **"UTILITY"** means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use:
  - i. water
  - ii. sewage disposal
  - iii. storm water drainage
  - iv. waste management
- y. **"TOWN"** means the Town of Coalhurst;
- z. **"VIOLATION TICKET"** means a ticket issued pursuant to the Provincial Offences Procedure Act, RSA 2000, c P-34, as amended;
- a.a. **"WATER SERVICE LINE"** means the water line from the building to the street main.

## **2.1 GENERAL PROVISIONS**

- 2.1.1 No person, company or business other than the Town shall provide the same or similar type of utility as is outlined in this Bylaw in any part of the Town except where special permission is given by the Administrator.
- 2.1.2 The Town will supply utility service to the owner of the property that is a residential premises or commercial premises regardless of the fact that it may be rented or leased.
- 2.1.3 The owner of the property shall be responsible for the construction, maintenance and repair of the portion of the water service line and sewer service line from the property line service connection to the main line of the system or works.
  - a. Despite section 2.1.3 the owner of the property is not responsible for the repair of the portion of the water service line and sewer service line from the property line service connection to the main line of the system or works if the service

line infrastructure has failed due to no fault of the owner of the property being serviced.

### **3.1 WATER-WORKS**

- 3.1.1 No person without first having obtained a permit to do so, shall make connection or communication whatsoever with any of the service lines or street mains. The applicant for the said permit shall be totally liable for any damage caused while making such connections and also shall provide adequate safety provisions during said construction.
- 3.1.2 No permit shall be issued to any person except licensed plumbers or authorized employees of the Town.
- 3.1.3 All properties are required to have an approved water meter. The owner of the property shall be responsible for all water registered by the water meter as having been drawn from the water system.
- 3.1.4 No person shall waste any water supplied by the Town in any way, whether by improper or leaky service pipes, fixtures or taps, or by permitting water to run to prevent taps or pipes from freezing, or by improper or excessive use of water.
- 3.1.5 No person being an owner, occupier, tenant, or inmate of any house, building or other premises which is supplied with water from the water system shall vend, sell or dispose of water therefore, or give away, or permit the same to be taken or carried away, or use, or supply it to the use or benefit of others or to any other use and benefit, or shall wrongfully or negligently waste any water.
- 3.1.6 The Town may shut off the water supplied to the land or premises of any consumer for any purpose that, in the opinion of the Town, it may be expedient to do so.
- 3.1.7 It is hereby declared that no person shall have any claim for compensation or damages as the result of the Town shutting off the water without notice or from the failure of the water supply from any cause what so ever.
- 3.1.8 No person shall interfere with or damage any water meter or interfere with, damage or make inaccessible any curb stop due to the construction of walks, driveways, or in any other way.
- 3.1.9 If it is required to make any repairs or construction changes due to the inaccessibility or damage to a curb stop, the owners of the property serviced by said curb stop shall, in addition to the penalties of this Bylaw, be required to assume all costs involved.
- 3.1.10 The Town reserves the right to enter any land or building for the purpose of constructing, maintaining or repairing any water meter or water service line or sewer service line after giving reasonable notice. Costs associated with these construction, maintenance or repair services are an amount owing to the Town by the owner of the land.

#### **4.1 SANITARY SEWER**

- 4.1.1 No person shall throw, deposit or leave in or upon any Town sewer or trap, basin grating or manhole or other appurtenance of any Town sewer, any butcher's offal, garbage, litter, manure, rubbish, sweepings, sticks, stones, bricks, earth, gravel, dirt, mud, hay, straw, twigs, leaves, papers, rags, cinders, ashes, or refuse matter of any kind, except feces, urine, the necessary closet paper, water and slops properly discharged through a sewer service line into the street main.
- 4.1.2 No person shall permit to be discharged into any sewer, any liquid or liquids which would prejudicially affect the sewers, or other trade waste, or any waste steam, condensing water, heated water or other liquids of a higher temperature than 77 degrees Celsius (170 degrees Fahrenheit).
- 4.1.3 No person shall make or cause to be made any connection with any Town sewer line, or house drain, or appurtenance thereof for the purpose of conveying, or which may convey, into the same any inflammable or explosive material.
- 4.1.4 No person shall discharge the contents of any privy vault, manure pit or cesspools, directly or indirectly, into any Town sewer or house drain connected therewith.
- 4.1.5 No person except duly authorized employees of the Town, shall turn, lift, remove, raise or tamper with the cover of any manhole, ventilator or other appurtenance of any Town sewer.
- 4.1.6 No unauthorized person shall cut, break, pierce or tap any Town sewer or appurtenance thereof, or introduce any pipe, tube, trough, or conduit into any Town sewer.
- 4.1.7 No person shall interfere with the free discharge of any Town sewer, or part thereof or do any act or thing which may impede or obstruct the flow or clog up any Town sewer or appurtenance thereof.
- 4.1.8 Any authorized Town employee or Plumbing Inspector shall have the right at all reasonable times to enter houses or other places which have been connected with Town sewer. Cooperation must be given to him to ascertain whether or not any improper material or liquid is being discharged into the sewers and he shall have the power to stop or prevent from discharging into the sewer system any private sewer or drain through which substances are discharged which are liable to injure the sewer or obstruct the flow of sewage.
- 4.1.9 No person other than duly authorized employees of the Town, shall make any connection to, or shall cut or otherwise tamper in any way with a public or Town sewer without first having obtained a permit to do so. The applicant for the said permit shall be liable for any damages caused while making said connections and shall

also be responsible for providing adequate safety facilities and signs to meet the minimum standards as set by Alberta Infrastructure and Transportation during the time of construction.

- 4.1.10 Should the Town be required to clear any plugged sewer line, the person making such request shall be liable to all costs incurred by the Town in clearing the said plugged sewer. The rates charged by the Town shall be the actual costs of labour and equipment plus an administration fee as set in the Town of Coalhurst Policy & Procedure Manual.
- 4.1.11 The person occupying any premises connected to a street main by a sewer service line, shall be required to keep the said sewer service line in operational condition at all times, and shall be fully responsible for the operation of the said sewer service line.

## **4.2 STORM WATER DRAINAGE**

### **4.2.1 Definitions**

- a. “Downspout” means a pipe that conveys water from the Roof Run-off Collection System of a building to near the ground surface.
- b. “Drainage Extension” means a pipe or impermeable trough that conveys water from the lowest end of a Downspout or Sump Pump Discharge to the ground surface.
- c. “Foundation Drain” means that system of underground tile or pipe laid around the exterior of a building at the bottom of the foundation intended to intercept water in the soil.
- d. “New Construction” means the construction of any Residential Premises or Commercial Premises commenced after the enactment of Utility Bylaw No. 319-06.
- e. “Roof Run-off Collection System” means that system of drainage of building roofs, which directs Storm Water or snow (melt-water) to a Downspout
- f. “Storm Water” means surface run-off water that is the result of natural precipitation.
- g. “Sump Pump Discharge” means a system, including sump, sump pump and related piping used to convey water collected by a Foundation Drain.

- 4.2.2 All building Downspouts and Sump Pump Discharges shall have a Drainage Extension securely fastened or placed to direct drainage from a Roof Run-off Collection System or Foundation drain toward a street, land or right-of-way.
- a. Drainage Extensions shall extend a minimum of 1.8 meters (6 feet) from the exterior wall of the building.

- 4.2.3 The Owner shall be solely responsible for ensuring the Roof-Run-off Collection System, including Downspouts and Extensions and Sump Pump Discharge is properly designed, installed, operated and maintained.
- 4.2.4 All New Construction shall discharge Storm Water by either:
- a. **Sump To Surface:**  
Sump will be permitted to discharge to the surface, in a manner as identified in the Town of Coalhurst Engineering Standards and Design Guidelines.
  - b. **Sump To Storm Sewer:**  
Foundation Drain to a sump discharging to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Town's Development Officer
- 4.2.5 No sump pump is permitted to discharge to any part of the sanitary sewer collection system, including piping or floor drains.

## **5.1 WASTE MANAGEMENT**

### **5.1.1 GENERAL PROHIBITIONS**

- a. No person shall collect, dispose of or remove refuse except in accordance with the provisions of this Bylaw;
- b. No person other than a householder, proprietor or the Refuse Collector shall open any refuse receptacle or in any way disturb the contents thereof or handle, interfere with or disturb any refuse put out for collection or removal;
- c. No person shall deposit any dead animal, manure, excrement, refuse, liquid waste or other filth upon or into any street, service lane, alley, highway, ditch, well, lake, pond, river, stream or water course or onto any land except with the written consent of the Health Inspector;
- d. No person shall directly or otherwise dispose of or permit any person to dispose of any explosive, volatile, noxious or dangerous device, substance or thing, including hot ashes or burning matter in any garbage can, plastic bag or refuse receptacle and no person shall directly or otherwise dispose of or permit any person to dispose of any unwrapped wet garbage in any garbage can or refuse receptacle;
- e. No person shall operate within the Town a vehicle transporting refuse unless the refuse is completely enclosed or securely covered or secured so as to prevent any portion of the refuse from falling off of or out of the vehicle while in transit;



5.1.2 AUTOMATED COLLECTION CONTAINERS

- a. Residential dwellings that are eligible for automated collection of solid waste material will be delivered and assigned an automated collection container.
- b. The number of automated collection containers required and the size of the automated collection containers required will be determined by the CAO or designate, or that person's designate.
- c. Automated collection containers assigned to a residential dwelling shall remain with that residential dwelling.
- d. Automated collection containers shall remain the property of the Town and may be removed by the Town, its contractor or agents at the direction of the CAO or designate or that person's designate.
- e. Owners of residential dwellings are responsible for all automated collection containers assigned to the residential dwelling and shall ensure that the containers are:
  - i. kept clean;
  - ii. secured against theft or loss;
  - iii. maintained in good condition;
  - iv. not altered in any way, including any alteration of the exterior;
  - v. used only for waste material if the container is an automated collection container for waste material;
  - vi. available to the Town, its contractors or agents within a reasonable time frame for the purposes of inspection, maintenance or repair.
- f. An owner of a residential dwelling may be responsible for automated collection containers that are lost, stolen or damaged due to neglect on the part of the property owner, at the discretion of the CAO or designate or that person's designate.

5.1.3 RESTRICTIONS ON WASTE

- a. Except as otherwise provided, an owner shall ensure that the following types of waste are not set out for collection from his premises:
  - i. industrial or hazardous waste;
  - ii. biomedical waste;
  - iii. general medical waste;
  - iv. sharp objects such as glass, nails, knives, metal or wood splinters;
  - v. dead animals or animal parts;
  - vi. sawdust and powdered materials;
  - vii. automobile waste including but not limited to, automobile parts, tires and batteries;
  - viii. building materials and furniture

- ix. individual items that are larger than 1.25 metres in any dimension or items that weigh more than 20 kilograms;
- x. liquids; and
- xi. waste that is unsafe for the collector to access or handle.

#### 5.1.4 RESIDENTIAL SOLID WASTE

- a. Solid waste collection is provided to all residential dwellings.
- b. Owners of residential dwellings, other than dwellings with more than one self-contained suite must ensure there is a single waste storage location for the residential dwelling which is directly accessible from a street.
- c. No owner of a residential dwelling shall set out for collection any waste that is not generated from the residential dwelling.
- d. The owner of a residential dwelling must ensure that waste generated at the residential dwelling is set out for collection in the provided black automated garbage cart.
- e. Waste not placed in the provided black automated garbage cart will not be picked up and left in its location.
- f. An owner shall ensure that solid waste from the owner's premises is set out for collection no later than 7:00 a.m. on the day of collection.
- g. An owner with solid waste collection shall:
  - i. set automated collection containers out for collection no earlier than 5:00 p.m. on the day before collection; and
  - ii. remove automated collection containers from the collection location before 8:00 a.m. on the day following the scheduled collection day.
  - iii. in the case of a statutory holiday follow alternate collection days advertised on the Town web site.

#### 5.1.5 COLLECTION OF SOLID WASTE IN AUTOMATED COLLECTION CONTAINERS

- a. Waste shall be placed in the appropriate automated collection container for pick up.
- b. If the automated collection container is full, any additional solid waste on top of or set beside the collection container will not be picked up.
- c. An owner shall ensure that automated collection containers used at the owner's premises are filled so that the total weight of the container and its contents does not exceed one hundred (100) kilograms.

- d. The Town shall own all solid waste collection carts used in automated collection.
- e. Unless an owner has written approval from the CAO or designate to set an automated collection container for solid waste out for collection at a specific location, the owner shall ensure that an automated collection container filled with waste:
  - i. is located at least one (1) metre from any object on all sides of the container;
  - ii. is located at least thirty (30) centimetres from any object behind the container;
  - iii. has an overhead clearance above the top of the automated collection container of three (3) metres;
  - iv. if intended for front street collection, is:
    - located in front of the residential dwelling that generated the solid waste materials;
    - located on the street at the curb; or on the driveway at the street; and
    - placed in an upright position with the lid closed and the front of the cart facing the street;
  - v. is not obstructing traffic in the street.
- f. Where more than one automated collection container is set out for automated collection:
  - i. the minimum amount of space between individual automated collection containers shall be thirty (30) centimeters; and
  - ii. a minimum of one (1) metre of space from any object shall exist on both sides of the grouping of containers or additional waste.
- g. Notwithstanding Section 5.1.4(c), an owner may set out one or more automated collection containers for waste on the street for automated collection in accordance with the requirements of Subsections 5.1.5.e.iv. and 5.1.5.e.v. of this Section.

#### 5.1.6 COMMERCIAL WASTE

- a. Except as provided in Section 5.1.6., the owner of commercial premises must ensure waste generated at the premises is set out in a commercial bin for collection.
- b. The CAO or designate may give the owner of commercial premises written approval to set waste out for collection in waste containers.
- c. The owner of commercial premises must ensure sufficient commercial bins or waste containers are available to hold and retain all waste from the premises.
- d. The owner of premises using commercial bins must ensure that:

- i. the bins are located in a central place that allow direct vehicular access to the bins;
  - ii. snow and ice does not accumulate near the bins such that vehicle access to the bins is impeded; and
- e. The owner of commercial premises shall ensure there are sufficient litter receptacles on the premises.
- f. The owner of commercial premises shall ensure that all litter receptacles on the premises are:
  - i. maintained in good condition;
  - ii. weighted or anchored so they cannot be inadvertently overturned;
  - iii. of suitable and at sufficient locations to discourage litter; and
  - iv. emptied into a commercial bin when full.

#### 5.1.7 WASTE DISPOSAL

- a. A person carrying out the construction, demolition or alteration of buildings or other building operations on any property shall do so in such manner as to not permit building material or building waste material to remain loose, free or uncontrolled on the property.
  - i. The main contractor and/or property owner on the building site shall be responsible for the actions of any subcontractor or tradesman who fail to comply with Section 5.1.7.
  - ii. Any building material or building waste material which blows free from the building site shall be recaptured, returned to the building site and deposited in a waste bin.
  - iii. The main contractor and/or property owner on a building site shall be responsible for the term of the construction in providing a suitable waste bin capable of receiving all building waste material and maintaining the same in a safe contained manner.
  - iv. Where the contractor and/or property owner is working on more than one building site and they are adjoining, he **must** provide one building waste bin for each building site.
  - v. The main contractor and/or property owner on a building site shall be responsible for having all unused building material and building waste material disposed of.
  - vi. The CAO or designate may direct the person carrying out the construction or alteration of a building to provide a fence of a type that will trap any building material or building waste material in such a manner as to prevent it from escaping from the building site.

#### 5.1.8 COMMUNITY RECYCLING DEPOTS

- a. No person shall deposit or dispose of materials at a community recycling depot other than those materials described as permitted materials by signage located at the depot.

- b. No person shall deposit materials of any kind at a community recycling depot except in the receptacles or bins provided.
- c. Every owner of a vehicle used in the commission of an offence described in Section 5.1.8 commits an offence unless the owner establishes that;
  - i. the person who was, at the time of the contravention, in possession of the motor vehicle was not entrusted by the owner with possession, or
  - ii. the owner exercised reasonable care and diligence when the person entrusted the motor vehicle to the person who was, at the time of the contravention, in possession of the motor vehicle.
- d. Every person who operates or has care and control of a motor vehicle while it is used in the commission of an offence described in Section 5.1.8 commits an offence.
- e. For the purpose of Section 5.1.8.d., a vehicle is presumed to, while it is used in the commission of an offence described in Section 5.1.8, be operated by or under the care and control of its owner.

#### 5.1.9 FAILURE TO COMPLY

- a. Where a householder or proprietor is alleged to have breached any of the provisions of Sections 5.1.1 or 5.1.2. of this Bylaw, the Town may serve upon such householder or proprietor a written notice specifying the breach and requiring that the breach be rectified within fourteen (14) days;
- b. Should the problem not be rectified within the time limit specified a surcharge, the amount of which is set out in the Town of Coalhurst Policy & Procedure Manual, will be added to the next utility billing;
- c. If the problem has not been rectified within the billing period referred to in section 5(b) a surcharge, the amount of which is set out in the Town of Coalhurst Policy & Procedure Manual, will be added to the following and any subsequent utility billing until the problem is rectified;
- d. The surcharge shall become part of the charge for garbage services and be subject to the same penalties as the regular charge for garbage collection;
- e. This surcharge shall be considered as part of the utility charge and subject to the collection procedure as specified in Section 7.1 of this Bylaw.
- f. Owners of the mobile home park(s) shall be responsible for ensuring that renters comply with the provisions of this Bylaw and will be issued with the notice set out in Section 5.1.3(a). Failure to correct the problem will result in the surcharge being added to the utility billing sent to the mobile home park

owner. All action will be subject to Section 5.1.3(a)(b)(c)(d)(e)(g) except that each infraction within the park will be counted as a separate incident;

- g. Any written notice issued under the provisions of Section 5.1.3(a). of this By-Law shall be deemed to be sufficiently served if served personally upon the owner or if mailed by regular mail to the address of the owner.

## **6.1 APPLICATION FOR A SERVICE CONNECTION**

- 6.1.1 Utility service shall be supplied to the owner of the property. No utility service will be supplied to any renter, lessee or other persons not considered the owner of the property.
- 6.1.2 Any owner who desires utility service from the Town of Coalhurst shall apply in writing to the Administrator on the form supplied by the Town for that purpose.

## **7.1 RATES AND BILLING**

- 7.1.1 Rates for all utility services will be established by Council in the Town of Coalhurst Policy & Procedure Manual.
- 7.1.2 A utility bill, showing the current service charge for water, sewer, waste management and storm sewer, shall be mailed to the owner of the property every month. Payment for the utility bill shall be payable on the billing date. Payment will be accepted at the Town Office or at such other place as may be designated from time to time. Failure to receive a utility bill shall in no way affect the liability of the consumer to pay the account.
- 7.1.3 In the event that any part of such utility bill remains unpaid after the last day of the month, there shall be added thereto a penalty in the amount of 2.5% on the unpaid balance. This penalty is part of the arrears and subject to collection in the same manner as all other charges.
- 7.1.4 In the event any part of a utility bill remains unpaid for two months, the Administrator shall cause a written notice to be served on the delinquent consumer advising that the water service will be discontinued unless that account is paid in full, or a satisfactory payment arrangement has been made, within ten (10) working days of the date on the notice.
- 7.1.5 In the event the householder or proprietor claims extenuating circumstances, the Administrator may make allowance for the situation and grant a time extension.
- 7.1.6 If after the ten (10) working days described in Section 7.1.4 any part of the account remains unpaid, the Administrator shall order the service to be discontinued. The utility is considered to be discontinued when the discontinue order is issued.

- 7.1.7 When a service is discontinued, the flat rates for all utility services shall still be charged to all Town related accounts and to any rural (acreage) accounts for all utility services, with the exception of rural (acreage) accounts for waste management, as the flat rates are for infrastructure capital and maintenance purposes.
- 7.1.8 In the event a water service has been discontinued, by reason of non-payment, a reconnection fee, the amount of which is established in the Town of Coalhurst Policy & Procedure Manual, shall be charged and shall be payable in advance of the turning on of the service.
- 7.1.9 Any person intending to vacate any premises that have been supplied with water from the waterworks or who is desirous of discontinuing the use thereof shall give written notice of the same at the office, otherwise the rates shall be charged until such notice is given or the water turned off, but no rebate shall be made for any fractional part of a month in which any such notice is given.

## **8.1 WATER RESTRICTIONS**

- 8.1.1. (a) The Administrator may at any time make orders restricting the use of water either by all consumers or by any particular class of consumers and either throughout the Town or in any particular area or areas of the Town. The order may specify that such restricted use of water shall apply during such hours of any day of the week as may be specified in the order. The orders may be cited as identified in the Stages shown in attached Schedule "B". Emergency water rationing order prohibitions may also be imposed as directed by the Administrator.
- (b) No person shall use any water from the water works system in contravention of the terms of any order made by the Administrator under this section and, without limiting the generality of the forgoing, specifically:
- i. No person shall use water in contravention of a Stage 1 Outdoor Water Rationing Order;
  - ii. No person shall use water in contravention of a Stage 2 Outdoor Water Rationing Order;
  - iii. No person shall use water in contravention of a Stage 3 Outdoor Water Rationing Order;
  - iv. No person shall use water in contravention of a Stage 4 Outdoor Water Rationing Order;
  - v. No person shall use water in contravention of an Emergency Water Rationing Order

## **9.1 ENFORCEMENT**

### INSPECTION

- 9.1.1 A Designated Officer may, in accordance with the requirements of Section 542 of

the Municipal Government Act, enter on to any property to carry out an inspection for the purpose of ensuring that the provisions of this Bylaw are being complied with.

- 9.1.2 Prior to exercising his authority to enter onto property, the Designated Officer shall provide the Owner with reasonable notice as required by Section 542 of the *Municipal Government Act*, unless, in the opinion of the Designated Officer, an emergency or extraordinary circumstances exist, pursuant to Section 542(3) of the Municipal Government Act.

### ORDER

- 9.1.3 If a Designated Officer considers any Person to have contravened any part of this Bylaw, the Designated Officer may issue an Order to remedy the contravention to the Owner or other Person responsible, or both.

- 9.1.4 An Order includes the requirements of the Municipal Government Act, including, but not limited to the following:

- (a) Section 545 of the Municipal Government Act under which the Order is issued;
- (b) A description of the property, including
  - (i) name, if any;
  - (ii) the municipal address; and
  - (iii) legal description;
- (c) particulars of the contravention under this Bylaw;
- (d) a description of the remedial or other actions required to be made;
- (e) the time within which the remedial or other actions are to be done;
- (f) a statement that if the actions are not done within the time specified, the Town may carry out the actions required and charge the cost thereof against the Person to whom the Order is directed and if such Person does not pay the costs, the costs shall be charged against the tax roll for the property concerned as taxes due and owing in respect of that property, and recovered as such;
- (g) a statement that the Person named in the Order may by written notice request a review of the Order to Council in accordance with Section 547 of the Municipal Government Act.

- 9.1.5 A Person who receives an Order may by written notice request Council to review the Order within 14 days after the date the Order is received.

### SERVICE OF ORDER

- 9.1.6 An Order issued for a contravention of this Bylaw may be served:

- (a) in the case of an individual:
  - (i) by delivering it personally to the individual;



- (ii) by leaving it for the individual at their apparent place of residence with someone who appears to be at least eighteen (18) years of age; or
  - (iii) by registered mail addressed to the individual at their apparent place of residence or to any address for the individual listed on the tax roll of the Town; and
- (b) in the case of a corporation or partnership:
  - (i) by delivering it personally to any director or officer of the corporation, or partner of a partnership;
  - (ii) by delivering it personally to a Person apparently in charge of an office of the corporation or partnership at an address held out by the corporation or partnership to be its head-office; or
  - (iii) by registered mail addressed to the registered office of the corporation or partnership; and
- (c) In the event that the methods of service listed under subsections (a) and (b) prove, in the opinion of the Designated Officer, to be impractical or not likely to be successful, service can be effected by any other means that the Designated Officer determined to be appropriate, including but not limited to:
  - (i) posting to the Property;
  - (ii) issuance by regular mail; or
  - advertising in a local newspaper or similar publication.

#### FAILURE TO COMPLY WITH ORDER

9.1.7 If a Person to whom an Order is issued fails to remedy the Property:

- (a) as directed in the Order; or
- (b) as required by Council following a review pursuant to Section 547 of the Municipal Government Act; or
- (c) within the time specified, as determined by the Town in its sole discretion acting reasonably;

the Town may, through its Designated Officer, employees, agents or contractors, enter onto the property in accordance with Section 549 of the Municipal Government Act to remedy the contravention, as specified under the Order, and to otherwise prevent the continuing contravention of this Bylaw.

9.1.8 Notwithstanding the above, the Town may commence an application for a permanent injunction or other orders pursuant to Section 554 of the Municipal Government Act, instead of, or before proceeding to enter onto the property to remedy the contraventions on the property as contemplated by Section 9.7.1.

9.1.9 The Town shall not be responsible for any incidental damage that may occur to the property subject of an Order as a reasonable consequence of the Town exercising its rights under this Bylaw.

### MUNICIPALITY'S COSTS

- 9.1.10 Any expenses or costs of any enforcement action or measure taken by the Town under this Bylaw, including but not limited to the receipt of legal advice, are amounts owing to the Town by the Owner or any other Person responsible for the contravention of this Bylaw, or any or all of them, and may be collected as a civil debt or added to the tax roll for the subject property pursuant to the Municipal Government Act.

### OFFENCE

- 9.1.11 Regardless of whether an Order has been issued pursuant to this Bylaw, any Person who contravenes any provision of this Bylaw is guilty of an offence and is liable, upon conviction, to a specified penalty as set out in Schedule "A" herein.
- 9.1.12 Any person who fails to comply with an Order issued pursuant to this Bylaw is guilty of an offence and is liable, upon conviction, to a specified penalty as set out in Schedule "A" herein.
- 9.1.13 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.

### AUTHORITY OF PEACE OFFICERS

### MUNICIPAL TAGS

- 9.1.14 A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 9.1.15 A Municipal Tag may be served in accordance with the same procedure set out for service of an Order in Section 9.1.6.
- 9.1.16 The Municipal Tag shall be in a form approved by the Administrator and shall state:
- (a) the name of the Person to whom the Municipal Tag is issued, if known;
  - (b) a description of the offence and the applicable Bylaw section;
  - (c) the specified penalty for the offence as specified in Schedule "A" of this Bylaw;
  - (d) that the penalty shall be paid within thirty (30) days of the issuance of the Municipal Tag in order to avoid prosecution; and
  - (e) any other information as may be required by the Administrator.
- 9.1.17 Where a contravention of this Bylaw is of a continuing nature, further Municipal

Tags may be issued by a Peace Officer, provided that no more than one Municipal Tag shall be issued for each day that the contravention continues.

- 9.1.18 A Person to whom a Municipal Tag has been issued may pay the penalty specified on the Municipal Tag and if the amount is paid on or before the required date, the Person will not be prosecuted for the offence.

### VIOLATION TICKETS

- 9.1.19 Where a Municipal Tag has been issued and the penalty specified on the Municipal Tag is not paid within the prescribed time, a Peace Officer is hereby authorized and empowered to issue a Violation Ticket.
- 9.1.20 Notwithstanding the above, a Peace Officer may immediately issue a Violation Ticket to any Person whom the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 9.1.21 A Violation Ticket issued with respect to a contravention of this Bylaw shall be served upon the Person responsible for the contravention in accordance with the Provincial Offences Procedure Act.
- 9.1.22 If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
- (a) specify the fine amount for the offence as established in Schedule “A” of this Bylaw; or
  - (b) require a Person to appear in court without the alternative of making a voluntary payment.
- 9.1.23 A Person who commits an offence may:
- (a) if a Violation Ticket is issued in respect of the offence; and
  - (b) if a Violation Ticket specifies the fine amount for the offence established in Schedule “A” of this Bylaw;
- make a voluntary payment equal to the specified fine.
- 9.1.24 When a clerk records in the court records the receipt of a voluntary payment pursuant to this Bylaw and the Provincial Offences Procedure Act, the act of recording receipt of that payment constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.

## **9.2 UTILITY CHARGES ADDED TO TAXES**

- 9.2.1 Any utility charges in arrears for services supplied by the Town or any other charges for utility service supplied by the Town to any land or premises may be added to the taxes assessed against the real property to which the utility has been supplied, and may be collected in any of the ways provided for in the collection of taxes, including the sale of the said property.

- 9.2.2 In addition to the methods outlined herein for the recovery of outstanding rates of charges, the Town reserves the right to discontinue service to any property where any charges for service or work remain outstanding for a period of more than thirty (30) days.

## **10.1 FINES AND PENALTIES**

- 10.1.1 A Person who is guilty of an offence is liable upon conviction to a fine in an amount:
- (a) not less than the specified penalty established in Schedule “A”; and
  - (b) not exceeding \$10,000.00; and
  - (c) to imprisonment for not more than 1 year for non-payment of a fine.
- 10.1.2 Without restricting the generality of Section 10.1.1 a Person found guilty of an offence against this Bylaw for which no specified penalty has been specifically provided in Schedule “A” is liable on conviction to a minimum fine of \$250.00 dollars.
- 10.1.3 If a person, following the provision of ten (10) working days’ notice, persists in failing to discharge their liabilities owing to the municipality for utility services supplied to a parcel of land, the municipality may suspend the provision of utility services to this parcel of land until the liabilities owing are discharged.

## **10.2 GENERAL**

### SCHEDULE

- 10.2.1 Schedule “A” and Schedule “B” attached hereto shall form part of this Bylaw.

### REMEDIES NOT RESTRICTED TO BYLAW

- 10.2.2 A Peace Officer may pursue any and all remedies set out in this Bylaw, the Municipal Government Act and any other law in the Province of Alberta. Nothing in this Bylaw shall restrict, limit or preclude the Town from taking multiple steps to remedy a contravention of this Bylaw.

### OBSTRUCTION

- 10.2.3 No Person shall obstruct, hinder or impede any Peace Officer, Designated Officer, or Town employee, contractor or agent in the exercise of any of their powers or duties under this Bylaw.

### VICARIOUS LIABILITY

- 10.2.4 For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred while the employee is in employment with the Person, or in the course of

the agent's exercising the powers or performing the duties on behalf of the Person under their agency relationship.

#### CORPORATIONS AND PARTNERSHIPS

10.2.5 When a corporation commits an offence under this bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.

10.2.6 If a partner in a partnership is guilty of an offence under this bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

#### **11.1 RESCINDING BYLAWS**

11.1.1 This Bylaw hereby rescinds Bylaw No. 319-06, Bylaw No. 368-14 and Bylaw No. 408-19.

This Bylaw comes into force and effect upon the date of the passing of the third and final reading thereof.

READ A FIRST TIME THIS 18<sup>th</sup> DAY OF MAY, A.D. 2021

READ A SECOND TIME THIS 7<sup>th</sup> DAY OF SEPTEMBER, A.D 2021.

READ A THIRD TIME AND FINALLY PASSED THIS 7<sup>th</sup> DAY OF SEPTEMBER, A.D 2021.

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Mayor

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Chief Administrative Officer

**SCHEDULE “A”**  
**SPECIFIED PENALTIES**

<b>Section No.</b>	<b>Description</b>	<b>Specified Penalty</b>
2.1.1	No Person other than the Town shall provide any type of Utility	\$250.00
3.1.1	No Permit to connect to Water Service Line or street main	\$250.00
3.1.3	No approved water meter installed	\$250.00
3.1.4	Person wasting Town supplied water	\$250.00
3.1.8	Person interfere with or damage water meter or curb stop	\$250.00
4.1.1	Improper disposal of solids into Town sewer	\$250.00
4.1.2	Improper disposal of liquids into Town sewer	\$250.00
4.1.5	Unauthorized Person handling manhole cover, ventilator, or other appurtenance of Town sewer	\$250.00
4.1.7	Interfere with free discharge of flow of Town sewer	\$250.00
4.1.9	No permit to work on Town sewer	\$250.00
4.2.2	Drainage Extension improperly secured or placed in the manner required	\$250.00
4.2.3	Owner failing to ensure proper Storm Water drainage system designed, installed operated or maintained	\$250.00
4.2.4	Failure to discharge Storm Water in manner required	\$250.00
4.2.5	Sump pump discharging to sanitary sewer	\$250.00
5.1.1(b)	Unauthorized Person open or disturb contents of Refuse Receptacle	\$250.00
5.1.1(c)	Unauthorized disposal of Refuse in manner required	\$250.00
5.1.1(d)	Unauthorized disposal of explosive, volatile, noxious or dangerous goods	\$250.00
5.1.1(e)	Transport of refuse in unsecured manner	\$250.00
5.1.2(e)	Failure to maintain and not alter Refuse Receptacle	\$250.00
5.1.3(a)	Setting out restricted waste for collection	\$250.00
5.1.4(b)	Failure to provide single waste storage collection	\$125.00
5.1.4(c)	Set out waste not generated on premises	\$250.00
5.1.4(d)	Fail to set out solid waste in automated collection container	\$125.00
5.1.4(e)	Use improper solid containers	\$125.00
5.1.4(f)	Set solid waste collection container out no later than 7:00 a.m. on the day of collection	\$50.00
5.1.4(g)	Set or remove solid waste automated collection containers	\$50.00
5.1.5(a)	Fail to use automated collection container	\$125.00

5.1.5(b)	Additional waste on top of or beside automated collection container	\$125.00
5.1.5(c)	Filled automated collection container exceeds 100 kilograms	\$125.00
5.1.5(e)	Fail to properly locate automated collection containers for collection	\$250.00
5.1.6(a)	Fail to use commercial bin	\$250.00
5.1.6(c)	Fail to provide sufficient bins	\$250.00
5.1.7(a)ii	Allowing building material or building waste material to remain loose, free or uncontrolled on the construction site	\$250.00
5.1.7(a)iii	Failure to provide a suitable waste bin capable of receiving all building material on site	\$250.00
5.1.7(a)iv	Failure to provide a suitable waste bin at each construction site	\$250.00
5.1.8 (a)	Unauthorized disposal of materials not permitted	\$250.00
5.1.8(b)	Deposit of materials except in receptacles or bins provided	\$250.00
5.1.8(c)	Owner of vehicle involved in offence guilty of offence subject to conditions	\$250.00
5.1.8(d)	Operator of vehicle involved in commission of an offence commits an offence	\$250.00
8.1.1(b)	Stage 1 Water Rationing Order	\$100.00
8.1.1(b)	Stage 2 Water Rationing Order	\$200.00
8.1.1 (b)	Stage 3 Water Rationing Order	\$300.00
8.1.1(b)	Stage 4 Water Rationing Order	\$400.00
8.1.1(b)	Non-compliance with any and all water use prohibitions and restrictions associated with the declaration of a Water Emergency Rationing Order	\$500.00
10.2.3	Obstruction of Peace Officer, Designated Officer or Town Employee, Contractor or Agent	\$250.00
	Any other offence under this Bylaw not specified herein	\$250.00
	Any subsequent offence with two (2) years of conviction of prior offence	Double the specified penalty






# Water Rationing Stages

 Determine what stage we are in.  Determine what the stage restrictions are.  Keep informed.

## Long Term Water Rationing (Stage 1 through 4)

Watering Activity	Short Term Water Rationing				WATER EMERGENCY Demand Reduction Target - 40%+
	Stage 1 Demand Reduction Target: 10%	Stage 2 Demand Reduction Target: 20%	Stage 3 Demand Reduction Target: 30%	Stage 4 Demand Reduction Target: 40%+	
<b>Runoff</b> down sidewalks, driveways and streets	<b>Not Allowed</b>	<b>Not Allowed</b>	<b>Not Allowed</b>	<b>Not Allowed</b>	<b>Why are we experiencing an emergency?</b> 1. Mechanical Issues/Failures 2. Water Quality Concerns 3. Infrastructure Threats  <b>Find out what areas are affected.</b>  <b>Get informed of the situation.</b>  <b>Reduce water use, immediately.</b>  <b>Keep informed and updated.</b>
Washing down <b>outdoor surfaces</b>	<b>Not Allowed</b>	<b>Not Allowed</b>	<b>Not Allowed</b>	<b>Not Allowed</b>	
Water for <b>decorative features or fountains</b>	<b>Not Allowed</b>	<b>Not Allowed</b>	<b>Not Allowed</b>	<b>Not Allowed</b>	
<b>Irrigation sprinkling</b> for Residential and Commercial lawns	Up to 2 hours between 6 pm & 10 am Residential—Garbage Collection Days Commercial—Saturdays Regional—Mondays	Up to 1 hour between 6 pm & 10 am Residential—Garbage Collection Days Commercial—Saturdays Regional—Mondays	<b>Not Allowed</b>	<b>Not Allowed</b>	
<b>Hand watering</b> for flower beds, gardens, trees, and shrubs	<b>Allowed</b>	<b>Allowed</b>	Hand watering only, between 6 pm & 10 am Residential—Garbage Collection Days Commercial—Saturdays Regional—Mondays	<b>Not Allowed</b>	<b>Emergency Water Rationing</b> will require an <b>IMMEDIATE</b> reduction in water use. **including indoor and outdoor use
<b>Newly planted</b> grass, trees, and shrubs <i>Note: If Stage 2 is reached, it is recommended that NO NEW planting occur</i>	<b>Allowed</b>	Refer to the Water Rationing Action Plan for details	Refer to the Water Rationing Action Plan for details	<b>Not Allowed</b>	
Water for <b>pools, ponds, and hot tubs</b>	<b>Allowed</b>	<b>Allowed</b>	<b>Not Allowed</b>	<b>Not Allowed</b>	
Water for <b>construction purposes</b>	<b>Allowed</b>	<b>Allowed</b>	<b>Allowed</b>	<b>Not Allowed</b>	
Washing vehicles at <b>car washes</b> <i>Note: washing vehicles at locations other than car washes is prohibited under Bylaw 5594; use car washes sparingly</i>	<b>Allowed</b>	<b>Allowed</b>	<b>Discouraged</b>	<b>Discouraged</b>	<a href="http://www.lethbridge.ca">www.lethbridge.ca</a>  
<b>Indoor Water Suggestions</b> <i>To reach reduction targets</i>	REDUCE the use of washers and dishwashers. FULL loads only.	REDUCE the use of washers and dishwasher (FULL load only), shower time and bath levels	REDUCE flushing of toilets by ½, shower time and bath levels by ½, use dishwashers and washers sparingly	REDUCE flushing of toilets to only when necessary, shower times and bath levels by ¾, use dishwashers and washers sparingly	

## SCHEDULE "B"

**BYLAW NO. 443-23**

**BEING A BYLAW OF THE TOWN OF COALHURST, IN THE PROVINCE OF ALBERTA, TO AMEND BYLAW NO. 422-21, PROCEDURE BYLAW;**

**WHEREAS** it is necessary to establish rules and provisions to regulate the conduct of business in Council meetings, and to control and maintain order in Council for the enactment of municipal legislation and to provide for dealing with petitions, remonstrations and submissions to the Council;

**WHEREAS** on December 6, 2022, Council approved a Motion (M#7304-22) which instructed the CAO to prepare amendments to the Procedure Bylaw (Bylaw 422-21) to change the an agenda authority and to ensure opposing votes are recorded in minutes;

**PURSUANT** to the provisions of the Municipal Government Act, Statutes of Alberta, Chapter M-26, 2000 as amended;

The Council of the Town of Coalhurst, in the Province of Alberta, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. Procedure Bylaw No. 422-21 is amended as follows:

- Section 12.2 – Voting

Delete existing 12.2 and replace with the following:

12.2 The CAO shall ensure that Minutes show the names of those who voted in opposition to a Motion or Bylaw.

- Section 16.1 – Agendas

Delete the word “CAO” in Section 16.1 and replace it with “Agenda Setting Committee.”

2. This Bylaw comes into force upon the date of the passing of the third and final reading thereof.

READ A FIRST TIME ON 3<sup>rd</sup> DAY OF JANUARY, A.D. 2023

READ A SECOND TIME THIS \_\_\_\_ DAY OF JANUARY, A.D. 2023

READ A THIRD TIME AND FINALLY PASSED THIS \_\_\_\_ DAY OF JANUARY, A.D. 2023

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

## **BYLAW NO. 422-21**

BEING A BYLAW OF THE TOWN OF COALHURST, IN THE PROVINCE OF ALBERTA, TO REGULATE THE PROCEDURE AND CONDUCT OF BUSINESS BY THE COUNCIL OF THE TOWN OF COALHURST;

WHEREAS, the Municipal Government Act, being Chapter M-26 (2000), RSA and subsequent amendments thereto, provides that a Council may pass Bylaws in relation to the procedure and conduct of Council and Committees established by Council.

AND WHEREAS it is deemed necessary to establish rules and provisions to regulate the conduct of business in Council meetings, and to control and maintain order in Council for the enactment of municipal legislation and to provide for dealing with petitions, remonstrations and submissions to the Council.

NOW THEREFORE, the Council of the Town of Coalhurst, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

### **1.0 TITLE**

1.1 This Bylaw may be cited as the "Council Procedural Bylaw".

### **2.0 DEFINITIONS AND INTERPRETATION**

2.1 In this Bylaw:

- a. **"Act"** means the Municipal Government Act, R.S.A., as amended.
- b. **"Acting Mayor"** means the member selected by Council to preside at a regular meeting thereof in the absence or incapacity of both the Mayor and Deputy Mayor.
- c. **"Agenda"** means the list and order of business items for any meeting of Council or Committees.
- d. **"Business Arising from Previous Minutes"** means business which has been raised at a previous meeting and which has not been completed.
- e. **"Bylaw"** means a Bylaw of the Town.
- f. **"Chief Administrative Officer"** (CAO) means the person appointed to the position in accordance with the MGA.
- g. **"Closed Meeting"** means all or part of a meeting that is closed to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act.
- h. **"Council"** means the Mayor and Councillors of the Town being elected pursuant to the provisions of the Local Authorities Election Act whose term is unexpired, who have not resigned and who continue to be

eligible to hold office as such under the terms of the MGA and the Local Authorities Election Act.

- i. **"Deputy Mayor"** means the member who is appointed by Council pursuant to the MGA, to act as Mayor in the absence or incapacity of the Mayor.
- j. **"Mayor"** means the member of Council duly elected to the office pursuant to the provisions in the Local Authorities Election Act and who continues to hold office.
- k. **"Member"** means a member of Council, duly elected and continuing to hold office or a Member of Committee duly appointed by Council.
- l. **"MGA"** means the Municipal Government Act, Chapter M-26 (2000), Revised Statutes of Alberta (RSA) and subsequent amendments thereto.
- m. **"Opening Remarks"** means an opportunity, following Call to Order at a Regular meeting, for the Presiding Officer to welcome anyone in attendance and/or provide a brief description of the procedures at the meeting.
- n. **"Other Business"** means business dealing with a matter which has not been introduced in a previous meeting and of which no notice has been given of the intention to present it.
- o. **"Presiding Officer"** means the Mayor, Deputy Mayor, Acting Mayor or other such person selected by Council to chair the meeting as constituted by this Bylaw.
- p. **"Public Hearing"** means a meeting of Council which is convened to hear matters pursuant to:
  - i any Act of the Statutes of Alberta relating to municipal government which requires the holding of a Public Hearing,
  - ii any matter which the Council directs.
- q. **"Quorum"** means the majority of Council, Committee or Board, unless the Bylaw, Terms of Reference or resolution establishing such a body specifies otherwise.
- r. **"Solemn Recognitions"** means an opportunity, following Opening Remarks at a Regular meeting, for the appropriate recognitions of a significant occurrence, such as a Royal birthday or passing of a person of significance to the community or a special area event, made by the Presiding Officer, or someone else appointed, and may include a brief reflection on the Mission Statement or Council purpose.
- s. **"Special Meeting"** means a meeting, other than a regular scheduled

meeting called pursuant to the provisions of the Act.

- t. **"Town"** means the corporation of the Town of Coalhurst and where the context so requires, means the area included within the boundaries of the Town.

### 3.0 **APPLICATION OF THIS BYLAW**

3.1 This Bylaw applies to all Regular, Special and Closed meetings of Council and to the extent practical, to Council Committees.

3.2 The precedence of the rules governing the procedure and conduct of Council is:

- a. the Municipal Government Act;
- b. other provincial legislation;
- c. this Bylaw;
- d. "Roberts Rules of Order Newly Revised – 12<sup>th</sup> Edition."

3.3 Pursuant to the MGA, a motion before Council does not need to be seconded.

3.4 The Presiding Officer of any meeting has the same rights and privileges as all other members including the right to speak in debate and to vote on all questions.

### 4.0 **SUSPENSION OF RULES**

4.1 In the absence of any statutory obligation, any provision of this bylaw may be altered or suspended by resolution of the Council, provided the majority of all members present at a meeting vote in favour thereof, to deal with a matter under consideration.

4.2 Each Council must during its term of public office cause a review to be made of the rules of procedure contained and set out in this bylaw.

### 5.0 **ORGANIZATIONAL MEETING**

5.1 An Organizational Meeting of Council shall be held annually not later than two weeks after the 3rd Monday in October.

5.2 The CAO shall set the time and place for the first organizational meeting of Council following the general election, scheduled in accordance with the MGA.

5.3 At the commencement of the annual organizational meeting following an election, the CAO shall call the meeting to order and shall preside over the meeting until

the Oath of Office has been administered to the Mayor.

- 5.4 After the Mayor has taken the oath, he/she shall preside over the meeting and the Councillors shall take the Official Oath of Office.
- 5.5 The CAO shall set the time and place for the Organizational Meeting, and the business of the meeting will be limited to:
  - a. the administration of the oaths of office and the introduction of new members,
  - b. the selection of the Deputy Mayor,
  - c. the appointment of Council members to sit on committees, commissions, boards and other bodies on which Council is entitled to representation,
  - d. the appointment of residents to sit on committees, commissions, boards and other bodies to which Council is required to appoint a representative other than a Council member,
  - e. internal appointments,
  - f. any other business as is required by the MGA, or which Council or the CAO may direct.

## **6.0 REGULAR MEETINGS**

- 6.1 All Regular Council meetings will be held in Council Chambers as follows:
  - a. all Regular Council meetings shall be held on the first and third Tuesday of the month in the Council Chambers;
  - b. Council, by majority vote, may change the date and/or location of a Regular Meeting, at any Regular Meeting held prior to the scheduled meeting date, for any reason they deem appropriate.
- 6.2 Regular meetings of Council will commence at 6:00 p.m. and adjourn no later than 9:00 p.m. unless, while in session, a motion is passed by the majority of Council to extend the time to 9:30 p.m. (Amended Nov 1 2022 BL#438-22)
- 6.3 Regular meetings, as prescribed by the MGA, will be held openly and no person will be excluded except for improper conduct.
- 6.4 The Mayor or presiding officer at any meeting may cause to be expelled and excluded any person who creates any disturbance or acts improperly during a meeting.
- 6.5 Council may, by resolution, go into a "Closed Meeting" to consider matters that fall within one of the exceptions to disclosure under the Freedom of Information

and Protection of Privacy Act (FOIP). In all cases, the applicable section of the FOIP Act shall be identified prior to resolving into any Closed meeting.

6.6 Procedures during Closed meetings differ only from Regular meetings insofar that the only motions permitted are:

- a. to revert to a meeting held in public; or
- b. to propose a recess.

6.7 Such meeting shall:

- a. be held in private,
- b. exclude any person or persons other than members of Council, the CAO and any other person(s) as directed by Council.

6.8 Council may, by a majority vote, cancel any Regular Meeting prior to the scheduled meeting date, for any reason they deem appropriate.

#### 7.0 **SPECIAL MEETINGS**

7.1 The Mayor may call a special meeting whenever considered appropriate to do so, and must call a special meeting if a written request for the meeting, stating its purpose, is received from a majority of Council.

7.2 Written notice of a special meeting stating the time and place at which it is to be held and stating in general terms the nature of the business to be transacted will be mailed, electronically mailed or delivered to each member of Council at least 24 hours prior to the meeting.

7.3 The Mayor may call a special meeting of Council with less than 24 hours notice to all Councillors and without notice to the public, either verbal or written if the following is observed:

- a. the notice states the time and place at which the meeting is to be held and in general terms the nature of the business to be transacted at the meeting, and
- b. at least 2/3 of the members of Council give written consent to the holding of the meeting before the beginning of the meeting.

7.4 No matter, except as stated in the notice, may be transacted at any special meeting unless all the members of the Council are present, and by unanimous consent, agree to consider the matter in question.

7.5 When a special meeting is requested by a majority of Council the meeting shall be held within 14 days after the date on which the request, in writing, is received by the Mayor.

**8.0 COMMITTEE OF THE WHOLE MEETINGS**

- 8.1 Meetings of Committee of the Whole may be held in the Council Chambers at the Municipal Office any Tuesday, at 6:00 p.m., in which there is no Regular Meeting being held. (Amended Nov 1 2022 BL#438-22)

8.1.a Committee of the Whole meetings will adjourn no later than 9:00 p.m. unless, while in session, a motion is passed by the majority of Council to extend the time to 9:30 p.m. (Amended Nov 1 2022 BL#438-22)

- 8.2 The Presiding Officer will chair the Committee of the Whole meeting.

- 8.3 Quorum of Committee of the Whole is a majority of Council Members.

- 8.4 The Rules of Procedure contained in this Bylaw shall be observed in the Committee of the Whole meeting except that:

- a. discussion may take place in absence of a motion;
- b. permission for a Member to speak is not required;
- c. the number of times a Member may speak on any questions shall not be limited, provided that any second and subsequent statements are responsive to issues raised by other Members or contain new information not contained in the Member's original statement;
- d. there shall be no time limit with respect to the speeches of Members;
- e. a motion to close debate is not permitted;
- f. the Chair is permitted to participate in debate and discussion;
- g. no Motion shall be made on a debated topic;
- h. Committee of the Whole shall only recommend items for approval to a Council Meeting.

**9.0 REMOTE ATTENDANCE AT COUNCIL MEETINGS**

- 9.1 Council members may be permitted to participate in a Regular Council meeting by means of remote communication in instances when a Council member is unable to attend in person;

- a. for purposes of voting by a member(s) of Council, such attendance from remote location (s) shall be considered the equal of being physically present in Council Chambers, (with the exception of a closed meeting). When a vote is called on a motion, the member of Council who is participating by means of remote communication, shall vote verbally only



after all other Councillors present have voted by a show of hands.

- b. if the Mayor attends by remote means, he/she may participate in discussion, but the Deputy Mayor or alternate if physically present in Council Chambers shall be the presiding officer to best facilitate an orderly and efficient meeting process.
- c. in all meetings involving remote attendance, the Mayor or presiding officer shall inform all present of the intent to initiate a remote communication.
- d. the Mayor or presiding officer shall confirm and announce to all present that they can clearly hear and as appropriately, clearly see visual contact with the Council member. The CAO shall record such confirmation in the minutes.
- e. Council may approve the use of remote communication for the entirety of the meeting or for a specified portion thereof.
- f. no portion of a closed meeting may be conducted through the use of remote communication, unless the member(s) of Council confirm that they are in a secure location, with no public access. Confirmation of this shall be recorded in the minutes.
- g. if the Council, by a majority, approves use of remote communication for only a specified portion of any meeting, the Mayor or presiding officer shall announce same and, at the end of the specified section, shall clearly announce to all the close of the remote communication and shall order that the communication be stopped. The CAO shall record the beginning and ending times of such remote communication in the minutes.
- h. in the event the remote communication link is broken or significantly degraded such that it does not meet the requirements, the Mayor or presiding officer shall confirm the loss of service and announce the close of the remote attendance. The CAO shall record such time of closure in the minutes.
- i. any member who wishes to utilize remote communication to attend a portion or all of a Council meeting, must notify in writing or email the CAO that he or she intends to participate by means of a remote communication; and the Council member must give two (2) business days notice in order to allow necessary arrangements can be made to facilitate the remote attendance.
- j. any Council member participating in a Council meeting by means of a remote communication facility, must ensure that they post a written notice in a prominent location near to their position, advising any members of the public present in that area that a public meeting is in progress.

## 10.0 CONDUCT DURING MEETINGS

### 10.1 The Mayor:

- a. will maintain order and preserve the decorum of the meeting,
- b. decide points of order without debate or comment other than to state the rule governing,
- c. will determine which member has the right to speak,
- d. will ascertain that all members who wish to speak on a motion have spoken and that all members are ready to vote by asking the question, "Are you ready for the vote?" and shall thereafter call for the vote,
- e. will rule when a motion is out of order,
- f. may call a member to order.

### 10.2 In the event that a member refuses to come to order as required by Section 10.1 when called to order, the Mayor shall request the Deputy Mayor, or if the Deputy Mayor is absent or is the unruly member, a member of Council, to move a resolution to remove the unruly member either for:

- a. the balance of the meeting or until:
  - i. a time which shall be stated in the motion, or;
  - ii. the member makes an apology acceptable to Council for his/her unruly behaviour; whichever shall be the shortest time.

### 10.3 If a majority of Council votes in favour of the resolution, the Mayor shall direct the unruly member to leave the Council Chambers and if the member refuses to leave, direct that he/she be removed by any police constable present in the Council Chambers.

### 10.4 If after Council has directed an unruly member to leave the Council Chambers, the member so directed makes an explanation and apology adequate and satisfactory to the Council, it may by majority vote of the remaining members present allow the offending member to remain in his/her place if he/she has not left or been removed, or to retake if he/she has.

### 10.5 A Motion to Adjourn, in accordance with Section 14.0, or a Recess, in accordance with Section 18.0, may also be utilized as options to deal with an unruly member situation.

### 10.6 When a member wishes to speak at a Council meeting, he/she shall address the Mayor or presiding officer.

### 10.7 When a member is addressing the Chair, every other member shall:

- a. remain quiet and;
- b. not interrupt the speaker except on a point of order, and;
- c. not carry on a private conversation, and;
- d. not cross between the speaker and the Chair.

10.8 When a member of Council is addressing the Council, he/she will:

- a. not speak disrespectfully of Her Majesty the Queen or her official representatives of government,
- b. not use offensive words in referring to any member of Council, any official or any employee of the Town,
- c. not reflect on any vote of Council except when moving to rescind a motion and when so doing will not reflect on the motives of the members who voted for the motion, or the mover of the motion,
- d. not shout or immoderately raise his/her voice or use profane, vulgar or offensive language,
- e. assume personal responsibility for any statement he/she quotes to Council or, upon request of the Council will give the source of the information.

10.9 When the Mayor calls a member to order the member shall resume his/her seat but may afterwards explain his/her position in making the remark for which he/she was called to order.

10.10 Where a member wishes to leave the Council Chambers while a meeting is in progress, he/she shall address the Chair, excuse him/herself and await acknowledgement before leaving his/her place.

10.11 No member shall leave the Council Chamber after a question is put to vote until the vote is taken.

10.12 A member who leaves the Council Chambers due to a conflict of interest must openly declare the matter by briefly stating the nature of the conflict which shall be recorded in the minutes.

10.13 Members of the public who constitute the audience in the Council Chamber during a Council meeting will:

- a. not address Council without the permission of Council,
- b. maintain order and quiet,

- c. not applaud or otherwise interrupt any speech or action of the members of Council or any other person addressing Council.

#### **11.0 POINT OF ORDER**

- 11.1 When a Point of Order is raised by any member, it shall be immediately taken into consideration by the Presiding Officer who may consult with appropriate Senior Management Staff prior to making a decision.
- 11.2 The decision of the Presiding Officer shall be final unless a challenge is made pursuant to Section 11.3 of this Bylaw.
- 11.3 When a Member wishes to challenge a procedural ruling of the Presiding Officer, the motion, "That the decision of the Presiding Officer be overruled" must be made immediately following the ruling and the question shall be put immediately without debate.
- 11.4 The Presiding Officer's decision shall be either upheld or overturned by a majority of the Members present.

#### **12.0 VOTING**

- 12.1 The Mayor, when present, and every Councillor present shall vote on every matter
  - a. unless, in a specific case, the Mayor or Councillor is required or permitted to abstain from voting under Section 183 of the MGA or any other enactment.
  - b. The Council must ensure that each abstention and the reasons for the abstention are recorded in the minutes of the meeting.
- 12.2 The CAO shall ensure that Minutes show the names of those who voted in opposition to a Motion or Bylaw.
- 12.3 Any Bylaw or motion on which there is an equality of votes shall be deemed to be decided in the negative.

#### **13.0 RECONSIDERING & RESCINDING A MOTION**

- 13.1 When a Councillor wishes to reconsider, alter or rescind any motion already passed or action taken at a previous meeting and when such matter does not appear on the agenda, he/she shall bring the matter before Council.
- 13.2 Where a matter on which Council has made a previous motion or taken a previous action is properly before Council as provided in this Section, Council may by a simple majority pass a motion which alters, rescinds or conflicts with any previous action or motion made without specifying that the previous motion or action is being altered or rescinded and the provisions of such motion shall

override the provisions of any previous motion with which they conflict.

- 13.3 Notwithstanding anything provided in this Section where pursuant to any motions duly passed by Council, the Town has a contractual liability or obligation, Council shall not reconsider, alter, vary, revoke, rescind or replace the motion except to the extent that it does not attempt to avoid or interfere with the liability or obligation.

#### **14.0 MOTION TO ADJOURN**

- 14.1 A member may move a motion to adjourn the meeting at any time except when:
- a. another member is in possession of the floor;
  - b. the members are voting;
  - c. Council is in a Closed Meeting session, or;
  - d. a previous motion to adjourn has been defeated and no other intermediate proceedings have taken place.
- 14.2 A motion to adjourn shall be put without comment or debate.
- 14.3 A member may move to adjourn a meeting at any time, even when business is pending. The motion is carried with a majority vote and is not debatable nor amendable. Any business on the agenda that has not been dealt with shall appear on the next agenda under Business Arising.

#### **15.0 COMMENCEMENT OF COUNCIL MEETINGS**

- 15.1 If there are not sufficient members assembled at the meeting to constitute a quorum within fifteen (15) minutes from the time of commencement of the meeting, the CAO shall cause the record to include the names of all the members present at that time and unless a special meeting be duly called in the meantime, Council shall be deemed to be adjourned until the next regular meeting.
- 15.2 When Council is unable to meet for want of a quorum, the agenda delivered for the proposed meeting shall be considered at the next regular meeting prior to the consideration of the agenda for the subsequent meeting or at a special meeting called for that purpose.
- 15.3 If there is a quorum present at the time the meeting should be called to order and the Mayor and Deputy Mayor are absent, the CAO shall call the meeting to order and shall call for an Acting Mayor to be chosen by a resolution.

#### **16.0 AGENDAS**

- 16.1 The Agenda Setting Committee shall authorize the preparation and content of Council agenda which shall list the items and order of business to be conducted at

the meeting.

- 16.2 The Executive Assistant shall prepare the agenda and ensure copies are distributed to Council members and to all Town Administration personnel who are entitled to receive a copy, by 4:30 p.m. on the Friday the week preceding the scheduled Regular meeting.
- 16.3 The Executive Assistant shall make the Agenda available to the public, but only after it has been provided to Council Members.
- 16.4 All submissions for the Agenda for Regular Meetings of Council shall be received by the Executive Assistant no later than 10.00 a.m. on the Thursday the week before the scheduled Regular meeting. Submissions for Public Hearings may be received at a Public Hearing but can only be included as part of the original agenda if submitted prior to the Public Hearing agenda being prepared.
- 16.5 Only material which has been received in accordance with Section 16.4 of this Bylaw shall be considered at the Council meeting for which the Agenda is prepared unless staff deems that an emergency matter needs to be brought before Council, in which case the item shall:
  - a. be accompanied by a brief explanation from an Officer indicating the reasons for, and the degree of urgency of the item; and
  - b. if supported by a majority of Council members present, such matters shall then be considered as an addendum to Agenda.

#### 17.0 **NOTICE OF MOTION**

- 17.1 A member may present a Notice of Motion to introduce a matter at a future Council meeting if the Notice of Motion gives sufficient detail so that the subject of the motion notice can be reviewed and/or researched by Town staff in advance of the meeting at which the matter will be considered. A Notice of Motion does not require a vote by Council to be placed on the next agenda.
- 17.2 The subject of the Notice of Motion will appear on the following agenda as a matter for consideration at the next scheduled Regular Council meeting or as soon thereafter as may be feasible.
- 17.3 A Member may move to add a matter to the agenda that they deem to be of urgent public importance without prior Notice of Motion. Such matter shall only be considered at the meeting in which it is introduced upon receiving support to do so, by way of a majority of the members present. If supported by Council, such matters shall then be considered as an addendum to the Agenda.

#### 18.0 **RECESS**

- 18.1 The Mayor or any member may move that Council recess for a specific period, if agreed by a majority. After the recess, business will be resumed at the point when

it was interrupted. This motion may not be used to interrupt a speaker.

- 18.2 A motion to recess may be amended only as to length of time, but neither the motion nor the amendment is debatable.

19.0 **MINUTES OF COUNCIL**

- 19.1 The Executive Assistant shall ensure:

a. minutes of all Council Meetings are prepared and that a copy is distributed to each Member of Council for the next meeting.

- 19.2 The Presiding Officer shall present minutes to Council with a request for a motion to confirm the minutes.

- 19.3 Any member of Council may make a motion requesting that the Minutes be amended to correct any inaccuracy or omissions at any future time by giving previous notice and receiving a majority vote on the amendment, or without notice and receiving a majority vote in favour of the correction.

- 19.4 Minor changes may be made to the minutes by Administration without Council approval 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 by Administration may be made which would alter a decision made by Council.

20.0 **USE OF SUPPLIES**

- 20.1 No member of Council is permitted to use Town supplies, equipment or facilities unless under the same conditions as other residents of the Town or unless he/she has first been empowered to do so by a motion of Council.

21.0 **MEMBER OF COUNCIL, NOT TO INTERFERE**

- 21.1 No member of Council has the power to direct or interfere with the performance of any work of the Town, and the employee in charge is subject only to his/her supervisor and through his/her supervisor to the Council as a whole.

22.0 **ORDER OF BUSINESS**

- 22.1 The order of business for a Regular Meeting of Council will be contained in the agenda for the meeting. Copies of all reports or communications to be dealt with will be attached to the agenda and distributed with the agenda.

- 22.2 The order of business in the agenda will be:

Hearings  
Call to Order  
Opening Remarks and Solemn Recognition

Adoption of Previous Minutes  
Adoption of Agenda  
Delegations  
Citizens Without Formal Notice  
Business Arising from Previous Minutes  
Bylaws/Reports  
Correspondence  
Other Business  
Adjournment

- 22.3. The order of business established in the foregoing paragraph will apply unless Council otherwise determines by, verbal agreement, to deal with an issue out of order.

23.0. **APPOINTMENTS WITH COUNCIL, LETTERS, CORRESPONDENCE**

- 23.1 Where an individual, group, agency or organization wishes to bring a matter to the attention of Council or to have any matter considered by Council, that individual or group will submit the matter to the CAO in a written form which will:
- a. be printed, typed or legibly written,
  - b. clearly set out the matter at issue and the request made of Council,
  - c. in the case of a petition, indicate in the petition if a representative wishes to address Council on the subject matter of the petition,
  - d. in the case of a petition, set out the municipal address and legal description of property owned by each petitioner in accordance with the MGA,
  - e. be signed by the writer,
  - f. contain the correct mailing address and telephone number of the writer,
  - g. it clearly sets out the issue and any financial or other request being made to Council,
  - h. the communication must not be libelous, impertinent, improper or beyond Council's jurisdiction and authority,
  - i. be delivered or mailed to the Town Office so as to arrive no later than the Thursday morning prior to the meeting at which it is to be presented.
- 23.2 Where an individual, group, agency or organization wish to appear before Council, the request should be directed to the CAO who will arrange for an appointment during the Delegation section of the agenda. The request, either verbal or in writing, should be made no later than the Thursday morning prior to



the requested appearance and should contain a brief explanation of what will be presented. No more than two individuals may speak on behalf of a group, agency or organization.

- 23.3 No individual(s) or person(s) representing a group or organization shall be permitted to address Council for more than fifteen (15) minutes, excluding the time required to answer questions put forward by Council Members. The fifteen (15) minute presentation time may be extended by a majority vote of Council members present or by alternate arrangements made in advance of the meeting.
- 23.4 The Council will not give final consideration to any request until all members of Council have had an opportunity to ask the CAO to fully research the matter and the matter is debated or unless the majority of Council agree to final consideration at the meeting in which it is presented.
- 23.5 Where a matter has been presented to Council by a person or group pursuant to Section 23.1 and/or Section 23.1. has been dealt with by Council in any final manner and a person or group directs a letter or communication to Council on the same or substantially the same matter again within six months after the time Council dealt with the matter, Council subject to **Section 23.6** shall not hear, discuss or consider the matter again until six months has elapsed after the time when Council previously disposed of the matter.
- 23.6 Notwithstanding Section 23.5, Council by a majority vote of Council may again consider the matter at an earlier time than the time set by Section 23.5.

**24.0. PROCEEDING AT PUBLIC HEARINGS**

- 24.1 The Mayor will call the meeting to order and state the purpose of the hearing and under what authority it is being held e.g. Municipal Government Act, direction of Council, etc.
- 24.2 The Mayor will briefly outline the rules and procedures that will be followed at the Hearing.
- 24.3 The Mayor will ask the CAO for a report as to compliance with appropriate act or procedure of Council.
- 24.4 The order of presentation will be as follows:
  - a. the applicant,
  - b. those who have submitted a written presentation to the CAO within the advertised time limit,
  - c. if time allows, anyone else that may be affected by the proposal.
- 24.5 The applicant will be given an opportunity for rebuttal.

- 24.6 Questioning by Council members will be allowed after each presentation.
- 24.7 Council members should refrain from making any comments to the public that would indicate any bias either for or against the proposal.
- 24.8 If, for any reason, the Council feels that more information is required, they will recess the Public Hearing for a specified period of time. Readvertising of the Public Hearing must be undertaken prior to reconvening the Hearing.
- 24.9 When Council feels it has all the information required to make a decision the Public Hearing will be adjourned.
- 24.10 Council will then either retire to discuss the matter or postpone the discussion of the proposal to a later time. No decision will be made immediately after a Public Hearing.
- 24.11 A decision must be made concerning the proposal in accordance with the act under which the Hearing has been called or if called by authority of the Council, within 30 days of the Public Hearing.
- 24.12 In making its decision, the Council will conform with the applicable Municipal Bylaws and Provincial Statutes.
- 24.13 The Council's decision will be in writing and include the purpose of the hearing, a brief outline of the submissions received, the information on which they based their decision and the signatures of the Mayor and CAO.
- 24.14 A copy of the decision is to be mailed to all parties affected by the decision and to all those who made presentations at the Public Hearing and be posted on the bulletin board in the Town Office.

## 25.0 **MOTIONS**

- 25.1 Pursuant to the MGA a motion before Council does not need to be seconded.
- 25.2 The mover of the motion will clearly state or read the motion.
- 25.3 No motion introducing any new matter can be made until the original motion is dealt with unless it is made as an amendment to the original motion.
- 25.4 After a motion has been moved, it is the property of Council and may not have the wording changed, have a change proposed by another member or be withdrawn without the consent of the majority of Council.
- 25.5 Except as specifically provided elsewhere in this Bylaw, the following motions are debatable by Council:
  - a. a motion for adoption of, refusal of, or further consideration of a

report to Council;

- b. a motion arising out of any matter included or proposed to be included on the Agenda;
- c. a motion for amendment to any Bylaw or any matter arising directly out of any Bylaw presented before Council;
- d. a motion for a second or third reading of a Bylaw;
- e. a motion for appointment or dismissal of a Committee;
- f. a motion for Council to go into a Closed meeting;
- g. a motion for amendment to any Bylaw properly before Council or any matter arising directly out of any Bylaw properly before Council;
- h. such other motion made upon routine proceedings as may be determined necessary by the Council.

25.6 When a motion has been made and is being considered by Council, no member may make another motion except a motion to:

- a. refer the main question to some other person or group for consideration;
- b. amend the main question or an amendment to it;
- c. table the main question;
- d. postpone the main question until some future time;
- e. adjourn the meeting

25.7 No member may speak more than twice on any motion other than after receiving permission from the Mayor or other person presiding at the meeting, may speak in explanation of a material part of his/her speech which has been misquoted or misunderstood but he/she may not introduce any new matter and there shall be no debate on the explanation.

25.8 Unless Council by a majority vote shall extend the time, no member thereof shall speak longer than:

- a. five minutes on any original motion before Council, or;
- b. three minutes on any amendment to an original motion before Council.

## **26.0   TABLING/POSTPONING MOTIONS**

- 26.1   A member moving a motion to table or postpone any matter, whether the matter is contained in a petition, enquiry, motion or other matter before the Council, shall include in the tabling or postponing motion:
- a.       the time at the present meeting to which the motion is to be tabled or;
  - b.       a provision that the matter is to be postponed to a particular date or indefinitely pending receipt of additional information.
- 26.2   A motion to table a matter shall not be debated except as to the time when Council will again consider the motion.
- 26.3   A matter which has been postponed to a particular date shall not be again considered by Council before the date set except on a vote of majority of the members of Council present and voting on it.

## **27.0   AMENDMENTS**

- 27.1   Notwithstanding anything elsewhere herein contained, no amendment to a motion to:
- a.       refer a question to some other person or body for consideration;
  - b.       table a question;
  - c.       postpone discussion on a matter to a stated time;
  - d.       adjourn a meeting, or;
  - e.       for the first reading of a Bylaw;
- shall be made.
- 27.2   While a motion is under discussion by Council, a member may not move an amendment:
- a.       which does not relate to the subject matter of the principal motion, or;
  - b.       is directly contrary to the principal motion.
- 27.3   Where an amendment has been moved to a motion which is under discussion, an amendment to the amendment may be moved but no further amendment may be moved to the amendment or to the principal question until after the amendment to the amendment is voted upon.

- 27.4 A member who moved a motion may not move an amendment to it.
- 27.5 The Mayor or other presiding officer shall not put the principal motion under debate until all amendments to it have been put and voted upon.
- 27.6 When all amendments are voted upon the Mayor or other presiding officer shall put the principal motion incorporating therein any amendments already adopted.
- 28.0 **BYLAWS**
- 28.1 Where a Bylaw is presented to Council for enactment, the CAO will cause the number and short title of the Bylaw to appear on the agenda in the appropriate place.
- 28.2 The CAO will cause the proposed Bylaw to be copied in full and forwarded to the members of Council with the agenda.
- 28.3 Every Bylaw shall have three readings.
- 28.4 A Bylaw shall be passed on third reading with a majority vote of members present.
- 28.5 A Bylaw shall be introduced for first reading and shall be voted on without amendment or debate.
- 28.6 A Bylaw can be amended after either the first or second reading by a motion of Council and the majority of Council voting for the amendment.
- 28.7 After a member has made a motion for a second reading of a Bylaw Council may:
- a. debate the substance of the proposed Bylaw; and
  - b. propose and consider any amendments to the Bylaw that they may have.
- 28.8 A proposed amendment shall be put to a vote and if carried, shall be considered as having been incorporated into the Bylaw.
- 28.9 When all amendments have been accepted or rejected the motion for the second reading of the Bylaw as amended, shall be put.
- 28.10 A copy of the Bylaw, as amended, will be presented to Council as outlined in Sections 25.1 and 25.2 before third reading will be considered.
- 28.11 A Bylaw shall not be given more than two readings at any one meeting unless the members present at the meeting unanimously agree that the

Bylaw may be considered for third reading at the same meeting at which it has received two readings, except in circumstances where the Bylaw requires provincial approval or that a Public Hearing be held after first reading and prior to adoption.

28.12 If Council unanimously agrees that a Bylaw may be presented for third reading at a meeting at which it has received two readings, the third reading requires no greater majority of affirmative votes to pass the Bylaw than if it has received third reading at a subsequent meeting.

28.13 After Council votes affirmatively for a third reading of a Bylaw it:

- a. becomes a municipal enactment of the Town, and;
- b. is effective immediately unless the Bylaw provides otherwise.

28.14 After passage, a Bylaw shall be signed by the Mayor or by a member presiding at the meeting at which it was passed and by the CAO and shall be impressed with the corporate seal of the Town.

28.15 Where prescribed by provincial statute requiring a Bylaw resolution or question to be submitted to the electorate for voting, Council shall follow the requirements as set out in the relevant statutes.

28.16 After a Bylaw requiring a vote of the electorate has received its first reading by Council, it shall not again be debated in Council before the electorate has voted on it.

## 29.0 **SIGNING AUTHORITY**

29.1 The Mayor or in his/her absence the Deputy Mayor or in his/her absence a member to be named by Council, and the CAO or in his/her absence the Director of Corporate Services shall have signing authority for the Town.

## 30.0 **PUBLISHING REPORTS AND MINUTES**

30.1 The CAO will cause to be published in the Coalhurst Town News, the Town's web site, Town App and social media sites the minutes from Regular Meetings of Council along with any reports as the Council or the CAO deems desirable to inform the residents of the Town of progress and projected future plans of Town affairs.

30.2 At the discretion of the CAO the aforementioned published minutes can be edited as long as the edited portion does not eliminate any action by Council that would be of interest to the public at large.

## 31.0 **COMMITTEES**

- 31.1 Council may appoint such standing and special committees as are necessary and expedient for the orderly and efficient handling of the affairs of the Town and shall establish the Terms of Reference for said Committees.
- 31.2 The Terms of Reference for Committees may be amended by resolution of Council from time to time, as required.
- 31.3 Council may appoint, by resolution, Councillors, employees, public-at-large, or other members to Committees in accordance with the Terms of Reference.
- 31.4 The Mayor shall be an ex-officio member of all Committees to which Council has the right to appoint members, unless otherwise prohibited by statute or bylaw, and, as such member of the Committee, shall be counted to determine quorum and has all the rights and privileges of the other Committee members including the right to make motions and vote.
- 31.5 The Chairperson of a Committee shall preside at every meeting and shall vote on all questions.
- 31.6 When a Committee is of the opinion that a meeting should be held in Closed meeting, the motion passed to authorize the Closed meeting shall include the reason for holding the meeting during Closed meeting, and the meeting shall be conducted in accordance with the Act.
- 31.7 A member of a Committee who has a pecuniary interest in a matter before the Committee shall disclose the general nature of the 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.
- 31.8 Councillors appointed to a Committee by Council shall be responsible to keep Council informed as to Committee activities.
- 31.9 A Committee may make a recommendation to Council who may then accept, reject or amend the recommendation as they deem appropriate.

**32.0 RESCIND**

- 32.1 Bylaw No. 240-97 and Bylaw No. 340-09 are hereby rescinded.

This Bylaw shall come into effect upon the passing of the third and final reading thereof.

READ A FIRST TIME THIS 7<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2021

READ A SECOND TIME THIS 7<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2021

READ A THIRD TIME AND FINALLY PASSED THIS 7<sup>TH</sup> DAY OF SEPTEMBER, A.D. 2021

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE  
OFFICER



**BYLAW 441-23**  
**Correcting a Typographical Error in the Fees and Rates Bylaw (BL439-22)**

**BACKGROUND:**

On December 6, 2022, Council passed Bylaw 439-22 (Fees and Rates Bylaw). While the Bylaw was reviewed prior to submission for First Reading (November 15, 2022) and prior to Second Reading amendments (December 6, 2022), there was a typographical error that switched the rates relating to the session and day rental rates of the Ron Coombs Room and Kitchen. Currently, Bylaw 439-22 identifies the rental rates as:

RC Room and Kitchen per day:	\$111.00
RC Room and Kitchen per session (4hrs):	\$246.00

These rates ought to read:

RC Room and Kitchen per day:	\$246.00
RC Room and Kitchen per session (4hrs):	\$111.00

**COUNCIL ACTION:**

Under Sec. 63 of the *Municipal Government Act*, a Council may revise an existing bylaw. Sec 63(2)(g) permits Council to amend a bylaw “without materially affecting the bylaw in principle or substance, (i) to correct clerical, technical, grammatical, or typographical errors in a bylaw.”

ON January 3, 2023, Council approved First Reading of Bylaw 441-23 (M#7330-23). For Council’s consideration, attached is revising bylaw (441-23) for Second and Third Reading.

**CAO CERTIFICATION:**

Section 63(4) of the MGA states that, “A bylaw under this section must not be given first reading until after the chief administrative officer has certified in writing that the proposed revisions were prepared in accordance with this section.” I certify that the proposed revisions in Bylaw 442-23 were prepared in accordance with this section.

**ADDITIONAL DOCUMENTS IN AGENDA:**

Bylaw 439-22 Rates and Fees Bylaw

Bylaw 441-23 Rates and Fees Revising Bylaw

Respectfully submitted

Jeffrey Coffman  
CAO (Interim)

**BYLAW NO. 441-23**

**BEING A BYLAW OF THE TOWN OF COALHURST, IN THE PROVINCE OF ALBERTA, TO REVISE BYLAW NO. 439-22, FEES AND RATES BYLAW;**

**WHEREAS** it is necessary to establish rules and provisions to regulate the conduct of business in Council meetings, and to control and maintain order in Council for the enactment of municipal legislation and to provide for dealing with petitions, remonstrations and submissions to the Council;

**WHEREAS** on December 6, 2022, Council approved Third and Final Reading of Bylaw 439-22 (Fees and Rates Bylaw) but a typographical error exists in the Bylaw, where two fees are switched ;

**PURSUANT** to the provisions of the Municipal Government Act, Statutes of Alberta, Chapter M-26, 2000 as amended;

The Council of the Town of Coalhurst, in the Province of Alberta, duly assembled, **HEREBY ENACTS AS FOLLOWS:**

1. Fees and Rates Bylaw No. 439-22 is amended as follows:

- Schedule A

Under “Community Centre” delete existing fees for “RC Room and Kitchen per day” and “RC Room and Kitchen per session (4hrs)” respectively and replace with the following:

RC Room and Kitchen per day:	\$246.00
RC Room and Kitchen per session (4hrs):	\$111.00

2. Pursuant to Sec 63 of the *Municipal Government Act*, the Rates and Fees Bylaw (439-22) will be renamed to the “Rates and Fees Revised Bylaw (439-22).”

3. This Bylaw comes into force upon the date of the passing of the third and final reading thereof.

READ A FIRST TIME THIS 3rd DAY OF JANUARY, A.D. 2023

READ A SECOND TIME THIS \_\_\_\_ DAY OF JANUARY, A.D. 2023

READ A THIRD TIME AND FINALLY PASSED THIS \_\_\_\_ DAY OF JANUARY, A.D. 2023

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

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## COUNCIL REMUNERATION

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APPROVED: TBD

SUPERSEDES: Policy 11-01-01, 11-01-02  
11-01-03

AMENDED:

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### PURPOSE

To set the parameters for the remuneration of Council in the performance of their duties as duly elected officials of the Town of Coalhurst.

### DEFINITIONS

#### Honorarium

Monthly base salary for elected officials.

#### Council Meeting

All Regular Meetings, including meetings in the Committee of the Whole procedural format, scheduled by Council, or a Special Meeting of Council called under Section 194 of the Municipal Government Act.

#### Standing Committee

Committee established by Council, comprising of Council members and authorized by resolution of the Organizational Meeting or by any other resolution of Council.

#### Ad Hoc Committee

Board or Committee established by Council or outside group requiring the attendance of at least one appointed council member to that Board/Committee by resolution of Council.

#### Half Day Meeting

A meeting or function authorized by Council of four (4) hours or less in duration

#### Full Day Meeting (Per Diem)

A meeting or function authorized by Council of more than four (4) hours in duration.

## AGENDA ITEM 6g

### Market Increase

An annual salary or honorarium increase that is based on the one (1) year percentage change of the Consumer Price Index (CPI) for Alberta as of the mid-year mark in the year preceding the increase.

### Market Review

A review based on the financial statements of at least eight (8) municipalities for the most recent calendar year, and will examine actual total compensation paid, including salary/honorarium, taxable benefits and allowances.

### Term or Council Term

Refers to the Term for which a sitting Council has been elected.

## GUIDELINES

### Honorarium

The honorarium includes all the general duties or functions a member of Council is required to perform, including, but not necessarily limited to, the following

- Acting as Deputy Mayor;
- Cheque and/or document signing when required;
- Attendance at Council meetings, Standing Committee meetings and/or Ad Hoc Committee meetings;
- Attendance at conferences, seminars, workshops; and
- Representing the Town at local events or celebrations;

### Exceptional Compensation

Members of Council may be paid an additional sum at the rates described below, for participation in exceptional meetings or events. Participation in and payment for such exceptional meetings or events must be passed by a resolution of Council.

#### **Full Day Meetings (Per Diem Rate)**

\$250.00/day

#### **Half Day Meetings**

\$125.00/day

### Optional Compensation

#### **Extended Health and Dental Benefits**

Members of Council are allowed the option to take part in the Town of Coalhurst Extended Health benefits and Dental benefits programs. Each participating Council Member will be responsible to pay 50% of the premiums for these benefits.

## AGENDA ITEM 6g

### Expenses

Approved out of Pocket Expenses shall be reimbursed in accordance with the Council Travel and Hospitality Expense Policy.

### External Compensation

If a member of Council is appointed to a Board or Committee, and such Board or Committee provides a per diem for meeting attendance, such per diem shall be made payable to the Town of Coalhurst, unless the per diem falls under the “exceptional meetings or events” clause of this Policy. In which case, the per diem may be paid by the Board or Committee directly to the Councillor, and no payment will be made to the Councillor by the Town.

### REVIEW PROCESS

This policy shall be reviewed by Council in the final year of each Term, or more frequently as required. As part of this review, a Market Review will be conducted.

### RELATED DOCUMENTS

Council Remuneration Document  
Comparable Municipalities

## AGENDA ITEM 7a

### Debentures JANUARY 17, 2023

Municipalities have the ability to borrow funds through the Province's Loans to Local Authorities (formerly Alberta Capital Finance Authority). These loans are called debentures and can be used to finance capital projects or purchases. In order to take out a debenture, the Council must pass a borrowing bylaw specific to the project. Under most circumstances, this bylaw must be advertised to the public who have the option to petition against it. Following the petition period and third reading of the bylaw, it comes into effect after 30 days, and the municipality can borrow the funds when it begins the project.

The Town currently has six debentures for various projects:

	Water Line	Fire Hall	Lafarge Property	Range Road 223	Land - Sewer	Lift Station
Loan Amount	\$260,000.00	\$221,500.00	\$198,900.00	\$2,000,000.00	\$1,300,000.00	\$750,000.00
Interest Rate	4.365%	5.353%	4.745%	2.649%	3.230%	3.230%
First Year	2006	2004	2009	2016	2012	2012
Last Year	2026	2029	2034	2041	2042	2042
Interest Payable	\$132,452.80	\$182,874.50	\$142,863.00	\$747,563.50	\$739,707.20	\$426,754.20
Total Repayment	\$392,452.80	\$404,374.50	\$341,763.00	\$2,747,563.50	\$2,039,707.20	\$1,176,754.20
Paid Dec. 7, 2022	\$304,150.92	\$291,149.64	\$177,716.76	\$659,415.24	\$679,902.40	\$392,251.40
Remaining	\$88,301.88	\$113,224.86	\$164,046.24	\$2,088,148.26	\$1,359,804.80	\$784,502.80
Annual Payment	\$19,622.64	\$16,174.98	\$13,670.52	\$109,902.54	\$67,990.24	\$39,225.14

Prepayment	\$79,389.14	\$93,404.44	\$123,988.45	\$1,632,452.90	\$995,961.74	\$574,593.26
Accrued Interest	\$1,613.99	\$1,054.78	\$1,257.24	\$9,241.11	\$6,698.32	\$3,864.42
Stop-Loss Amount	\$757.88	\$5,608.95	\$5,316.47	\$0.00	\$0.00	\$0.00
<b>Total Payout</b>	<b>\$81,761.01</b>	<b>\$100,068.17</b>	<b>\$130,562.16</b>	<b>\$1,641,694.01</b>	<b>\$1,002,660.06</b>	<b>\$578,457.68</b>
Difference (Savings)	\$6,540.87	\$13,156.69	\$33,484.08	\$446,454.25	\$357,144.74	\$206,045.12

## AGENDA ITEM 7a

Full or partial prepayments are permitted; however, a prepayment cost is applied to the prepayment amount. This cost protects the lender against significant losses that would occur in accepting prepayments of high interest rate loans and re-lending the funds at lower rates.

A full or partial prepayment may be advantageous to the municipality as it could decrease the amount of debt payments being made. All debt payments – principal and interest – are generated through general taxation. By making a full or partial prepayment, the amount going towards debt repayment would be removed or reduced and the funds would become available for usage elsewhere.

Administration reached out to the Province to get information regarding the Town's debentures and possible prepayments. Unfortunately, as of November 30, the Province has not received the payout quotes to pass on to the Town, and so Administration cannot provide exact figures.

Administration believes it would be prudent to make prepayments on several of the debentures listed. When these debentures were acquired, the financial situation of the Town was very different. The Town has seen quite a bit of growth since then.

### 1. Water Line

This was taken on to cover a part of the cost of constructing the main water line from Lethbridge to Coalhurst to deliver water to the Town.

A full prepayment on this debenture (**≈ \$81,761.01**) could be made from the Water Reserve. The Water Reserve has a projected balance of \$763,442 at the end of 2022. Making a prepayment would bring that balance to just under \$600,000. The reserve has an annual replenishment of \$35,000.

### 2. Fire Hall

When the Fire Hall was built, a debenture was used to finance the entirety of the project.

A full prepayment on this debenture (**≈ \$100,068.17**) could be made from the Fire Department Reserve. The Fire Department Reserve has a projected balance of \$845,867 at the end of 2022. Making a prepayment would bring that balance to approximately \$750,000. The reserve has an annual replenishment of \$72,500.

### 3. Lafarge Property

This land has the northern stormwater pond located on it.

A full prepayment on this debenture (**≈ \$130,562.16**) could be made from the Drainage Reserve. The Drainage Reserve has a projected balance of \$358,229

## AGENDA ITEM 7a

at the end of 2022. Making a prepayment would bring that balance to approximately \$200,000. The reserve has an annual replenishment of \$70,000.

The other debenture that should have a full prepayment made (**≈ \$1,002,660.06**) is the Land-Sewer debenture. This debenture was acquired for the purchase of land east of Town where the old lagoons are. The intent was to construct stormwater holding ponds, but circumstances changed, and the stormwater ponds were able to be built where they currently are now. The land was no longer needed, and it was sold in 2017.

At that time, a prepayment was not made with the funds. The funds to date have not been used and are located in the Town's unrestricted surplus. Administration reached out to the Province to inquire about carrying a debenture for purchasing land which has now been sold. The Province indicated that this is not something they monitor and as long as the regular payments are being made, they do not have a reason to get involved.

If the full prepayments for the four debentures were to be made, those funds would no longer be required to be allocated towards debt repayment. Council could reallocate the usage of up to approximately \$115,000. Possible uses for these funds could be:

1. Create fund for Council's strategic priority projects,
2. Create fund for Council and Staff professional development
3. Replenish reserves from which the funds were taken,
4. Reduce taxation requirements,
5. Fund a new FTE position to aid in succession planning,
6. Adjust compensation levels,
7. Any combination of the above or any other direction of Council.

## CAO Request for Decision

As identified above, the Town has the immediate capacity in our reserves to prepay these four debentures, which would allow Council to reallocate approximately \$115,000. Conversely, the Town will have the long-term taxation capacity in our annual budgets to continue paying these debentures as scheduled, and we will continue to generate equivalent interest from accumulated reserves and the unallocated funds.

## OPTION 1: status quo

Under this Option, Council would choose to continue annual payments on these debentures. In this Option, the Town will pay the fixed principle and interest on each debenture, and collect an equivalent amount of interest from accumulated reserves and the unallocated funds.



## AGENDA ITEM 7a

### **OPTION 2:** prepay some debentures

Under this Option, Council would choose to prepay some of the proposed-four debentures. If Council chooses this Option, I respectfully suggest that Council consider prepayment on Debenture 3100097 (Fire Hall) and Debenture 4001401 (Land-Sewer). The fire department is requiring expansion of the current fire station, so paying the original construction debenture *prior* to undertaking another project on the fire hall would be prudent. Additionally, the funds for the Land-Sewer debenture remain dormant in our general account so prepaying a debenture on an asset we no longer own would be good financial practice.

Once these two debentures are prepaid, Council would deliberate reallocating the (approximately) \$84,000 based on Strategic Plan objectives, Organizational need, other Council considerations or a combination of each of these.

### **OPTION 3:** prepay the four proposed debentures

Under this Option, Council would choose to prepay the four proposed debentures from the identified reserves and the unallocated surplus.

Once the debentures are prepaid, Council would deliberate reallocating the (approximately) \$115,000 based on Strategic Plan objectives, Organizational need, other Council considerations or a combination of each of these.

### **OPTION 4:** ...?

**Director of Operations Report  
January 17, 2023**

1. I have completed the annual report for water and wastewater for 2022. A summary of the report has been submitted to Alberta Environment and Parks as per our requirements under the Code of Practice. The total water consumption for the Town of Coalhurst for 2022 was 285,383 m<sup>3</sup>. This compares to 2021-292,725m<sup>3</sup> and 2020-277,647m<sup>3</sup>. The sanitary wastewater total flow was 213,700 m<sup>3</sup> compared to 2021-220,572 m<sup>3</sup> and 2020-236,987 m<sup>3</sup>.
2. I am in the process of planning the building addition for public works. The structural plan should be completed within the next week, and I am working on RFP documents for earthworks and grading of the site. I hope to have the building out for tender by March 2023 with construction to take place over the summer.
3. The solar array at the wastewater treatment location is producing electricity.  
How would Mayor and Council like to celebrate, recognize and promote this accomplishment?
4. I am working with administration on the job description for the new position in the public works department. I hope to have the position advertised within the next week.
5. Staff have been busy working on drainage and sand and salt application on the roads over the past few weeks. Due to the daily freeze - thaw cycle, sand and salt are applied in the morning, surface melting takes place in the afternoon, and the surface re-freezes the that evening. We have applied fourteen tandem-truck loads of sand/salt mix so far this season, which is well above average for this point in the winter season.
6. I have been working on scheduling and planning for capital projects, maintenance for the water and wastewater systems, parks, buildings and roads and sidewalk work for 2023.