



Clearwater County

Regular Council Meeting - 24 Sep 2019

Agenda

9:00 AM - Tuesday, September 24, 2019

Council Chambers, 4340 – 47 Avenue, Rocky Mountain House, AB

Our Vision: Community, prosperity and natural beauty - connected.

Our Mission: Through proactive municipal leadership, we will invest innovatively to generate and support economic and population growth, to position Clearwater County for a sustainable, prosperous future.

	Page
1. CALL TO ORDER	
2. ADOPTION OF AGENDA	
3. ADOPTION OF MINUTES	
3.1. FINAL DRAFT 09.10.2019 Minutes	3 - 8
3.2. DRAFT PH 1070 Minutes 09.10.2019	9 - 11
4. AGRICULTURE & COMMUNITY SERVICES	
4.1. Post Secondary Scholarship Policy - Pdf	12 - 18
5. CORPORATE SERVICES	
5.1. Tax Collection Statistics for Council Information - Pdf	19
6. PUBLIC WORKS	
6.1. Town of Rocky Mountain House Lagoon Summary Report, September 2019 - Pdf	20 - 22
6.2. Township Road 39-0 (Speight Road) Base Pave Project - Pdf	23
7. EMERGENCY & LEGISLATIVE SERVICES	
7.1. Clearwater Regional Fire Rescue Services (CRFRS) Obsolete Policy Clean-Up - Pdf	24 - 25
7.2. DRAFT Fire Rescue Services and Fire Control Bylaw # 1069/19 - Pdf	26 - 49
7.3. Request for Seconder on Central RMA Resolutions - Pdf	50 - 55
8. CAO OFFICE	
8.1. Village of Caroline's Request - Pdf	56 - 72
9. REPORTS	
9.1. CAO's Report	
9.2. Public Works Report	
9.3. Councillor Reports	
9.4. Councillor Remuneration	
10. CLOSED SESSION*	

* For discussions relating to and in accordance with: a) the Municipal Government Act, Section 197 (2) and b) the Freedom of Information and Protection of Privacy Act

10.1. Connect to Innovate Funding - Third Party Interest; FOIP s.16 - Disclosure Harmful to Business Interests of a Third Party

10.2. DRAFT Broadband Request for Qualifications; FOIP s.16 - Disclosure Harmful to Business Interests of a Third Party

10.3. Land; FOIP s.24 - Advice from Officials

11. ADJOURNMENT

Minutes of a Regular Council Meeting of Clearwater County, Province of Alberta, held September 10, 2019, in the Clearwater County Council Chambers in Rocky Mountain House.

1. CALL TO ORDER:

The Meeting was called to order at 9:00 am by Reeve Duncan with the following in attendance:

Reeve
Councillors

Jim Duncan
John Vandermeer
Cammie Laird
Daryl Lougheed
Michelle Swanson
Tim Hoven
Theresa Laing

Staff:

CAO
Recording Secretary
Director, Planning and Development
Director, Corporate Services
Senior Planner
Systems Administrator
Communications Coordinator
Administrative Assistant
Manager, Finance
Administrative Assistant
Manager, Human Resources

Rick Emmons
Tracy Haight
Keith McCrae
Murray Hagan
Jose Reyes
Mike Bell
Djurdjica Tutic
Allanah McLean
Rhonda Serhan
Amber Williams
Janice Anderson

Public:

Jim Cuthill
Chris Rolfsen
Karl Anderson
Larry Zimmer
Marianne Cole
Lorne Hindbo

Media:

Adam Ophus
Dianne Spoor
Helge Nome

2. AGENDA ADOPTION:

COUNCILLOR SWANSON: That the September 10, 2019 Regular Meeting Agenda is adopted as presented.

347/19

CARRIED 7/0

3. ADOPTION OF MINUTES:

3.1 August 27, 2019 Regular Meeting of Council Minute

COUNCILLOR LOUGHEED: That the Minutes of the August 27, 2019, Regular Meeting are adopted as presented.

348/19

CARRIED 7/0

COUNCILLOR SWANSON: That Council holds a Public Hearing on proposed Bylaw 1070/19 Application No. 06/19 to amend the Land Use Bylaw.

349/19

CARRIED 7/0

4.PUBLIC HEARING:

4.1 Bylaw 1070/19 Application No. 06/19 to amend the Land Use Bylaw

A record of the public hearing held on proposed Bylaw 1070/19 is attached as Appendix 'A' and considered to be a part of these minutes. The public hearing commenced at 9:01 am and closed at 9:10 am.

5.PLANNING & DEVELOPMENT:

5.1 Consideration of Second and Third Readings - Bylaw 1070/19 Application No. 06/19 to amend the Land Use Bylaw

The purpose of Bylaw 1070/19 is to amend the Land Use Bylaw 714/01 to add a Nordegg Manufactured Home District 'NMH' and redesignate +/-7.83 acres from the Agriculture District 'A' to the Nordegg Manufactured Home District 'NMH' on a portion of land located at NW 27 40 15 W5M.

K. McCrae and R. Emmons responded to questions and explained that the Nordegg Development Plan addresses Alberta Transportation comments by identifying Highway 11 intersectional treatment, including highway lighting and realignment of the main access in the plan.

J. Reyes responded to questions and explained municipal comparatives were used to determine lot sizes in the Nordegg Manufactured Home District and he noted the lots are unique to the area and sizes are either comparable to or bigger than other urban mobile home parks.

Discussion took place on creating additional opportunity for Nordegg residents to voice concerns and provide additional feedback on the proposed bylaw and future development in Nordegg.

COUNCILLOR LAING: That Council tables second and third readings of Bylaw 1070/19 until an open house is held in Nordegg to obtain feedback from Nordegg residents on the proposed bylaw.

350/19

CARRIED 5/2

5.2 Consideration of First Reading of Bylaw 1072/19 for Application No. 07/19 to amend the Land Use Bylaw

The purpose of Bylaw 1072/19 is to amend the Land Use Bylaw 714/01 to redesignate +/- 29.92 acres of land located at NW 32 38 06 W5M from Light Industrial District 'LI' to Agriculture District 'A'.

COUNCILLOR LAING: That Council grants first reading of Bylaw 1072/19 to amend the Land Use Bylaw 714/01 to redesignate +/- 29.92 acres of land located at NW 32 38 06 W5M from Light Industrial District 'LI' to Agriculture District 'A'.

351/19

CARRIED 7/0

CORPORATE SERVICES:

6.1 Operating and Capital Financial Report to June 30, 2019

Clearwater County's second quarter unaudited Capital and Operating Financial Report, as of June 30, 2019, were reviewed.

R. Serhan responded to question and confirmed the Province is committed to pay out of the Municipal Sustainability Initiative program for 2019 however, the Province has indicated a possibility of decreased amounts in the future.

COUNCILLOR LOUGHEED: That Council receives the June 30, 2019, Capital and Operating Financial Report for information as presented.

352/19

CARRIED 7/0

RECESS: Reeve Duncan recessed the meeting at 9:55 am.

CALL TO ORDER: Reeve Duncan called the meeting to order at 10:05 am.

OFFICE OF THE CAO:

7.1 Employment Related Policies

J. Anderson presented the draft HR-1007 Employee Compensation policy for review. The policy states that Clearwater County will provide an employee compensation program, defines 'compensation' and explains the purpose and principles of compensation.

COUNCILLOR LAIRD: That Council adopts the HR-1007- Employee Compensation Policy, effective September 10, 2019.

353/19

CARRIED 7/0

7.2 CAO Updated Job Description

J. Anderson presented draft revisions to CAO Job Description that show changes to direct reports, addition of workplace environmental hazards and new formatting.

Discussion took place and it was noted to amend 'Frequent exposure to Irate public' to 'Occasional exposure to irate public' in the 'Environmental And Physical Working Conditions/Hazards' section.

COUNCILLOR SWANSON: That Council approves the CAO Job Description as amended, effective September 10, 2019.

354/19

CARRIED 7/0

REPORTS: 8.1 CAO's Report

Discussion took place on the September 10, 2019, CAO's Report as submitted.

COUNCILLOR LAIRD: That Council authorizes councillors' attendance at the Minister of Justice and Solicitor General's 'Talking Rural Crime' tour events during September 2019.

355/19

CARRIED 7/0

COUNCILLOR LAIRD: That Council sends a letter to the Minister of Justice and Solicitor General encouraging the Minister to schedule and attend a 'Talking Rural Crime' event in Clearwater County.

356/19

CARRIED 7/0

INFORMATION: 8.2. Public Works Report

Discussion took place on the September 10, 2019 Public Works Report, as submitted.

8.3 Councillor Reports

Reeve Duncan and Councillor Laird reported on meetings and events they attended on behalf of Clearwater County from August 23 to September 9, 2019.

COUNCILLOR LAIRD: That Council receives the CAO's Report, Public Works Report, and Councillor Reports for information as presented.

357/19

CARRIED 7/0

RECESS: Reeve Duncan recessed the meeting at 10:30 am.

CALL TO ORDER: Reeve Duncan called the meeting to order at 10:42 am.

**CLOSED
SESSION:**

COUNCILLOR HOVEN:

That Council approves meeting as a Committee of the Whole in a closed session, in accordance with Section 197(2) of the Municipal Government Act; and Section 197 of the Freedom of Information and Protection of Privacy Act (FOIP), to discuss Items 9.1 2019 Intermunicipal Mediation – FOIP s.27 Disclosure Harmful to Intergovernmental Relations at 10:46 am.

358/19

CARRIED 7/0

Pursuant to Section 197(6) of the Municipal Government Act, the following members of Administration were in attendance in the closed session discussion on 9.1 2019 Intermunicipal Mediation – FOIP s.27 Disclosure Harmful to Intergovernmental Relations: R. Emmons (Advice), M. Hagan (Advice), and T. Haight (Clerk).

COUNCILLOR LAING:

That Council reverts the meeting to an open session at 12:01 pm

359/19

CARRIED 7/0

RECESS:

Reeve Duncan recessed the meeting at 12:01 pm.

CALL TO ORDER:

Reeve Duncan called the meeting to order at 12:45 pm.

**CLOSED
SESSION:**

COUNCILLOR VANDERMEER:

That Council approves meeting as a Committee of the Whole in a closed session, in accordance with Section 197(2) of the Municipal Government Act; and Section 197 of the Freedom of Information and Protection of Privacy Act (FOIP), to discuss Item 9.2 Labour: Ed Gross, hr Outlook Human Resources Consulting Group Inc – FOIP s.15 Disclosure Harmful to Personal Privacy at 12:46 pm.

360/19

CARRIED 7/0

Pursuant to Section 197(6) of the Municipal Government Act, Consultant Ed Gross, hr Outlook Human Resources Consulting Group Inc., was in attendance in the closed session discussion on 9.2 Labour: Ed Gross, hr Outlook Human Resources Consulting Group Inc – FOIP s.15 Disclosure

Harmful to Personal Privacy.

Pursuant to Section 197(6) of the Municipal Government Act, the Following members of Administration were in attendance in the closed session discussion on 9.2 Labour: Ed Gross, hr Outlook Human Resources Consulting Group Inc – FOIP s.15 Disclosure Harmful to Personal Privacy.

R. Emmons (Advice), M. Hagan (Advice), J. Anderson (Advice), T. Haight (Clerk).

361/19 COUNCILLOR SWANSON: That Council reverts the meeting to an open session at 1:58 pm.
CARRIED 7/0

362/19 COUNCILLOR LAING: That Council receives the '2019 Clearwater County Compensation and Benefits Review' for information as presented by Ed Gross, hr Outlook Human Resources Consulting Group Inc.
CARRIED 7/0

ADJOURNMENT:

363/19 COUNCILLOR SWANSON: That the Meeting adjourns at 1:58 pm
CARRIED 7/0

REEVE

CHIEF ADMINISTRATIVE OFFICER

Minutes of a Public Hearing, regarding Clearwater County Bylaw 1070/19 to amend the Land Use Bylaw 714/01 to designate a Nordegg Manufactured Home District 'NMH' and redesignate +/- 7.83 acres from the Agriculture District 'A' to the Nordegg Manufactured Home District 'NMH' on a portion of land located at NW 27 40 15 W5M, held in the Clearwater County Council Chambers on September 10, 2019.

The Public Hearing was called to order at 9:00 am with the following being present:

Reeve:	Jim Duncan
Councillors:	John Vandermeer
	Cammie Laird
	Daryl Lougheed
	Theresa Laing
	Tim Hoven
	Michelle Swanson
Chief Administrative Officer	Rick Emmons
Recording Secretary	Tracy Haight
Director, Corporate Services	Murray Hagan
Director, Planning	Keith McCrae
Senior Planner	Jose Reyes
Planner	Dustin Bisson
Communications Coordinator	Djurdjica Tutic
Administrative Assistant	Allanah McLean
Administrative Assistant	Amber Williams
Manager, Finance	Rhonda Serhan

Media:	Adam Ophus
	Diane Spoor
	Helge Nome

Public:	Jim Cuthill
	Chris Rolfsen
	Larry Zimmer
	Marianne Cole
	Lorne Hindbo

The Public Hearing process was outlined by Reeve Duncan.

J. Reyes provided background on the application to amend the Land Use Bylaw for the subject land located in the south east portion of the Hamlet of Nordegg along Quarry Road. He noted proposed Bylaw 1070/19's purpose is to add a Nordegg Manufactured Home District 'NMH' and redesignate +/-7.83 acres within the district from the Agriculture District 'A' to the Nordegg Manufactured Home District 'NMH'.

J. Reyes noted the new district will allow thirty (30) fully serviced residential parcels in various sizes (334 square meters to 651 square meters) to accommodate single and double wide manufactured homes and ancillary buildings. The subdivision will have perimeter fencing and a multi-purpose pathway that connects the subdivision to the trail system located to the south.

J. Reyes outlined property boundaries and reviewed surrounding land uses, property access roads and, applicable sections of the Municipal Development Plan, Nordegg Development Plan, and Land Use Bylaw 714/01.

J. Reyes stated that Council reviewed and gave first reading to Bylaw 1070/19 at Council's regular meeting held on July 23, 2019. He also noted as required by legislation, notice of today's Public Hearing was advertised in the local newspapers and comments were invited from adjacent landowners and referral agencies.

The Chair invited questions from Council regarding the proposed bylaw.

No questions were asked.

The Chair invited comments from referral agencies.

Municipal Planning Commission

The Municipal Planning Commission reviewed the application on August 28, 2019, and recommends that Council consider granting second and third readings to Bylaw 1070/19.

TELUS

No comments or concerns were received.

Alberta Transportation (AT)

No objection to the rezoning and eventual subdivision, however Highway 11 improvements necessitated by land development may be required in the future.

Clearwater County Public Works Department

No comments or concerns were received.

Nordegg Community Association

1. Many of the people involved have been residents longer than these plans were made for the hamlet.
2. Some of the older trailers would not survive a move to the new park and the residents may not be financially able to buy a lot or afford a new mobile home.
3. Large tractor trailer trucks are constantly back and forth on the road past the park five to six days a week.
4. The lots are quite small and have limited room for parking, a garage or a storage shed.
5. Rental/Purchase may be an option for some residents.

The Chair invited the Applicant to speak to the proposal, add any comments in support of the request and, respond to the agency comments.

No additional comments were made.

The Chair invited comments from the public in favour of the proposed bylaw.

No comments were made.

The Chair asked for written submissions from the public in favour of the proposed bylaw.

No written submissions were received.

The Chair invited comments from the public in opposition of the proposed bylaw.

No comments were made.

The Chair asked for written submissions from the public in opposition of the proposed bylaw.

No written submissions were received.

The Chair invited Applicant to present final remarks.

No additional comments were made.

The Chair closed the Public Hearing at 9:10

REEVE

CHIEF ADMINISTRATIVE OFFICER



Agenda Item Report

Regular Council Meeting

AIR Type:	Request for Decision
SUBJECT:	Post Secondary Scholarship Policy
PRESENTATION DATE:	Tuesday, September 24, 2019
DEPARTMENT:	Agriculture & Community Services
WRITTEN BY:	Matt Martinson
REVIEWED BY:	Rick Emmons
BUDGET CONSIDERATIONS:	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept <input type="checkbox"/> Reallocation
LEGISLATIVE DIRECTION:	<input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation <input checked="" type="checkbox"/> County Bylaw or Policy (Clearwater County Post Secondary Scholarship Program)
COMMUNITY BUILDING PILLAR (check all that apply):	
<input checked="" type="checkbox"/> Economic Prosperity <input checked="" type="checkbox"/> Governance Leadership <input type="checkbox"/> Fiscal Responsibilities <input type="checkbox"/> Environmental Stewardship <input checked="" type="checkbox"/> Community Social Growth	
ATTACHMENTS:	
Existing Post Secondary Scholarship Policy Post Secondary Scholarship Policy DRAFT	

STAFF RECOMMENDATION:

- 1) That Council approves the new Post-Secondary Scholarship Policy
- 2) That Council chooses members to attend the St. Dominic's, West Central, Caroline, and David Thompson high school awards ceremonies.

BACKGROUND:

Every year individual Council members attend all of the high school awards ceremonies on behalf of the County to present our high school scholarships.

Historically administration has brought the dates of the ceremonies to a regular Council meeting for you to decide who will attend. This year the dates for each schools' ceremonies are as follows.

- St. Dominic's - October 11, 2019 at 2:00PM
- West Central - October 11, 2019 at 6:30 PM
- Caroline - September 20, 2019 at 6:00PM (attended by Councilor Vandermeer)
- David Thompson - October 11, 2019 at 7:00PM

Bringing this item to Council every year may not be necessary if Council amends the policy, enabling yearly attendance and authorizing administration to use email to consult Council as to who is available to attend the ceremony at each school. This may be a more efficient use of Council's time and allow administration to respond to the schools faster.

Clearwater County

CLEARWATER COUNTY POST SECONDARY SCHOLARSHIP PROGRAM

EFFECTIVE DATE: May 2008

SECTION: Administration

POLICY STATEMENT:

To recognize the importance of youth achievement in the area of community service and to encourage academic advancement, the County will offer an annual scholarship to worthy high school graduates.

DURATION: 5 years (may be extended upon evaluation by the Council in 2013)

VALUE: \$4,000 given annually - \$1,000 to one student graduating from each of the 4 High Schools in Clearwater County including West Central High School, St. Dominic High School, David Thompson High School and Caroline High School.

ELIGIBILITY:

- Any graduating student from a County High School registered and attending a post secondary school in a full time capacity;
- Must have been a resident of Clearwater County at the time of graduation from high school (note: this does not include Town or Village residents);
- Citizenship is the primary consideration for eligibility and includes involvement in the community or school in a voluntary and/or leadership capacity while attending high school. The scholarship recipient will be seen and recognized by other students as an individual who continually demonstrated care and respect for fellow students and the community;
- A student, upon receiving this \$1,000 scholarship once, is ineligible to receive another award under this program.

APPLICATION PROCESS:

- All graduating county high school students will be notified of this scholarship;
- Interested applicants may apply in writing identifying:

- Citizenship involvement while attending high school;
- County residence legal location while attending high school;
- Name of post secondary institution and the full time program enrolled in;
- Any reference letters the applicant feels are helpful in confirming citizenship activities.

REVIEW AND SELECTION PURPOSE:

- Applications will be received and reviewed by the respective high school principal (or his/her designate) considering the contents of the written application, the observations of school staff through the time the applicant attended high school, and any other community references the principal deems appropriate to consult.
- The respective high school principal shall select the winning applicant and advise the county administrator for purposes of preparing a check.

AWARD:

- A county councilor is authorized to attend the relevant High School award ceremony and present the award (i.e. the check) on behalf of the County.

PROCEDURE

- The attending councilor will be selected through a joint decision made by Council at the request of administration.



Post-Secondary Scholarship Policy

Category: Agriculture and Community Services

Policy No. ACS -TBD

Corresponding Procedure No. ACS-TBD

Approved: September 24, 2019

Resolution No.: TBD

Effective Date: January 1, 2020

Next Review Date: TBD

Supersedes Policy No. 42; Post-Secondary scholarship Policy 2008

POLICY STATEMENT:

In order to recognize the importance of youth achievement in the area of community service and to encourage academic advancement, the County will offer an annual scholarship to worthy high school graduates.

PURPOSE:

To financially assist deserving students in their pursuit of post-secondary education and to show the County's admiration of the contributions they have made to their community while maintaining proficiency in academics.

PRINCIPLES:

1. \$4,000 will be awarded annually which will be distributed equally among the high schools.
2. The qualifying high schools will include West Central High School, St. Dominic's High School, David Thompson High School and Caroline High School.
3. Each successful applicant will receive a cheque for \$1,000 to be used towards costs associated with post-secondary education.
4. Student eligibility will be defined as follows:
 - A student from a Clearwater County high school registered and attending a post-secondary school in a full-time capacity.
 - Must have been a resident of Clearwater County at the time of graduation from high school. (Note: students who were residents of the Town or Village do not qualify).
 - Citizenship is the primary consideration for eligibility and includes involvement in the community or school in a voluntary and/or leadership capacity while attending high school. The scholarship recipient will be seen and recognized by other students as an individual who continually demonstrated care and respect for fellow students and the community.
5. A student, upon receiving this \$1,000 scholarship, is ineligible to receive another award under this program.

LEGISLATION:

- Provincial Act(s)
- Provincial Regulation(s)
- Council Resolution
- Other

Cross Reference:

Position Responsible for Policy:

Council
CAO

Revision History

Version	Date of Change	Description



Agenda Item Report

Regular Council Meeting

AIR Type:	Presentation
SUBJECT:	Tax Collection Statistics for Council Information
PRESENTATION DATE:	Tuesday, September 24, 2019
DEPARTMENT:	Corporate Services
WRITTEN BY:	Rhonda Serhan, Manager, Financial Services
REVIEWED BY:	Murray Hagan, Director Corporate Services
BUDGET CONSIDERATIONS:	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept <input type="checkbox"/> Reallocation
LEGISLATIVE DIRECTION:	<input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation <input type="checkbox"/> County Bylaw or Policy
COMMUNITY BUILDING PILLAR (check all that apply):	
<input type="checkbox"/> Economic Prosperity <input type="checkbox"/> Governance Leadership <input checked="" type="checkbox"/> Fiscal Responsibilities <input type="checkbox"/> Environmental Stewardship <input type="checkbox"/> Community Social Growth	
ATTACHMENTS:	None

STAFF RECOMMENDATION:

Council accepts the report as information

BACKGROUND:

Clearwater County's first tax payment penalty date was September 17th. This means that taxes needed to be paid before September 17th to avoid the first penalty applied to outstanding taxes of 8%. Most taxes are typically paid before this date to avoid penalty. The exception to that is the Tax Installment Payment Plan (TIPP Program), which allows ratepayers to pay their taxes over 12 equal payments, culminating the last business day of December of each year. Staff will provide an update at the Council meeting in regards to statistics for collection rates for the 2019 year thus far.



Agenda Item Report

Regular Council Meeting

AIR Type:	Presentation
SUBJECT:	Town of Rocky Mountain House Lagoon Summary Report, September 2019
PRESENTATION DATE:	Tuesday, September 24, 2019
DEPARTMENT: WRITTEN BY: REVIEWED BY:	Public Works Operations Kurt Magnus, Director Rick Emmons, CAO
BUDGET CONSIDERATIONS:	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept <input type="checkbox"/> Reallocation
LEGISLATIVE DIRECTION:	<input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation <input type="checkbox"/> County Bylaw or Policy
COMMUNITY BUILDING PILLAR (check all that apply):	
<input type="checkbox"/> Economic Prosperity <input type="checkbox"/> Governance Leadership <input type="checkbox"/> Fiscal Responsibilities <input checked="" type="checkbox"/> Environmental Stewardship <input type="checkbox"/> Community Social Growth	
ATTACHMENTS:	
Town of Rocky Mountain House Quarterly Lagoon Report - September 2019	

STAFF RECOMMENDATION:

That Council accepts this as information.

BACKGROUND:

As part of the Wastewater Lagoon Agreement between the Town of Rocky Mountain House and Clearwater County, both parties agreed, as per Section 11 of the agreement, specifically 11.1 that;

The Town will provide to the County a summary report of the Lagoon operations, compliance, usage, and capacity on a quarterly basis in the months of March, June, September, and December.

As such, please find attached, for Council's review, the Town of Rocky Mountain House Lagoon Summary Report for September 2019.



TOWN OF ROCKY MOUNTAIN HOUSE

Lagoon Summary Report

September 2019 Report

The Town respectfully submits this lagoon summary report in accordance to the agreement dated October 15th, 2013.

Section 11 – Reporting

Article 11.1 *The Town will provide to the County a summary report of the Lagoon operations, compliance, usage and capacity on a quarterly basis in the months of March, June, September, and December.*

Operations.

Lagoon operations are normal and the Town continues to introduce air via submersed diffusers throughout the cells from large volume low pressure aeration blowers. Annual inspection and cleaning of diffusers was completed in the end of July 2019.

Compliance

The lagoon is operating in compliance with the Alberta Environment Approval. The Town is working with Environment Canada to meet the higher effluent expectations under the Federal Wastewater Systems Effluent Regulation to ensure the Town meets or exceeds the highest environmental practices.

Usage

The volumes in the reporting period are:

<u>Influent flows</u>	<u>Septage Receiving Station</u>
June - 104727 m/3	June - m/3
July - 117873 m/3	July - m/3
August - 101478 m/3	August - m/3

*due to communication difficulties within the SRS we are currently unable to access the monthly SRS flows.....an updated report will be forwarded as soon as communication is restored.

Capacity

The lagoon is a continuous discharge system with aerators and diffusers currently providing sufficient oxygen and mixing power to treat the influents from the Town Clearwater County now and the foreseeable future. The Town has submitted the Wastewater Upgrade Options report dated April 23, 2018 to the County. Further the Town plans to commence the Lagoon Desludging program the week of September 16, 2019 to assist in improving the wastewater treatment process which is summarized as follows:

Item	Description	Amount
1	Additional Sampling and Land Application Investigation for Cell #1	\$5,000.00
2	Desludging (Land Application)	\$950,000.00
3	Additional OPTAER fine bubble laterals	\$260,000.00
4	Blower Block Addition and Repair Kit	\$50,000.00
	SUBTOTAL	\$1,265,000.00
	TOTAL CONTINGENCY (15%)	\$189,750.00
	TOTAL ENGINEERING	\$174,570.00
	GRAND TOTAL	\$1,629,400.00

Article 11.2 *“The Town, on an annual basis, will report to the County on the status of the Lagoon Reserve Fund.”*

The reserve fund for Water & Wastewater Infrastructure Reserve at the end of 2018 was \$1,968,995. Council designation specifically to the lagoon is still required when they review the new policy and current balances. Lagoon Reserve Fund specifically will be provided once available.

Article 11.3 *“The Town will provide to the County any notice of non-compliance issued by Alberta Environment or any other regulatory body, as applicable, with 48 hours of receipt of the notice.”*

The Town has not received any notices of non-compliance.



Agenda Item Report

Regular Council Meeting

AIR Type:	Request for Decision
SUBJECT:	Township Road 39-0 (Speight Road) Base Pave Project
PRESENTATION DATE:	Tuesday, September 24, 2019
DEPARTMENT:	Public Works Infrastructure
WRITTEN BY:	Erik Hansen
REVIEWED BY:	Rick Emmons
BUDGET CONSIDERATIONS:	<input type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept <input checked="" type="checkbox"/> Reallocation
LEGISLATIVE DIRECTION:	<input type="checkbox"/> None <input type="checkbox"/> Provincial Legislation <input checked="" type="checkbox"/> County Bylaw or Policy (Road Surfacing and Other Major Projects- Priority Setting Policy)
COMMUNITY BUILDING PILLAR (check all that apply):	
<input checked="" type="checkbox"/> Economic Prosperity <input type="checkbox"/> Governance Leadership <input type="checkbox"/> Fiscal Responsibilities <input type="checkbox"/> Environmental Stewardship <input type="checkbox"/> Community Social Growth	
ATTACHMENTS:	
None	

STAFF RECOMMENDATION:

That Council reallocate \$60,000.00 from the North Saskatchewan River Park project in 2019 to complete detailed design and tender development of Township Road 39-0 (Speight Road).

BACKGROUND:

During the September 17, 2019 Strategic Planning Council Committee of the Whole Meeting, the Committee reviewed the base pave capital plan in preparation for the upcoming 2020 budget deliberations. Administration presented three projects including the Twp Rd 39-0 (Speight Road), Burnstick Lake Road and the Leslieville East Road. Discussion included the reallocation of \$60,000 from the North Saskatchewan River Park project for the detailed design and tender development of Twp Rd 39-0 Speight Road to be completed in 2019 with construction to commence in 2020 and potentially paving in 2021.



Agenda Item Report

Regular Council Meeting

AIR Type:	Request for Decision
SUBJECT:	Clearwater Regional Fire Rescue Services (CRFRS) Obsolete Policy Clean-Up
PRESENTATION DATE:	Tuesday, September 24, 2019
DEPARTMENT: WRITTEN BY: REVIEWED BY:	Emergency & Legislative Services Christine Heggart, Director Rick Emmons, CAO
BUDGET CONSIDERATIONS:	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept <input type="checkbox"/> Reallocation
LEGISLATIVE DIRECTION:	<input type="checkbox"/> None <input type="checkbox"/> Provincial Legislation <input checked="" type="checkbox"/> County Bylaw or Policy
COMMUNITY BUILDING PILLAR (check all that apply):	
<input type="checkbox"/> Economic Prosperity <input checked="" type="checkbox"/> Governance Leadership <input type="checkbox"/> Fiscal Responsibilities <input type="checkbox"/> Environmental Stewardship <input type="checkbox"/> Community Social Growth	
ATTACHMENTS:	None

STAFF RECOMMENDATION:

That Council reviews the list of obsolete CRFRS policies and considers bulk rescinding of 22 policies, as per the listing within this Request For Decision item.

BACKGROUND:

At their July 23, 2019 meeting, Council reviewed a list of Clearwater Regional Fire Rescue Services (CRFRS) obsolete policies along with bylaws requiring update and the history of the CRFRS Advisory Committee review. At that time, Council requested additional time to review the current/existing CRFRS procedures, which were placed in an internal folder and emailed to Council on July 31.

To recap the July 23 agenda item, over the past year discussions at the Committee took place on several Standard Operating Guideline (SOG) that were historically adopted as policies by the three respective Councils, that are actually administrative in nature and should be a “procedure” or SOG.

With some SOGs adopted previously as policies, and other SOGs that overlapped with policies, and others in various iterations, Administration wanted to do a thorough review to eliminate confusion among members as to which is effective.

Administration requests Council review the [CRFRS Policy Review Folder](#), and rescind the following 22 policies:

Clearwater County Only

- 11/27/2007 Fire Fighting Fees and Reimbursements

All Three Municipalities

- 01-01-1-01-08 Mission Statement
- 01-02-1-01-08 Vision
- 01-03-1-01-08 Code of Ethics
- 01-04-1-01-08 Operational Guidelines
- 01-05-1-01-08 SOG Annual Statement of Commitment
- 02-15-1-01-08 District Fire Chief / Battalion Chief
- 02-16-1-01-08 Regional Administrative Assistant
- 02-17-1-01-08 Regional Prevention / Training Officer (TBA)
- 02-18-1-01-08 Regional Deputy Fire Chief
- 02-19-1-01-08 Regional Fire Chief
- 02-20-1-01-08 Regional Fire Services Standing Committee
- 03-01-1-01-08 Rules & Regulations
- 03-02-1-01-08 Fire Rescue Services Discipline
- 03-03-1-01-08 Grievance Management & Issues Resolution
- 03-04-1-01-08 Purchasing Policy
- 03-05-1-01-08 Municipal Employees Serving as members of Fire Rescue Service
- 04-05-1-01-08 Fire Fighter Recognition & Awards
- 04-06-1-01-08 Fire Fighter Remuneration
- 04-07-1-01-08 Fire Rescue Services Request for Automatic & Mutual Aid
- 04-08-1-03-15 Fire Rescue Services Fees for Service Schedule
- 04-09-1-01-08 Regional Fire Chief Performance Evaluation Process

The policies above that were also adopted by CRFRS municipal partners will be forwarded as similar recommendation to their respective Councils for removal.

Internal [Folder Link to Obsolete Policies](#)

Internal [Folder Link to Current Standard Operating Guidelines](#) (as of July 2019)



Agenda Item Report

Regular Council Meeting

AIR Type:	Request for Decision
SUBJECT:	DRAFT Fire Rescue Services and Fire Control Bylaw # 1069/19
PRESENTATION DATE:	Tuesday, September 24, 2019
DEPARTMENT:	Emergency & Legislative Services
WRITTEN BY:	Christine Heggart, Director
REVIEWED BY:	Rick Emmons, CAO
BUDGET CONSIDERATIONS:	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Funded by Dept <input type="checkbox"/> Reallocation
LEGISLATIVE DIRECTION:	<input type="checkbox"/> None <input checked="" type="checkbox"/> Provincial Legislation <input type="checkbox"/> County Bylaw or Policy
COMMUNITY BUILDING PILLAR (check all that apply):	
<input type="checkbox"/> Economic Prosperity <input checked="" type="checkbox"/> Governance Leadership <input type="checkbox"/> Fiscal Responsibilities <input type="checkbox"/> Environmental Stewardship <input type="checkbox"/> Community Social Growth	
ATTACHMENTS:	
Bylaw 1069 19 FINAL DRAFT Fire Services 09.16.2019 674 CC Fire Bylaw 754 Fire Control Bylaw ma-standata-14-fcb-006 FIRE CODE BULLETIN	

STAFF RECOMMENDATION:

That Council reviews, amends as appropriate and considers granting three readings for Fire Rescue Services and Fire Control Bylaw # 1069/19.

BACKGROUND:

Council previously reviewed both CRFRS obsolete policies agenda item as well as the attached draft Clearwater County Fire Rescue Services and Fire Control Bylaw # 1069/19 and provided Administration amendments to the draft bylaw.

As stated at the July 23, 2019 meeting, part in parcel with the Standard Operating Guidelines (SOG) review staff prepared a draft bylaw for fire rescue services and fire control (included fee for service schedule) – which are required to be adopted by bylaw in order to be effective.

A version of the original draft bylaw was previously reviewed by the CRFRS Advisory Committee on March 21, 2019, who at the time recommended Clearwater County draft a bylaw, have Council's

review and approval, and following that partner municipalities could use the bylaw as a template at their municipal Council's discretion.

In the attached draft bylaw, Administration amended to include Council's suggested revisions from July 23, 2019. As Council will recall, Bylaw 674/00 and Bylaw 754/02 (attached) are also considered to be obsolete and would be rescinded with the new bylaw 1069/19.

Additional background:

Legislative changes recently saw the removal of consumer fireworks (see attached "Fire Code Bulletin") from the Alberta Fire Code. Under the 2019 NFC-AE, the changes mean that "rules for fireworks are made consistent with the *Explosives Act* and municipalities will as a result have additional flexibility to regulate fireworks."

As such, the fireworks component of the fire control bylaw was removed from this fire rescue services and fees bylaw. Administration would recommend additional research and a separate bylaw specific to fireworks should Council wish to provide for additional regulation related to consumer fireworks.

BYLAW NO. 1069/19

BEING A BYLAW OF CLEARWATER COUNTY, IN THE PROVINCE OF ALBERTA, ENACTED FOR THE PURPOSE OF ESTABLISHING AND OPERATING FIRE RESCUE SERVICES AND FIRE CONTROL FOR CLEARWATER COUNTY

WHEREAS the *Municipal Government Act*, R.S.A. 2000 Chapter M-26, as amended, provides that a Council may pass a Bylaw for the safety, health and welfare of people and the protection of people and property;

WHEREAS The *Municipal Government Act* provides for a municipality to take whatever actions or measures necessary to eliminate an emergency, with provisions for the recovery of costs or expenses of the actions and measures amount owing to the municipality by the person who caused the emergency;

WHEREAS The Clearwater County desires to establish and operate a fire service within the County to provide for efficient operation of emergency and non-emergency services;

WHEREAS Clearwater County is an accredited municipality under the *Safety Codes Act* in the Fire discipline, and as such is empowered for requisite inspections, investigations and enforcement of the *Act*;

WHEREAS Clearwater County desires to offset the cost of providing emergency and non-emergency services;

WHEREAS Clearwater County deems it necessary to be notified of and regulate open air burning within the County;

WHEREAS The *Environmental Protection and Enhancement Act* provides for the regulation of substance release;

WHEREAS The *Forest and Prairie Protection Act* provides for the control of fire hazards, and recovery of firefighting expenditures on all lands being within municipalities, rural properties, Provincial or Federal lands; and,

NOW THEREFORE, upon compliance with the relevant requirements of the *Municipal Government Act*, the Council of the Clearwater County, Province of Alberta, duly assembled, enacts as follows:

1. This Bylaw may be cited as “**Clearwater County Fire Rescue Services and Fire Control Bylaw**”.
2. In this Bylaw:
 - 2.1 “Apparatus” means any vehicle with machinery and equipment for incident response, and vehicles used to transport members and supplies;
 - 2.2 “Burn Barrel” means a non-combustible structure or container located on public or private property, used for solid waste or recreational open burning and constructed pursuant to this Bylaw;
 - 2.3 “Burnable Debris” has the same meaning pursuant to the Substance Release Regulation 124/93, *Environmental Protection and Enhancement Act*,
 - a) straw and stubble;
 - b) grass and weeds;
 - c) leaves and tree pruning’s;
 - d) brush and fallen trees on newly cleared land or associated with logging operations;
 - e) used power, telegraph and telephone poles that do not contain wood preservatives;
 - f) wooden materials, which do not contain wood preservatives, from the construction or demolition of buildings;
 - g) solid waste from post and pole operations that does not contain wood preservatives;

- h) solid waste from tree harvesting operations;
- 2.4 “CAO” means the person appointed as Chief Administration Officer or designate;
- 2.5 “County” means the municipal corporation of Clearwater County;
- 2.6 “Council” means Clearwater County Council;
- 2.7 “Dangerous Goods” means any product, substance or organism specified in the *Dangerous Goods Transportation and Handling Act*, and regulations;
- 2.8 “Equipment” means any tools, devices or materials used by the Fire Department to combat an incident;
- 2.9 “False Alarm” means:
 - a) any malfunction in a fire safety installation or other safety monitoring device whereby the alarm activation was not caused by heat, smoke or fire; or
 - b) a nuisance response initiated by equipment or human negligence in circumstances where the caller is aware that no actual danger or possible danger to safety, health and welfare of people, property or the environment existed at the time the call was placed;
- 2.10 “Fire” means any combustible material in a state of combustion;
- 2.11 “Fire Ban” means a Provincial Ministerial Order or an order by CAO or their designate. The Fire Chief may, at his/her discretion, cancel any or all fire permits, prohibit the lighting or requiring the extinguishing of a fire;
- 2.12 “Fire Chief” means the Member as Head of the Fire Department, or designate, and includes the Incident Commander;
- 2.13 “Fire Department” means Clearwater Regional Fire Rescue Services as established by the County pursuant to the provisions of this Bylaw consisting of, but not limited to, all Members, equipment, and apparatus, necessary for the operation, maintenance and administration of the fire services, including fire stations;
- 2.14 “Fire Hazard” means any condition, circumstance or event wherein the possibility of fire is increased;
- 2.15 “Fire Investigation” means the process of determining the cause, origin and circumstances of a fire pursuant to *the Safety Codes Act*;
- 2.16 “Fire Notification” means a document issued by the Fire Chief pursuant to this Bylaw;
- 2.17 “Fire Rescue Services” means fire suppression (structure, brush/grass, wildland/urban interface, motor vehicle), rescue (motor vehicle collision, water/ice rescue, confined space rescue, back country/mountain/technical rescue low angle) and medical co-response.
- 2.18 “Fire Season” means from March 1 to October 31, annually, unless otherwise directed by the Province of Alberta;
- 2.19 “Highway” has the same meaning as defined in the *Traffic Safety Act*;

- 2.20 “Incident” means any situation to which the County has responded due to the danger or a possible danger to safety, health and welfare of people, property or the environment;
- 2.21 “Member” shall mean:
- a) The Fire Chief and any member of the department in good standing operating within the County;
 - b) Any person who provides Fire Services pursuant to this Bylaw;
 - c) Any person who provides Support Services to the Fire Service at incidents;
- 2.22 “Non-profit Organization” has the same meaning pursuant to the *Municipal Government Act*;
- 2.23 “Nuisance” means any condition on or around a property that is dangerous to the safety or health of individuals, or which interferes with the use or enjoyment of other property;
- 2.24 “Occupier” means a person using a property and includes an owner, tenant, agent and any other person who has the right of access to the property;
- 2.25 “Open Air Burning” means any fire which is not: an outdoor incinerator fire, fire pit, public park site fire or a smudge fire, and which, without limiting the generality of the foregoing shall include grass fires, forest and brush fires, running fires, structure fires, building fires, wood scrap fires and ground thawing fires;
- 2.26 “Operator” means a person providing private alarm monitoring services;
- 2.27 “Outdoor Fireplace” means a fireplace installed to the standards of the Alberta Building Code, as amended, and that is located on the exterior of a building;
- 2.28 “Outdoor Incinerator” means equipment designed predominately for burning solid waste, which must meet the requirements of the Alberta Fire Code;
- 2.29 “Owner” means:
- a) in the case of land, any person who is registered pursuant to the *Land Titles Act*, as the owner of the land; and
 - b) in respect of any property other than land, the person in lawful possession of it;
- 2.30 “Peace Officer” means a Member of the Royal Canadian Mounted Police, a Bylaw Enforcement Officer appointed by the County, or a Community Peace Officer;
- 2.31 “Permit” means a permit issued pursuant to this Bylaw;
- 2.32 “Person” without limiting the generality of the term, includes a corporation and other legal entities;
- 2.33 “Portable Cooking Appliance” means any appliance sold or constructed for the purpose of cooking food in the outdoors;
- 2.34 “Premises” means a store, office, warehouse, factory, building, enclosure, yard or any space occupied or used by a person for the purposes of a business and/or residence;
- 2.35 “Prohibited Debris” has the same meaning pursuant to the Substance Release Regulation 124/93, *Environmental Protection and Enhancement Act*;
- a) animal manure;
 - b) pathological waste;
 - c) non-wooden material;

- d) waste material from building or construction sites, excluding wooden materials that do not contain wood preservatives;
 - e) combustible material in automobile bodies;
 - f) tires;
 - g) rubber or plastic, or anything containing or coated with rubber or plastic or similar substances, except rubber or plastic attached to shredded scrap steel;
 - h) used oil;
 - i) wood or wood products containing substances for the purpose of preserving wood;
- 2.36 “Property” means a lot or combination of contiguous lots upon which is constructed a single development;
- 2.37 “Quality Management Plan (QMP)” means the accredited system approved by Council pursuant to the authority of the *Safety Codes Act*;
- 2.38 “Running Fire” means a fire not under the proper control of any person;
- 2.39 “Safety Codes Officer” means a Member who is designated as a Safety Codes Officer for the Fire Discipline pursuant to the *Safety Codes Act*;
- 2.40 “Security Alarm” means an alarm system intended to detect an unauthorized entry to a premise or to alert people to the commission of an unlawful act, or both;
- 2.41 “Smudge Fire” means a fire confined within a non-combustible structure or container that is set on land of one (1) hectare / (2.5) acres or greater in area, for the purpose of protecting livestock from insects or for preventing frost in an orchard or garden.

3. Purpose

- 3.1 Council does hereby establish the Fire Department and outlines the duties as follows:
- a) prevent control, and extinguishing fire incidents;
 - b) provide a 911 public service answering point and dispatch service;
 - c) investigating the cause and origin of fires pursuant to the QMP and the *Safety Codes Act*;
 - d) pre-fire planning and fire inspections pursuant to the QMP;
 - e) preserving life and property and protecting persons and property from injury or destruction by fire;
 - f) preventing prairie or running fires and enforcing the provisions of the *Forest and Prairie Protection Act*;
 - g) responding to Hazardous Material incidents to mitigate the threat;
 - h) carrying out agreements with other municipalities or persons for the joint use, control and management of firefighters, fire extinguishing apparatus, general equipment, and rescue equipment;
 - i) maintaining and operating apparatus and equipment for extinguishing fires or preserving life and property;
 - j) initiate temporary traffic control on a highway;
 - k) rescue;
 - l) medical first response services;
 - m) fire and disaster planning;
 - n) preventative controls;
 - o) public education and information;
 - p) training or other staff development and advising;
 - q) to enforce County fire bylaws, fire policies, and where applicable Alberta fire legislation;
 - r) other incidents.

4. The Fire Chief:

- 4.1 ensures the development of rules and regulations for the ongoing organization and administration of the Fire Department;
- 4.2 is responsible for Fire Protection as required pursuant to the *Safety Codes Act and Regulations* and *Alberta Fire Code*;
- 4.3 is empowered to delegate to any Member the duties of Fire Chief.
- 4.4 is empowered to enter any Property or Premises, including adjacent Property or Premises, to combat or control any incident in whatever manner deemed necessary to limit injury or damage to people, property or the environment;
- 4.5 may establish boundaries or limits to keep persons from entering an area where the Fire Department is responding to an incident, unless authorized;
- 4.6 may call upon Peace Officers to enforce restrictions on persons entering within the boundaries or limits outlined in this Section;
- 4.7 may obtain assistance from other officials of the County as deemed necessary, in order to discharge duties and responsibilities at an incident;
- 4.8 may require persons who are not Members to assist at an incident;
- 4.9 is empowered to commandeer privately owned equipment that may be necessary to respond to an incident;
- 4.10 is empowered to activate and utilize any aid agreements the County may have with other municipalities, industry, or agencies; and,
- 4.11 is empowered to issue a Fire Ban or restrict the usage of fire when the risk has been deemed contraindicative to public safety.

5. Fire Guardians:

- 5.1 Each year before the fire season, March 1, Council shall appoint a sufficient number of Fire Guardians to enforce the provisions of the *Forest and Prairie Protection Act* and this Bylaw within the deeded portion of the County;
- 5.2 Fire Guardians shall have the Authority and power to:
 - a) Inspect, approve or limit public park site fire locations and containers;
 - b) Inspect, approve or limit locations for recreational open burning;
 - c) Suspend or cancel a Fire Permit at any time; and
 - d) Refuse to issue a Fire Permit where, in the opinion of the Fire Guardian, there is a risk to the public in relation to the proposed fire.

6. A Person Shall Not:

- 6.1 impede any Member or any person engaged in an incident or related duty;
- 6.2 obstruct or otherwise interfere with access to an incident, or to a fire hydrant, cistern or body of water designated for firefighting purposes or any connections thereto;
- 6.3 falsely represent himself as a Member, wear or display any Fire Department badge, cap, button, insignia or other paraphernalia for the purpose of false representation;
- 6.4 contravene any provision of this Bylaw;
- 6.5 burn any Prohibited Debris;
- 6.6 ignite a Fire without the written consent of the Owner of the Property;
- 6.7 deposit, discard or abandon any burning material where it might ignite other material and cause a Fire;
- 6.8 provide false, incomplete or misleading information to the Fire Department on, or with respect to, a Fire Notification application;
- 6.9 light a Fire or permit a Fire to be lit when the weather conditions are conducive to create a Fire burning out of control, or without first taking sufficient precautions to ensure that the Fire can be kept under control at all times by:

- i. ensuring windspeed shall not exceed more than 20KM/HR for the duration of the burn;
 - ii. That humidity levels are above 30%;
 - iii. Maintaining a water supply on site for fire suppression;
 - iv. Having a competent person of at least 18 years of age on site the burn through the duration.
- 6.10 create smoke obscuration in inhabited areas, otherwise create a nuisance to occupied properties, or impede traffic visibility; or,
- 6.11 light a Fire or permit a Fire to be lit on lands owned or controlled by the County, without having first obtained the County's express written consent.

7. An Owner shall report to the Fire Department:

- 7.1 damage to property caused by fire;
- 7.2 any accidental or unplanned release of Dangerous Goods; or,

8. Fire Hazards

- 8.1 When certain conditions exist that constitutes a Fire Hazard, the Fire Department may, pursuant to the *Safety Codes Act*, order the Owner to reduce or remove the Fire Hazard within a specified time frame.
- 8.2 When an order is issued under Section 8.1 and the Owner fails to carry out the order within the time specified, the Fire Department may take whatever action is necessary pursuant to the *Safety Codes Act* to ensure compliance with the order.

9. Fire Pits & Burn Barrels

- 9.1 Fire Pit construction standards shall conform with requirements developed by Clearwater Regional Fire: Schedule "D"
- 9.2 Burn Barrels will not be permitted for use in a Multi-Parcel Residential subdivisions or hamlets.

10. Burn Notifications

- 10.1 The Fire Chief may:
- a) approve a burn notification, with or without conditions as required; or,
 - b) refuse a burn notification; or,
 - c) suspend or cancel a burn approved by a burn notification and,
 - d) may require an inspection of the parcel for which the application for a burn notification.
- 10.2 No Notifications is required for:
- a) cooking food using a portable cooking appliance;
 - b) burning in municipal or private campgrounds and parks where outdoor fireplaces, fire pits and stoves have been approved by the Fire Department;
 - c) burning a smudge fire;
 - d) burning by the Fire Department for the purpose of training or hazard abatement;
 - e) the installation and operation of an outdoor incinerator;
 - f) the installation and operation of an outdoor fireplace; and,
 - g) any process, industry or facility that is governed or regulated, pursuant to the *Environmental Protection and Enhancement Act*.
- 10.3 Notification of suspension or cancellation of an Open-Air Burning may be made by telephone to the Permit holder and shall be confirmed by providing written notice of the suspension or cancellation to the person who made the notification.

11. Dangerous Goods Response Fees

- 11.1 The County may charge fees for Dangerous Goods Response to an Owner, a Person who caused the incident, or a Person who is responsible at law for the clean-up, pursuant to Schedule "B".

12. False Alarms Response Fees

- 12.1 The County may charge fees for False Alarm Response to an Owner, an Operator, or a Person who is responsible at law in respect of the False Alarm Response, pursuant to Schedule "B".
- 12.2 The County may charge fees for Security Alarm Response to an Owner or Operator, pursuant to Schedule "B".

13. Fire Inspection Fees

- 13.1 The County may charge fees for a Fire Inspection to a Person who made the request, pursuant to Schedule "A".

14. Fire Rescue Services Fees

- 14.1 The County may charge fees for Administration, to a Person who requests the service, pursuant to Schedule "C".
- 14.2 In addition to any fees charged under Sections 11 to 14, inclusive, the County may:
- a) charge a fee for any service provided by a Member or for Apparatus, pursuant to Schedule "B";
 - b) recover from any Person convicted of arson pursuant to the Criminal Code of Canada, all fees, costs and charges of the response, pursuant to Schedule "B";
 - c) recover any amounts owing to a third party who has provided labour, services, equipment or materials from the Person who has caused an incident; and,
 - d) recover any amounts owing to a third party who has provided labour, services, equipment or materials from an Owner of the Property or Premises where an incident has occurred.
- 14.3 An Owner, Occupant, or other Person causing or contributing to a Fire in contravention of the provisions of this Bylaw may be charged fees, pursuant to Schedule "B" at the discretion of the County, in the event the County provides Fire Rescue.

15. Fire Rescue Standby Services Fees

- 15.1 The County may charge fees for Fire Rescue Standby Service required as a condition of a Permit or where the Member has determined that there is sufficient risk to the safety, health and welfare of people, property, or the environment to merit on scene Fire Rescue Services, pursuant to Schedule "B".

16.0 Schedules and Fees

- 16.1 All schedules attached hereto and incorporated by reference form part of this Bylaw.
- 16.2 All fees in attached schedules are non-refundable.
- 16.3 The County may add fees charged under Sections 11 - 15 to the tax roll of the Property should those fees remain unpaid, pursuant to the *Municipal Government Act*.
17. All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person, or a corporation or partnership.

18. Should any provision of this Bylaw be illegal or unenforceable for any reason whatsoever, it shall be considered separate and severable from the remaining provisions of this Bylaw, which shall remain in force as though that provision had not been included.
19. Bylaw 674/00 and Bylaw 754/02 are hereby rescinded.
20. This Bylaw comes into force and effect upon third and final reading.

READ a first time this day of , 2019.

READ a second time this day of , 2019.

READ a third time and finally passed this day of , 2019.

REEVE

CHIEF ADMINISTRATIVE OFFICER

DRAFT

SCHEDULE "A" FIRE INSPECTION SERVICES

Services	Fees
-----------------	-------------

<p><u>Inspection</u></p> <p>1st inspection</p> <p>2nd inspection – no deficiencies</p> <p>3rd inspection</p> <p>3rd inspection (and subsequent) with deficiencies</p>	<p>No Charge</p> <p>No Charge</p> <p>No Charge</p> <p>\$ 100.00 for every inspection there after (per calendar year)</p>
<p><u>Fire Code Consultation</u></p> <p>1st Hour</p> <p>2nd Hour (and subsequent)</p>	<p>No Charge</p> <p>\$ 60.00 / hour or part of thereof</p>
<p><u>Fire investigation Reports</u></p>	<p>\$ 75.00 per report</p>
<p><u>Special Request Inspections</u> (anything outside the normal requirements of the Quality Management Plan)</p>	<p>\$ 60.00 / hour or part thereof</p>

** Non-Profit organizations may apply for exemptions from these Inspection fees.*

SCHEDULE "B" FIRE RESCUE RESPONSE

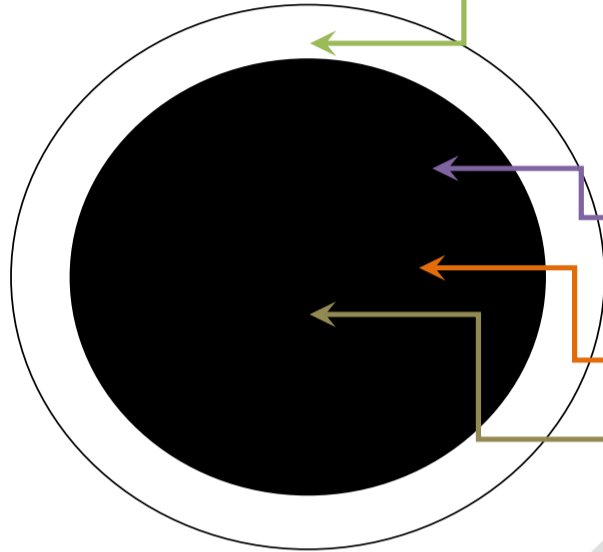
Service	Fees
<u>Fire Rescue Response to False Alarms:</u>	
1 st response related to malfunctioning Fire Safety Installations or other safety monitoring devices	No Charge
2 nd response to a False Alarm during a twelve (12) month period	\$ 100.00
3 rd response to a False Alarm during a twelve (12) month period	\$ 350.00
4 th and each subsequent response to a False Alarm during a twelve (12) month period	\$ 500.00
<u>Fire Response</u>	
Structure Fire Total response time:	No Charge, with exception may charge for cost of materials used and/or third-party costs.
Vehicle Fire	<i>As Per Alberta Transportation Rates</i>
Wildland Fire in the FPA	As per Ag & Forestry Mutual Aid Agreement
<u>Motor vehicle collision response</u>	
Total response time:	<i>As Per Alberta Transportation Rates</i> (plus, cost of materials used and/or third-party costs)
<u>Hazardous material incident response</u>	
Total response time less than 1 hour:	No Charge (plus, cost of materials used and/or third-party costs)
Total response time greater than 1 hour:	First hour - \$615 Additional hours - \$307.50 / unit / half hour or part thereof (plus, cost of materials used and third-party costs)
<u>Rescue Response</u>	
Total response time	No Charge
<u>Mutual Aid Fire Rescue Response</u>	
Total response time:	<i>As Per Alberta Transportation Rates</i> (plus, cost of materials used and/or third-party costs)
Misc. other response required of the Fire Service	Cost of materials used and third-party costs RPAS / Drone service \$ 250.00 / unit / hour or part thereof

SCHEDULE "C" ADMINISTRATION

Service	Fees
Request for the Administrative Service of a Member (including Witness Interviews) per Member, per hour or portion thereof plus expenses (two (2) hour minimum charge) b) Plus: thereafter, per Member, per hour or portion thereof c) Plus: actual expenses incurred	 \$180.00 \$90.00
Requested copies of Clearwater Regional Fire Rescue Services: Run Reports, Dangerous Goods Reports, Patient Care Reports, related to a specific incident, including letters of summary, audio recordings, transcripts, and all services associated with providing the requested information: per report, up to two (2) hours research and preparation Plus: thereafter, per hour or portion thereof Fire Investigation Reports	 \$180.00 \$90.00 \$500.00
RPAS / Drone flight instruction to outside agencies (per hour) RPAS / Drone flight review for outside agencies (per hour)	\$200.00 \$300.00

SCHEDULE "D" Residential / Recreational Fire Pit Requirements

Plan View



Requirement: Minimum of 3 meters (10 feet) clearance (6m desired) from all trees (including overhanging branches) shrubs and combustible structures (Buildings / Fences) & property lines. Inclusion of fire pit with decks and patios must comply with the regulations for materials and clearances as required by the Alberta Building Code for fireplaces.

Recommendation: Minimum of .5 m (24 inch) wide apron of non-combustible material such as concrete, gravel, shale or sand

Requirement: Maximum 1 m (36 in) inside diameter concrete, brick or

Requirement: arrestor grate (mesh spacing not greater than 1.25 cm or 1/2 inch)
Recommendation: Steel fire spark arrestor grate (mesh spacing not greater than 7 mm or 1/4 inch)

Recommendation: Minimum 15 cm (6 in) non-combustible cover over organic soil

Requirement: Minimum .6 m (24 in) above existing grade

Recommendation: Non-combustible



Safety Recommendation
 DO NOT place the Pit over or under utilities such as Gas or Power lines
 Call before you dig (Alberta First Call – 1-800-242-3447)

BY-LAW NO. 674/00

Being a By-law of Clearwater County, in the Province of Alberta, hereinafter referred to as the "Clearwater County Fire By-law", to provide for the establishment and operation of municipal fire department(s).

WHEREAS Section 7(a) of the Municipal Government Act, Statutes of Alberta, 1994, Chapter M-26.1 and amendments thereto provides that the council of a municipality may pass a by-law for municipal purposes respecting the following matter: the safety, health and welfare of people and the protection of people and property.

NOW, THEREFORE, the Council of Clearwater County, in the Province of Alberta, duly assembled, does hereby authorize the establishment of municipal fire department(s) and carrying out of its operations in the following manner:

1. In this by-law words and phrases shall be construed as specified hereunder:

"Apparatus" - means any vehicle provided with machinery, devises, equipment or materials for fire fighting as well as vehicles used to transport fire-fighters or supplies.

"Council" - means the Council of Clearwater County.

"Equipment" - means any tools, contrivances, devices or materials used by the fire department to combat an incident or other emergency.

"Regional Fire Chief" - means the person appointed by Council to co-ordinate and administer fire protection activities within the corporate boundaries of Clearwater County.

"Fire Chief" - means the members appointed as head of the Fire Department(s), and, for the purposes of fire suppression and other related incident duties within this by-law, includes the Regional Fire Chief.

"Fire Department" - means a department of Clearwater County established by Council, and under the direction of a Fire Chief, for the purpose of carrying out fire protection duties within the Municipality, and shall mean the departments of Caroline, Condor, Leslieville, Nordegg, and Rocky Mountain House.

"Fire Protection" - means all aspects of fire safety including but not limited to fire prevention, fire fighting or suppression, rescue service, pre-fire planning, fire investigation, fire inspection, public education and information, training or other staff development and advising.

"Incident" - means a fire, a situation where a fire or explosion is imminent or any other situation presenting a danger or possible danger to life or property and to which the Fire Department has responded.

"Member" - means any person that is duly appointed by the Fire Chief as a member of the Fire Department.

2. The Regional Fire Chief, Fire Chiefs, and Deputy Fire Chiefs shall be appointed by Council.

3. Other officers and positions as the Fire Chief deems necessary may be appointed to the Fire Department with the approval of Council.
4. The Fire Chief may delegate to other officers of the Fire Department the duties of Fire Chief.
5. In the event that a Mutual Aid Agreement is not in effect, the limits of the jurisdiction of the Fire Chief, and the officers and members of the Fire Department will extend to the area and boundaries of Clearwater County, and no part of the fire apparatus shall be used beyond the limits of the municipality without the express authorization of Council through the Municipal Manager, the Assistant Municipal Manager or the Regional Fire Chief.
6. The Fire Chief has complete responsibility and authority over the Fire Department, subject to the direction and control of the Council to which he shall be responsible, and in particular shall be required to organize and manage all fire protection activities and such other activities such as Council directs including, but not limited to:
 - (a) Fire Suppression
 - (b) Rescue
 - (c) Pre-Fire Planning
 - (d) Other Related Incidents
7. The Regional Fire Chief may, at his discretion or at the request of the local Fire Chief assume scene command relating to fire suppression, rescue, or other related incidents.
8. The Fire Chief, subject to review by the Regional Fire Chief, and to ratification by Council shall establish rules, regulations, standard operating guidelines and committees necessary to ensure the organization, administration and delivery of fire protective services within the Municipality including:
 - (a) Protection of Fire Department members.
 - (b) Use, care and protection of Fire Department equipment and apparatus.
 - (c) The conduct and discipline of officers and members of the Fire Department.
 - (d) Efficient operation of the Fire Department.
9. The Fire Chief, or in his absence the senior member present, shall have control, direction and management of any Fire Department apparatus, equipment or manpower assigned to an incident and, where a member is in charge, he shall continue to act until relieved by an officer authorized to do so.
10. The Regional Fire Chief, as directed by Council, shall be responsible for fire protection matters including the enforcement of the Safety Codes Act and Regulations, the Alberta Fire Code, this by-law and other assigned duties within the boundaries of the Municipality.
11. Officers and members of the Fire Department shall carry out duties and responsibilities assigned to the Fire Department by Council, and the Fire Chief shall report to the Regional Fire Chief on the operations of the Fire Department or any other related matter in the manner designated by Council.

By-law No. 674/00 – Fire By-law – Page Three

12. The Regional Fire Chief shall report to Council on the operations of the Fire Department(s) annually, or in the manner designated by Council.
13. The Fire Chief, or any other member in charge, at a fire is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures or things.
14. The Fire Chief, or any other member in charge, at an incident is empowered to enter premises or property where the incident occurred and to cause any member, apparatus or equipment of the Fire Department to enter, as he deems necessary, in order to combat, control or deal with the incident.
15. The Fire Chief or any member in charge, at an incident may at his discretion establish boundaries or limits and keep persons from entering within the prescribed boundaries or limits unless authorized to enter by him.
16. No person shall enter the boundaries or limits of an area prescribed in accordance with section 15 unless he has been authorized to do so by the Fire Chief or the member in charge.
17. The Fire Chief or the member in charge, at an incident may request peace officers to enforce restrictions on persons entering within the boundaries or limits outlined in section 15.
18. The Fire Chief or the member in charge, at an incident is empowered to enter, pass through or over buildings or property adjacent to an incident and to cause members of the Fire Department and the apparatus and equipment of the Fire Department to enter, pass through or over the building or property, where he deems it necessary to gain access to the incident or to protect any persons or property.
19. The Fire Chief or the member in charge may obtain assistance from any other officials of the Municipality as he deems necessary in order to discharge his duties and responsibilities under this by-law.
20. No person at an incident shall impede, obstruct or hinder a member of the Fire Department or other person assisting or acting under the direction of the Fire Chief or the member in charge.
21. No person shall damage or destroy Fire Department apparatus or equipment.
22. No person at an incident shall drive a vehicle over any equipment without permission of the Fire Chief or the member in charge.
23. No person shall obstruct a member from carrying out duties imposed by this by-law.
24. No person shall falsely represent themselves as a Fire Department member or wear or display any badge, cap, button, insignia or other paraphernalia for the purpose of such false representation.

By-law No. 674/00 – Fire By-law – Page Four

25. No person shall obstruct or otherwise interfere with access roads or streets or other approaches to any fire alarm, fire hydrant, cistern or body of water designated for fire fighting purposes or any connections provided to a fire main, pipe, stand pipe, sprinkler system, cistern or other body of water designated for fire fighting purposes.
26. The Fire Chief or the member in charge of an incident may request persons who are not members to assist in extinguishing a fire, removing furniture, goods and merchandise from any building on fire or in danger thereof, and in guarding and securing same and in demolishing a building or structure at or near the fire or other incident. These persons will then be considered temporary members for the duration of the incident or until released by the Fire Chief or the member in charge.
27. The Fire Chief or the member in charge of an incident is empowered to commandeer privately owned equipment which he considers necessary to deal with an incident.
28. Every person who violates any of the provisions of this by-law, or who suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this by-law, or who neglects to do or refrains from doing anything required to be done by any of the provisions of this by-law, or who does any act or thing or omits any act or thing thus violating any of the provisions of this by-law, shall be deemed to be guilty of an infraction of this by-law, and upon a summary conviction is liable to imprisonment for a term of not more than 6 months or to a fine of not more than \$10,000.00, or to both fine and imprisonment.
29. The Regional Fire Chief, the Fire Chief or a member of the Fire Department charged with enforcement of this by-law, acting in good faith and without malice for the Municipality in the discharge of his duties, shall not hereby render himself liable personally and he is relieved hereby from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of his duties.
30. Any suit brought against the Regional Fire Chief, the Fire Chief or a member of the Fire Department, because of an act or omission performed by him in the enforcement of any provision of this by-law, shall be defended by Clearwater County until final determination of the proceedings.

By-law No. 674/00 - Fire By-law - Page Five

READ A FIRST TIME this 11th day of July A.D., 2000.


REEVE


MUNICIPAL MANAGER

READ A SECOND TIME this 11th day of July A.D., 2000.

READ A THIRD AND FINAL TIME this 11th day of July A.D., 2000.


REEVE


MUNICIPAL MANAGER

BY-LAW NO. 754/02

A BY-LAW OF CLEARWATER COUNTY, IN THE PROVINCE OF ALBERTA, TO PROVIDE CONTROL OF OPEN FIRES WITHIN CLEARWATER COUNTY, HEREAFTER REFERRED TO AS THE FIRE CONTROL BY-LAW.

WHEREAS Section 7(a) of the Municipal Government Act Chapter M-26.1 with amendments in force as of July 15, 1996, provides that the Council of a Municipality may pass a by-law for purposes respecting the health and welfare of people and the protection of people and property;

NOW THEREFORE, the Council of Clearwater County, in the Province of Alberta, duly assembled does hereby authorize:

SECTION 1: DEFINITIONS:

1. "Forest Protection Area" means a forest protection area designated under the Forest and Prairie Protection Act;
2. "Open Fire" means any fire which is not enclosed in a noncombustible container with a grill covering the opening and which cover has holes no larger than six (6) millimeters by six (6) millimeters (¼ inch by ¼ inch). This definition does not apply to:
 - a. fires located within a first or second residential structure but shall apply to fires located within accessory residential buildings and any associated residential ancillary use(s).
 - b. fires associated with commercial or industrial tools or equipment such as acetylene torches, butane soldering guns, etc.
 - c. fires which are contained in cooking and heating appliances which are fuelled by fluids or gases
 - d. subject to the conditions outlined under Section 2, Point 8, fires that are regulated by the AB Energy Utility Board
3. "Wildfire" means any open fire that is not under the control of the person, or his designate, who ignited the fire

SECTION 2: FIRE CONTROL

1. No person shall light an open fire without taking sufficient precautions to ensure that the fire can be kept under control at all times.
2. For the purpose of control of open fires, the Municipal Manager may issue a ban on open fires throughout the municipality, or a portion of the municipality, other than within a Forest Protection area, when any of the following conditions occur:
 - a. The Province of Alberta issues a fire ban within the Forest Protection area within Clearwater County;
 - b. The Municipal Manager becomes aware of any situation or circumstance which in his opinion warrants the issuance of a fire ban.
3. The Municipal Manager shall insure that following the issuance of a fire ban that the fire ban is advertised through:
 - a. The erection of fire ban signs along major municipal roads within the area covered by a fire ban;
 - b. Announcement of the ban and describing the area of the fire ban on a local radio station for not less than twice a day for two consecutive days;
 - c. The County's website;
 - d. Any other media source deemed appropriate by the Municipal Manager.

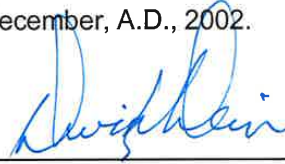
FIRE CONTROL BY-LAW NO. 754/02 – PAGE TWO

4. The Municipal Manager shall insure that once the fire ban is cancelled that an announcement of the cancellation of the ban is announced on a local radio station for not less than twice a day for two consecutive days and on the County's website and that the fire ban signs are removed in a timely manner.
5. All open fires within a ban area shall be extinguished once a fire ban has been issued..
6. No person within a ban area shall light an open fire during a fire ban.
7. A person who has ignited an open fire, or shown carelessness in handling an open fire, which ignition or carelessness creates a threat to public safety - as determined by the Clearwater County Regional Fire Chief or his designate – that person may be charged for the cost of extinguishing the open fire or fighting the wild fire and any other costs associated with any action or any measure necessary to remedy a contravention of this by-law.
8. Unless prior written agreement has been developed between the Clearwater County Regional Fire Chief, the individual or company wishing to ignite an open fire essential to a industrial operations (e.g. emergency flaring) may ignite an open fire during a fire ban subject to the following conditions:
 - a. One loaded water truck (minimum 1300 gallons) equipped with a portable pump, 500 feet of fire hose and fire fighting hand tools (e.g. fire brooms) must be on-site when an open fire exists or is ignited.
 - b. Two (2) men must be on site, trained and dedicated to the operations of the water tank during the duration that the open fire exists or is ignited.
 - c. The ground around the area where an open fire shall located shall be wet down prior to the ignition of an open fire to a sufficient degree to prevent the ignition of another open fire
 - d. Fires lit pursuant to the above conditions can only be lit early in the morning or late at night and when wind conditions are calm, and the operator shall insure that the fire can be readily extinguished if the need arises.
 - e. The person intending to ignite the fire shall contact the County office at least 24 hours prior to igniting the fire and advise of his intention to light a fire and the duration that the fire will be lit for.
 - f. In the event an open fire becomes a wild fire, the Regional Fire Chief shall be advised of this situation.
9. Any person who:
 - a. violates any of the provisions of Sections 1 to 8 of this by-law or,
 - b. suffers or permits any act or thing to be done in contravention or in violation of any of the provisions of this by-law or,
 - c. neglects to do or refrains from doing anything required to be done by any of the provisions of this by-law or,
 - d. does any act or thing or omits any act or thing thus violating any of the provisions of this by-law,shall be deemed to be guilty of an infraction of this by-law, and upon summary conviction, is liable to imprisonment for a term of not more than six (6) months or to a fine of not more than Ten Thousand dollars (\$10,000) or both fine and imprisonment.

FIRE CONTROL BY-LAW NO. 754/02 – PAGE THREE

THIS BY-LAW SHALL COME INTO FORCE AND EFFECT ON THE FINAL DATE OF PASSING THEREOF.

READ a first time this 10th day of December, A.D., 2002.



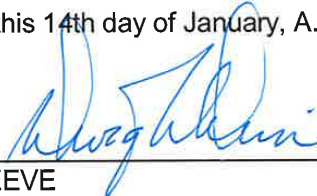
REEVE



MUNICIPAL MANAGER

READ A SECOND TIME this 14th day of January, A.D., 2003.

READ A THIRD AND FINAL TIME this 14th day of January, A.D., 2003.



REEVE



MUNICIPAL MANAGER

NATIONAL FIRE CODE – 2019 ALBERTA EDITION CONCERNING FIREWORKS

PURPOSE

This bulletin provides notice that the Alberta specific requirements for fireworks have been made consistent with federal regulations for the safe use of fireworks in the National Fire Code – 2019 Alberta Edition (NFC-AE).

DISCUSSION

Fireworks, including low hazard fireworks (sometimes referred to as consumer or family fireworks), are regulated by the federal *Explosives Act* (Canada E-17). The *Act* deals with the manufacture, import, sale, and use of all fireworks and pyrotechnical devices utilising explosives. The Alberta Fire Code (AFC) 2014 Edition and previous fire codes included additional provisions that are not consistent with federal regulation. Following engagement sessions with stakeholders by Municipal Affairs in November 2016, there was broad support for making fireworks rules consistent with federal legislation and allowing local authorities to manage the use of fireworks in their communities.

Under the 2019 NFC-AE, rules for fireworks are made consistent with the *Explosives Act* and municipalities will as a result have additional flexibility to regulate fireworks.

This bulletin replaces the following documents:

- FCI-10-01 Low Hazard Fireworks – Permits, Storage and Display
- FCI-10-02 Low Hazard Fireworks – Enforcement

Code Changes for Fireworks

References to fireworks under Section 5.7. and subsection 3.2.10. of the AFC 2014 edition have been removed and replaced with the following references under the updated 2019 NFC-AE:

5.1.1.2. Explosives

1) The manufacturing, handling, transportation, sale and use of *dangerous goods* classified as explosives shall be in conformance with [NRCan R.S.C., 1985, c. E-17, "Explosives Act,"](#) and its Regulations.

5.1.1.3. Display Fireworks

1) The handling and discharge of fireworks shall conform to [NRCan 2010, "Display Fireworks Manual."](#)

5.1.1.4. Prohibited

1) No person shall have in his possession, sell, offer for sale, give away or otherwise distribute, discharge, fire or set off *firecrackers*.

Unless stated otherwise, all Code references in this STANDATA are to Division B of the Alberta Fire Code 2014.

Issue of this STANDATA is authorized by
the Provincial Fire Administrator

[Original Signed]
Tina Parker



Alberta Municipal Affairs – Community & Technical Support, 16th Floor, 10155 – 102nd Street, Edmonton, Alberta, Canada, T5J 4L4
Phone: 1-866-421-6929 Email: safety.services@gov.ab.ca Website: www.municipalaffairs.alberta.ca

- 2) No person shall purchase, store, use or supervise the use of a pyrotechnic device unless,
- a) the pyrotechnic device conforms to the requirements of NRCan R.S.C., 1985, c. E-17, "Explosives Act" and its Regulations and
 - b) the person is certified in accordance with NRCan R.S.C., 1985, c. E-17, "Explosives Act" and its Regulations.

Under the *Explosives Act* and Regulations, there are three classifications of fireworks:

- **Consumer fireworks** are low-hazard and designed for recreational use. They include items like Roman candles, sparklers, fountains, volcanoes, mines, and snakes. Classified as F.1.
- **Display fireworks** are high-hazard and designed for professional use. They include items like aerial shells, cakes, Roman candles, waterfalls, lances, and wheels. Classified as F.2.
- **Special effect pyrotechnics** are high-hazard and designed for professional use. They include items like gerbs, mines, comets, and crossettes, as well as special-purpose pyrotechnics made for live stage performances and the film and television industry. Classified as F.3.
- Additional information for use may be found in the following references or these documents:
 - Explosives Act - <http://laws-lois.justice.gc.ca/eng/acts/E-17/>
 - Explosives Regulation, 2013 - <http://laws.justice.gc.ca/eng/regulations/SOR-2013-211/>
 - Display Fireworks Manual 2010 - <http://www.nrcan.gc.ca/explosives/fireworks/9903>
 - Pyrotechnic Special Effects Manual - https://www.nrcan.gc.ca/sites/www.nrcan.gc.ca/files/mineralsmetals/pdf/mms-smm/expl-expl/pdf/Pyrotechnics_Manual-Edition3_e.pdf
 - Fireworks Use - <https://www.nrcan.gc.ca/explosives/fireworks/9883>
 - Safety Codes Act Exemption Regulation - http://www.qp.alberta.ca/documents/Regs/2003_351.pdf

Municipalities should discuss these changes and evaluate their options, based on their own needs, and discuss with their advisors and legal counsel.



Agenda Item Report

Regular Council Meeting

AIR Type:	Request for Decision
SUBJECT:	Request for Seconder on Central RMA Resolutions
PRESENTATION DATE:	Tuesday, September 24, 2019
DEPARTMENT:	Emergency & Legislative Services
WRITTEN BY:	Christine Heggart
REVIEWED BY:	Rick Emmons
BUDGET CONSIDERATIONS:	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept <input type="checkbox"/> Reallocation
LEGISLATIVE DIRECTION:	<input checked="" type="checkbox"/> None <input type="checkbox"/> Provincial Legislation <input type="checkbox"/> County Bylaw or Policy
COMMUNITY BUILDING PILLAR (check all that apply):	
<input type="checkbox"/> Economic Prosperity <input checked="" type="checkbox"/> Governance Leadership <input type="checkbox"/> Fiscal Responsibilities <input type="checkbox"/> Environmental Stewardship <input type="checkbox"/> Community Social Growth	
ATTACHMENTS:	
MVC Resolution WC Resolution	

STAFF RECOMMENDATION:

That Council review and second Mountain View County's "GST Audit Review" resolution and Wheatland County's "Opportunity for Improvement in FCM Representation of Rural Issues and Western Perspectives" resolution.

BACKGROUND:

Council will be attending the Central District RMA meeting October 4 and attached for Council's review are two resolutions that Clearwater County has been asked to endorse or "second".

As Council is aware, 3/5 majority of CRMA is required in order to advance the resolution to the RMA convention. Each Councillor has the opportunity to vote on each resolution individually, and if resolutions are approved they are forwarded on from each district for a vote at RMA convention (November 13-15, in Edmonton).

Resolution ?-19F

Resolution Title: **CRA Bulletin B067 GST for Grants and Subsidies Interpretation**

Sponsoring Municipality: Northern Sunrise County and Mountain View County

Endorsed by: Clearwater County

*Three-fifths (3/5) Majority Required
Endorsed by Central District*

WHEREAS municipalities undergo routine federal Goods and Services Tax (GST)/Public Service Body (PSB) Audits by the Canada Revenue Agency (CRA); and

WHEREAS the *Municipal Government Act (MGA)* requires that municipal governments establish Intermunicipal Collaboration Frameworks by March 31, 2020 that specify what and how services are funded and delivered; and

WHEREAS municipalities may enter intermunicipal cost sharing agreements for the purpose of funding services through contributions by regional partners whose rate payers will be using the services provided; and

WHEREAS the Canada Revenue Agency's (CRA) GST/HST Technical Bulletin B-067 provides that a transfer payment made for a public purpose does not constitute a taxable supply; and

WHEREAS when the Town of Peace River underwent a routine GST/PSB Audit, the CRA assessed GST on "a supply of a right to enter, to have access to, or to use property of the government, municipality, or other body" and ruled that the "town supplied a right to use the municipal property to other municipalities through the use of cost sharing agreements"; and

WHEREAS the Town of Peace River facilities have a flat payment scale that does not discriminate on the basis of residence and all agreements are specifically worded towards regional benefit;

THEREFORE, BE IT RESOLVED that the Rural Municipalities of Alberta request the Government of Alberta to advocate on behalf of the municipalities of Alberta that this interpretation be reviewed and the tax status of cost-sharing agreements be clarified; and

FURTHER BE IT RESOLVED that the Rural Municipalities of Alberta request that the Canada Revenue Agency reassess the 2019 GST/PSB Audit on the Town of Peace River regarding the interpretation of the CRA Bulletin on GST for Grants and Subsidies.

Member Background

The Town of Peace River was subject to a routine GST audit by CRA, following which they were informed that their cost sharing agreements were being assessed as being subject to GST. The cost sharing agreements have been in place since at least 2002 and the agreement examined in the 2019 audit was previously audited in 2011, with no issues being raised regarding GST.

The reinterpretation of CRA Bulletin on GST for Grants and Subsidies has set a number of concerning precedents: auditors may parse an existing agreement to justify a finding even if the remainder of the agreement is contradictory, municipalities may no longer rely on the GST/HST Technical Information Bulletin B-067 with respect to determining supply as it relates to on-going programs of financial support, it is unclear which cost-sharing items may now be assessed as supply, and transactions not contained within the cost-sharing agreement are being assessed as though they were.

ICF agreements will now require a tax provision. The lack of consistency in the application of the regulation provides challenges in identifying what should be considered supply. Municipalities must be prepared for further reinterpretation of the agreements. The cost of reversing any collection or remittance creates the potential for significant economic burden on the municipality.

This recent interpretation, and unpredictability in future interpretations, by CRA has impacts on municipalities across Canada and on cost sharing agreements held between all levels of government throughout the county. The ability for municipalities to viably sustain these collaborative agreements will be compromised due to the financial instability and risks that are created by the inconsistent application of this regulation. The ability for municipalities to viably sustain these collaborative agreements will be compromised due to the financial instability and risks that are created by the inconsistent application of this regulation.

The Town of Peace River has reached out to Alberta Urban Municipalities Association (AUMA) and Federation of Canadian Municipalities (FCM) for advocacy and legal advice, and undertaken political advocacy work to raise awareness of the issue both federally and provincially. Additionally the town of Peace River has submitted the issue to the Northern Alberta Development Council, Rural Municipalities of Alberta and Municipal Affairs and is working with AUMA to prepare an Emergency Resolution to be presented in September.

RMA Background

RMA will provide after resolution is endorsed at district level.

Resolution **7-19F**

Resolution Title: **Opportunity for Improvement in FCM Representation of Rural Issues and Western Perspectives**

Sponsoring Municipality: Wheatland County

Endorsed by: Clearwater County

*Three-fifths (3/5) Majority Required
Endorsed by Central District*

WHEREAS all rural municipal districts in Alberta are members of the Federation of Canadian Municipalities (FCM) which is a collective of nearly 2000 member municipalities of all sizes across Canada (FCM, 2019); and

WHEREAS FCM's purpose is to advocate for municipalities to be sure their citizen's needs are reflected in federal policies and programs (FCM, 2019); and

WHEREAS FCM has identified rural, northern, and remote communities as one of 15 focus areas for its advocacy efforts; and

WHEREAS the rural municipalities in Alberta recognize that rural municipalities and their priorities were not always included as a focus of FCM, and appreciate efforts made by FCM to incorporate rural municipalities and their priorities into its platforms; and

WHEREAS attendance at the 2019 FCM conference in May/June resulted in disappointment for rural municipal leaders that issues impacting them and western perspectives on major points of discussion were not accurately represented at the conference; and

WHEREAS rural municipalities in Alberta believe that there is opportunity for improvement in FCM's representation of rural and western Canadian issues and perspectives;

THEREFORE, BE IT RESOLVED that Rural Municipalities of Alberta use their collective strength and understanding of the rural municipal perspective and priority issues to promote accurate inclusion of rural and western issues and perspectives at the Annual FCM Conference, and in FCM communications and advocacy efforts; and

FURTHER, BE IT RESOLVED that Rural Municipalities of Alberta send a letter to FCM identifying areas of agreement and discontent with the 2019 Annual FCM Conference and requesting that planning committees for future Annual Conferences include appropriate representation from rural western Canada to ensure that conferences are designed to be relevant and meaningful to all member municipalities.

Member Background

Members of Wheatland County Council attended the 2019 FCM conference from May 30 to June 3 in Quebec City, and returned with varying reviews of the event. All

Councillors discussed the viewpoints at Wheatland County's July 2nd Council Meeting. On one hand, it was felt that the FCM conference did not offer enough value to rural municipalities, and that efforts made to include rural topics were insufficient. Concern was raised over bias towards topics and mindsets more reflective of eastern Canada, and too prominent a focus on urban municipal issues. A recommendation was made to discontinue attendance at the conference and encourage other rural municipalities in Alberta to follow suit as a means of protest.

On the other hand, it was noted that the conference did in fact deliver in providing some topics of rural interest while also offering opportunities to provide feedback and ask questions, bring back information that could be applied to decision-making, and network with other rural municipalities across the country. A presentation on broadband, rural town hall on growth of rural communities, and rural plenary about vibrant rural economies featuring two Albertan speakers, were notable rural-focused sessions. This perspective agreed, however, that there was room for improvement, identifying a Farm Hub session that did not represent the grain or beef industries. Offence was expressed that a major federal topic of interest to Albertans, energy and pipelines, was inadequately scheduled to occur too early in the morning, and in such a way that the whole delegation did not have the opportunity to attend. It did not suggest that the FCM was taking the topic as seriously as Albertan's deserve.

Comments from other Councillors noted that FCM had come a long way, since rural matters had not previously been included in their advocacy and now are included as an area of focus. The importance of keeping the rural voice at the table was discussed, noting the progress that could be made by continuing to work towards constructive change at the FCM level rather than choosing to not attend events. It was recognized that Canada is a vast country with different needs and a wide range of geographic problems yet agreed that the FCM organization needed to be doing a better job of offering value to its rural members both at events and through its advocacy. Ultimately, a common desire emerged to educate FCM as to the rural perspectives and issues of priority to western Canadians and advocate for better inclusion in the Annual Conference, and FCM communications and advocacy efforts. It was determined that the collective strength of the Rural Municipalities of Alberta was the best means of advancing this agenda.

We hope for two outcomes, the first being that RMA communicate on an ongoing basis with FCM the topics of priority to RMA's membership and the importance of including them in advocacy, communications, and events at their federal level. It must be demonstrated that rural and western Canadians do not appreciate bias against their perspectives and the issues influencing their livelihoods. Representation of these priorities is required to also educate the rest of Canada as to the factors influencing decision-making in Alberta. We hope that RMA will be our vessel to ensure that specific issues of importance are brought to the table.

Secondly, it is recognized that there are significant challenges in designing a conference that is relevant to everyone when there is such a vast diversity in FCM's

membership. We would like RMA to write a letter requesting that moving forward FCM ensure that rural, western Canada has appropriate representation on conference planning committees with the intent to maximize the relevance and value of the event to all member municipalities. This letter also provides an opportunity to collect from RMA's membership areas of agreement and discontent with the 2019 conference and provide them to FCM as input, for example, the inappropriate scheduling of the energy-focused topic.

RMA Background

RMA will provide after resolution is endorsed at district level.



Agenda Item Report

Regular Council Meeting

AIR Type:	Request for Decision
SUBJECT:	Village of Caroline's Request
PRESENTATION DATE:	Tuesday, September 24, 2019
DEPARTMENT:	CAO Office
WRITTEN BY:	Rick Emmons
REVIEWED BY:	Rick Emmons
BUDGET CONSIDERATIONS:	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Funded by Dept <input type="checkbox"/> Reallocation
LEGISLATIVE DIRECTION:	<input type="checkbox"/> None <input type="checkbox"/> Provincial Legislation <input type="checkbox"/> County Bylaw or Policy
COMMUNITY BUILDING PILLAR (check all that apply):	
<input type="checkbox"/> Economic Prosperity <input checked="" type="checkbox"/> Governance Leadership <input type="checkbox"/> Fiscal Responsibilities <input type="checkbox"/> Environmental Stewardship <input type="checkbox"/> Community Social Growth	
ATTACHMENTS:	
Village Council resolution to County Council Regarding Fire 1033 Meeting Procedures	

STAFF RECOMMENDATION:

For Clearwater County Council to consider the Village of Caroline Council's letter and direct administration to respond as directed.

BACKGROUND:

On September 11th, 2019 Clearwater County Administration received an email from the Village of Caroline. Attached to the email was a letter (attached) with the following motion:

"Motion 229 09 19

Moved by Councilor Rimmer to request Clearwater County retract its Notice of Termination of the Regional Fire Agreement and to enter into reasonable negotiations with the Partners to resolve the dispute in good faith as per the Regional Fire Agreement and the Stronger Together Agreement.

CARRIED"

Clearwater County's Procedural Bylaw states:

Page 1 of 17

"Reconsideration of Motions

14.22 *If a motion is voted on by Council, the same matter dealt with in the motion cannot be reconsidered by Council unless;*

- a) a General Election has been held; **or***
- b) six months has passed since the date that motion was considered; **or***
- c) a motion to reconsider has passed.*

14.23 *A Councillor may introduce a motion asking Council to reconsider a matter dealt with in a previous motion providing:*

- a) the motion is made at the same meeting of Council at which the original matter was considered and is moved by a Councillor who voted with the prevailing result; **or***
- b) a Notice of Motion is submitted by a Councillor who voted with the prevailing result, prior to the meeting at which it is to be considered, in which the Councillor sets out what special or exceptional circumstances warrant Council considering the matter again; **and***
- c) the motion to which it is to apply has not already been acted upon.*

14.24 *If a motion to reconsider is passed the original motion is on the floor."*

Clearwater County has always been willing to enter into negotiations with our municipal neighbours, the County is simply honouring the Town of Rocky's requirement to enter into a mediation process. Clearwater County's intent to negotiate in good faith is evident to the Village, in the draft fire agreement that was negotiated between County and Village administrations and submitted to the Village of Caroline Council.

Clearwater County's Procedural Bylaw #1033/17 does not permit Council to reconsider its motion, however Council does have other options should a different direction be desired.



Mailing address - **Box 148**
Street address - **5004-50 Avenue**
Caroline, AB T0M 0M0
Tel: **(403)722-3781** Fax: **(403)722-4050**
Email: **info@villageofcaroline.com**

September 11, 2019

Clearwater County
4340 - 47 Avenue Box 550
Rocky Mountain House, AB T4T 1A4

Attention: Rick Emmons, CAO

Village Council made the following resolution at the regular council meeting of September 6, 2019 for Clearwater County council consideration:

Motion 229 09 19

Moved by Councilor Rimmer to request Clearwater County retract its Notice of Termination of the Regional Fire Agreement and to enter into reasonable negotiations with the Partners to resolve the dispute in good faith as per the Regional Fire Agreement and the Stronger Together Agreement.

CARRIED

If you have further questions or concerns, please contact our office.

Sincerely,

Melissa Beebe
CAO
Village of Caroline

Office Hours:
Tue to Friday
9:00 AM to 4:00 PM

BYLAW NO. 1033/17

BEING A BYLAW OF CLEARWATER COUNTY, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ORDERLY PROCEEDINGS OF COUNCIL MEETINGS AND THE TRANSACTING OF BUSINESS BY THE COUNCIL OF CLEARWATER COUNTY.

WHEREAS Section 145(b) of the *Municipal Government Act* allows a Council to pass a bylaw in relation to the procedure and conduct of Council, and other bodies established by Council, the conduct of Councillors and the conduct of members of other bodies established by Council;

NOW THEREFORE upon compliance with the relevant requirements of the *Municipal Government Act*, the Council of the Clearwater County, Province of Alberta, duly assembled, enacts as follows:

1. TITLE

- 1.1 This bylaw may be cited as "The Meeting Procedures Bylaw".

2. DEFINITIONS

In this Bylaw:

- 2.1 "Act" means the *Municipal Government Act*, R.S.A .2000, Chapter M-26.
- 2.2 "Administrative Inquiry" is a request by a Councillor to the Chief Administrative Officer for the future provision of information.
- 2.3 "Agenda" is the order of business of a meeting and the associated reports, bylaws or other documents.
- 2.4 "Chief Administrative Officer" means the Chief Administrative Officer of Clearwater County or designate.
- 2.5 "Chair" means the Reeve, Deputy Reeve or other person authorized to preside over a meeting.
- 2.6 "Council" means the municipal Council of Clearwater County.
- 2.7 "Councillor" means a member of Council who is duly elected and continues to hold office and includes the Reeve.
- 2.8 "Council Committee" means any committee, board or other body established by Council by bylaw under the Act.
- 2.9 "Deputy Reeve" means the Councillor appointed by Council to act as the Reeve when the Reeve is unable to perform the duties of the Reeve, or if the office of Reeve is vacant.
- 2.10 "General Election" means an election held in Clearwater County to elect the members of Council as described in the *Local Authorities Election Act*.
- 2.11 "FOIP" means *Freedom of Information and Protection of Privacy Act*.
- 2.12 "In-Camera" means a meeting or portion of a meeting of Council without the presence of the public where the 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*.
- 2.13 "Inaugural Meeting" means the Organizational Meeting immediately following the General Election.
- 2.14 "Meetings" means a meeting under section 192 (organizational meetings), 193 (regular council meetings) or 194 (special council meetings) of the Act; or, where used in reference to a council committee, means a meeting under section 195 (council committee meetings) of the Act.
- 2.15 "Member" includes a Councillor or a member of a Council Committee who is not a Councillor.
- 2.16 "Organizational Meeting" means the meeting held as described in section 4.3 and 4.4 and includes the Inaugural Meeting.
- 2.17 "Pecuniary Interest" means a pecuniary interest with the meaning of the *Municipal Government Act*.
- 2.18 "Point of Order" means a demand that the Chair enforce the rules of procedure.

- 2.19 "Postpone" means the motion by which action on a pending question can be put off, within limits, to a definite day, meeting, or hour, or until after a certain event.
- 2.20 "Public Hearing" is a pre-advertised public hearing that Council is required to hold under the Act or other enactments or any matter at the direction of Council.
- 2.21 "Question of Privilege" means a request made to the Chair, unrelated to the business on the floor that affects the comfort, dignity, safety, or reputation of Council or individual Councillors.
- 2.22 "Quorum" is the minimum number of Members that must be present at a meeting for business to be legally transacted.
- 2.23 "Reeve" means the Chief Elected Official of the County.
- 2.24 "Resolution" can also be referred to as a motion.
- 2.25 "Table" means a motion to delay consideration of any matter, which does not set a specific time to resume consideration of the matter.
- 2.26 "Two-Thirds Vote" means a vote by at least two-thirds of Members present at the meeting and entitled to vote on the motion.

3.0 APPLICATION AND INTERPRETATION

General Rules

- 3.1 The procedures contained in this bylaw shall be observed in all proceedings of Council.
- 3.2 The procedures contained in this bylaw shall be observed in Council Committee meetings with the exception of the limit of the number of times for speaking. However, no Member shall speak more than once to any question until every other Member choosing to speak shall have spoken.
- 3.3 To the extent that a procedural matter is not dealt with in the *Act* or this Bylaw, the matter will be determined by referring to the most recent version of Robert's Rules of Order Newly Revised 10th Edition. Should provision of this bylaw conflict with provisions of Robert's Rules of Order, the provisions of this bylaw shall prevail.
- 3.4 Subject to any statutory obligation to the contrary, Council or a Council Committee may temporarily suspend any provision of this Bylaw by a Two-Thirds Vote.
- 3.5 A Resolution suspending any provision of this Bylaw as provided for in Section 3.4 is only effective for the meeting during which it is passed.

4.0 MEETINGS

Inaugural Meeting

- 4.1 Council must hold its Inaugural Meeting not later than two weeks after the third Monday in October following the General Election.
- 4.2 At this meeting:
- a) All Councillors must take the official oath prescribed by the *Oaths of Office Act*;
 - b) Council must confirm the Council Chambers seating arrangements of Councillors;
 - c) All other matters required by Section 4.4 must be dealt with.

Organizational Meetings

- 4.3 An Organizational Meeting must be held not later than two weeks after the third Monday in October each year.
- 4.4 At the Organizational Meeting, Council must:
- a) appoint a Councillor to the position of Reeve;
 - b) appoint a Councillor to the position of Deputy Reeve;
 - c) appoint Members to Council Committees; and
 - d) conduct other business as identified within the Organizational Meetings Agenda.

Regular Council Meetings

- 4.5 Regular Council meetings are held every second and fourth Tuesday of each month in the Council Chambers at the Clearwater County Administration Office from 9:00 a.m. to 4:00 p.m.
- 4.6 Council may, by Resolution, extend a meeting past 4:00 p.m.
- 4.7 Council may, by Resolution, establish other regular Council meeting dates as may be required from time to time.
- 4.8 Council may change the date, time or place of a regularly scheduled meeting by a Two- Thirds Vote.
- 4.9 Notice of a change in date, time or place, of any meeting of Council will be provided at least 24 hours prior to the meeting to Councillors in accordance with the Act and to the public by:
- a) posting a notice in the Clearwater County Administration Office;
 - b) posting a notice on the Clearwater County website; and,
 - c) posting a notice on Clearwater County's social media pages.
- 4.10 Council may cancel any meeting if notice is given in accordance with section 4.9.

Special Meetings

- 4.11 The Reeve may call a special Council meeting at any time and must do so if a majority of Councillors make a request in writing stating the purpose of the meeting.
- 4.12 A special Council meeting requested by Councillors must be held within 14 days after the request is received.
- 4.13 Notice of a special Council meeting must be given at least 24 hours in advance and in accordance with section 4.9.
- 4.14 A special Council meeting may be held with less than 24 hours' notice to all Councillors and without notice to the public if a least Two-Thirds of the whole Council agrees to this in writing before the beginning of the meeting.
- 4.15 No matter other than that stated in the notice calling the special Council meeting may be transacted at the meeting unless the whole Council is present at the meeting and the Council agrees to deal with the matter in question.

Electronic Recording of Proceedings

- 4.16 The recording of a Council meeting by electronic or other means is allowed unless, in the sole determination of the Chair, the recording of a Council meeting by electronic or other means is disruptive to the process or if the recording of a Council meeting will inhibit or discourage any member of Council or the public from fully participating in the Council meeting. Recording of Public Hearings or quasi-judicial meetings (e.g. Subdivision Appeal Board) will not be permitted. If the Chair determines that the recording of a Council meeting by electronic or other means is disruptive or will inhibit or discourage any member of Council or the public from fully participating in a Council meeting the Chair may prohibit, limit or restrict the recording of a Council meeting by electronic or other means.

Meetings through Electronic Communications

- 4.17 A Councillor may participate in a meeting by means of electronic or other communication facilities if:
- a) a quorum of Council cannot be achieved by Councillors attending a Council meeting or Public Hearing in person; or
 - b) there is a specific item on the agenda of interest to a Councillor and where the Councillor wishes to participate in the discussion and voting on the specific agenda item they may do so provided:
 - i) the Councillor provides 48 hours' notice to the Chief Administrative Officer;
 - ii) the participation by a Councillor can be reasonably accommodated through existing technology and/or facilities;

- 4.18 Councillors participating in a meeting held by means of a communication facility are deemed to be present at the meeting.
- 4.19 Delegations or other persons may participate in a Council meeting or Public Hearing by electronic or other means if Council passes a resolution authorizing participation of a delegation or other persons in a Council meeting or Public Hearing by electronic or other means.

5.0 PUBLIC HEARINGS

- 5.1 Public Hearings will be held in conjunction with a regular Council meeting. However, a special Council meeting for the purpose of holding a Public Hearing may be called.
- 5.2 The procedure for a Public Hearing is as follows:
- a) The Chair will call for a motion to go into Public Hearing;
 - b) The Chair will introduce members of Council and staff, outline the purpose of the Public Hearing, the process to be followed in the Public Hearing and any preliminary matters;
 - c) If applicable,
 - i. Clearwater County staff will present their report followed by questions for clarification by Council; or
 - ii. The proponent or their agent will be requested to present his/her application within a reasonable time period followed by questions for clarification by Council;
 - d) After identifying themselves, members of the public will be invited to make a verbal presentation followed by questions for clarification by Council;
 - e) Depending on the number of written submissions, Clearwater County staff may provide a report on the number of written submissions received and if appropriate a general overview of the contents of the written submissions;
 - f) Verbal or written representation from the federal governments or federal agencies will be invited to make a verbal presentation followed by questions for clarification by Council;
 - g) Verbal or written representation, representatives from the provincial government or provincial agencies will be invited to make a verbal presentation followed by questions for clarification by Council;
 - h) After identifying themselves, representatives from municipal governments or municipal agencies will be invited to make a verbal presentation followed by questions for clarification by Council;
 - i) If applicable
 - i. Clearwater County planning staff will present a closing summary and respond to any questions that may have been raised in the presentations; and
 - ii. The proponent or their agent will present a closing summary and respond to any questions that may have been raised in the presentations.
- 5.3 The use of slides, maps, videos and other similar materials is permitted and these along with written submissions become the property of Clearwater County as exhibits to the hearing.
- 5.4 Persons addressing Council shall give their name, location of residence, an indication as to whether they are speaking on their own behalf or for another person or a group, and address the Chair when responding to questions or providing information.
- 5.5 Individuals may speak for a maximum of five (5) minutes.
- 5.6 One spokesperson per petition or group may speak for a maximum of ten (10) minutes.
- 5.7 At the discretion of the Chair, the time limits for speaking and presentations may be extended to ensure that all interested parties have had a fair and equitable opportunity to express their views.
- 5.8 At the discretion of the Chair, after everyone has had an opportunity to speak once, those interested in speaking a further time and providing new information, may be granted further opportunity to speak.
- 5.9 The Chair is hereby authorized to make any other decisions or determinations with respect to the process or rules of order for the Public Hearing.
- 5.10 The minutes of a Council meeting during which a Public Hearing is held must contain the names of the speakers and a summary of the nature of representations made at the Public Hearing.

6.0 COUNCIL REVIEW HEARING

6.1 In this section, the following terms have the following meanings:

- a) "Order to Remedy" means an order issued under 545 or 546 of the *Act*;
- b) "Review Hearing" means a review by Council of an Order to Remedy in accordance with section 547 of the *Act*;
- c) "Staff" means a designated officer of Clearwater County or an employee of Clearwater County that has been delegated the responsibility to issue an Order to Remedy.

6.2 A request for a Review Hearing must meet the requirements of section 547 of the *Act* and shall include:

- a) the name of the appellant;
- b) the address of the property to which the Order to Remedy relates;
- c) the reasons for the request to review the Order to Remedy;
- d) daytime contact telephone number of the appellant; and
- e) any address to which documents relating to the Review Hearing may be delivered.

6.3 The Chief Administrative Officer will schedule the Review Hearing to be heard at a regular Council Meeting as soon as practicable following receipt of the request after ensuring that all parties have sufficient time to prepare for the Review Hearing.

6.4 Written submissions from the appellant and Staff must be submitted not less than seven (7) days prior to the Review Hearing and will be distributed as part of the Council Agenda.

6.5 A Review Hearing is open to the public unless upon application of any party, Council, pursuant to section 197 of the *Act*, decides that it would be advisable to hold the hearing in private.

6.6 The parties to a Review Hearing are entitled to appear before Council, in person or by an authorized agent, and to be represented by counsel.

6.7 The rules of evidence in judicial proceedings do not apply to a Review Hearing and evidence may be given in any manner Council considers appropriate.

6.8 The procedure in a Review Hearing is as follows:

- a) the Chair will open the Review Hearing, introduce members of Council, Staff and the appellant or their representative;
- b) the Chair will describe the Review Hearing process and deal with any preliminary matters;
- c) the appellant will be invited to make opening remarks and presentation (maximum of fifteen (15) minutes) followed by questions to the appellant by Councillors;
- d) Staff will be invited to make opening remarks and presentation (maximum of fifteen (15) minutes) followed by questions to the Staff by Councillors;
- e) the appellant will be invited to make a rebuttal (maximum of five (5) minutes) followed by questions to the appellant by Councillors;
- f) Staff will be invited to make a rebuttal (maximum of five (5) minutes) followed by questions to the Staff by Councillors; and
- g) The appellant will be invited to make closing remarks (maximum of five (5) minutes) followed by questions to the appellant by Councillors.

6.9 If the appellant fails to attend the Review Hearing despite having been given notice, Council may proceed with the Review Hearing in the absence of the appellant.

6.10 The Chair may establish such other rules of procedure as may be necessary to conduct the Review Hearing properly and fairly.

6.11 At the conclusion of the Review Hearing, Council may confirm, vary, substitute or cancel the Order to Remedy by passing a resolution indicating its decision and its reasons.

6.12 If Council confirms, varies or substitutes the Order to Remedy, the Resolution should require the appellant to comply with the Order to Remedy (or complete the required action) by a specific date, failing which the County may rectify the problem at the appellant's cost.

6.13 Council may go In-Camera to deliberate but the Resolution embodying Council's decision must be made in public.

6.14 The Chief Administrative Officer will cause a notice of the decision of Council to be delivered or mailed to the appellant at the address provided to the Chief Administrative Officer within 15 days after the conclusion of the Review Hearing.

6.15 Service is presumed to be effective under section 6.14:

- a) Seven days from the date of mailing if the document is mailed in Alberta to an address in Alberta; or
- b) Subject to (a), fourteen days from the date of mailing if the document is mailed in Canada to an address in Canada; unless the document is returned to the sender other than by the addressee, or the document was not received by the addressee, the proof of which lies on the addressee.

7.0 QUORUM

7.1 Quorum for Council is a majority of Councillors unless specified otherwise by this or any other bylaw, or the *Act*.

No Quorum

7.2 If there is no Quorum within thirty (30) minutes after the time set for the meeting, the Chief Administrative Officer will record the names of the Councillors present and the meeting will be adjourned to the time of the next regular Council meeting.

Lost Quorum

7.3 If at any time during a meeting Quorum is lost, the meeting will be recessed, and Quorum is not achieved again within fifteen (15) minutes, the meeting will be deemed to be adjourned.

8.0 COMMENCEMENT OF MEETINGS AND HEARINGS

8.1 As soon as there is a Quorum after the time for commencement of a Council meeting:

- a) the Reeve must take the Chair and begin the meeting; or
- b) if the Reeve is absent the Deputy Reeve must take the Chair and begin the meeting; or
- c) if the Reeve and Deputy Reeve are not in attendance within fifteen minutes after the time set for the meeting and there is a Quorum, the Chief Administrative Officer must begin the meeting by calling for a motion for the appointment of a Chair.

8.2 Upon their arrival, the Reeve or Deputy Reeve will assume the Chair.

9.0 DUTIES OF THE REEVE OR CHAIR

9.1 The Reeve or Chair:

- a) opens Council meetings;
- b) chairs Council meetings;
- c) preserves order in Council meetings;
- d) decides all questions of procedure;
- e) ensures that each Councillor who wishes to speak on a debatable motion is granted the opportunity to do so; and
- f) decides who, aside from Councillors, may address Council.

10.0 AGENDA

Preparation of Agenda

10.1 The Agenda for each Council meeting shall be established by the Chief Administrative Officer.

Agenda Delivery

10.2 The Chief Administrative Officer will distribute the Council Agenda by email to members of Council on the Wednesday afternoon preceding the Council meeting.

Late Submissions

10.3 Reports and supplementary materials related to items on the Agenda and that are received too late to be included with the Agenda package will be made available as soon as reasonably possible.

10.4 Additional Agenda items, reports and supplementary material that are time sensitive and received too late to be included on the Agenda may be made available for consideration of Council as an additional Agenda item and will be delivered to Council members in paper or electronic format as soon as possible.

10.5 The Chief Administrative Officer will make copies of the Agenda and background information available to the public after distribution to Council.

Adoption of the Agenda

10.6 Council must vote to adopt the Agenda prior to transacting other business and may add new items or delete any matter from the Agenda by a Two-Thirds Vote.

10.7 The Agenda of an adjourned meeting will be dealt with at the beginning of the next regular meeting unless a special meeting is called to deal with the business of the adjourned meeting.

11. ORDER OF BUSINESS

Order of Business

11.1 The Order of Business for each meeting shall be as outlined in Schedule "A"

Deviation from Order of Business

11.2 The Chair, in his/her sole determination, may deviate from the Order of Business to accommodate special circumstances and ensure effective and efficient use of time.

12. MINUTES

The Chief Administrative Officer will prepare minutes for all Council meetings which will include:

- a) the names of Councillors and members of Administration present at Council meetings;
- b) a brief description of the subject matter;
- c) all decisions and other proceedings;
- d) the names of staff or members of the public who speak to an item;
- e) any abstentions made under the *Act* by a Councillor and the reason for the abstention;
- f) resolutions for the part(s) of the meeting closed to the public; identifying the FOIP section and the basis for which the part of the meeting is to be closed;
- g) the names of persons allowed to attend in-camera portion of the meeting, and the reason for their attendance.
- h) the signatures of the Chair and the Chief Administrative Officer.

13. PROCEEDINGS

Discussion Directed through Chair

13.1 All discussion at a Council meeting must be directed through the Chair who will be addressed as "Reeve" or "Mister/Madam Chair".

Absence from Proceedings

13.2 When a Councillor has a Pecuniary Interest in a matter before Council or a Council Committee the Councillor must, if present, disclose the general nature of the Pecuniary Interest prior to any discussion on the matter, abstain from voting on any question relating to the matter and, subject to the *Act*, abstain from any discussion of the matter and leave Council Chambers until discussion and voting on the matter are concluded.

Speaking to Motions

13.3 A Councillor may not speak unless and until recognized by the Chair.

13.4 Unless permitted by the Chair, a Councillor may only speak twice on any motion, once in debate and once to ask questions.

Time Limit

13.5 Each Councillor may speak for only five (5) minutes, unless otherwise permitted by the Chair.

Interruption of Speaker

13.6 A Councillor who is speaking may only be interrupted by another Councillor:

- a) by a Question of Privilege; or
- b) by a Point of Order.

13.7 A Councillor who is speaking when a Question of Privilege or a Point of Order is raised must cease speaking immediately.

13.8 The Chair may grant permission:

- a) to the Councillor raising a Question of Privilege or a Point of Order to explain the Question or Point briefly; and
- b) to the Councillor who was speaking to respond briefly.

but otherwise a Question of Privilege or Point of Order is not debatable or amendable.

Ruling on Proceedings

13.9 The Chair will rule on a Question of Privilege or Point of Order.

13.10 The Chair may seek advice on a Question of Privilege or Point of Order to determine whether a matter is within the jurisdiction of Council.

Challenging a Ruling

13.11 Any ruling of the Chair may be challenged.

13.12 A motion to challenge may be made only at the time of the ruling, whether or not another speaker has the floor.

13.13 A motion to challenge is debatable unless it related to decorum, the priority of business, or an undebatable pending motion.

13.14 If a motion to challenge is made the Chair must state the question "Is the ruling of the Chair upheld?", and may participate in debate on the challenge without leaving the Chair.

13.15 If the Chair refuses to put the question on a challenge, the person who would preside if the individual occupying the Chair were absent must put the question to Council.

13.16 Council will decide the challenge by voting and the decision of Council is final.

14. MOTIONS

Consideration of Motions

14.1 Unless otherwise determined by the Chair, no matter may be debated or voted on by Council unless it is in the form of a motion.

14.2 A Councillor may move a motion whether or not the Councillor intends to support it.

14.3 Once a motion has been moved and stated by the Chair, it is in the possession of Council, and may only be withdrawn with the unanimous consent of the Councillors present at the meeting.

14.4 All motions shall be presented in a manner that will allow Council to take a positive action.

14.5 When required to do so by the Act, Council will provide reasons why a motion was defeated.

14.6 A motion does not require a seconder.

Motions to the Main Motion

14.7 When a motion is made and is being considered, no Councillor may make another motion except to:

- a) amend the motion;
- b) amend any amendment to the motion;

- c) refer the main motion for consideration;
- d) Table the motion;
- e) Postpone the motion; or
- f) move a privileged motion.

Privileged Motions

14.8 The following motions are privileged motions:

- a) a motion to recess;
- b) a motion to adjourn;
- c) a motion to set the time for adjournment; and
- d) a Question of Privilege.

Motion to Recess

14.9 The Chair, without a motion, may recess the meeting for a specific period.

14.10 Any Councillor may move that Council recess for a specific period.

14.11 After a recess, business will be resumed at the point where it was interrupted.

Severing Motions

14.12 The Chair may sever a motion and the original mover of the motion will remain as the mover of the severed motion.

Amending Motions

14.13 A Councillor may not amend a motion or make an amendment which:

- a) does not relate to the subject matter of the main motion; or
- b) is contrary to the main motion.

14.14 Only one amendment to the main motion and only one amendment to that amendment are allowed.

14.15 The main motion will not be debated until any proposed amendments to it have been debated and voted on.

14.16 When all proposed amendments have been voted on, the main motion, incorporating the amendment that has been adopted by Council, will be debated and voted on.

Referring Motions

14.17 A Councillor may move to refer any motion to the appropriate Council Committee or the administration for investigation and report, and the motion to refer:

- a) precludes all further amendments to the motion;
- b) is debatable; and
- c) may be amended only as to the body to which the motion is referred and the instructions on the referral.

Motion to Limit or End Debate

14.18 Any motion to limit or end debate:

- a) cannot be debated;
- b) must be passed by a Two-Thirds Vote; and
- c) may only be amended as to the limit to be placed on debate.

Motion to Table

14.19 A motion to Table another motion:

- a) cannot be debated;
- b) takes precedence over any other motion connected with the motion being Tabled; and
- c) may be raised from the Table at any time by a majority vote of Council.

- 14.20 A Tabled motion is brought back with all of the motions connected with it, exactly as it was when Tabled.

Motion to Postpone

- 14.21 A motion to Postpone:

- a) takes precedence over any other motion connected with the motion being Postponed;
- b) can only be debated as to the time, or date; and
- c) cannot be amended.

Reconsideration of Motions

- 14.22 If a motion is voted on by Council, the same matter dealt with in the motion cannot be reconsidered by Council unless;

- a) a General Election has been held; or
- b) six months has passed since the date that motion was considered; or
- c) a motion to reconsider has passed.

- 14.23 A Councillor may introduce a motion asking Council to reconsider a matter dealt with in a previous motion providing:

- a) the motion is made at the same meeting of Council at which the original matter was considered and is moved by a Councillor who voted with the prevailing result; or
- b) a Notice of Motion is submitted by a Councillor who voted with the prevailing result, prior to the meeting at which it is to be considered, in which the Councillor sets out what special or exceptional circumstances warrant Council considering the matter again; and
- c) the motion to which it is to apply has not already been acted upon.

- 14.24 If a motion to reconsider is passed the original motion is on the floor.

15. IN CAMERA

Motion to go In-Camera to Close the Meeting

- 15.1 Before holding part of a meeting that is to be closed to the public, Council must:

- a) approve by resolution the part of the meeting that is to be closed; and,
- b) state FOIP basis for which that part of the meeting is to be closed.

In-Camera Meeting

- 15.2 All In-Camera meetings will:

- a) be chaired by the Reeve or Deputy Reeve; and,
- b) be held without the presence of the public unless allowed by Council.

- 15.3 Once in camera meeting discussions are completed, any members of the public who are present outside the meeting room must be notified that the rest of the meeting is now open to the public, and a reasonable amount of time must be given for those members of the public to return to the meeting before it continues.

- 15.4 No bylaw or motion will be passed at an In-Camera meeting except for a motion to revert to a meeting to be held in public.

16. NOTICE OF MOTION

- 16.1 A Councillor may make a motion introducing any new matter if:

- a) notice is given at a previous Council meeting; or,
- b) notice is submitted to the Chief Administrative Officer in writing (hard copy or email) to be included in the next Council Agenda; or,
- c) Council, by a Two-Thirds Vote, agrees to dispense with notice.

17. VOTES OF COUNCIL

Requirement to Vote

- 17.1 Each Councillors present must vote on every motion, unless the Councillor is required or permitted to abstain from voting under the *Act*.

Voting Procedure

- 17.2 Votes on all motions must be taken as follows:

- a) except for a meeting conducted through electronic or other communication facilities, Councillors must be in their designated Council seat when the motion is considered;
- b) the Chair puts the motion to a vote;
- c) Councillors vote by a show of hands or other method agreed to by Council; and
- d) the Chair declares the result of the vote.

- 17.3 Unless otherwise specified in this bylaw, a motion is carried when a majority of Councillors present at a meeting vote in favor of the motion.

Declaring Results of a Vote

- 17.4 After the Chair declares the result of the vote, Councillors may not change their vote for any reason.

- 17.5 A question on the results of a vote may be resolved by the Chair immediately calling for a revote on the motion.

Tie Votes

- 17.6 A motion is lost when the vote is tied.

18. BYLAWS

Basic Requirements

- 18.1 All proposed bylaws must have:

- a) a bylaw number assigned by the Chief Administrative Officer; and
- b) a concise title indicating the purpose of the bylaw.

- 18.2 Councillors will be provided the opportunity to review a copy of the proposed bylaw, in its entirety, prior to any motion for first reading.

Introducing a Bylaw

- 18.3 A proposed bylaw must be introduced at a Council meeting by a motion that the bylaw be read a first time. Council may hear an introduction of the proposed bylaw from the Chief Administrative Officer.

- 18.4 After first reading has been given, subject to the requirements of the *Act*, any Councillor may move that the bylaw be read a second time.

- 18.5 Council may not give a bylaw more than two readings at a meeting unless all Councillors present at the meeting vote in favor of allowing a third reading at that meeting.

Amendments to Bylaws

- 18.6 Any amendments to the bylaw which are carried prior to the vote on third reading will be considered to have been given first and second readings and will be incorporated into the proposed bylaw.

Defeated Bylaws

- 18.7 The previous readings of a proposed bylaw are rescinded if the proposed bylaw:

- a) does not receive third reading within two years after first reading; or
- b) is defeated on second or third reading.

Effective Date

- 18.8 A bylaw is effective from the beginning of the day it is signed unless the bylaw or any applicable statute provides for another effective date.

Bylaws Signed and Sealed

- 18.9 The Reeve and the Chief Administrative Officer must sign and seal the bylaw as soon as reasonably possible after third reading is given.
- 18.10 Once a bylaw has been passed, it may only be amended or repealed by another bylaw made in the same way as the original bylaw, unless another method is specifically authorized by the Act or another enactment.

19. ADMINISTRATIVE INQUIRIES

Verbal or Written Administrative Inquiries

- 19.1 Any Councillors may make an Administrative Inquiry:
- a) verbally, if the Councillor does not require a written response; or
 - b) in writing, if the request requires a written response.

Submission of Administrative Inquiries

- 19.2 Administrative Inquiries may be submitted:
- a) at any regular meeting of Council; or
 - b) for inclusion on the Agenda of a Council meeting; or
 - c) outside a regular Council meeting if the response to the Inquiry is not a substantive task.

Response to Administrative Inquiries

- 19.3 Administrative Inquiries made at a Council meeting will be responded to at the next meeting of Council following the meeting at which the Inquiry was submitted, unless:
- a) the financial or other resources required to answer the Inquiry are substantial and a decision of Council or the Chief Administrative Officer is required to approve such allocation of resources; or
 - b) additional time is required to prepare the response or compile the requested information.
- 19.4 Administrative Inquiries made outside a Council meeting will be responded to within two weeks from the date the inquiry was submitted, unless:
- a) the financial or other resources to answer the inquiry are substantial and a decision of Council or the Chief Administrative Officer is required to approve such allocation of resources.
 - b) additional time is required to prepare the response or compile the requested information.
- 19.5 Councillors will be advised as to when the response to an Administrative Inquiry will be provided.
- 19.6 The Chief Administrative Officer may determine if the information acquired in response to an Administrative Inquiry is of benefit to Councillors and may direct that the Administrative Inquiry and the response be distributed to all Councillors.
- 19.7 A Councillor who requested an Administrative Inquiry may request that the Inquiry be abandoned.

20. COMMUNICATIONS TO COUNCIL

Public Presentations at Council Meetings

- 20.1 Requests for an appointment to make a public presentation to Council must be received by the Chief Administrative Officer and must:

- a) be in writing and received at least seven (7) business days prior to the Council meeting date;
 - b) clearly identify the reason or purpose of the appointment;
 - c) identify the individual, or primary contact for a group or organization; and
 - d) include contact information of the individual or organization;
- 20.2 A decision on a request from a public presentation will be dealt with after all other new and unfinished business agenda items have been addressed by Council.
- 20.3 If a public presentation presents a request and the Chief Administrative Officer has not presented a background report and recommendation, the matter will be referred back to administration for review, preparation of a background report and recommendation from the Chief Administrative Officer. The administrative report and recommendation from the Chief Administrative Officer shall be included on the next Council meeting agenda.
- 20.4 Presentations from sales persons will not be allowed.
- 20.5 Presentations on matters previously reviewed at public hearings, order to remedy reviews, and appeal boards for assessment, pest and weed control, subdivision and development shall not be made.
- 20.6 The amount of time allocated for public presentation is at the sole discretion of the Chair.

Criteria for Written Submissions

- 20.7 Any communication intended for Council must be forwarded to the Chief Administrative Officer in writing and must:
- a) be legible and coherent;
 - b) be able to identify the writer and the writer's contact information;
 - c) be on paper or, in a printable format; and
 - d) not be libelous, impertinent or improper.

Responsibilities of the Chief Administrative Officer

- 20.8 If the Chief Administrative Officer determines the communication or presentation is within the governance authority of Council, the Chief Administrative Officer will:
- a) if it relates to an item already on the Agenda, deliver a copy of the communication or a summary of it to Councillors prior to or at the meeting at which the Agenda is being considered; or
 - b) acquire all information necessary for the matter to be included on a future Council agenda for consideration by Council.

Decisions on Communications

- 20.9 If the Chief Administrative Officer determines the communication and/or presentation is not within the governance authority of Council, the Chief Administrative Officer will:
- a) refer the communication to administration for a report or a direct response and provide a copy of the original correspondence and the referral to the Councillors;
 - b) take any other appropriate action on the communication.
- 20.10 If a Councillor objects to the process determined by the Chief Administrative Officer, a Councillor may introduce a notice of motion requesting the item be included for Council consideration on a Council Agenda.
- 20.11 If the standards set out in section 20.7 are not met, the Chief Administrative Officer may file the communication without any action being taken.
- 20.12 The Chief Administrative Officer will respond to the person sending the communication and advise that person of the process to be followed and any action taken on the subject of the communication.

21. CONDUCT IN COUNCIL MEETINGS

Public Conduct

- 21.1 During a Council meeting members of the public must:
- a) not approach or speak to Council without permission of the Chair;
 - b) not speak on any matter for longer than five (5) minutes, unless permitted by the Chair;
 - c) maintain order and quiet; and
 - d) not interrupt a speech or action of Council or another person addressing Council.
- 21.2 The Chair may order a member of the public who creates a disturbance or acts improperly at a meeting to be expelled.

Council Conduct

- 21.3 During a Council meeting, Councillors must not:
- a) imply attribution of motive, speak disrespectfully, or use offensive words
 - b) address Councillors without permission;
 - c) carry on a private conversation;
 - d) break the rules of Council or disturb the proceedings;
 - e) leave their seat or make any noise or disturbance while a vote is being taken or the result declared; or
 - f) disobey the decision of the Chair on any question of order, practice or interpretation.

Cell Phones and Personal Electronic Devices

- 21.4 During a Council meeting cell phones and personal electronic devices shall be turned off or set on a mode that will not be a disruption to the meeting.

Breach of Conduct

- 21.5 A Councillor who persists in a breach of subsection 21.3 or 21.4, after having been called to order by the Chair, may, at the discretion of the Chair, be ordered to leave for the duration of the meeting.
- 21.6 At the discretion of the Chair, a Councillor may resume his or her seat after making an apology for the Councillor's offending conduct.

EFFECTIVE DATE

- 22.1 This Bylaw will come into force and effect on the final day of passing and signature thereof.
- 22.2 Bylaw No. 954/12 is hereby repealed.

READ A FIRST TIME this 12th day of December, 2017.

READ A SECOND TIME 12th day of December, 2017.

PERMISSION FOR THIRD READING grant this 12th day of December, 2017.

READ A THIRD AND FINAL TIME this 12th day of December, 2017.


Reeve


Interim Chief Administrative Officer