

**ADDITIONAL AGENDA**

for the Regular Meeting of Red Deer City Council  
to be held on **MONDAY, MAY 4, 1987**, in the Council Chambers  
of City Hall, Red Deer

NO. 1

April 27, 1987

TO: City Council  
FROM: Asst. City Clerk

RE: Proposed Health Bylaw 2934/87

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As Council will recall, at their meeting of March 9, 1987, consideration was given to the above noted Bylaw. Prior to considering second and third readings of said Bylaw, same was tabled to the May 4, 1987, Council meeting in order that the Bylaw be referred back to the Ad-Hoc Health Bylaw Committee to revise same in accordance with concerns expressed by Council.

Attached for Council's consideration is the requested revised Health Bylaw as submitted by Alderman Kokotailo. Alderman Kokotailo has indicated he will elaborate on said revisions at the Council meeting.

This matter is again placed before Council for your consideration.

K. Kloss  
Asst. City Clerk

12. Upon designating smoking areas, the proprietor shall post a sign at the main entrance containing the words "smoking permitted only in smoking areas" and shall post smoking permitted signs in the smoking areas.

#### SCHOOL BUILDING

13. The proprietor of a school building may designate all or any part of such building as a no smoking area.
14. Upon electing to designate all or any portion of a school building as a no smoking area, the proprietor shall post a no smoking sign at the entrances thereto containing the words "smoking permitted only in smoking areas".

#### TAXI CAB

15. No person shall smoke in a taxi cab unless otherwise designated pursuant to section 16.
16. The proprietor of a taxi cab may designate the taxi cab as a smoking area from time to time subject to the consent of the driver and all passengers actually occupying the taxi cab.
17. The proprietor of a taxi cab shall post in a conspicuous position in the taxi cab clearly visible to the passengers therein
  - (a) A no smoking sign in general conformity with Schedule "A", or
  - (b) A sign containing the words "smoking permitted only by consent of all passengers and driver".

#### PLACES OF EMPLOYMENT

18. Effective January 1, 1988 no person shall smoke in a place of employment except in a smoking area.
19. The proprietor of a place of employment may designate all or any part of such premises as a smoking area.
20. The proprietor of a place of employment shall
  - (a) post a no smoking sign at each of the entrances thereto, or
  - (b) upon designating a smoking area shall post a sign at each of the entrances to the place of employment containing the text "smoking permitted only in smoking areas" and shall post smoking permitted signs in such smoking area.
21. Until December 31, 1987 the policy of the City with respect to smoking in a place of employment is as set forth in Schedule "D" hereto. Proprietors of places of employment

are recommended to utilize the policy in the decision to designate smoking areas. Failure to conform to such policy shall not be an offence under this by-law.

#### GENERAL AREAS

22. The proprietor of any building, or other indoor premises not specifically listed in this By-law may designate all or any portion of such premises as a no smoking area, by posting therein no smoking signs in accordance with this By-law.

#### SIGNS

23. Where this By-law permits a smoking area to be designated by a proprietor, such smoking area

- (a) Shall be identified by means of signs provided for in this By-law
- (b) shall be designed, constructed or arranged to ensure that smoke or gas resulting from smoking is minimized in adjacent no-smoking areas.
- (c) shall not exceed the size limitations imposed by any other section of this by-law;
- (d) shall not include any part of the premises to which non-smokers may need access, and
- (e) shall not include any area in which smoking is prohibited pursuant to any fire by-law, regulation or statute.

24. Signs prohibiting smoking shall

- (a) Be in a form in general conformity with Schedule "A" annexed hereto, and may include the words "City of Red Deer Health By-law", or
- (b) Be a written sign including the words "no smoking", such text to be not less than 1" in vertical height, or
- (c) Be a combination of (a) and (b) above.

25. A sign permitting smoking shall

- (a) Be in a form in general conformity with Schedule "B" annexed hereto, and may include the words "City of Red Deer Health By-law", or
- (b) Be a written sign including the text "smoking area" such text to be not less than 1" in vertical height, or
- (c) Be a combination of (a) and (b) above.



26. Signs shall consist of at least two contrasting colours, or if the lettering is to be applied to a clear panel then the lettering shall contrast to the colour of the background against which the sign is posted.
27. No person shall remove, alter, conceal, deface or destroy any sign posted by any person pursuant to this By-law.
28. The proprietor of any premises in which smoking is prohibited pursuant to this by-law shall post a no smoking sign within the building in proximity to the main public entrance of such place and conspicuously in at least one location on each floor therein.
29. All signs used to identify smoking or no smoking areas shall be placed at a height and location easily seen by a person in the premises, and shall not be obscured in any way.

#### PENALTIES

30. No person shall smoke in a no smoking area designated by a proprietor, or established pursuant, this by-law.
31.
  - (1) Any proprietor who contravenes any of the provisions or requirements of this by-law is guilty of an offence and is liable upon summary conviction to a minimum penalty of \$ 100.00.
  - (2) Any other person who contravenes any of the provisions or requirements of this by-law is guilty of an offence and is liable upon summary conviction to a minimum penalty of \$ 30.00.
32. The offence ticket in the form and content which is set forth in Schedule "C" annexed hereto and made part of this by-law is hereby prescribed and approved as the offence ticket to be issued for any contravention of this by-law.
33. Where a peace officer, by-law enforcement officer or a member of the Canadian Corp. of Commissionaires, has reasonable grounds to believe a person has contravened any of the sections of this by-law he may issue and serve upon such person an offence ticket in the form prescribed.
34.
  - (1) Where payment of the penalty for an offence ticket issued for contravention of any section of this by-law is received by the City within 7 days of the date of service of the offence ticket, the penalty specified in the offence ticket shall be reduced by \$ 10.00 and such reduced payment shall be accepted in lieu of prosecution.
  - (2) Where payment of the penalty for an offence ticket issued for contravention of any section of this by-law is received by the City within 8 to 15 days from the date of service of the offence ticket, the penalty specified in the offence ticket shall be reduced by \$ 5.00 and such reduced payment shall be accepted in lieu of prosecution.

- (3) If at any time after the expiry of 15 days from the date of service of the offence ticket and up to but not including the seven days prior to the return date of that summons, a person tenders to the City payment in full of the amount of the prescribed penalty, payment shall be accepted in lieu of prosecution.
- (4) If the person upon whom such offence ticket is served fails to pay the required sum within the times hereinbefore limited, the provisions of this section for acceptance of payment in lieu of prosecution do not apply.
35. Should a person not pay the penalty provided for contravention of any section of this by-law and a prosecution be entered against him, he shall be liable on summary conviction to pay a minimum fine equal to the penalty stated in the said offence ticket, plus court costs and in default of payment of the penalty and costs imposed by the court, to a term of imprisonment not exceeding three months.
36. Nothing in this by-law shall,
- (a) prevent any person from exercising his right to defend any charge laid for contravention of any sections of this by-law, or
- (b) prevent any peace officer, by-law enforcement officer or a member of the Canadian Corp. of Commissionaires in lieu of serving an offence ticket, from laying an information or complaint against any person for contravention of any section of this by-law.
37. Should any provision of this by-law be found to be invalid it is the express wish of the Council for the City that such invalid portion be severed and that the remainder of the by-law be maintained.
38. By-law 2853/85 is hereby repealed upon this by-law coming into full force.
39. This by-law shall come into full force \_\_\_\_\_ months following third reading.

READ A FIRST TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1987.

READ A SECOND TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1987.

READ A THIRD TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1987.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

Box 16, Site 12, R.R.#1  
Red Deer, Alberta  
April 15, 1987

10.

Mr. Ryan Strader, Development Officer  
Box 5008, City Hall  
Red Deer, Alberta  
T4N 3T4

Dear Mr. Ryan Strader:

I would like to suggest that the City of Red Deer ban smoking in public places. Smoking is a dangerous practice which can seriously affect the health of both smokers and nonsmokers. The nonsmoker is forced to breathe in smoke from the burning end of the cigarette as well as the smoke exhaled by the smoker. Inhaling second-hand smoke makes the heart beat faster, the blood pressure go up, and the level of carbon monoxide in the blood increase.

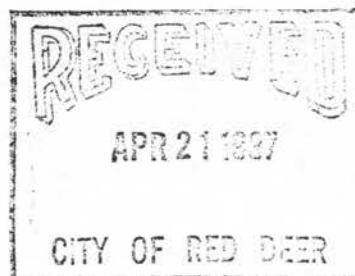
According to a pamphlet published by the Canadian Lung Association intitled Cigarette Smoking, it is stated as a fact that cigarette smoking is a major cause of emphysema, lung cancer, chronic bronchitis, and heart disease. Smokers should not be permitted to jeopardize the nonsmokers' health.

Some smokers are abusing the existing by-law. If banning of smoking in public places becomes a by-law, there will have to be a better way to enforce it.

Respectfully yours,

(Jim Sinclair)

*Jim Sinclair*



April 27, 1987

TO: Ad-Hoc Health (Smoking) Bylaw Committee  
FROM: Asst. City Clerk  
RE: Proposed Health Bylaw 2927/87

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I would advise that at the Council Meeting of March 9, 1987, Council considered the above noted bylaw, following which same was tabled to the May 4, 1987, Council Meeting in order that same could be revised to take into account concerns expressed by Council.


Alderman Kokotailo has revised the Bylaw, a copy of which is attached, once again for Council's consideration.

Due to holidays, Alderman Kokotailo was unable to call a meeting of the Health Bylaw Committee to discuss the revisions, however, he requested that you review the attached Bylaw and if you have any concerns, objections, or recommended amendments to same, please forward them to the undersigned by Thursday morning, April 30, 1987.

As indicated, this matter will be presented to Council on Monday, May 4, 1987. A time this item will be heard by Council will be established on Friday, May 1, 1987, and is available by calling the undersigned at 342-8136.

If you have any questions or require clarification, please do not hesitate to contact the undersigned.

Trusting you will find this satisfactory.

  
K. Kloss  
Asst. City Clerk

Encl.

# CHAPMAN RIEBEEK SIMPSON CHAPMAN WANLESS

Barristers & Solicitors

THOMAS H. CHAPMAN, Q.C.\*  
NICK P. W. RIEBEEK\*  
DONALD J. SIMPSON  
T. KENT CHAPMAN  
GARY W. WANLESS\*

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\*Denotes Professional Corporation

208 Professional Building  
4808 Ross Street  
Red Deer, Alberta T4N 1X5

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TELEPHONE (403) 346-6603

TELECOPIER (403) 340-1280

TWX 610-841-5684

Your file:

Our file: 12,517

April 24, 1987

City of Red Deer  
City Hall  
RED DEER, Alberta


Attention: K. Kloss

Dear Sir:

Re: Health By-law

Further to Alderman Kokotailo's instructions I enclose the revision of the Health By-law, together with my memorandum respecting the same for distribution to each member of the Ad Hoc Committee. It is my understanding that the committee members are requested to respond to the draft by-law and if no objections are lodged that such by-law would be placed on the agenda for the Council meeting of May 4.

Yours truly



THOMAS H. CHAPMAN

/jrl

Encl.

MEMORANDUM

April 7, 1987

TO: Ad Hoc Health Bylaw Committee

FROM: City Clerk

RE: The Health Bylaw No. 2927/87

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In accordance with Council's wishes, a hearing was advertised in regard to the above noted bylaw for Monday, April 6, 1987, commencing at 7:00 p.m.

At the above noted public hearing, there was only one representation made, that being Mr. R. Schnell on behalf of the Red Deer Public School Board. It is the School Board's contention that Council is treading in the domain of the School Board by attempting to make regulations with regard to smoking in School buildings. In support of the Board's contention, Mr. Schnell quoted Section 72 of the School Act and requested that Council delete any reference whatsoever in the Health Bylaw to properties under the jurisdiction of the School Board.

Following considerable discussion, the matter was tabled for a period of four weeks on a motion by Alderman Kokotailo in order that some of the concerns expressed might be considered by the Ad-Hoc Committee and also to review the matter of signage, specifically with reference to Schedules A & B.

This matter is once again therefore being referred to the Ad Hoc Committee and we trust that the Committee will be in communication with the School Board in an endeavor to head off any confrontation in this area. A further report is anticipated from the Committee for inclusion on the May 4 Council agenda.

  
C. Sevcik  
City Clerk

c.c. City Solicitor

Phone Jack - where  
do I go re

7-6559

Phoned Jack - he  
will contact us  
re: meeting date.

# THE CITY OF RED DEER



## OFFICE OF THE BYLAWS AND INSPECTIONS MANAGER

April 23, 1987

Mr. Jim Sinclair  
Box 16, Site 12, R.R. #1  
Red Deer, Alberta  
T4N 5E1

Dear Sir:

In response to your letter of April 15, 1987, we wish to advise that the City of Red Deer is currently considering a Bylaw that would, in effect, place limitations on where a person could smoke. This Bylaw would cover both public and private locations such as restaurants, work places, etc. As this Bylaw is currently under consideration by City Council, I have forwarded your letter to the City Clerk's Department for reference to Council at the appropriate time.

Should you have any further questions, please contact our office at your convenience.

Yours truly,

R. Strader  
BUILDING INSPECTION DEPT.  
City of Red Deer

RS/lrs

Being a By-law of the City of Red Deer with respect to the health of the citizens of Red Deer and the regulation of smoking.

WHEREAS section 112 of the Municipal Government Act, R.S.A. 1980, Chapter M-26 provides as follows:

"A council may pass by-laws that are considered expedient and are not contrary to this or any other act, a) for the peace, order and good government of the municipality, b) for promoting the health, safety, morality and welfare thereof."

AND WHEREAS it has been determined that smoking, and second-hand tobacco smoke is a health hazard and a public nuisance because of its adverse effect upon and risk to the health of the inhabitants of the City of Red Deer;

AND WHEREAS it is desirable for the health, safety, and welfare of the inhabitants of the City of Red Deer to provide for regulating smoking for the better protection of persons from conditions injurious to health in accordance with the provisions of this by-law;

NOW THEREFORE the Municipal Council of the City of Red Deer, in the Province of Alberta, duly assembled, enacts as follows:

#### SHORT TITLE

1. This by-law may be cited as "The Health by-law".

#### DEFINITIONS

2. In this by-law,

- (a) "beverage room" or "lounge" - means any premises which have been licensed for the sale of liquor pursuant to the provisions of the Liquor Control Act of Alberta;
- (b) "City" - means the City of Red Deer, a municipal corporation of the Province of Alberta, and includes the area contained within the boundaries of the City where the context so requires;
- (c) "government premises" - means any office or premises of the Government of Canada, the Government of the Province of Alberta and any agency thereof or a Crown Corporation;
- (d) "health care facility" - includes any place in which medical, dental, optical, physiotherapy, chiropractic or other similar health services are provided or arranged;
- (e) "Hospital" - means an institution operated for the care of

CITY OF RED DEER

*R. Smith*  
CITY CLERK



diseased, injured or sick people, and shall include the common public areas of nursing homes or senior citizen homes;

- (f) "local government premises" - means City Hall, and any City or County of Red Deer No. 23 premises or offices;
- (g) "no smoking area" - means an area in which smoking is prohibited pursuant to this by-law;
- (h) "personal services establishment" - means any place in which a service to or on the body of another person is provided in exchange for money or services, and includes but is not limited to a barber shop, beauty parlour, health spa, massage parlour, tattoo shop, sauna and steam bath;
- (i) "place of employment" - means any indoor place of work other than
  - (i) a private home which also serves as a place of work, or
  - (ii) a place of work occupied solely by an independent contractor or only by the partners to a partnership,

and includes any parts of a retail shop used exclusively by the employees of such premises, but does not include a reception area;

- (j) "place of public assembly" - means any building or portion thereof where the public may gather for such purposes as entertainment, recreation, deliberation, business or amusement, but does not include a place where a private social function is being held;
- (k) "post" - includes the act of keeping continuously displayed;
- (l) "private social function" - means a special social event for which an entire room or hall has been exclusively reserved, and at which attendance is limited to people who have been specifically invited or designated by the sponsor thereof, but does not include events which are held privately for the purpose of business, sales or education;
- (m) "proprietor" - means
  - i) the occupant or owner, or his agent or representative, of premises referred to in this by-law and includes any person in charge thereof or anyone who controls, governs or directs the activity carried on therein. In respect of premises

occupied by more than one occupant, "owner" shall mean, in respect of the common areas of the premises, the legal owner or his agent or representative and in respect of those portions of the premises that are occupied by persons other than the legal owner, "owner" shall mean the occupant or his agent or representative. In the event that the occupants fail to exercise its discretion under this By-law, then the legal owner or his agent or representative may exercise such discretion on behalf of the occupant;

- ii) the owner or driver of a taxi-cab;
- (n) "public washrooms" - means any washroom or lavatory open to the general public;
- (o) "reception area" - means the space used by an office or any business establishment for the receiving of customers, clients, patients or other persons dealing with such office or establishment;
- (p) "restaurant" - means any place of business where food or refreshments are prepared to order and sold for human consumption on the premises and includes a restaurant, lunch counter or cafeteria but does not include an outdoor dining area or outdoor food stall;
- (q) "retail shop" - means any building, or booth, stall or place where goods are exposed, auctioned or offered for sale at retail to the general public, but does not include:
  - (i) any beverage room, canteen, club or lounge included in the term "licensed premises" as defined in The Liquor Licensing Act; and
  - (ii) any place where the major or only trade or business carried on is that of custom blending of tobaccos or the sale of tobaccos, pipes, cigars, cigarettes or smoker's sundries; and
  - (iii) any restaurant.
- (r) "school building" - means a building provided or managed by a Board of ~~School~~ Trustees or independent persons or organizations for the education of individuals, ~~up to and including the level of Grade 12;~~
- (s) "seating capacity" - means the number of seats provided for use by patrons or customers for the consumption of food while seated;

*whether they include  
Grade up to Grade 12  
or not*

- (t) "service line" - means an indoor line of two or more persons awaiting service of any kind, regardless of whether or not such service involves the exchange of money, including but not limited to sales, provision of information, transactions, or advice, and transfers of money or goods, but does not include a service line at a private social function;
- (u) "smoke or smoking" - means the inhaling, exhaling, burning or carrying of a lighted cigarette, cigar, pipe or other lighted smoking equipment burning tobacco or any other weed or substance, but does not include smoking by actors as part of a stage or theatrical performance;
- (v) "smoking area" - means an area, designated by the proprietor, in which smoking is permitted;
- (w) "taxicab" - means any taxicab licensed pursuant to the provisions of the City Taxi Business By-law to carry on business in the City;

#### AREAS OF ABSOLUTE PROHIBITION

##### 3. No person shall smoke

- (a) in those parts of a place of public assembly which are used as a classroom, concert hall, auditorium, gymnasium, swimming pool, indoor sporting area, library, lecture hall, or in the seating area of a theatre or motion picture house, music hall, or in a display area in a museum or art gallery;
- (b) in those parts of a school building frequented by pupils up to and including grade twelve;
- (c) in an elevator, escalator, inside stairway or public washroom in any building generally open and accessible by the public,
- (d) in a school bus, public bus or other form of public transportation;
- (e) in any service line.
- (f) in a no-smoking area.

#### SMOKING AREAS

##### 4. (1) No person shall smoke in a

- a) place of public assembly;
- b) restaurant;
- c) reception area;
- d) hospital;

- e) health care facility;
- f) retail shop;
- g) personal services establishment;
- h) poolhall, bowling alley, games arcade;
- i) beverage room or lounge;
- j) place of employment after December 31, 1987;
- k) government premises, or
- l) local government premises

except in a smoking area.

- (2) No person shall smoke in a taxi-cab unless it is permitted by the consent of all passengers and the driver.

5. (1) The proprietor of a
- a) reception area,
  - b) hospital,
  - c) health care facility,
  - d) retail shop,
  - e) personal services establishment,
  - f) poolhall, bowling alley, games arcade,
  - g) beverage room or lounge, or
  - h) place of employment
  - i) government premises, or
  - j) local government premises

*In above list  
but  
excluded  
here*

*Place of Public Assembly  
Restaurant*

may designate all or any part of such premises as a smoking area.

*If less than 20  
could designate all  
as a smoking area*

- (2) The proprietor of a restaurant having a seating capacity of more than 20 persons may designate in one location not more than 65 % of the floor area thereof used for the seating and service of customers as a smoking area.
- (3) The proprietor of a place of public assembly other than those set forth in sections 5(1) and 5(2) of this By-law may designate not more than 50 % of the floor area of the building structure, place, or area that is generally open to the public as a smoking area, provided that
  - a) the smoking area shall not be placed in any area described in section 3(a) or (c), and
  - b) any area described in section 3(a) or (c) shall not be used in the calculation of the floor area for the purposes of this section.
- (4) The proprietor or driver of a taxi cab may designate the taxi cab as a smoking area from time to time subject to the consent of the driver and the passengers actually occupying the taxi cab.
- (5) The proprietor of any indoor premises not specifically listed in this section may designate all or any portion of such premises as a no-smoking area.

*X?*

6. A smoking area:

- (a) shall be fully identified by means of signs as provided for in section 7;
- (b) shall be designed, constructed or arranged to ensure that smoke or gas resulting from smoking is minimized in adjacent no - smoking areas.
- (c) shall not exceed the size limitations imposed by any other section of this by-law;
- (d) shall not include any part of the premises to which non-smokers may need access, and ?
- (e) shall not include any area in which smoking is prohibited pursuant to any fire by-law, regulation or statute.

#### SIGNS

- 7. (1) The proprietor of any premises in which smoking is prohibited pursuant to this by-law shall post a no-smoking sign within the building in proximity to the main public entrance of such place and conspicuously in at least one location on each floor therein which shall contain the text:
  - (a) "no smoking in this building", or
  - (b) "no smoking in these premises" or
  - (c) "no smoking in this area".
- (2) The proprietor of any premises who designates a smoking area shall
  - a) post a sign at the main public entrance thereto and conspicuously in at least one location therein a smoking sign bearing the text:
    - (i) "Smoking permitted in this building", or
    - (ii) "Smoking permitted in these premises", and
    - (iii) "Smoking permitted only in a designated smoking area", or
  - b) shall conspicuously post in the smoking area not less than two signs bearing the text "Smoking permitted in this area only", and
  - c) shall conspicuously post in any remaining no-smoking area a sign bearing the text "No Smoking in this area".
- (3) The proprietor of a taxicab shall post a sign in a conspicuous position in the taxicab clearly visible to the passengers therein, containing, in letters not less than 1/2" in height, the text:
  - (a) "Smoking permitted only by consent of all passengers", or
  - (b) (i) "No Smoking", or

- (ii) a sign in accordance with Schedule "A".
  - (4) A proprietor who finds a person smoking in a no-smoking area shall request such person to stop smoking.
8. (1) With the exception of signs posted in taxi cabs, all signs required to be posted pursuant to this by-law shall conform to the following specifications:
- (a) signs shall contain the text "City of Red Deer Health By-law",
  - (b) a no smoking sign shall be in one of the following formats:
    - (i) a sign in accordance with the design attached as schedule A to this by-law, showing a burning cigarette surrounded by a red circle with a diagonal red line drawn through the burning cigarette, or
    - (ii) a written sign including the text "no smoking" or as specified in the applicable section of this by-law or
    - (iii) a combination of (i) and (ii) above
  - (c) A smoking sign shall be in accordance with one of the following formats:
    - (i) a sign in accordance with the design attached as Schedule "B" in this by-law showing a burning cigarette surrounded by a green circle, or
    - (ii) a written sign including the text "smoking permitted" or as specified in the applicable section of this by-law, or
    - (iii) a combination of (i) and (ii) above.
  - (2) Signs shall consist of at least two contrasting colours, or if the lettering is to be applied to a clear panel then the lettering shall contrast to the colour of the background.
  - (3) Lettering may be in either upper or lower case or a combination thereof, and the size of lettering shall be not less than 2", regardless of whether or not the lettering is in upper or lower case.
  - (4) No person shall remove, alter, conceal, deface or destroy any sign posted pursuant to this by-law.

#### PENALTIES

9. (1) Any proprietor who contravenes any of the provisions or requirements of this by-law is guilty of an offence and is liable upon summary conviction to a minimum penalty of \$ 100.00.
- (2) Any other person who contravenes any of the provisions or requirements of this by-law is guilty of an offence and is liable upon summary conviction to a



minimum penalty of \$ 30.00.

10. The offence ticket in the form and content which is set forth in Schedule "C" annexed hereto and made part of this by-law is hereby prescribed and approved as the offence ticket to be issued for any contravention of this by-law.
11. Where a peace officer, by-law enforcement officer or a member of the Canadian Corp. of Commissionaires, has reasonable grounds to believe a person has contravened any of the sections of this by-law he may issue and serve upon such person an offence ticket in the form prescribed.
12.
  - (1) Where payment of the penalty for an offence ticket issued for contravention of any section of this by-law is received by the City within 7 days of the date of service of the offence ticket, the penalty specified in Section 9 shall be reduced by \$ 10.00 and such reduced payment shall be accepted in lieu of prosecution.
  - (2) Where payment of the penalty for an offence ticket issued for contravention of any section of this by-law is received by the City within 8 to 15 days from the date of service of the offence ticket, the penalty specified in Section 9 shall be reduced by \$ 5.00 and such reduced payment shall be accepted in lieu of prosecution.
  - (3) If at any time after the expiry of 15 days from the date of service of the offence ticket and up to but not including the seven days prior to the return date of that summons, a person tenders to the City payment in full of the amount of the prescribed penalty, payment shall be accepted in lieu of prosecution.
  - (4) If the person upon whom such offence ticket is served fails to pay the required sum within the times hereinbefore limited, the provisions of this section for acceptance of payment in lieu of prosecution do not apply.
13. Should a person not pay the penalty provided for contravention of any section of this by-law and a prosecution be entered against him, he shall be liable on summary conviction to pay a minimum fine equal to the penalty stated in the said offence ticket, plus court costs and in default of payment of the penalty and costs imposed by the court, to a term of imprisonment not exceeding three months.
14. Nothing in this by-law shall,
  - (a) prevent any person from exercising his right to defend any charge laid for contravention of any sections of this by-law, or
  - (b) prevent any peace officer, by-law enforcement officer or a member of the Canadian Corp. of Commissionaires in lieu of serving an offence ticket, from laying an information or complaint against any person for contravention of any section of this by-law.
15. Should any provision of this by-law be found to be invalid it is the express wish of the Council for the City that such invalid portion be severed and that the remainder of the by-law be maintained.

16. Prior to December 31, 1987, the policy of the City with respect to smoking in a place of employment is as set forth in Schedule D hereto. Failure to conform to such policy shall not be an offence under this by-law.
17. By-law 2853/85 is hereby repealed upon this by-law coming into full force.
18. This by-law shall come into full force \_\_\_\_\_ months following third reading.

READ A FIRST TIME IN OPEN COUNCIL this 9 day of March, A.D. 1987.

READ A SECOND TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1987.

READ A THIRD TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1987.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK







**SMOKING**  
**CITY OF RED DEER**

- A. PAYMENTS ACCEPTED BY CITY CASHIER  
4914 - 48TH AVENUE RED DEER BETWEEN  
THE HOURS OF 8:00 A.M. TO 4:30 P.M.  
MONDAY TO FRIDAY, EXCEPT HOLIDAYS.
- B. AFTER HOURS PAYMENTS CAN BE PLACED  
IN THE NIGHT DEPOSITORY AT 4914 - 48TH  
AVENUE, RED DEER EAST SIDE OF BUILDING.
- C. PAYMENTS CAN BE MAILED TO THE CITY OF  
RED DEER P.O. BOX 5008 RED DEER  
ALBERTA T4N 3T4.
- D. TO QUALIFY FOR CIRCLED PENALTY LESS  
10.00 PAYMENT MUST BE RECEIVED BY CITY  
CASHIER WITHIN 7 DAYS OF OFFENCE DATE.
- E. TO QUALIFY FOR CIRCLED PENALTY LESS  
5.00 PAYMENT MUST BE RECEIVED BY CITY  
CASHIER BETWEEN 8 AND 15 DAYS FROM  
DATE OF OFFENCE.
- F. AFTER 15 DAYS THE CIRCLED PENALTY IS  
APPLICABLE.



THE CITY OF RED DEER  
4914 - 48TH AVENUE,  
RED DEER, ALBERTA T4N 3T4

THIS TAG ISSUED FOR BREACH  
OF SECTION

**D056147**

TRAFFIC BYLAW DOG BYLAW HIGHWAY TRAFFIC  
ACT 1975

1	2	3	4
PENALTY			
12.00	15.00	20.00	25.00
30.00	35.00	40.00	

- A. PENALTY REDUCED \$10.00 IF PAYMENT RECEIVED BY CITY CASHIER WITHIN  
7 DAYS.
- B. PENALTY REDUCED \$5.00 IF PAYMENT RECEIVED BY CITY CASHIER BETWEEN  
8 & 15 DAYS.
- C. NO REDUCTION IN PENALTY AFTER 15 DAYS.

VEHICLE LICENSE NO			MAKE	
DATE DAY	MONTH	YEAR 19	TIME	A.M. P.M.

OFFENCE AND LOCATION

☐ METER VIOLATION

NAME		METER NO
ADDRESS		ISSUER

YOU MAY AVOID PROSECUTION FOR THIS OFFENCE BY PAYING THE PENALTY  
REQUIRED, WITHIN 22 DAYS, TO THE ADDRESS INDICATED ABOVE.

FAILURE TO COMPLY WILL RESULT IN

PROSECUTION IN THE PROVINCIAL COURT OF ALBERTA.

### DO NOT DETACH

PENALTY MAY BE REMITTED BY MAIL (CHEQUE OR MONEY  
ORDER ONLY) OR BY DEPOSITING IN BOX PROVIDED AT  
CITY HALL. TAG MUST ACCOMPANY PAYMENT.  
RECEIPT SUPPLIED ON REQUEST IF SENDER'S NAME AND  
ADDRESS ARE FURNISHED.  
FURTHER INFORMATION REQUIRED REGARDING THIS  
OFFENCE MAY BE OBTAINED FROM THE BYLAW DEPT.,  
THE CITY OF RED DEER.

CASH REGISTER FIGURES  
CONSTITUTE A RECEIPT  
FROM THE CITY OF RED DEER  
FOR THE AMOUNT SHOWN

COMPLETE TAG MUST BE PRESENTED.  
SEE REVERSE SIDE FOR ADDITIONAL INFORMATION.

**D056147**

SCHEDULE " D" TO THE HEALTH BY-LAW  
COUNCIL POLICY ON SMOKING IN THE WORKPLACE

Council of the City and the Medical Health Officer of the Red Deer Health Unit believe that voluntary and involuntary exposure to smoking is hazardous to health and that significant numbers of the working population of Red Deer may be involuntarily exposed to such hazard in the work place.

Council strongly encourages employers and workers to adopt policies to eliminate or restrict smoking in the work place. Employers are encouraged to consult with workers on the issue and the following are recommended as acceptable minimum criteria:

- (a) the employer/proprietor will take all reasonable steps to ensure that no person shall be involuntarily exposed to smoking in the workplace;
- (b) any smoker may object to the employer or other person having control about smoking in his or her workplace. The employer will attempt to reach a reasonable accommodation, insofar as possible between the preferences of smoking workers and those who do not wish to be exposed to smoke.
- (c) If an accommodation cannot be reached which is satisfactory to all of the affected workers in any given workplace, then the preference of workers who do not want their air polluted by smoking shall prevail and the proprietor shall prohibit smoking in the work place to the end that those workers will work in a smoke-free environment.

MEMORANDUM

April 7, 1987

TO: Ad Hoc Health Bylaw Committee

FROM: City Clerk

RE: The Health Bylaw No. 2927/87

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In accordance with Council's wishes, a hearing was advertised in regard to the above noted bylaw for Monday, April 6, 1987, commencing at 7:00 p.m.

At the above noted public hearing, there was only one representation made, that being Mr. R. Schnell on behalf of the Red Deer Public School Board. It is the School Board's contention that Council is treading in the domain of the School Board by attempting to make regulations with regard to smoking in School buildings. In support of the Board's contention, Mr. Schnell quoted Section 72 of the School Act and requested that Council delete any reference whatsoever in the Health Bylaw to properties under the jurisdiction of the School Board.

Following considerable discussion, the matter was tabled for a period of four weeks on a motion by Alderman Kokotailo in order that some of the concerns expressed might be considered by the Ad-Hoc Committee and also to review the matter of signage, specifically with reference to Schedules A & B.

This matter is once again therefore being referred to the Ad Hoc Committee and we trust that the Committee will be in communication with the School Board in an endeavor to head off any confrontation in this area. A further report is anticipated from the Committee for inclusion on the May 4 Council agenda.



C. Sevcik  
City Clerk

c.c. City Solicitor

Kelly

April 27, 1987

TO: Ad-Hoc Health (Smoking) Bylaw Committee  
FROM: Asst. City Clerk  
RE: Proposed Health Bylaw 2927/87

I would advise that at the Council Meeting of March 9, 1987, Council considered the above noted bylaw, following which same was tabled to the May 4, 1987, Council Meeting in order that same could be revised to take into account concerns expressed by Council.


Alderman Kokotailo has revised the Bylaw, a copy of which is attached, once again for Council's consideration.

Due to holidays, Alderman Kokotailo was unable to call a meeting of the Health Bylaw Committee to discuss the revisions, however, he requested that you review the attached Bylaw and if you have any concerns, objections, or recommended amendments to same, please forward them to the undersigned by Thursday morning, April 30, 1987.

As indicated, this matter will be presented to Council on Monday, May 4, 1987. A time this item will be heard by Council will be established on Friday, May 1, 1987, and is available by calling the undersigned at 342-8136.

If you have any questions or require clarification, please do not hesitate to contact the undersigned.

Trusting you will find this satisfactory.

  
K. Kloss  
Asst. City Clerk

Encl.

# CHAPMAN RIEBEEK SIMPSON CHAPMAN WANLESS

Barristers & Solicitors

THOMAS H. CHAPMAN, Q.C.\*  
NICK P. W. RIEBEEK\*  
DONALD J. SIMPSON  
T. KENT CHAPMAN  
GARY W. WANLESS\*

\*Denotes Professional Corporation

208 Professional Building  
4808 Ross Street  
Red Deer, Alberta T4N 1X5

TELEPHONE (403) 346-6603

TELECOPIER (403) 340-1280

TWX 610-841-5684

Your file:

Our file: 12,517

April 24, 1987

City of Red Deer  
City Hall  
RED DEER, Alberta

Attention: Members of the Health By-law Ad Hoc Committee

Dear Sirs:

Re: Health By-law

Further to presentation of the preliminary by-law to Council and having regard to Council's statements respecting the same the writer met with Alderman Kokotailo and we have made a number of amendments and revisions to the by-law in order to simplify the same.

Basically the approach was to identify specific areas which Council wished to deal with, to place all matters relating to each of those specific areas under a heading for each such area and delineate the responsibilities of the proprietor of each such area with respect to signage.

In an effort to simplify the by-law, we have included a new clause 22 which is general in form, and would include all other premises within the City which are not specifically mentioned in the by-law. By utilizing this general form it is no longer necessary to refer to such things as "government premises" and "local government premises", "personal service establishments". All of these premises would have the opportunity to take advantage of section 22 of the by-law. As a result of this approach we have also been able to delete a number of items from the definition section.

Yours truly



THOMAS H. CHAPMAN

/jrl

Encl.

## BY-LAW #2927/87

Being a By-law of the City of Red Deer with respect to the health of the citizens of Red Deer and the regulation of smoking.

WHEREAS section 112 of the Municipal Government Act, R.S.A. 1980, Chapter M-26 provides as follows:

"A council may pass by-laws that are considered expedient and are not contrary to this or any other act, a) for the peace, order and good government of the municipality, b) for promoting the health, safety, morality and welfare thereof."

AND WHEREAS it has been determined that smoking, and second-hand tobacco smoke is a health hazard and a public nuisance because of its adverse effect upon and risk to the health of the inhabitants of the City of Red Deer;

AND WHEREAS it is desirable for the health, safety, and welfare of the inhabitants of the City of Red Deer to provide for regulating smoking for the better protection of persons from conditions injurious to health in accordance with the provisions of this by-law;

NOW THEREFORE the Municipal Council of the City of Red Deer, in the Province of Alberta, duly assembled, enacts as follows:

### SHORT TITLE

1. This by-law may be cited as "The Health by-law".

### DEFINITIONS

2. In this by-law,
  - (a) "beverage room" or "lounge" - means any premises which have been licensed for the sale of liquor pursuant to the provisions of the *Liquor Control Act* of Alberta;
  - (b) "City" - means the City of Red Deer, a municipal corporation of the Province of Alberta, and includes the area contained within the boundaries of the City where the context so requires;
  - (c) "health care facility" - includes any place in which medical, dental, optical, physiotherapy, chiropractic or other similar health services are provided or arranged;
  - (d) "Hospital" - means an institution operated for the care of diseased, injured or sick people, and shall include the common public areas of nursing homes or senior citizen homes;



- (e) "no smoking area" - means an area in which smoking is prohibited pursuant to this by-law, including an area designated by a proprietor as a no smoking area;
- (f) "place of employment" - means any indoor place of work other than
  - (i) a private home which also serves as a place of work, or
  - (ii) a place of work occupied solely by an independent contractor or only by the partners to a partnership,and includes any parts of a retail shop used exclusively by the employees of such premises, but does not include a reception area;
- (g) "place of public assembly" - means any building or portion thereof where the public may gather for such purposes as entertainment, recreation, education, deliberation, business or amusement, but does not include
  - (i) a place where a private social function is being held,
  - (ii) pool halls, bowling alleys, games arcades, bingo halls,
  - (iii) restaurants,
  - (iv) beverage rooms, or
  - (v) school buildings.
- (h) "post" - means the erection or placing of a sign and includes the act of keeping continuously displayed;
- (i) "private social function" - means a special social event for which an entire room or hall has been exclusively reserved, and at which attendance is limited to people who have been specifically invited or designated by the sponsor thereof, but does not include events which are held privately for the purpose of business, sales or education;
- (j) "proprietor" - means
  - i) the occupant or owner of premises referred to in this by-law and includes any person in charge thereof or who controls, governs or directs the activity carried on therein. In respect of a building occupied by more than one occupant, "owner" shall mean, in respect of the common areas of the premises, the legal owner or his agent or representative.
  - (ii) the owner or driver of a taxi-cab;

- (iii) the owner of a public bus or other form of public transportation;
- (iv) the owner or driver of a school bus;
- (v) the Board of Trustees of a school, college or hospital.
- (k) "public washrooms" - means any washroom or lavatory open to the general public;
- (l) "restaurant" - means any place of business where food or refreshments are prepared to order and sold for human consumption on the premises and includes a restaurant, lunch counter or cafeteria but does not include an outdoor dining area or outdoor food stall;
- (m) "school building" - means a building provided or managed by a Board of Directors or Trustees or independent persons or organizations for the education of persons to and including the grade 12 level;
- (n) "seating capacity" - means the number of seats provided for use by patrons or customers for the consumption of food while seated;
- (o) "service line" - means an indoor line of two or more persons awaiting service of any kind, regardless of whether or not such service involves the exchange of money, including but not limited to sales, provision of information, transactions, or advice, and transfers of money or goods, but does not include a service line at a private social function; *ONE (Neil Gorkin)*
- (p) "smoke or smoking" - means the inhaling, exhaling, burning or carrying of a lighted cigarette, cigar, pipe or other lighted smoking equipment burning tobacco or any other weed or substance, but does not include smoking by actors as part of a stage or theatrical performance;
- (q) "smoking area" - means an area, designated by the proprietor, in which smoking is permitted;
- (r) "taxicab" - means any taxicab licensed pursuant to the provisions of the *City Taxi Business By-law* to carry on business in the City;

#### PLACES OF PUBLIC ASSEMBLY

3. No person shall smoke in those parts of a place of public assembly which are used as a concert hall, auditorium, gymnasium, swimming pool, indoor sporting area, library, classroom, lecture hall or in the seating area of a theatre or motion picture house, music hall or in a display area in a museum or art gallery, or in any portion of a place of public assembly designated as a no smoking area.
4. The proprietor of a place of public assembly shall designate not less than 50% of the floor area of the building, structure, place, or area such as a lobby, foyer or concourse

that is generally open to the public to enter and assemble, as a non-smoking area provided that any area described in section 3 shall not be used in the calculation of the floor area for the purposes of this section.

5. The proprietor of a place of public assembly shall post a no smoking sign in each area wherein smoking is prohibited pursuant to this By-law or which is designated as a no smoking area by the proprietor, and shall post smoking signs in smoking areas.

#### RESTAURANTS

6. The proprietor of a restaurant having a seating capacity of more than 20 persons shall designate in one location not less than 35% of the floor area thereof used for the seating and service of customers as a no smoking area.
7. The proprietor of a restaurant shall:
  - (a) Post a no smoking sign in the no smoking area, and
  - (b) Place a no smoking sign on each table in the no smoking area, and
  - (c) Post a sign at the entrance to the restaurant containing the words "smoking permitted only in smoking areas", and
  - (d) Not place ashtrays on tables in smoking areas.

#### COMMON PUBLIC AREAS

8. No person shall smoke
  - (a) In an elevator, escalator, inside stairway or public washroom, in any building, except school buildings, generally open and accessible by the public,
  - (b) In a school bus, public bus or other form of public transportation, or
  - (c) In a service line.
9. The proprietor of a public bus, school bus or other form of public transportation, and of any building or premises containing a service line, or any of the areas described in section 8 (a) shall post a no smoking sign in each such areas.

#### HEALTH CARE FACILITIES

10. The proprietor of a hospital or a health care facility may designate all or any part of such premises as a no smoking area, and may designate smoking areas.
11. Upon designating no smoking areas, the proprietor shall post a no smoking sign at the entrance doors to each no smoking area.

12. Upon designating smoking areas, the proprietor shall post a sign at the main entrance containing the words "smoking permitted only in smoking areas" and shall post smoking permitted signs in the smoking areas.

#### SCHOOL BUILDING

13. The proprietor of a school building may designate all or any part of such building as a no smoking area.
14. Upon electing to designate all or any portion of a school building as a no smoking area, the proprietor shall post a no smoking sign at the entrances thereto containing the words "smoking permitted only in smoking areas".

#### TAXI CAB

15. No person shall smoke in a taxi cab unless otherwise designated pursuant to section 16.
16. The proprietor of a taxi cab may designate the taxi cab as a smoking area from time to time subject to the consent of the driver and all passengers actually occupying the taxi cab.
17. The proprietor of a taxi cab shall post in a conspicuous position in the taxi cab clearly visible to the passengers therein
  - (a) A no smoking sign in general conformity with Schedule "A", or
  - (b) A sign containing the words "smoking permitted only by consent of all passengers and driver".

#### PLACES OF EMPLOYMENT

18. Effective January 1, 1988 no person shall smoke in a place of employment except in a smoking area.
19. The proprietor of a place of employment may designate all or any part of such premises as a smoking area.
20. The proprietor of a place of employment shall
  - (a) post a no smoking sign at each of the entrances thereto, or
  - (b) upon designating a smoking area shall post a sign at each of the entrances to the place of employment containing the text "smoking permitted only in smoking areas" and shall post smoking permitted signs in such smoking area.
21. Until December 31, 1987 the policy of the City with respect to smoking in a place of employment is as set forth in Schedule "D" hereto. Proprietors of places of employment

are recommended to utilize the policy in the decision to designate smoking areas. Failure to conform to such policy shall not be an offence under this by-law.

#### GENERAL AREAS

22. The proprietor of any building, or other indoor premises not specifically listed in this By-law may designate all or any portion of such premises as a no smoking area, by posting therein no smoking signs in accordance with this By-law.

#### SIGNS

23. Where this By-law permits a smoking area to be designated by a proprietor, such smoking area
- (a) Shall be identified by means of signs provided for in this By-law
  - (b) shall be designed, constructed or arranged to ensure that smoke or gas resulting from smoking is minimized in adjacent no-smoking areas.
  - (c) shall not exceed the size limitations imposed by any other section of this by-law;
  - (d) shall not include any part of the premises to which non-smokers may need access, and
  - (e) shall not include any area in which smoking is prohibited pursuant to any fire by-law, regulation or statute.
24. Signs prohibiting smoking shall
- (a) Be in a form in general conformity with Schedule "A" annexed hereto, and may include the words "City of Red Deer Health By-law", or
  - (b) Be a written sign including the words "no smoking", such text to be not less than 1" in vertical height, or
  - (c) Be a combination of (a) and (b) above.
25. A sign permitting smoking shall
- (a) Be in a form in general conformity with Schedule "B" annexed hereto, and may include the words "City of Red Deer Health By-law", or
  - (b) Be a written sign including the text "smoking area" such text to be not less than 1" in vertical height, or
  - (c) Be a combination of (a) and (b) above.

26. Signs shall consist of at least two contrasting colours, or if the lettering is to be applied to a clear panel then the lettering shall contrast to the colour of the background against which the sign is posted.
27. No person shall remove, alter, conceal, deface or destroy any sign posted by any person pursuant to this By-law.
28. The proprietor of any premises in which smoking is prohibited pursuant to this by-law shall post a no smoking sign within the building in proximity to the main public entrance of such place and conspicuously in at least one location on each floor therein.
29. All signs used to identify smoking or no smoking areas shall be placed at a height and location easily seen by a person in the premises, and shall not be obscured in any way.

#### PENALTIES

30. No person shall smoke in a no smoking area designated by a proprietor, or established pursuant, this by-law.
31.
  - (1) Any proprietor who contravenes any of the provisions or requirements of this by-law is guilty of an offence and is liable upon summary conviction to a minimum penalty of \$ 100.00.
  - (2) Any other person who contravenes any of the provisions or requirements of this by-law is guilty of an offence and is liable upon summary conviction to a minimum penalty of \$ 30.00.
32. The offence ticket in the form and content which is set forth in Schedule "C" annexed hereto and made part of this by-law is hereby prescribed and approved as the offence ticket to be issued for any contravention of this by-law.
33. Where a peace officer, by-law enforcement officer or a member of the Canadian Corp. of Commissionaires, has reasonable grounds to believe a person has contravened any of the sections of this by-law he may issue and serve upon such person an offence ticket in the form prescribed.
34.
  - (1) Where payment of the penalty for an offence ticket issued for contravention of any section of this by-law is received by the City within 7 days of the date of service of the offence ticket, the penalty specified in the offence ticket shall be reduced by \$ 10.00 and such reduced payment shall be accepted in lieu of prosecution.
  - (2) Where payment of the penalty for an offence ticket issued for contravention of any section of this by-law is received by the City within 8 to 15 days from the date of service of the offence ticket, the penalty specified in the offence ticket shall be reduced by \$ 5.00 and such reduced payment shall be accepted in lieu of prosecution.



- (3) If at any time after the expiry of 15 days from the date of service of the offence ticket and up to but not including the seven days prior to the return date of that summons, a person tenders to the City payment in full of the amount of the prescribed penalty, payment shall be accepted in lieu of prosecution.
- (4) If the person upon whom such offence ticket is served fails to pay the required sum within the times hereinbefore limited, the provisions of this section for acceptance of payment in lieu of prosecution do not apply.
35. Should a person not pay the penalty provided for contravention of any section of this by-law and a prosecution be entered against him, he shall be liable on summary conviction to pay a minimum fine equal to the penalty stated in the said offence ticket, plus court costs and in default of payment of the penalty and costs imposed by the court, to a term of imprisonment not exceeding three months.
36. Nothing in this by-law shall,
- (a) prevent any person from exercising his right to defend any charge laid for contravention of any sections of this by-law, or
- (b) prevent any peace officer, by-law enforcement officer or a member of the Canadian Corp. of Commissionaires in lieu of serving an offence ticket, from laying an information or complaint against any person for contravention of any section of this by-law.
37. Should any provision of this by-law be found to be invalid it is the express wish of the Council for the City that such invalid portion be severed and that the remainder of the by-law be maintained.
38. By-law 2853/85 is hereby repealed upon this by-law coming into full force.
39. This by-law shall come into full force \_\_\_\_\_ months following third reading.

READ A FIRST TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1987.

READ A SECOND TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1987.

READ A THIRD TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1987.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

April 29, 1987

TO: CITY COUNCIL  
FROM: ASSISTANT CITY CLERK  
RE: HEALTH BYLAW (SMOKING) 2927/87  
REVISED HEALTH BYLAW (SMOKING 2934/87

---

I enclose herewith old Health Bylaw (Smoking) 2927/87 only for your own information, in the event that you may wish to compare it to the new revised Health Bylaw 2934/87 which appears on the open Agenda of May 4, 1987.

KELLY KLOSS  
ASSISTANT CITY CLERK

KK/sp  
Encl.



Being a By-law of the City of Red Deer with respect to the health of the citizens of Red Deer and the regulation of smoking.

WHEREAS section 112 of the Municipal Government Act, R.S.A. 1980, Chapter M-26 provides as follows:

"A council may pass by-laws that are considered expedient and are not contrary to this or any other act, a) for the peace, order and good government of the municipality, b) for promoting the health, safety, morality and welfare thereof."

AND WHEREAS it has been determined that smoking, and second-hand tobacco smoke is a health hazard and a public nuisance because of its adverse effect upon and risk to the health of the inhabitants of the City of Red Deer;

AND WHEREAS it is desirable for the health, safety, and welfare of the inhabitants of the City of Red Deer to provide for regulating smoking for the better protection of persons from conditions injurious to health in accordance with the provisions of this by-law;

NOW THEREFORE the Municipal Council of the City of Red Deer, in the Province of Alberta, duly assembled, enacts as follows:

SHORT TITLE

1. This by-law may be cited as "The Health by-law".

DEFINITIONS

2. In this by-law,
  - (a) "beverage room" or "lounge" - means any premises which have been licensed for the sale of liquor pursuant to the provisions of the Liquor Control Act of Alberta;
  - (b) "City" - means the City of Red Deer, a municipal corporation of the Province of Alberta, and includes the area contained within the boundaries of the City where the context so requires;
  - (c) "government premises" - means any office or premises of the Government of Canada, the Government of the Province of Alberta and any agency thereof or a Crown Corporation;
  - (d) "health care facility" - includes any place in which medical, dental, optical, physiotherapy, chiropractic or other similar health services are provided or arranged;
  - (e) "Hospital" - means an institution operated for the care of

diseased, injured or sick people, and shall include the common public areas of nursing homes or senior citizen homes;

- (f) "local government premises" - means City Hall, and any City or County of Red Deer No. 23 premises or offices;
- (g) "no smoking area" - means an area in which smoking is prohibited pursuant to this by-law;
- (h) "personal services establishment" - means any place in which a service to or on the body of another person is provided in exchange for money or services, and includes but is not limited to a barber shop, beauty parlour, health spa, massage parlour, tattoo shop, sauna and steam bath;
- (i) "place of employment" - means any indoor place of work other than

- (i) a private home which also serves as a place of work, or

- (ii) a place of work occupied solely by an independent contractor or only by the partners to a partnership,

and includes any parts of a retail shop used exclusively by the employees of such premises, but does not include a reception area;

- (j) "place of public assembly" - means any building or portion thereof where the public may gather for such purposes as entertainment, recreation, deliberation, business or amusement, but does not include a place where a private social function is being held;
- (k) "post" - includes the act of keeping continuously displayed;
- (l) "private social function" - means a special social event for which an entire room or hall has been exclusively reserved, and at which attendance is limited to people who have been specifically invited or designated by the sponsor thereof, but does not include events which are held privately for the purpose of business, sales or education;
- (m) "proprietor" - means
  - i) the occupant or owner, or his agent or representative, of premises referred to in this by-law and includes any person in charge thereof or anyone who controls, governs or directs the activity carried on therein. In respect of premises

- (n) "public washrooms" - means a washroom or lavatory open to the general public;
- (o) "reception area" - means the space used by an office or any business establishment for the receiving of customers, clients, patients or other persons dealing with such office or establishment;
- (p) "restaurant" - means any place of business where food or refreshments are prepared to order and sold for human consumption on the premises and includes a restaurant, lunch counter or cafeteria but does not include an outdoor dining area or outdoor food stall;
- (q) "retail shop" - means any building, or booth, stall or place where goods are exposed, auctioned or offered for sale at retail to the general public, but does not include:
  - (i) any beverage room, canteen, club or lounge included in the term "licensed premises" as defined in The Liquor Licensing Act; and
  - (ii) any place where the major or only trade or business carried on is that of custom blending of tobaccos or the sale of tobaccos, pipes, cigars, cigarettes or smoker's sundries; and
  - (iii) any restaurant.
- (r) "school building" - means a building provided or managed by a Board of School Trustees or independent persons or organizations for the education of individuals up to and including the level of Grade 12;
- (s) "seating capacity" - means the number of seats provided for use by patrons or customers for the consumption of food while seated;

- (t) "service line" - means an indoor line of two or more persons awaiting service of any kind, regardless of whether or not such service involves the exchange of money, including but not limited to sales, provision of information, transactions, or advice, and transfers of money or goods, but does not include a service line at a private social function;
- (u) "smoke or smoking" - means the inhaling, exhaling, burning or carrying of a lighted cigarette, cigar, pipe or other lighted smoking equipment burning tobacco or any other weed or substance, but does not include smoking by actors as part of a stage or theatrical performance;
- (v) "smoking area" - means an area, designated by the proprietor, in which smoking is permitted;
- (w) "taxicab" - means any taxicab licensed pursuant to the provisions of the City Taxi Business By-law to carry on business in the City;

#### AREAS OF ABSOLUTE PROHIBITION

##### 3. No person shall smoke

- (a) in those parts of a place of public assembly which are used as a classroom, concert hall, auditorium, gymnasium, swimming pool, indoor sporting area, library, lecture hall, or in the seating area of a theatre or motion picture house, music hall, or in a display area in a museum or art gallery;
- (b) in those parts of a school building frequented by pupils up to and including grade twelve;
- (c) in an elevator, escalator, inside stairway or public washroom in any building generally open and accessible by the public,
- (d) in a school bus, public bus or other form of public transportation;
- (e) in any service line.
- (f) in a no-smoking area.

#### SMOKING AREAS

##### 4. (1) No person shall smoke in a

- a) place of public assembly;
- b) restaurant;
- c) reception area;
- d) hospital;

- e) health care facility;
- f) retail shop;
- g) personal services establishment;
- h) poolhall, bowling alley, games arcade;
- i) beverage room or lounge;
- j) place of employment after December 31, 1987;
- k) government premises, or
- l) local government premises

except in a smoking area.

- (2) No person shall smoke in a taxi-cab unless it is permitted by the consent of all passengers and the driver.

- 5. (1) The proprietor of a
  - a) reception area,
  - b) hospital,
  - c) health care facility,
  - d) retail shop,
  - e) personal services establishment,
  - f) poolhall, bowling alley, games arcade,
  - g) beverage room or lounge, or
  - h) place of employment
  - i) government premises, or
  - j) local government premises

may designate all or any part of such premises as a smoking area.

- (2) The proprietor of a restaurant having a seating capacity of more than 20 persons may designate in one location not more than 65 % of the floor area thereof used for the seating and service of customers as a smoking area.
- (3) The proprietor of a place of public assembly other than those set forth in sections 5(1) and 5(2) of this By-law may designate not more than 50 % of the floor area of the building structure, place, or area that is generally open to the public as a smoking area, provided that
  - a) the smoking area shall not be placed in any area described in section 3(a) or (c), and
  - b) any area described in section 3(a) or (c) shall not be used in the calculation of the floor area for the purposes of this section.
- (4) The proprietor or driver of a taxi cab may designate the taxi cab as a smoking area from time to time subject to the consent of the driver and the passengers actually occupying the taxi cab.
- (5) The proprietor of any indoor premises not specifically listed in this section may designate all or any portion of such premises as a no-smoking area.

- 6. A smoking area:

- (a) shall be fully identified by means of signs as provided for in section 7;
- (b) shall be designed, constructed or arranged to ensure that smoke or gas resulting from smoking is minimized in adjacent no - smoking areas.
- (c) shall not exceed the size limitations imposed by any other section of this by-law;
- (d) shall not include any part of the premises to which non-smokers may need access, and
- (e) shall not include any area in which smoking is prohibited pursuant to any fire by-law, regulation or statute.

#### SIGNS

- 7. (1) The proprietor of any premises in which smoking is prohibited pursuant to this by-law shall post a no-smoking sign within the building in proximity to the main public entrance of such place and conspicuously in at least one location on each floor therein which shall contain the text:
  - (a) "no smoking in this building", or
  - (b) "no smoking in these premises" or
  - (c) "no smoking in this area".
- (2) The proprietor of any premises who designates a smoking area shall
  - a) post a sign at the main public entrance thereto and conspicuously in at least one location therein a smoking sign bearing the text:
    - (i) "Smoking permitted in this building", or
    - (ii) "Smoking permitted in these premises", and
    - (iii) "Smoking permitted only in a designated smoking area", or
  - b) shall conspicuously post in the smoking area not less than two signs bearing the text "Smoking permitted in this area only", and
  - c) shall conspicuously post in any remaining no-smoking area a sign bearing the text "No Smoking in this area".
- (3) The proprietor of a taxicab shall post a sign in a conspicuous position in the taxicab clearly visible to the passengers therein, containing, in letters not less than 1/2" in height, the text:
  - (a) "Smoking permitted only by consent of all passengers", or
  - (b) (i) "No Smoking", or

- (ii) a sign in accordance with Schedule "A".
- (4) A proprietor who finds a person smoking in a no-smoking area shall request such person to stop smoking.
- 8. (1) With the exception of signs posted in taxi cabs, all signs required to be posted pursuant to this by-law shall conform to the following specifications:
  - (a) signs shall contain the text "City of Red Deer Health By-law",
  - (b) a no smoking sign shall be in one of the following formats:
    - (i) a sign in accordance with the design attached as schedule A to this by-law, showing a burning cigarette surrounded by a red circle with a diagonal red line drawn through the burning cigarette, or
    - (ii) a written sign including the text "no smoking" or as specified in the applicable section of this by-law or
    - (iii) a combination of (i) and (ii) above
  - (c) A smoking sign shall be in accordance with one of the following formats:
    - (i) a sign in accordance with the design attached as Schedule "B" in this by-law showing a burning cigarette surrounded by a green circle, or
    - (ii) a written sign including the text "smoking permitted" or as specified in the applicable section of this by-law, or
    - (iii) a combination of (i) and (ii) above.
- (2) Signs shall consist of at least two contrasting colours, or if the lettering is to be applied to a clear panel then the lettering shall contrast to the colour of the background.
- (3) Lettering may be in either upper or lower case or a combination thereof, and the size of lettering shall be not less than 2", regardless of whether or not the lettering is in upper or lower case.
- (4) No person shall remove, alter, conceal, deface or destroy any sign posted pursuant to this by-law.

#### PENALTIES

- 9. (1) Any proprietor who contravenes any of the provisions or requirements of this by-law is guilty of an offence and is liable upon summary conviction to a minimum penalty of \$ 100.00.
- (2) Any other person who contravenes any of the provisions or requirements of this by-law is guilty of an offence and is liable upon summary conviction to a



minimum penalty of \$ 30.00.

10. The offence ticket in the form and content which is set forth in Schedule "C" annexed hereto and made part of this by-law is hereby prescribed and approved as the offence ticket to be issued for any contravention of this by-law.
11. Where a peace officer, by-law enforcement officer or a member of the Canadian Corp. of Commissionaires, has reasonable grounds to believe a person has contravened any of the sections of this by-law he may issue and serve upon such person an offence ticket in the form prescribed.
12.
  - (1) Where payment of the penalty for an offence ticket issued for contravention of any section of this by-law is received by the City within 7 days of the date of service of the offence ticket, the penalty specified in Section 9 shall be reduced by \$ 10.00 and such reduced payment shall be accepted in lieu of prosecution.
  - (2) Where payment of the penalty for an offence ticket issued for contravention of any section of this by-law is received by the City within 8 to 15 days from the date of service of the offence ticket, the penalty specified in Section 9 shall be reduced by \$ 5.00 and such reduced payment shall be accepted in lieu of prosecution.
  - (3) If at any time after the expiry of 15 days from the date of service of the offence ticket and up to but not including the seven days prior to the return date of that summons, a person tenders to the City payment in full of the amount of the prescribed penalty, payment shall be accepted in lieu of prosecution.
  - (4) If the person upon whom such offence ticket is served fails to pay the required sum within the times hereinbefore limited, the provisions of this section for acceptance of payment in lieu of prosecution do not apply.
13. Should a person not pay the penalty provided for contravention of any section of this by-law and a prosecution be entered against him, he shall be liable on summary conviction to pay a minimum fine equal to the penalty stated in the said offence ticket, plus court costs and in default of payment of the penalty and costs imposed by the court, to a term of imprisonment not exceeding three months.
14. Nothing in this by-law shall,
  - (a) prevent any person from exercising his right to defend any charge laid for contravention of any sections of this by-law, or
  - (b) prevent any peace officer, by-law enforcement officer or a member of the Canadian Corp. of Commissionaires in lieu of serving an offence ticket, from laying an information or complaint against any person for contravention of any section of this by-law.
15. Should any provision of this by-law be found to be invalid it is the express wish of the Council for the City that such invalid portion be severed and that the remainder of the by-law be maintained.



16. Prior to December 31, 1987, the policy of the City with respect to smoking in a place of employment is as set forth in Schedule D hereto. Failure to conform to such policy shall not be an offence under this by-law.
17. By-law 2853/85 is hereby repealed upon this by-law coming into full force.
18. This by-law shall come into full force \_\_\_\_\_ months following third reading.

READ A FIRST TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1987.

READ A SECOND TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1987.

READ A THIRD TIME IN OPEN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1987.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK





**SMOKING**  
**CITY OF RED DEER**

- A. PAYMENTS ACCEPTED BY CITY CASHIER  
4914 - 48TH AVENUE RED DEER BETWEEN  
THE HOURS OF 8:00 A.M. TO 4:30 P.M.  
MONDAY TO FRIDAY, EXCEPT HOLIDAYS.
- B. AFTER HOURS PAYMENTS CAN BE PLACED  
IN THE NIGHT DEPOSITORY AT 4914 - 48TH  
AVENUE, RED DEER EAST SIDE OF BUILDING.
- C. PAYMENTS CAN BE MAILED TO THE CITY OF  
RED DEER P.O. BOX 5008 RED DEER  
ALBERTA T4N 3T4.
- D. TO QUALIFY FOR CIRCLED PENALTY LESS  
10.00 PAYMENT MUST BE RECEIVED BY CITY  
CASHIER WITHIN 7 DAYS OF OFFENCE DATE.
- E. TO QUALIFY FOR CIRCLED PENALTY LESS  
5.00 PAYMENT MUST BE RECEIVED BY CITY  
CASHIER BETWEEN 8 AND 15 DAYS FROM  
DATE OF OFFENCE.
- F. AFTER 15 DAYS THE CIRCLED PENALTY IS  
APPLICABLE.



THE CITY OF RED DEER  
4914 - 48TH AVENUE,  
RED DEER, ALBERTA T4N 3T4

THIS TAG ISSUED FOR BREACH  
OF SECTION

D056147

TRAFFIC BYLAW DOG BYLAW HIGHWAY TRAFFIC  
ACT 1975

1	2	3	4
PENALTY			
12.00	15.00	20.00	25.00 30.00 35.00 40.00

A. PENALTY REDUCED \$10.00 IF PAYMENT RECEIVED BY CITY CASHIER WITHIN  
7 DAYS.

B. PENALTY REDUCED \$5.00 IF PAYMENT RECEIVED BY CITY CASHIER BETWEEN  
8 & 15 DAYS.

C. NO REDUCTION IN PENALTY AFTER 15 DAYS.

VEHICLE LICENSE NO

MAKE

DATE	MONTH	YEAR	TIME	A.M.	P.M.
DAY		19		<input type="checkbox"/>	<input type="checkbox"/>

OFFENCE AND LOCATION

☐ METER VIOLATION

	METER NO
NAME	ISSUER
ADDRESS	

YOU MAY AVOID PROSECUTION FOR THIS OFFENCE BY PAYING THE PENALTY  
REQUIRED WITHIN 22 DAYS TO THE ADDRESS INDICATED ABOVE.

FAILURE TO COMPLY WILL RESULT IN

PROSECUTION IN THE PROVINCIAL COURT OF ALBERTA.

### DO NOT DETACH

PENALTY MAY BE REMITTED BY MAIL (CHEQUE OR MONEY  
ORDER ONLY) OR BY DEPOSITING IN BOX PROVIDED AT  
CITY HALL. TAG MUST ACCOMPANY PAYMENT.

RECEIPT SUPPLIED ON REQUEST IF SENDER'S NAME AND  
ADDRESS ARE FURNISHED.

FURTHER INFORMATION REQUIRED REGARDING THIS  
OFFENCE MAY BE OBTAINED FROM THE BYLAW DEPT.,  
THE CITY OF RED DEER.

CASH REGISTER FIGURES  
CONSTITUTE A RECEIPT  
FROM THE CITY OF RED DEER  
FOR THE AMOUNT SHOWN

COMPLETE TAG MUST BE PRESENTED.  
SEE REVERSE SIDE FOR ADDITIONAL INFORMATION.

D056147

SCHEDULE " D" TO THE HEALTH BY-LAW  
COUNCIL POLICY ON SMOKING IN THE WORKPLACE

Council of the City and the Medical Health Officer of the Red Deer Health Unit believe that voluntary and involuntary exposure to smoking is hazardous to health and that significant numbers of the working population of Red Deer may be involuntarily exposed to such hazard in the work place.

Council strongly encourages employers and workers to adopt policies to eliminate or restrict smoking in the work place. Employers are encouraged to consult with workers on the issue and the following are recommended as acceptable minimum criteria:

- (a) the employer/proprietor will take all reasonable steps to ensure that no person shall be involuntarily exposed to smoking in the workplace;
- (b) any smoker may object to the employer or other person having control about smoking in his or her workplace. The employer will attempt to reach a reasonable accommodation, insofar as possible between the preferences of smoking workers and those who do not wish to be exposed to smoke.
- (c) If an accommodation cannot be reached which is satisfactory to all of the affected workers in any given workplace, then the preference of workers who do not want their air polluted by smoking shall prevail and the proprietor shall prohibit smoking in the work place to the end that those workers will work in a smoke-free environment.

REPORTS

11.

NO. 1

April 28, 1987

TO: City Council

FROM: Asst. City Clerk

RE: Resolutions for 1987 A.U.M.A. Convention

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For Council's consideration, attached from various departments are proposed resolutions for presentation at the 1987 A.U.M.A. Convention.

These are submitted for Council's information and direction.

K.Kloss  
Asst. City Clerk

DATE: April 21, 1987  
TO: City Clerk  
FROM: Larry Pimm, Chairman  
Family and Community Support Services Board  
RE: RESOLUTION FOR A.U.M.A. CONVENTION

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The F.C.S.S. Board would like to recommend that the attached resolution be adopted by Red Deer City Council for submission to A.U.M.A. Council will recall that there was some discussion on this subject during the review of the F.C.S.S. Budget for 1987. In previous years, other councils have raised similar questions about the municipality, through the Family and Community Support Services program, contributing to a program which should be funded by the other levels of government. It is the view of the F.C.S.S. Board that this matter should be addressed at the gathering of all representatives from urban municipalities in Alberta.

For Council's additional information, we understand that only a few of the major urban centres are providing funding for immigration and refugee settlement services through F.C.S.S., Community Recreational and Culture grants, other municipal grants, and through United Way funding. By encouraging the other levels of government to increase their support for these services we may be able to reduce the reliance on local sources of funding.

Respectfully,



LARRY PIMM, Chairman  
Family and Community Support Services Board

/jmf

- c. D. Moore, Community Services Director  
Village of Delburne  
Village of Elnora  
Town of Bowden  
Town of Penhold  
C.A.R.E. Immigrant Centre

WHEREAS immigration and settlement services are generally held to be federal and provincial government responsibilities; and,

WHEREAS THERE IS A continuing need for community support services to assist in the resettlement of refugees and immigrants; and,

WHEREAS local organizations\* developed to assist in the resettlement of refugees and immigrants are turning to local governments and other local sources for financial support;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association petition the federal and provincial governments to increase their respective financial commitments for local immigrant and refugee settlement initiatives.





# RED DEER REGIONAL PLANNING COMMISSION

14.

2830 BREMNER AVENUE; RED DEER, ALBERTA, CANADA T4R 1M9

DIRECTOR: Robert R. Cundy M.C.I.P.

Telephone: (403) 343-3394

March 11, 1987

Mr. C. Sevcik,  
City Clerk  
City of Red Deer  
Box 5008  
Red Deer, Alta.

Dear Sir:

Re: Resolution for 1987 A.U.M.A. Annual Conference

Section 180 of the Municipal Government Act, regarding road closure.

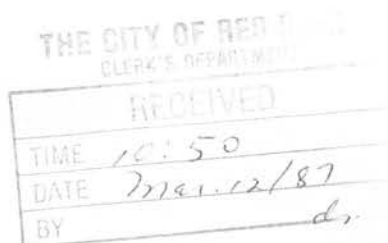
Under the above section of the Act, Council must give notice of their intention through advertising and wait to hear from the people affected before passing the bylaw.

The above procedure is necessary when a road is physically closed, but in many circumstances the right-of-way is slightly reduced (without affecting the road width), and the extra land is sold to the adjoining property owners.

In these cases, passing of the bylaw creates extra costs and is time consuming. A City Council resolution may be all that is required. Therefore, we feel that changes to Section 180 of the Municipal Government Act is necessary in order to speed up this process.

Yours truly,

D. Rouhi, MCIP  
SENIOR PLANNER  
URBAN PLANNING SECTION  
DR/cc



## MUNICIPALITIES WITHIN COMMISSION AREA

CITY OF RED DEER—TOWN OF BLACKFALDS—TOWN OF BOWDEN—TOWN OF CARSTAIRS—TOWN OF CASTOR—TOWN OF CORONATION—TOWN OF DIDSBURY—TOWN OF ECKVILLE—TOWN OF INNISFAIR—TOWN OF LACOMBE—TOWN OF OLDS—TOWN OF PENHOLD—TOWN OF ROCKY MOUNTAIN HOUSE—TOWN OF STETTTLER—TOWN OF SUNDRE—TOWN OF SYLVAN LAKE—VILLAGE OF ALIX—VILLAGE OF BENTLEY—VILLAGE OF BIG VALLEY—VILLAGE OF BOTHA—VILLAGE OF CAROLINE—VILLAGE OF CLIVE—VILLAGE OF CREMONA—VILLAGE OF DELBURN—VILLAGE OF DONALD—VILLAGE OF ELMORA—VILLAGE OF GADSBY—VILLAGE OF HALKIRK—VILLAGE OF MIRROR—SUMMER VILLAGE OF BIRCHCLIFF—SUMMER VILLAGE OF GULL LAKE—SUMMER VILLAGE OF HALF MOON BAY—SUMMER VILLAGE OF NORGLENWOLD—SUMMER VILLAGE OF ROCHON SANDS—SUMMER VILLAGE OF WHITE SANDS—SUMMER VILLAGE OF JARVIS BAY—COUNTY OF LACOMBE No. 14—COUNTY OF MOUNTAIN VIEW No. 17—COUNTY OF PAINTERTON No. 18—COUNTY OF RED DEER No. 23—COUNTY OF STETTTLER No. 6—MUNICIPAL DISTRICT OF CLEARWATER No. 99

Proposed 1987 A.U.M.A. Resolution - City of Red Deer

Re: Reduction of Road Right-of-Way

WHEREAS in some circumstances a municipality may reduce the width of a road right-of-way without affecting the actual road width, and the extra land may be used for other purposes or sold to the adjoining property owners; and

WHEREAS the procedure is considered a road closure under Section 180 of the Municipal Government Act which requires Council to give notice of their intention through advertising and wait to hear from the people affected before passing the by-law; and

WHEREAS no actual road closure occurs but the passing of the bylaw creates extra costs and is time consuming; and

WHEREAS all that may be required is a Council resolution;

NOW THEREFORE BE IT RESOLVED that the Alberta Urban Municipalities Association request the Government of Alberta to amend Section 180 of the Municipal Government Act to provide for municipalities to reduce the width of a road right-of-way by a resolution of Council, where such a reduction will not affect the required road width.

Commissioners' Comments

We would concur that the resolutions as presented be submitted to A.U.M.A. for the 1987 Convention.

"R.J. MCGHEE"  
Mayor

"M.C. DAY"  
City Commissioner



MEMORANDUM

NOTE DE SERVICE

TO  
A

C. SEVCIK  
City Clerk  
City of Red Deer

FROM  
DE

O. i/c Red Deer City Detachment

SECURITY - CLASSIFICATION - DE SÉCURITÉ

OUR FILE/NOTRE RÉFÉRENCE

YOUR FILE/VOTRE RÉFÉRENCE

DATE

87 APR 03

SUBJECT  
OBJET

RE: Resolutions for 81st Annual A.U.M.A. Convention

1. The following is a concern that I feel is a provincial matter that affects all municipal governments. If you feel it is worthy of submission, you can put it in the proper word format before presentation to council and the A.U.M.A.

Cost of policing a municipality has increased over the past ten years or so. In 1987 there was a reduction in Provincial grants to Municipal Governments for policing purposes. Fine revenue to municipalities has also generally been reduced due to different factors. Over the past ten years the take home pay of almost all employed people has increased at a steady rate.

Penalties in the Criminal Justice System have not increased for some time. It is recommended that a review of all penalties under the Criminal Code and Provincial Statutes take place with a view to increasing the penalties so that they relate to todays value system and truly make them a deterrent to our citizens, thereby either reducing crime by more adherence to the law or more increased revenue to the municipalities by way of fines for those who are apprehended breaking the law.

  
(L.L. PEARSON) Insp.

O. i/c Red Deer City Det.

/ck

Larry Pearson  
said withdrawn  
provincial gov't is  
persuing already.  
87/04/27  
44

March 11, 1987

TO: City Commissioners  
Council  
Directors  
Department Heads

Urban Planning Section Mgr.  
City Solicitor

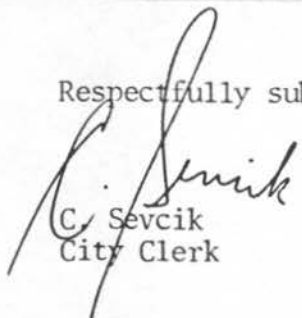
FROM: City Clerk

RE: Resolutions for 81st Annual A.U.M.A. Convention

Enclosed herewith is information with regard to resolutions to be proposed for the 1987 A.U.M.A. Convention which will be held in Calgary September 23-26, 1987.

If you have any resolutions which you would like Council to consider for submission to the A.U.M.A., please have same prepared in accordance with the instructions attached hereto and submit same to our office by no later than April 27 for inclusion on the May 4th agenda.

Respectfully submitted,



C. Sevcik  
City Clerk

Encl.



NO. 1

CORRESPONDENCE

# alberta urban municipalities association

MAILING ADDRESS:  
P.O. BOX 4607  
POSTAL STATION S.E.  
EDMONTON, ALBERTA T6E 5G4

8712 - 105 STREET  
EDMONTON, ALBERTA T6E 5V9  
TELEPHONE: 433-4431

68.

February 10, 1987

To the Mayor and Council

Re: Request for Resolutions  
1987 A.U.M.A. Convention  
September 23 - 26, Calgary

Dear Colleagues:

This is your invitation to submit resolutions for the 81st Annual A.U.M.A. Convention. On behalf of the Association, I ask your municipality to bring forth concerns which are of province-wide interest and which you feel should be dealt with by the membership at the convention.

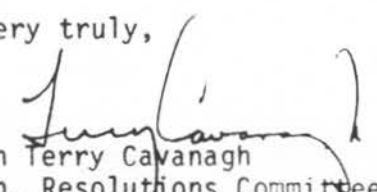
The municipality's drafting, the Convention Resolutions Committee's evaluation and delegates debate of convention resolutions are detailed in the attached Convention Resolutions Procedures. The Procedures describe the format for resolutions and request a background statement be attached to each resolution where detail or further explanation of an issue would be beneficial.

The Convention Resolutions Committee categorize resolutions A, B, C or D and edit the submitted resolutions in accordance with the attached procedures. Responses to last years resolutions will be directed to you soon after we receive them from the Province.

Please set in motion the process of resolutions development and submit them prior to May 15, 1987. After this date resolutions will be returned in accordance with the procedures for late resolutions.

Once again we welcome your resolutions.

Yours very truly,

  
Alderman Terry Cavanagh  
Chairman, Resolutions Committee

TC, RDM/d1

126 25/87  
BMC

ALBERTA URBAN MUNICIPALITIES ASSOCIATIONCONVENTION RESOLUTIONS PROCEDURES1. Preparation of Resolutions

Care should be taken by the sponsors of resolutions intended for consideration at the AUMA Annual Convention to ensure that they meet the following criteria.

- a) Resolutions must address a topic of concern to municipalities throughout the province. (Local concerns should be addressed specifically to the Board of Directors).
- b) The preliminary clauses should clearly and briefly set out the reasons for the resolution.
- c) There should be as few preliminary clauses as possible. If the sponsor believes that the rationale cannot be explained in a few preliminary clauses, the problem shall be more fully stated in one page supporting narrative attached to the resolution. This material will assist the Resolution Committee (and later the convention body) in understanding the problem, but it will not be included within the resolution itself.
- d) The operative clause of the resolution (i.e., the one beginning THEREFORE BE IT RESOLVED) must clearly set out what the resolution is meant to achieve, and state a specific proposal for action. Its wording should be straightforward and brief, so that the intent of the resolution is clear. Generalizations should be avoided.
- e) Resolutions may be submitted by any municipality which is a full member of the Alberta Urban Municipalities Association. Each resolution must bear an official endorsement of the sponsor's municipal Council.
- f) Resolutions are to be in the hands of the Executive Director no later than the THIRD FRIDAY IN MAY of each year or other such date as may be established by the Executive Director.

2. Late Resolutions

- a) Resolutions received after the submission deadline for receipt of resolutions will be returned to their originating municipalities. Such resolutions may be re-submitted as Late Resolutions.

- 2 -

- b) Resolutions dealing with matters of urgent concern which arise following the deadline for receipt of convention resolutions should be directed to the Executive Director as a Late Resolution.
- c) Late Resolutions must be received by the Executive Director before or on the first day of the convention.

### 3. Extraordinary Resolutions

- a) Resolutions arising from the proceedings of the convention and being presented to the Executive Director after the first day of the convention will be considered extraordinary resolutions.

### 4. Disposition of Resolutions

- a) The Resolutions Committee shall review all resolutions intended for submission to each annual convention and may refuse to submit to the Convention any resolution which is deemed inappropriate for consideration by the Association.
- b) In conducting its review the Resolutions Committee may:
  - i) amend the grammar or format of a resolution;
  - ii) consolidate resolutions of similar intent or subject matter;
  - iii) provide comments on each resolution with regard to its background;
  - iv) inform the sponsoring municipality where the resolution is deemed to be inappropriate.
- c) The Resolutions Committee shall categorize all appropriate resolutions received as Section A, B, C or D resolutions.
  - i) Section A of the Convention Resolutions Book will contain resolutions of a major concern to municipalities, categorized as determined by the Resolutions Committee. All Section A resolutions will be presented for debate.
  - ii) Section B of the Convention Resolutions book will contain less critical resolutions. Those resolutions in Section B will be brought to the convention floor after all Section A resolutions have been debated, if time permits.



- iii) Section C of the Convention Resolutions Book will include resolutions which in the opinion of the Resolutions Committee address less critical issues or amendments to legislation or similar requests of other governments. Section "C" Resolutions will be subdivided into "C1" and "C2" Resolutions as follows:

C1 resolutions which will be dealt with if time permits, and

C2 resolutions which reflect resolutions of a technical or housekeeping nature or are reflective of AUMA positions may be referred to the Board of Directors for action, but without debate at the Convention. Sponsors of these resolutions will be notified that this action has been taken.

- iv) Section "D" of the Resolutions Book includes resolutions deemed inappropriate or consolidated with other resolutions and an explanatory note accompanies each of these resolutions.
- v) Late resolutions shall be categorized subject to Resolutions Committee review established in 4(a) and (b). 1000 copies of the resolution as reviewed and accepted by the Resolutions Committee shall be provided by the sponsor.
- vi) Extraordinary resolutions shall be categorized by the Resolutions Committee and may be brought to the convention floor individually for debate only upon a motion approved by a two-thirds majority of voting delegates present at that convention session.
- d) Resolutions which are not debated at a Convention Resolutions Session because of insufficient time or lack of quorum will be presented by the Resolutions Committee with its recommendations to a meeting of the new Board of Directors following the convention.

## 5. Handling of Resolutions in Convention Sessions

The Guidelines for the handling of Resolutions during the Conference are as follows:

- a) If by the consent or the wish of a sponsoring municipality a resolution is to be withdrawn the Session Chairman shall so notify the delegates.
- b) The Chairman will introduce the resolution by number and name of the sponsoring municipality(ies). In order to save time, he/she will move each of the resolutions and a member of the committee will second them. The Chairman will then read the operative clause of the resolution.



- c) The Chairman or a member of the Resolutions Committee will then give the views of the Resolutions Committee, if necessary, and any suggestions and the reasons therefore.
- d) The Sessions Chairman may then call a spokesman from the sponsoring municipality(ies) who may wish to speak to the resolution and open the debate. The first speaker or his/her designate will have the right to close the debate.
- e) The Session Chairman may then ask if any delegate wishes to speak against the proposed resolution. If no delegate so wishes, the question will immediately be called.
- f) Amendments from the floor will be accepted when duly moved and seconded. Amendments shall be submitted in writing when requested by the Chairman. Discussion procedure shall be the same as outlined in Section d) & e) above.
- g) The Session Chairman will rule whether or not such amendments comply with the intent of the original resolution.
- h) The voting on resolutions shall be by a show of delegate accreditation cards, or if necessary, the Session Chairman can call for a standing vote.
- i) Time Limits - the spokesman for the sponsoring municipality, or his/her designate, will be allowed to open and close the debate with a time limit of two minutes for the opening and one minute for the closing. All other speakers will have a two minute time limit and shall not be allowed to speak more than once on any one question unless and until all other delegates desiring to speak have been heard -- subject to procedure as outlined under d) & e) above.

ARTICLE 12 - ELECTION PROCEDURES Continued . . .

7.

- (a) One (1) from that portion of Alberta lying north of the 15th Base line.
- (b) One (1) from that portion of Alberta lying south of the 15th Base line and north of the 9th Base line.
- (c) One (1) from that portion of Alberta lying south of the 9th Base line.

7. VILLAGE REPRESENTATION

Three (3) Directors from Villages shall be elected after the election of Vice-Presidents, as follows:

- (a) One (1) from that portion of Alberta lying north of the 15th Base line.
- (b) One (1) from that portion of Alberta lying south of the 15th Base line and north of the 9th Base line.
- (c) One (1) from that portion of Alberta lying south of the 9th Base line.

8. In this Article, the terms "9th Base line" and "15th Base line" are both as defined under the Alberta Surveys Act.

ARTICLE 13 - ANNUAL CONVENTION

- 1. The Annual Convention of the Association shall be held at such time and such place as may be decided by the Board of Directors.
- 2. By a two-thirds vote of the Board of Directors, an Extraordinary General Meeting may be called, providing there is a two week period allowed in order to notify all members.
- 3. All members of the Association shall be notified of the date of the Annual Convention at least twelve (12) weeks prior to the date set.

4. DELEGATES REPRESENTATION

- (a) The official delegates at the annual convention or an extraordinary meeting of the Association shall be those elected officials representing their member Cities, Towns, Villages and Summer Villages.
- (b) Notwithstanding the foregoing in the event a member municipality is unable to be represented at such meetings by an elected official, the Council may by motion, appoint an appointed official to represent them, who will be entitled to all the privileges of a voting delegate. Notice of such appointment shall be submitted in writing to the Executive Director at least ten days prior to the date of the annual convention or extraordinary meeting.

## THE CITY OF RED DEER

Office of:  
CITY CLERK  
342-8132



P. O. BOX 5008  
RED DEER, ALBERTA  
T4N 3T4

May 5, 1987

A.U.M.A.  
P.O. Box 4607, Postal Stn. SE,  
EDMONTON, Alberta  
T6E 5G4

Attn: Alderman Terry Cavanagh,  
Chairman, Resolutions Committee

Dear Sir:

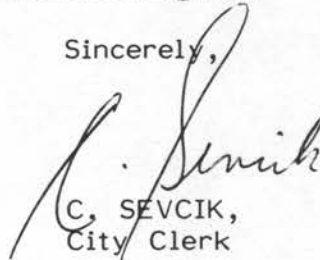
RE: RESOLUTIONS - 1987 A.U.M.A. CONVENTION

I am enclosing herewith the following resolutions passed by Council of the City of Red Deer Monday, May 4, 1987 and which resolutions are being submitted for consideration at the 1987 A.U.M.A. Convention:

1. Re: Immigration and Settlement Services
2. Road Closure, Section 180 Municipal Government Act.

Trusting you will find this satisfactory however if you require further information please do not hesitate to contact the undersigned.

Sincerely,

  
C. SEVCIK,  
City Clerk

CS/gr

Encl:

c.c. Mayor McGhee

WHEREAS in some circumstances a municipality may reduce the width of a road right-of-way without affecting the actual road width, and the extra land may be used for other purposes or sold to the adjoining property owners; and

WHEREAS the procedure is considered a road closure under Section 180 of the Municipal Government Act which requires Council to give notice of their intention through advertising and wait to hear from the people affected before passing the bylaw; and

WHEREAS no actual road closure occurs but the passing of the bylaw creates extra costs and is time consuming; and

WHEREAS all that may be required is a Council resolution;

NOW THEREFORE BE IT RESOLVED that the Alberta Urban Municipalities Association request the Government of Alberta to amend Section 180 of the Municipal Government Act to provide for municipalities to reduce the width of a road right-of-way by a resolution of Council, where such a reduction will not affect the required road width.

WHEREAS immigration and settlement services are generally held to be federal and provincial government responsibilities; and

WHEREAS THERE IS A continuing need for community support services to assist in the resettlement of refugees and immigrants; and,

WHEREAS local organizations developed to assist in the resettlement of refugees and immigrants are turning to local governments and other local sources for financial support;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association petition the federal and provincial governments to increase their respective financial commitments for local immigrant and refugee settlement initiatives.



# Urban Perspective

## A.U.M.A. To Stage Regional Seminars - April

April is seminar month for the A.U.M.A.. Your Board of Directors will be out to dialogue with you during a month-long blitz involving eight meetings across our province.

The seminars have 3 objectives. Firstly, they are intended as a dialogue, an opportunity to identify and collectively discuss your issues. Secondly, the seminars will capsule the goals of your Association and the action plan and services for getting to those goals. The third objective is to discuss 3 major issues of province-wide interest. The discussion on legislation, liability insurance and employment equity is valuable enough alone to warrant your attendance.



Details on the one-day sessions are on their way to you. Please plan to have all or part of your council attend.

## President's Column

A recent story in one of the Calgary dailies suggested I was interested in the provincial Liberal leadership. Let me state categorically that such is not the case. At no time have I expressed to the media any aspirations for elected involvement at the provincial or federal level. The immediacy of municipal government and close, constant contact with the electorate is not something I wish to trade at this time for the environs of our legislature or Ottawa. As well, to use the presidency of this Association as a launch pad would seriously detract from the credibility of the office. So banish the thought. If there are four Alberta City Mayors striving to unseat Nick Taylor — I won't be one of them.

The weekend of January 24 was a busy one for your Directors. It was spent at a retreat during which time your Association's direction for 1987 was plotted. We are determined to involve and inform our membership to a much greater extent than has been the case in the past. The participation of all our Mayors — as government leaders — is needed to give the AUMA the voice it should have in this province. I sincerely urge all urban elected people to watch for the announcement of a Regional Seminar in your area. Every seminar will be attended by a member of the Executive Committee (President or Vice-President) and Zone Director. Be prepared to discuss your cares and concerns about your organization.

The recently announced three percent reduction in municipal grants should be accepted in a responsible manner. The provincial government's \$3 BILLION PLUS anticipated deficit in 1986/87 is a matter of great concern

## Caution Advised in Roadway Land Acquisitions

In September, 1986 Section 136 of the Municipal Government Act was amended with the intent of simplifying the procedures municipalities must follow in order to acquire land for roadway purposes.

Your AUMA office has asked its legal advisors, Brownlee Fryett et al, to comment on this. The lawyers recommend caution. Municipalities would be wise to consider the potential effects which land acquisitions under Section 136 might have on persons other than the registered owners who may also have interests in the lands being acquired.

A cautious approach may avoid a situation where a municipality is sued by an affected interest holder. Municipalities might wish to obtain legal advice in specific situations where interest holders may be adversely affected by Section 136 acquisitions.

Previous to the recent amendments to Section 136, municipalities were required to reach agreement not only with the direct "owners" of land being acquired, but also with persons who had any interest registered against the title within 40 metres of the land being acquired.

*Continued on Page 5*

*Continued on Page 2*



# Development Charges Submission Stresses Local Autonomy

The Municipal Affairs Minister's Advisory Committee on Development Charges and Offsite Levies has presented its Report and Recommendations to the Minister, but the AUMA is not happy with the recommendations.

Despite the Association having had representation on the Advisory Committee, the final report and recommendations have taken an approach which the Association feels could seriously erode the autonomy of municipal jurisdictions if implemented. The AUMA, accordingly, has submitted a separate six-page position paper which spells out our concerns.

The Association's position, basically, is that municipal jurisdictions must not be hemmed in by the kind of restrictive new provisions which the Minister's Committee seems to be advocating.

The Minister's Committee, for example, recommended the establishment of a Code of Practice and the setting up of a Special Board to deal with development charges and offsite levies. The Association takes the position that this is not acceptable, at least not in the form being suggested.

Municipalities should be free to negotiate certain costs with developers, on an individual basis, and the proposed Code and Board would have the effect of replacing this local autonomy.

The AUMA brief is a follow-up to a position paper which was presented to the Advisory Committee in November 1985. The substance of the present brief is much the same as the former one. The Association points out, too, that its earlier submission does not appear to have received the kind of consideration which municipalities feel it should have received in the drawing up of the Committee's final report.

AUMA has asked that a meeting be arranged between municipal representatives, the minister and the deputy minister, to discuss the matter further.

Here are a few of the further specifics of the AUMA brief to the Department:

**Utility Oversizing.** It was suggested by the Ministers' Committee that municipalities should help to "minimize the risk of the initial investor." This infers that municipalities should assume long-term risks of the marketplace to help entrepreneurs. The AUMA disagrees.

**Roads.** AUMA says developers should pay their fair share for roadways which are built to accommodate their developments, and this should be worked out by direct negotiation between the developer and the municipality.

**Noise Attenuation.** The developer should be responsible for noise attenuation if this is required as part of a development.

**Recreation Facilities.** Recreation facilities used exclusively in a neighborhood are a legitimate charge against that neighborhood. Especially basics like tot lots, landscaping, seeding and irrigation should be chargeable against developers.

**Inspection.** Municipalities must retain the full right to have their own staff undertake inspection services.

**Appeal Limit.** AUMA agrees to a 30-day appeal limit. Experience has been that a Development Agreement is generally under discussion well before the subdivision application is presented, because only then can both parties know what is being contemplated in the development stage.

**Special Board.** The AUMA sees the setting up of a Special Board as a direct infringement on local autonomy and strongly suggests the deletion of this concept.

In the implementation stage of a development, AUMA strongly opposes the introduction of a Code of Practice as anything more than a reference document. Constraints should remain in legislation and should not be subject to change on a frequent basis. When changes are made there should be proper public notice and discussion. If a Code of Practice were established and a Special Appeal Board put in place, developers would be free to lodge endless routine appeals.

**Earmark Funds.** If a developer pays funds to the municipality, it would be appropriate to have the accumulated interest specified for a purpose.

Finally, the Association takes the position that "municipalities are willing to cooperate with the development industry toward an equitable distribution of development costs, but are not intent to compensate them for deflated land prices and profitability."

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## President's Column

*Continued from Page 1*

to all Albertans and if we, in this Association, are serious about our desire and insistence on being partners in governing this province then we cannot choose the good times only to be a partner. While most, if not all of us will be able to absorb the 3 percent in our budgets, the greater concern is for the effect of the 3 percent education cut on our ratepayers. Your School Board's reliance on provincial granting is much more than ours which results in a tougher job for them than us. So don't be too hard on them.

The Department of Economic Development and Trade (Provincial) is tak-

ing another look at machinery and equipment tax with the likely view to again raid this source of municipal taxation. Through the effort of our good friends in Municipal Affairs, a task force being formed by Economic Development and Trade to study the matter will include representatives from AUMA, our rural sister organization (AAMD&C) and the Local Improvement Districts. Mayor Ted Grimm from Medicine Hat has consented to sit for our Association on this task force. We are deeply appreciative for this quality representation. While no one questions the need for and value of economic development in our province, it cannot be at the expense of our municipalities.

Finally, I personally request your cooperation in completing the Questionnaire regarding this publication — Urban Perspective. We at the Association Office wish it to become a valuable source of information for our membership and your input is critical.

See you next month.

## Urban Perspective

Published monthly by the  
Alberta Urban Municipalities Association  
Box 4607, Stn. S.E., Edmonton, Alberta T6E 5G4  
Telephone: 433-4431  
Editor — Randy Matlock

## Our Error - Manitoba Self-Insurance

The February issue of the Urban Perspective (Page 5) advised that the self-insurance pool in Manitoba was at a level of \$75,000.

Actually, the municipal insurance self-insurance pool was at an aggregate total for the year September 1, 1985 - September 1, 1986 of \$150,000. During that time, the Loss Pool paid the first \$10,000 of any claim, up to such time as the \$150,000 was entirely used up. For the current year September 1, 1986 - September 1, 1987, the program contains a self-insurance loss pool of \$300,000, out of which is paid the first \$25,000 for any one claim, until such time as the entire \$300,000 is used up (if in fact it does get used up).

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## Rousing Those Sluggish Ratepayers

*An Excerpt from "Background," the weekly publication of the Ontario Ministry of Municipal Affairs and Housing.*

**Notes from abroad:** North Sydney Council last year introduced a somewhat unconventional (for municipalities) incentive for ratepayers to pay their taxes in full by the due date. The prize offered for early payment was the chance to win a trip to Hong Kong.

The municipality claims it received a 32 per cent increase in cash flow as a direct result of the incentive scheme.

Not long after that the municipality went one step further to increase its efficiency and cash flow. It sent out legal notices to collect overdue taxes only four weeks after the notices were due. The Local Government Act states they are due one month after the date of service and traditionally councils have let the time lapse for up to four months before taking legal action.

Council already had a reserve of goodwill in the community as a result of its earlier incentive program, so ratepayers offered a minimum resistance. North Sydney's increase in its rate revenue is now up by 47 per cent!

The North Sydney experience was reported in the May-June 1986 issue of "Local Government Bulletin," published by the International Union of Local Authorities, The Hague, Netherlands.

## Caution Advised in Roadway Land Acquisitions

*Continued from Page 1*

Under the amended section, a municipality is required only to reach agreement with registered owners, although other registered holders must be given notice that the acquisition is taking place.

The amendments to Section 136 do not deal with the question of what compensation, if any, is payable to persons who are not owners but have registered interests against the property. For example, mortgagees may not necessarily receive compensation in circumstances where their interests have been adversely affected by municipal acquisition of land.

It could be argued that an interest holder, if he is entitled to compensation, must seek compensation from the registered owner rather than from the municipality. In other words, the interest holder's remedy is against the registered owner and not against the municipality. But this may not always be the case. Section 94(1) of the Land Titles Act makes provision for title to highways to vest in the appropriate authority upon registration of the survey plan "subject to the right of any person who

has acquired any interest in the land to compensation for his interest." An interest holder who is adversely affected by a municipal land acquisition could presumably claim compensation by virtue of this provision.

A precautionary measure which a municipality can take is to request interest holders to advise them if they feel they are entitled to any of the monies payable by the municipality. If an interest holder makes such a claim the municipality may pay the funds into court, and let the registered owner and the interest holder argue among themselves as to who is entitled to what.

In summary, a municipality which is determining the fair market value of land being acquired under Section 136 of the Municipal Government Act should assess the value of the land with due regard to all of the circumstances. The land is not necessarily unencumbered. There may be mortgages, writs of execution, easements or other encumbrances registered against the Certificate of Title and the holders of such interests may also be entitled to compensation, hence proceed with caution.

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## Municipal Statutes Review Committee Members Intensify Their Input

The AUMA, through the two board members it has appointed to the Municipal Statutes Review Committee, is stepping up its input to the work of the Committee.

The review of municipal statutes was a major item of discussion at the AUMA Board's January meeting. Since November the Board's representatives on the Committee have been Councillor Aline Foss of Hinton and Alderman Craig Reid of Calgary.

A leading task the Association has set for itself with respect to the provincial Committee is to outline, in a brief to the Minister of Municipal Affairs, the AUMA philosophy of municipal government and pertinent major issues which have faced cities, town and villages over the past ten years. A third component of the AUMA's review will be the effect which new technologies do and will have on the role of local government.

The Board's two representatives on the Committee will report at least quarterly, through the Legislative Services Committee, on progress which is being made by the Review Committee.

The AUMA, during the course of the

review will be conducting extensive research to assist both the Legislative Committee members and our Statutes Review representatives.

Last year's Board representatives on the Committee were Mayor Lucille Dougherty of High River and Alderman Larry Gilchrist of Calgary. The City of Calgary additionally allocated one of its senior administrative people to assist the Legislative Services Committee and the AUMA representatives on the Review Committee as a resource person.

Municipalities are encouraged to forward their ideas and recommendations to the Municipal Statutes Review Committee or to Committee Members Foss and Reid, both of whom are also prominent members of the Association's Legislative Services Committee (Councillor Foss chairs the Committee).

### Major Review

The current review of municipal statutes in the province of Alberta is a major one. The last comprehensive review was more than 20 years ago, in the mid-sixties, resulting in three Acts which formed the basic "constitution"

*Continued on Page 6*



# Liability Insurance Committee Finalizes Report to Minister

The Minister's Committee on Liability Insurance has finalized its report and recommendations, and the report is now going forward to the Minister of Municipal Affairs, it was announced at the AUMA Board Meeting in late January.

The report includes the recommendations which were presented in preliminary form at the AUMA Convention last fall. It also includes a set of financial scenarios which have been put together to illustrate the kinds of insurance premiums municipalities will be faced with under a variety of conditions.

The central theme of the recommendations being forwarded to the Minister is that Alberta local authorities, through their respective Associations, should enter into a pooling agreement for a portion of their liability coverage. Following from this is the recommendation that the provincial government provide the kind of initial financial support which is necessary to establish the pool until it becomes self-sustaining.

The Committee came to the conclusion that legislative amendments are necessary on the part of the Government of Alberta, and that a pooling system is the only means available to local

authorities to remove the detrimental effects of the fluctuations in cost and coverage which have been imposed on them in recent years in liability insurance.

The peaks and troughs associated with the insurance cycle have become so extreme that local authorities cannot reasonably be expected to continue delivering their established level of services without introducing the level of stability which can only be brought about through some form of pooling.

The first recommendation in the report calls for a pooling agreement for some liability coverage and that this pooled protection initially be provided on annual aggregated losses of \$5 million in excess of \$2 million. The effect of this recommendation would be to provide coverage for losses in excess of \$2 million, but only to a maximum payment from the fund of \$5 million in any year.

A further recommendation calls for establishment of a special pool with a minimum funding level of \$10 million to provide protection against uninsurable risks (where conventional insurers have eliminated or reduced the availability of insurance protection). This special pool could become self-sustain-

ing in about ten years barring catastrophic losses.

The report recommends that an annual charge be levied against each municipality and school board participating in the pool(s). If all municipalities and school authorities in the province participated on a one-dollar-per-capita basis, for example, the funding provided in a year's time would be nearly \$3 million.

It is further recommended that local authorities continue to be responsible for providing their own conventional coverage for the protection of their physical assets.

Should either or both of the pools recommended in the report be established, local authorities wishing to participate will be required to make long-term commitments to the pooled protection system.

Finally, it is recommended that the Government of Alberta enact legislation to clarify the risks and to reduce the claims costs facing local authorities.

The Minister's Committee was formed a year ago, in the winter of 1985, as a direct result of the concerns felt among municipalities about the skyrocketing of liability insurance premiums, deductible levels increased and in some cases coverage of certain risks became virtually unavailable.

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## Reader's Opinions

The AUMA is evaluating the format and contents of Urban Perspective. Your comments would be appreciated. Please take a few minutes now to answer the questions on the survey form which accompanies this issue of your newsletter.

Don't hesitate to add any additional comments you may have at the end of the survey form. Attach an additional sheet of paper if you need more space.

Your input is important to the editor and it is particularly important that we hear from the elected officials of Cities, Towns and Villages — the major target audience for whom the newsletter is published.

If you take time to read the newsletter regularly, we would like to know. If

you rarely take time to read it, are we doing something wrong? Would you read it if it had the kind of information you would like to get?

This is your opportunity to give your Association your beefs and bouquets. Be frank! Be as critical as you like!

For your convenience, we are asking your Mayor if he would be kind enough to bundle up all the responses at the next council meeting and have them sent together to the AUMA office.

We'll report back to you in a following issue of Urban Perspective, and we promise to do our best to put out the kind of periodical which will best serve your needs for information — the right kind of information.

— Editor

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## Dog Catching Seminar

The Bylaw Enforcement Officers Association of Alberta is sponsoring a one-day seminar on this sometimes sensitive municipal bylaw. The pre-registration fee of \$45 members/\$55 non-members (\$70 at the door) should be directed to the Bylaw Enforcement Officers Association care of Box 697, Edmonton, T5J 2L4

The session is tentatively scheduled for March 27, 1987 in Red Deer. Contacting their Association at 428-2741 will provide you with extra details.



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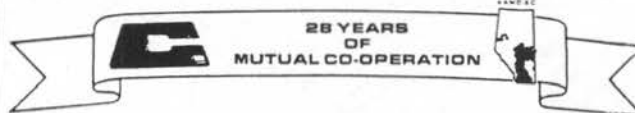
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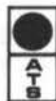
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## *Here's the Beef*

### **Spring Session**

**Opens March 5** The Spring Session of the Provincial Legislature opens on Thursday, March 5th. The opening ceremony takes place at 3:00 p.m., featuring the Speech from the Throne. This is the second session of the 21st Legislative Assembly of the Province of Alberta, which was elected on Thursday, May 8th last year.

### **Conflict of Interest**

**Law suits** Municipalities which have AUMA insurance coverage should note that an elected official who is taken to court in a conflict-of-interest suit and is then proven not guilty may qualify for insurance coverage to defray his legal costs, provided the insurers were notified at the time a statement of claims was made.

### **Resolutions**

**Deadlines** The resolutions deadline for the 1987 Annual Convention is May 15, 1987. Each Council has or will be sent a letter from the AUMA office in the next two weeks asking that resolutions be submitted as early as possible. This is just a reminder of the deadline!

## **1987 Convention In Calgary**

AUMA's 81st Annual Convention will be held September 23 - 26 this fall, at the Calgary Convention Centre.

The date was confirmed at the January 23 Board of Directors Meeting. The Board decided, too, that the 1988 and 1989 Conventions will both be held at the Edmonton Convention Centre.

The reason for holding the 1989 Convention in Edmonton as well as in 1988 is that 1989 will again be a municipal election year. Experience has shown that the spacious Convention Centre in Edmonton is best suited for the large turnout of delegates which almost invariably follows municipal elections. The Convention last fall is a good example, having broken all previous attendance records.

The dates for the 1988 and 1989 conventions in Edmonton will be September 28 to October 1, 1988; and November 22-25, 1989.

## **Municipal Involvement Week - April 6 to 10**

Mark your calendar for Municipal Involvement Week, April 6 to 10!

The purpose of Municipal Involvement Week is to increase public understanding of the importance of municipal government. Involving Albertans in the activities of this public awareness week will increase pride in their municipalities. It should also encourage young people to consider municipal administration as a career.

The program for the week, with emphasis on local participation, will include:

- council ceremonies
- school projects
- special events at shopping malls
- public functions in community centres
- open houses at City, Town and Village offices
- service club talks about local government
- displays and contests.

## **Municipal Statutes Review Committee Members Intensify Their Input**

*Continued from Page 5*

of municipal government in Alberta, i.e., the Municipal Election Act, the Municipal Taxation Act and the Municipal Government Act. The Municipal Election Act, in turn, was re-written four years ago and amalgamated with the School Election Act to form the new Local Authorities Election Act.

Neither the Municipal Taxation Act nor the Municipal Government Act, however, has been subject to a comprehensive review from a policy perspective for two decades. Both Acts have been amended on an ad hoc basis from time to time, responding to specific concerns which have been raised by municipalities. A comprehensive review is now due, with special emphasis on the effects of social change, present day realities and technological evolution on the systems of local government.

While the review will focus primarily on the Municipal Government Act, all other relevant statutes will also be considered, especially the Municipal Taxation Act.



*Calgary Convention Centre,  
home of the 1987 Annual Convention  
to be held this fall.*

The next municipal election year after 1989 will be 1992, with plans again to hold the Convention in Edmonton. Meanwhile, all roads lead to Calgary this fall for the 81st Annual Conven-

tion! The present schedules splits AUMA future conventions evenly between Edmonton and Calgary over the next 12 years.



# RECYCLING



## Recycling

**Everyone can become part of the solution. Laidlaw is working with you for your environment.**

A complete package has been compiled for municipalities implementing a public awareness program. The community will become familiar with the advantages of recycling and the impact that a small effort on the part of each resident can make to help conserve the environment.

Laidlaw provides literature and education in schools following our belief that today's children are the recyclers of tomorrow.

### **Look for the Blue Box**

It takes 25 years to grow the 30 trees necessary to produce a one ton roll of paper. Recycling is the greatest aid in the preservation of our natural resources and environment. **It's as easy as taking out the garbage.** By recycling, individuals can play an

important role in increasing the life span of existing landfills.

Laidlaw will supply a handy storage receptacle for glass, tins and newspapers. Our Blue Box has become a symbol of environmental concern to energy conscious citizens.

As with all Laidlaw waste systems, you can count on our reliability and our dependable scheduling.

Laidlaw is continually expanding and updating the fleet as part of its ongoing expansion program. A diligent maintenance plan is rigidly implemented to assure our customers prompt and regular service.

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# LANDFILL OPERATIONS



## Landfill Operations

Properly sited, innovatively engineered and operated sanitary landfills, when completed, can become a desirable and important addition to your community. Environmentally sound sanitary landfills may be used for recreational/industrial or commercial purposes. Laidlaw presently owns and operates numerous landfill sites in the United States and Canada handling a wide range of volume from 200 tons/day to 3,000 tons/day. With the application of additional permits and increased acreage, Laidlaw has greater potential capacity.

### The Need for Landfill Remains

Whether the landfill site is used as the primary disposal method for the community or as a compatible feature to transfer stations and recycling operations, they are an integral part of any solid waste management system. They further provide the necessary backup for recovery

facilities which may become overloaded or inoperative.

Laidlaw has the financial resources to complete landfill operations and services which are tailored to meet local community needs. Design and operation of new sites or the upgrading of existing facilities can be competently handled by our professional staff.

Each sanitary landfill is operated with a specific plan which has been designed by company engineers. Emphasis is given to environmental planning and creative end use.

Routine sanitary landfill operations are carried out in a systematic manner to control insects and rodents.

### Road Accessibility

Two way access roads leading to sites are constructed of solid road building materials and are well maintained throughout the year.

**Whatever your waste problem -  
Laidlaw has the solution.**

Contact us today.

**L A I D L A W**  
WASTE SYSTEMS

# RESIDENTIAL COLLECTION SERVICES



## Residential Collection Services

### Customized for Your Community

More than 157 municipalities in North America are relying on the efficient, dependable solid waste management systems that only Laidlaw can provide. Our commitment is to tailor a waste collection, disposal and recycling program to suit the growing needs and environmental concerns of the community. Professionally trained technicians are sent to analyze the geography and waste generating characteristics of the area. Only then, is a plan developed to match labor, equipment and scheduling to the specific population.

### Local Recruitment

Locally managed divisions throughout North America afford easy accessibility and direct communication with the community. Recruitment, training

and safety programs are often implemented at this local level.

### Incentive Programs Maximize Production

Safety measures are extremely important to all Laidlaw personnel. It is our belief that comprehensive safety programs keep staff morale at a peak and further enhance an excellent efficiency record. Laidlaw has developed many such employee training and work incentive programs throughout the organization.

### Scheduling You Can Count On

Heuristic routing systems are expertly geared to specific applications giving regular pick up scheduling that you can count on. All operations are computerized which give management another advantage to adapt schedules to meet the needs of any changing conditions which may arise. This flexibility is

further enforced with two-way radio control systems operating in each vehicle.

Experienced staff implement rigorous inspection and maintenance programs to back up the reliability and efficiency of our services. Laidlaw is continually expanding and updating the fleet as part of its ongoing expansion program.

### Simplify Cost Control

Let your budgeting benefit by rates which are guaranteed by contract. This allows for easier planning and often results in significant savings of tax dollars.

### For The Future of Your Community

Your municipality requires a total waste removal, disposal and recycling system that is economical, dependable and environmentally secure... choose LAIDLAW for all your solid waste management needs. Contact us today.

**LAIDLAW**  
WASTE SYSTEMS



# FRONT LOADER SYSTEMS



## Front Loader Systems

### Let us do the worrying for you.

Experienced Laidlaw personnel will consult with you to establish the most efficient solid waste collection system for your business needs. We have the manpower, expertise and equipment to set your "customized" plan into motion.

### We're there when you need us.

We can assure reliable schedules which are monitored and maintained on a computerized routing system. Laidlaw presently operates 560 industrial collection vehicles which are all equipped with two-way radio communication systems, giving us the ability to respond to your fluctuating waste volume and scheduling requirements. Experienced staff implement a rigorous inspection and maintenance program to back up the reliability and efficiency of our service.

Laidlaw is continually expanding and updating the fleet as part of its ongoing expansion program.

### No Disturbances to our Customers

Attractive on-site containers are scheduled to be emptied without disturbing the customer. Our highly trained operators further ensure that all containers are left in a condition which is satisfactory to our customers.

### You Should Know

Laidlaw will utilize only government approved and accepted disposal sites.

### Our Customers

We service manufacturing plants, businesses, hospitals, airports, restaurants, apartment buildings, stores, shopping malls, institutions and schools with customized front loader collection systems.

**Serving the Industry for over 20 years.**

**Whatever your waste problem — Laidlaw has the solution.**

*Contact us today.*

**LAIDLAW**  
WASTE SYSTEMS

# ROLL OFF SYSTEMS



## Roll Off Systems

### High Volume Waste - no longer a problem.

Laidlaw offers another alternative solution to solid waste management for customers with high volume waste which cannot be compacted. Materials include high density products such as glass, concrete and steel which are difficult to transport and need on the spot scheduling for fluctuating volumes. All Laidlaw vehicles have two-way radio communication systems as standard equipment to ensure this prompt service. Truck size containers are available to suit the needs and volume of the particular project.

Laidlaw is continually expanding and updating the fleet as part of its ongoing maintenance and expansion program.

All of the following industries will benefit from the "Roll Off" Systems that we offer.

- Manufacturers
- Auto Industry
- Glass Industry
- Steel or Metal Manufacturing
- Construction
- Large Retailers
- Any other large volume/high density producer.

Our Roll Off Systems also handle compacted waste using enclosed containers sized to customer needs. Many sizes of compactors are available on a lease program.

### You Should Know

Laidlaw will only haul to government approved and accepted landfill sites.

**Serving the industry for over 20 years.**

**Whatever your waste problems are — Laidlaw has the solution.**

*Contact us today.*

**L A I D L A W**  
WASTE SYSTEMS



# REAR LOADER SYSTEMS



## Rear Loader Systems

Is your business a good neighbor?

If you are, then you will consider Laidlaw's Rear Loader System.

We offer an efficient solid waste management system for commercial and industrial customers that will leave your neighborhood neat and tidy.

## No Disturbances to our Customers

Attractive on-site containers are scheduled to be emptied without disturbing the customer. Our highly trained operators further ensure that all containers are left in a condition which is satisfactory to our customers.

Some of the numerous advantages to our Rear Loader System include:

- Reducing the chance of waste spillage by putting it into a

single enclosed receptacle which also eliminates odors.

- Excellent for narrow alleyways, back streets or other areas normally inaccessible to collection vehicles.
- Waste which is concealed in an enclosed container will protect against pests, insects and rodents.
- Fire hazards are reduced.

**Whatever your waste problem — Laidlaw has the solution.**

*Contact us today.*

**L A I D L A W**  
WASTE SYSTEMS