



A G E N D A



FOR THE *REGULAR MEETING OF RED DEER CITY COUNCIL*

TO BE HELD IN THE COUNCIL CHAMBERS, CITY HALL

*MONDAY, SEPTEMBER 26, 2005*

COMMENCING AT *4:30 P.M.*



- (1) Confirmation of the Minutes of the Regular Meeting of Monday, September 12, 2005
  
- (2) **UNFINISHED BUSINESS**
  
- (3) **PUBLIC HEARINGS**
  1. *Parkland Community Planning Services – Re: Land Use Bylaw Amendment 3156/DD-2005 – Rezoning of Approx. 6.64 ha (16.41 ac) of Land from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District / Inglewood East – Phase 7 / Melcor Developments Ltd.*  
(Consideration of 2<sup>nd</sup> and 3<sup>rd</sup> Readings of the Bylaw) . .1

(4) **REPORTS**

1. Parkland Community Planning Services – *Re: Annexation for Industrial Land* . . .4
2. Recreation, Parks & Culture Manager, - *Re: Public Art Locations – Culture Capital of Canada* . . .33
3. EL & P Manager – *Re: Request for Approval of Unbudgeted Expenditure - Replacement of Circuit Breakers at Substation No. 14* . . .43
4. Corporate Controller, Financial Systems & Methods – *Re: Bylaw 2865/A-2005 - Repeal of Uniform Rate Bylaw 2865/85 (Consideration of 3 Readings of the Bylaw)* . . .45
5. Licensing Inspector – *Re: Taxi Business Bylaw Amendment 3282/B-2005 / Fuel Subsidy and Non-Refundable Taxi Plate Application Fee (Consideration of 3 Readings of the Bylaw)* . . .52
6. Legislative & Administrative Services Manager – *Re: 2005 AUMA Convention Resolutions* . . .56
7. Parkland Community Planning Services – *Re: Background Report – Consideration of Portable Sign Regulations* . . .59
8. Parkland Community Planning Services – *Re: Land Use Bylaw Amendment 3156/R-2005 – Overnight Stay of Trailers (RV's) in Parking Lots (Consideration of 1<sup>st</sup> Reading of the Bylaw)* . . .64
9. Parkland Community Planning Services – *Re: Land Use Bylaw Amendment 3156/II-2005 – Rezoning of Approx. 0.5 Hectares (1.2 Acres) of Land From A1 Future Urban Development District to R1N Residential Narrow Lot District / Inglewood West – Phase 2A / Inglewood Communities Inc. (Consideration of 1<sup>st</sup> Reading of the Bylaw)* . . .69

(5) **CORRESPONDENCE**

(6) **PETITIONS AND DELEGATIONS**

(7) **NOTICES OF MOTION**

1. Councillor Larry Pimm – *Re: Playground Speed Zones for Tot Lots / Engineering Services Manager* . .72

(8) **WRITTEN INQUIRIES**

(9) **BYLAWS**

1. **3156/DD-2005** – Land Use Bylaw Amendment / Rezoning of Approx. 6.64 hectares (16.41 acres) of Land from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District / Phase 7 – Inglewood East / Melcor Developments Ltd.  
(2<sup>nd</sup> & 3<sup>rd</sup> Readings) . .79  
. .1
2. **3156/R-2005** – Land Use Bylaw Amendment / Overnight Stay of Trailers (RV's) in Parking Lots  
(1<sup>st</sup> Reading) . .81  
. .64
3. **3156/II-2005** – Land Use Bylaw Amendment / Rezoning of Approx. 0.5 Hectares (1.2 Acres) of Land From A1 Future Urban Development District to R1N Residential Narrow Lot District / Inglewood West – Phase 2A / Inglewood Communities Inc.  
(1<sup>st</sup> Reading) . .83  
. .69

4. **3282/B-2005** – Taxi Business Bylaw Amendment / Fuel Subsidy and Non-Refundable Taxi Plate Application Fee (3 Readings) . .85  
. .52
  
5. **2865/A-2005** – Repeal of Uniform Rate Bylaw 2865/85 (3 Readings) . .86  
. .45



**Legislative & Administrative Services**

**DATE:** September 19, 2005  
**TO:** City Council  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Land Use Bylaw Amendment 3156/DD-2005  
Portion of SE ¼ Sec. 3-38-27-W4M  
Inglewood East – Phase 7  
Melcor Developments Ltd.

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*History*

At the Monday, August 29, 2005 Council meeting, Council gave first reading to Land Use Bylaw Amendment 3156/DD-2005.

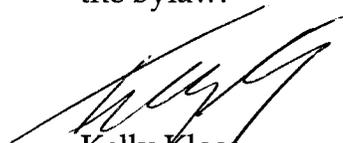
Land Use Bylaw Amendment 3156/DD-2005 provides for the development of Phase 7 of the Inglewood East neighbourhood. Approximately 6.4 hectares (16.41 acres) of land will be rezoned from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District for the purpose of creating 78 residential lots, 1 public utility lot and 2 municipal reserve lots.

*Public Consultation Process*

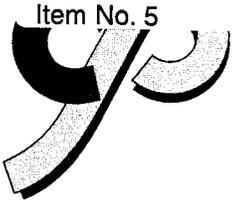
A Public Hearing has been advertised for Monday, September 26, 2005 at 7:00 p.m. in the Council Chambers during Council's regular meeting.

*Recommendations*

That following the Public Hearing, Council proceed with second and third readings of the bylaw.



Kelly Kloss  
Manager



Item No. 5

KLAND  
**COMMUNITY  
PLANNING  
SERVICES**

2

Suite 404, 4808 Ross Street  
Red Deer, Alberta T4N 1X5  
Phone: (403) 343-3394  
FAX: (403) 346-1570  
e-mail: pcps@pcps.ab.ca

---

**DATE:** August 12, 2005

**TO:** Kelly Kloss, Legislative and Administrative Services Manager

**FROM:** Martin Kvapil, Planning Assistant

**RE:** Land Use Bylaw Amendment No. 3156/DD-2005  
Portion of SE ¼ Sec. 3-38-27-W4M  
Inglewood East – Phase 7  
Melcor Developments Ltd.

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**Proposal**

Melcor Developments Ltd. is proposing to develop Phase 7 of the Inglewood East neighbourhood. Phase 7 is located within the most northeasterly portion of the Inglewood East Neighbourhood Area Structure Plan (NASP). The applicant seeks to rezone approximately 6.64 ha (16.41 ac.) of land from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District for the purpose of creating 78 residential lots, 1 public utility lot and 2 municipal reserve lots.

**Staff Recommendation**

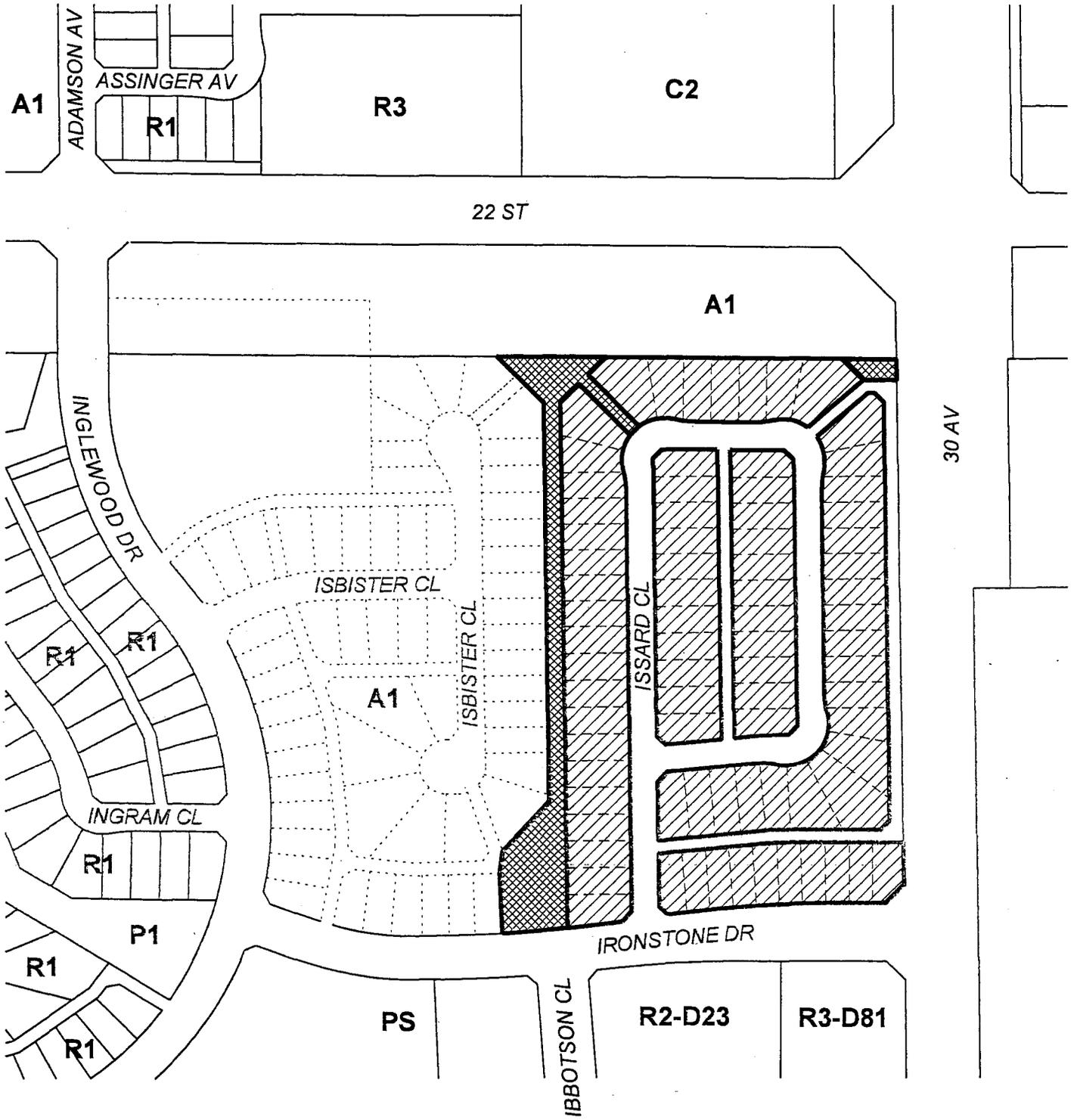
The proposal conforms with the Inglewood East Neighbourhood Area Structure Plan and therefore it is recommended that City Council proceed with first reading of Land Use Bylaw Amendment 3156/DD-2005.

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Martin Kvapil

attachments

# The City of Red Deer <sup>3</sup> PROPOSED LAND USE BYLAW AMENDMENT



**AFFECTED DISTRICTS:**

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- P1 - Parks and Recreational



**Change from :**

- A1 to R1
- A1 to P1

MAP No. 26 / 2005  
 BYLAW No. 3156 / DD - 2005



FILE COPY

LEGISLATIVE & ADMINISTRATIVE SERVICES

September 27, 2005

Melcor Developments Ltd.  
502, 4901 - 48 Street  
Red Deer, AB T4N 6M4

Dear Sirs:

***Land Use Bylaw Amendment 3156/DD-2005  
Portion of SE ¼ Sec. 3-38-27-W4M  
Inglewood East - Phase 7***

At the City of Red Deer's Council Meeting held September 26, 2005, a Public Hearing was held with respect to *Land Use Bylaw Amendment 3156/DD-2005*. Following the Public Hearing, Land Use Bylaw Amendment 3156/DD-2005 was given second and third readings, a copy of which is attached.

*Land Use Bylaw Amendment 3156/DD-2005* provides for the development of Phase 7 of the Inglewood East neighbourhood. Approximately 6.4 hectares (16.41 acres) of land will be rezoned from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District for the purpose of creating 78 residential lots, 1 public utility lot and 2 municipal reserve lots.

Please call me if you have any questions or require additional information.

Sincerely,



Kelly Kloss  
Manager

/attach.

c Parkland Community Planning Services



Council Decision – September 26, 2005

Legislative &amp; Administrative Services

**DATE:** September 27, 2005

**TO:** Martin Kvapil, Parkland Community Planning Services

**FROM:** Kelly Kloss, Legislative & Administrative Services Manager

**SUBJECT:** Land Use Bylaw Amendment 3156/DD-2005  
Portion of SE ¼ Sec. 3-38-27-W4M  
Inglewood East – Phase 7  
Melcor Developments Ltd.

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*Reference Report:*

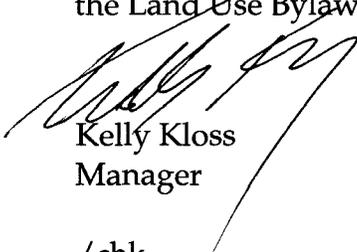
Parkland Community Planning Services, dated August 12, 2005

*Bylaw Readings:*

Land Use Bylaw Amendment 3156/DD-2005 was given second and third readings. A copy of the bylaw is attached.

*Report Back to Council:* No*Comments/Further Action:*

Land Use Bylaw Amendment 3156/DD-2005 provides for the development of Phase 7 of the Inglewood East neighbourhood. Approximately 6.4 hectares (16.41 acres) of land will be rezoned from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District for the purpose of creating 78 residential lots, 1 public utility lot and 2 municipal reserve lots. This office will amend the Land Use Bylaw and distribute copies in due course.



Kelly Kloss  
Manager

/chk  
attchs.

c Director of Development Services  
Inspections & Licensing Manager  
Land & Economic Development Manager  
City Assessor  
D. Kutinsky, Graphics Designer  
S. Marks, Graphics Designer  
T. Edwards, Clerk Steno

**BYLAW NO. 3156/DD-2005**

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

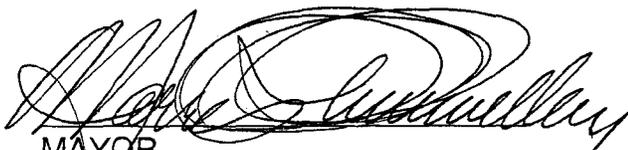
1. That "Use District Map J4" contained within "Schedule B" of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 26/2005 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 29<sup>th</sup> day of August 2005.

READ A SECOND TIME IN OPEN COUNCIL this 26<sup>th</sup> day of September 2005.

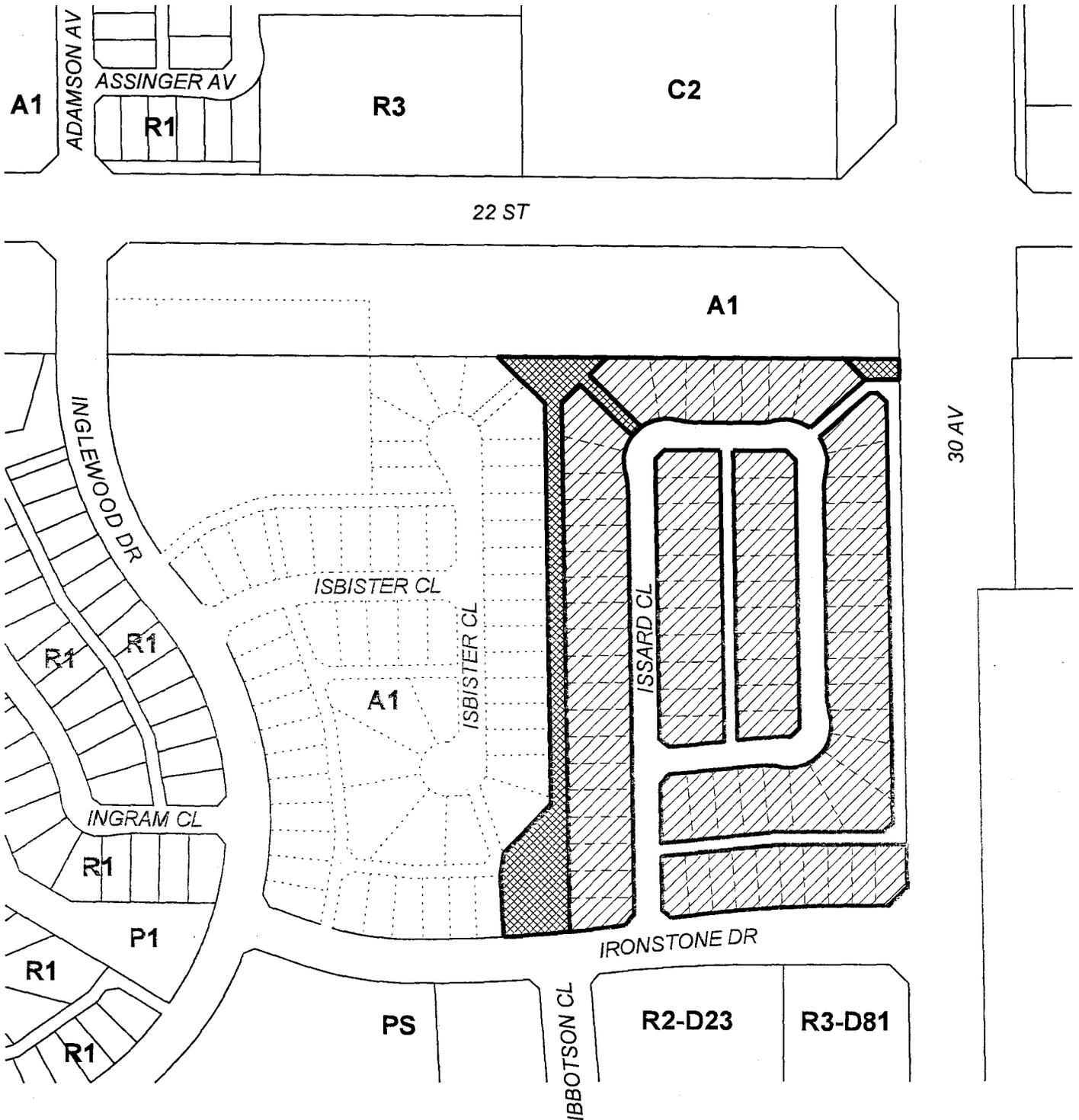
READ A THIRD TIME IN OPEN COUNCIL this 26<sup>th</sup> day of September 2005.

AND SIGNED BY THE MAYOR AND CITY CLERK this 26<sup>th</sup> day of September 2005.

  
MAYOR

  
CITY CLERK

# The City of Red Deer *PROPOSED LAND USE BYLAW AMENDMENT*



**AFFECTED DISTRICTS:**

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- P1 - Parks and Recreational



**Change from :**

- A1 to R1
- A1 to P1

MAP No. 26 / 2005  
 BYLAW No. 3156 / DD - 2005

**LUB AMENDMENT 3156/DD-2005**  
**Inglewood East – Phase 7**

**DESCRIPTION:** Rezoning of approx. 6.4 ha of land from A1 Future Urban Development District to R1 Residential Low Density District, P1 Parks and Recreation District (1 utility & 2 municipal reserve lots).

**FIRST READING:** August 29, 2005

**FIRST PUBLICATION:** September 9, 2005

**SECOND PUBLICATION:** September 16, 2005

**PUBLIC HEARING & SECOND READING:** September 26, 2005

**THIRD READING:** Sept. 26, 2005

**LETTERS REQUIRED TO PROPERTY OWNERS:** YES  NO

**DEPOSIT?** YES  \$ 400.- NO  BY: Me/cor

**ACTUAL COST OF ADVERTISING:**

\$ 345.44 X 2 TOTAL: \$ 690.88

**MAP PREPARATION:** \$ \_\_\_\_\_

**TOTAL COST:** \$ 690.-

**LESS DEPOSIT RECEIVED:** \$ (400.00)

**AMOUNT OWING/ (REFUND):** \$ 290.88

**INVOICE NO.:** 170400

(Account No. 180.5901)

Batch # 714382



THE CITY OF RED DEER  
RECEIPT

05 09 7  
Year Month Day

RECEIVED FROM Melcor Developments Ltd \$ 400.00

THE SUM OF \$400.00 / Dollars

DESCRIPTION Advertising Fees Aug 2005

	Account Number (Business Unit, Object, Subsidiary)	Subledger	T	Asset ID No.	Amount
G.L. DIST	<del>59</del> 59.5901				400.00
G.L. DIST					
G.L. DIST					
G.L. DIST					
G.L. DIST					
G.L. DIST					
G.S.T.	2.3210				

119  
=  
113482

GST Registration #R119311785

Not Valid Unless Machine Printed Here

REMITTANCE ADVICE

DATE			PAYEE	RED DEER, CITY OF	AMOUNT	400.00	PAGE	1
31	8	2005	BANK	LD Canadian Imperial Bank of Commerce			NUMBER	113482
DOCUMENT DATE	DOCUMENT NUMBER	DOCUMENT AMOUNT	BALANCE	GROSS AMOUNT	DISCOUNT	NET PAYMENT		
30	8	2005	05-08-AD FEES	400.00		400.00	0.00	400.00
				400.00		400.00	0.00	400.00

DETACH THIS PORTION BEFORE DEPOSITING

September 6, 2005

«Prime\_Owner\_Name»

«Owner\_Address\_1»

«Owner\_Address\_2»

«Owner\_Address\_3»

«Owner\_Address\_4»

Dear Sir/Madam:

**Re: Rezoning Inglewood East Neighbourhood – Phase 7  
Land Use Bylaw Amendment 3156/DD-2005**

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Council of the City of Red Deer is considering a change to the Land Use Bylaw that controls the use and development of land and buildings in the city. As a property owner in the Inglewood East area you have an opportunity to ask questions about the intended use and to let Council know your views.

City Council proposes to pass **Land Use Bylaw Amendment 3156/DD-2005**, which provides for the rezoning of approximately 6.4 hectares (16.41 acres) of land described as a portion of the Southeast ¼ Section 3-38-27-W4M from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District for the purpose of creating 78 residential lots, 1 public utility lot and 2 municipal reserve lots. The proposed bylaw may be inspected by the public at Legislative & Administrative Services, 2<sup>nd</sup> Floor of City Hall during regular office hours or for more details, contact the city planners at Parkland Community Planning Services 343-3394.

City Council will hear from any person claiming to be affected by the proposed bylaw at a Public Hearing on **Monday, September 26, 2005** at 7:00 p.m. in Council Chambers, 2<sup>nd</sup> floor of City Hall. If you want your letter or petition included on the Council agenda you must submit it to our office by **Tuesday, September 20, 2005**. Otherwise, you may submit your letter or petition at the Council meeting or you can simply tell Council your views at the Public Hearing. Any submission will be public information. If you have any questions regarding the use of this information, please contact Legislative & Administrative Services at 342-8132.

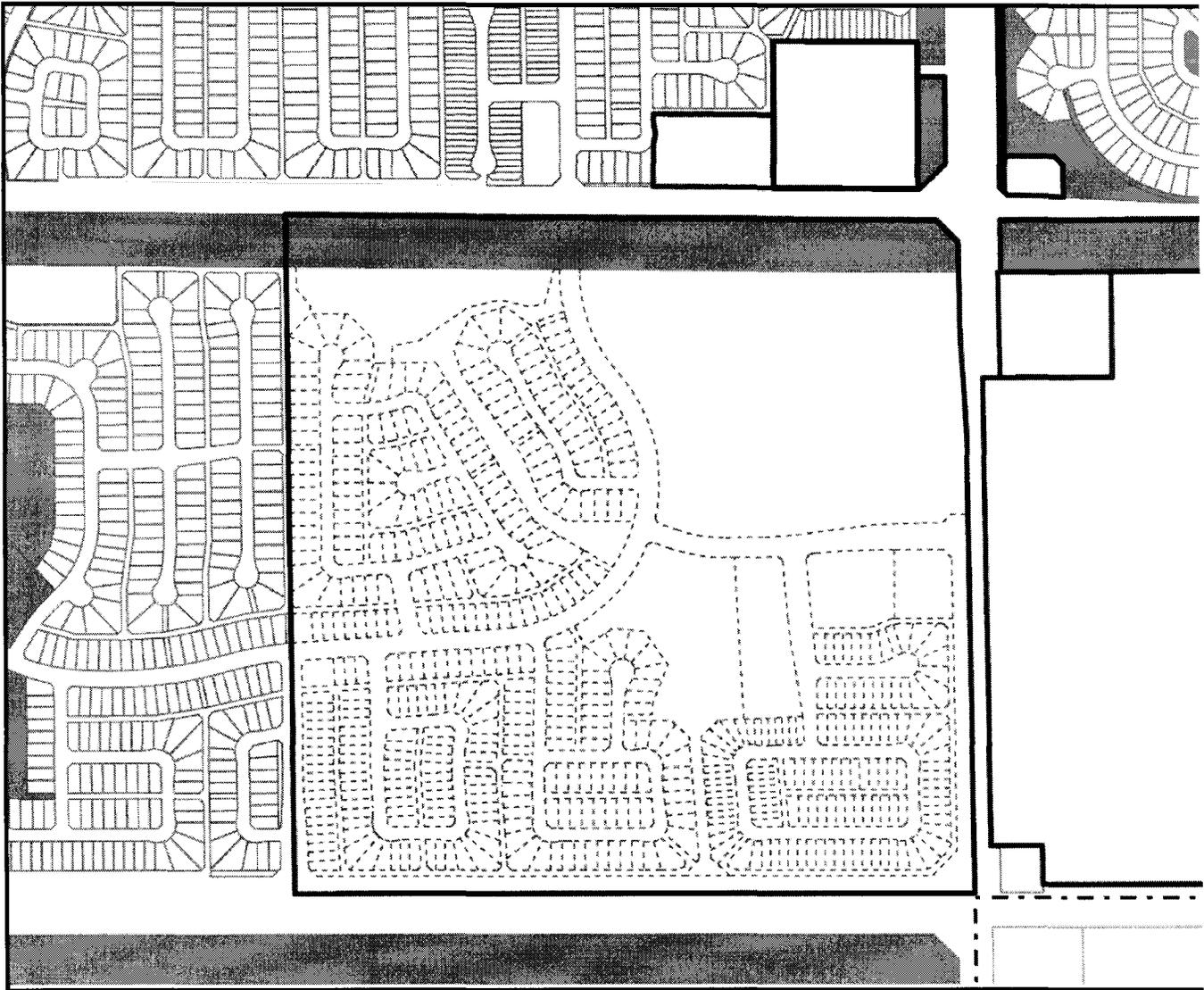
Yours truly,



Kelly Kloss  
Manager, Legislative & Administrative Services

/te  
encl.

Prime Owner Name	Owner Address 1	Owner Address 2	Owner Address 3	Owner Address 4
ALTALINK MANAGEMENT LTD.	C/O AEC INTERNATIONAL	840-10020 101A AV	PHIPPS-MCKINNOI	EDMONTON, AB T5J 3G2
SETH ANDERS	PO BOX 399	RED DEER, AB T4N 5E9		
R. Y. & ELIZABETH J. MING &	D. & D. SABASCH & 216078	LTD & PETER E. LEYEN	BOX 186	RED DEER, AB T4N 5E8
CLUB SIERRA RETIREMENT RESIDENC	C/O MASTERPIECE INC	37 RICHARD WAY SW APT	CALGARY, AB T3E 7M8	
JIM PATTISON DEVELOPMENTS LTD	1800 1067 WEST CORDOVA	VANCOUVER, BC V6C 1C7		



# LUB Amendment 3156/DD-2005

2005/08/31  
Scale 1 : 7910

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Data to t  
  
Copyright

**INGLEWOOD EAST Phase 7  
Land Use Bylaw Amendment**

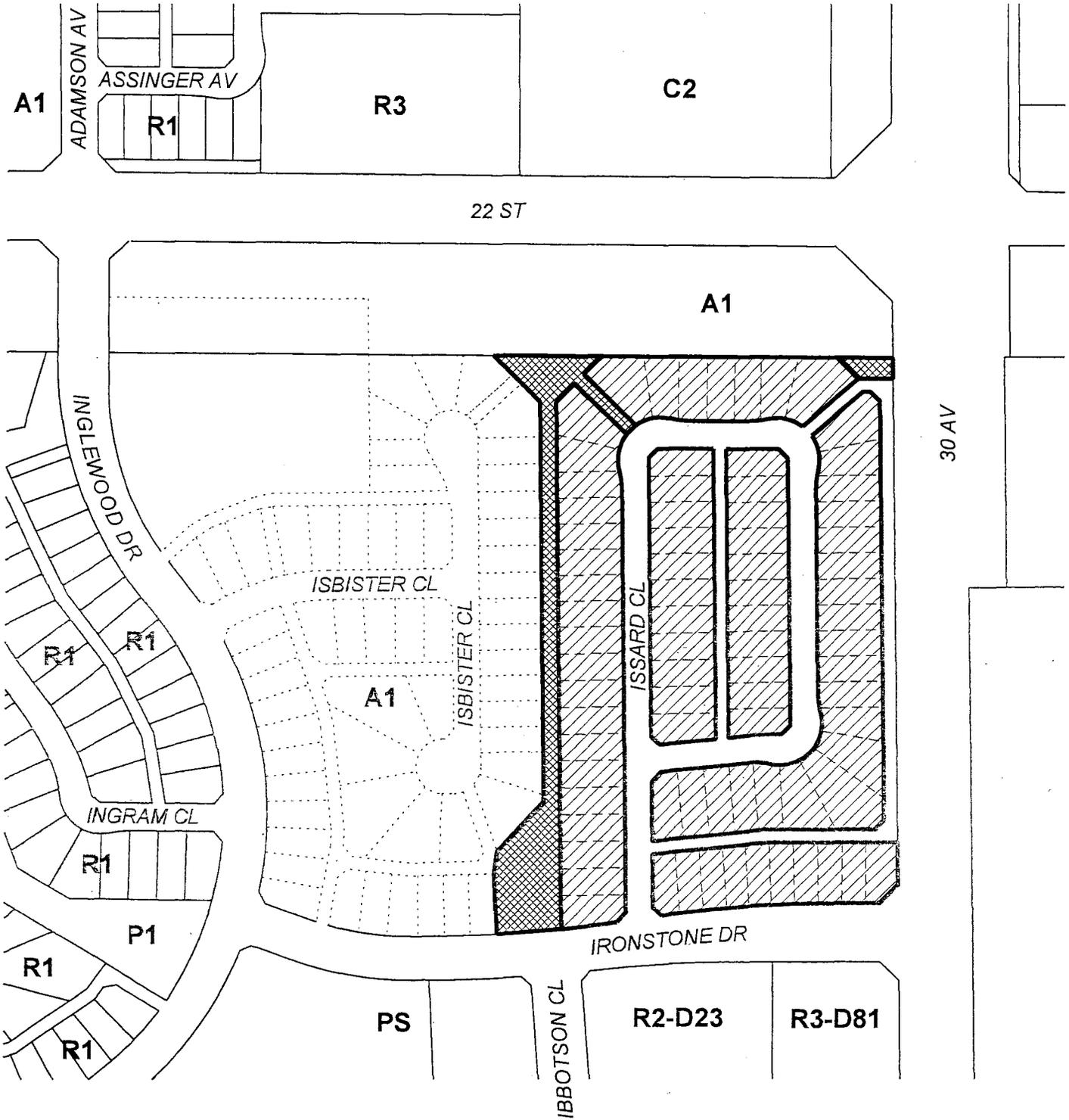
City Council proposes to pass **Land Use Bylaw Amendment 3156/DD-2005**, which provides for the rezoning of approximately 6.4 hectares (16.41 acres) of land described as a portion of the Southeast ¼ Section 3-38-27-W4M from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District to create 78 residential lots, 1 public utility lot and 2 municipal reserve lots. The proposed bylaw may be inspected by the public at Legislative & Administrative Services, 2<sup>nd</sup> Floor of City Hall during regular office hours or for more details, contact the city planners at Parkland Community Planning Services 343-3394.

**“Map”**

City Council will hear from any person claiming to be affected by the proposed bylaw at a Public Hearing on **Monday, September 26, 2005** at 7:00 p.m. in Council Chambers, 2<sup>nd</sup> floor of City Hall. If you want your letter or petition included on the Council agenda you must submit it to the Manager, Legislative & Administrative Services by **Tuesday, September 20, 2005**. Otherwise, you may submit your letter or petition at the Council meeting or you can simply tell Council your views at the Public Hearing. Any submission will be public information. If you have any questions regarding the use of this information please contact the Manager, Legislative & Administrative Services at 342-8132.

(Publication Dates: September 9 & 16, 2005)

# The City of Red Deer PROPOSED LAND USE BYLAW AMENDMENT



**AFFECTED DISTRICTS:**  
 A1 - Future Urban Development  
 R1 - Residential (Low Density)  
 P1 - Parks and Recreational



**Change from :**  
 A1 to R1   
 A1 to P1 

MAP No. 26 / 2005  
 BYLAW No. 3156 / DD - 2005



LEGISLATIVE & ADMINISTRATIVE SERVICES

August 30, 2005

Fax: 343-7510

Melcor Developments Ltd.  
502, 4901 – 48 Street  
Red Deer, AB T4N 6M4

Dear Sirs:

***Land Use Bylaw Amendment 3156/DD-2005***  
***Portion of SE ¼ Sec. 3-38-27-W4M***  
***Inglewood East – Phase 7***

Red Deer City Council gave first reading to *Land Use Bylaw Amendment 3156/DD-2005* at the City of Red Deer's Council Meeting held Monday, August 29, 2005. For your information, a copy of the bylaw is attached.

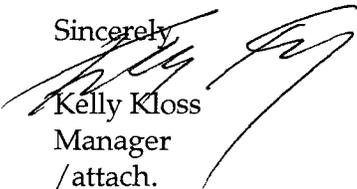
Land Use Bylaw Amendment 3156/DD-2005 provides for the development of Phase 7 of the Inglewood East neighbourhood. Approximately 6.4 hectares (16.41 acres) of land will be rezoned from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District for the purpose of creating 78 residential lots, 1 public utility lot and 2 municipal reserve lots.

Council must hold a Public Hearing before giving second and third readings to the bylaw. This office will now advertise for a Public Hearing to be held on Monday, September 26, 2005 at 7:00 p.m. in Council Chambers of City Hall during Council's regular meeting.

According to the *Land Use Bylaw*, The City requires a deposit before public advertising. An amount equal to the estimated cost of advertising, which in this instance is \$400, is required by Wednesday, September 7, 2005. You will be invoiced for or refunded the difference once the actual cost of advertising is known.

Please call me if you have any questions or require additional information.

Sincerely,



Kelly Kloss  
Manager  
/attach.

c Parkland Community Planning Services  
C. Adams, Administrative Assistant

## Legislative &amp; Administrative Services

**DATE:** August 30, 2005

**TO:** Martin Kvapil, Parkland Community Planning Services

**FROM:** Kelly Kloss, Legislative & Administrative Services Manager

**SUBJECT:** Land Use Bylaw Amendment 3156/DD-2005  
Portion of SE ¼ Sec. 3-38-27-W4M  
Inglewood East – Phase 7  
Melcor Developments Ltd.

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*Reference Report:*

Parkland Community Planning Services, dated August 12, 2005

*Bylaw Readings:*

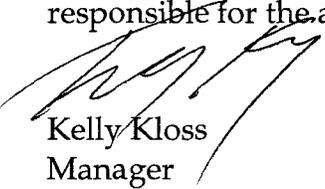
Land Use Bylaw Amendment 3156/DD-2005 was given first reading. A copy of the bylaw is attached.

*Report Back to Council: Yes*

A Public Hearing will be held on Monday, September 26, 2005 at 7:00 p.m. in Council Chambers, during Council's regular meeting.

*Comments/Further Action:*

Land Use Bylaw Amendment 3156/DD-2005 provides for the development of Phase 7 of the Inglewood East neighbourhood. Approximately 6.4 hectares (16.41 acres) of land will be rezoned from A1 Future Urban Development District to R1 Residential Low Density District and P1 Parks and Recreation District for the purpose of creating 78 residential lots, 1 public utility lot and 2 municipal reserve lots. This office will now proceed with the advertising for a Public Hearing. Melcor Developments Ltd. will be responsible for the advertising costs in this instance.



Kelly Kloss  
Manager  
/attach.  
/chk

- c Director of Development Services
- Land & Economic Development Manager
- Inspections & Licensing Manager
- C. Adams, Administrative Assistant
- T. Edwards, Clerk Steno

**BYLAW NO. 3156/DD-2005**

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

1. That "Use District Map J4" contained within "Schedule B" of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 26/2005 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this      29<sup>th</sup> day of      **August** 2005.

READ A SECOND TIME IN OPEN COUNCIL this      day of      2005.

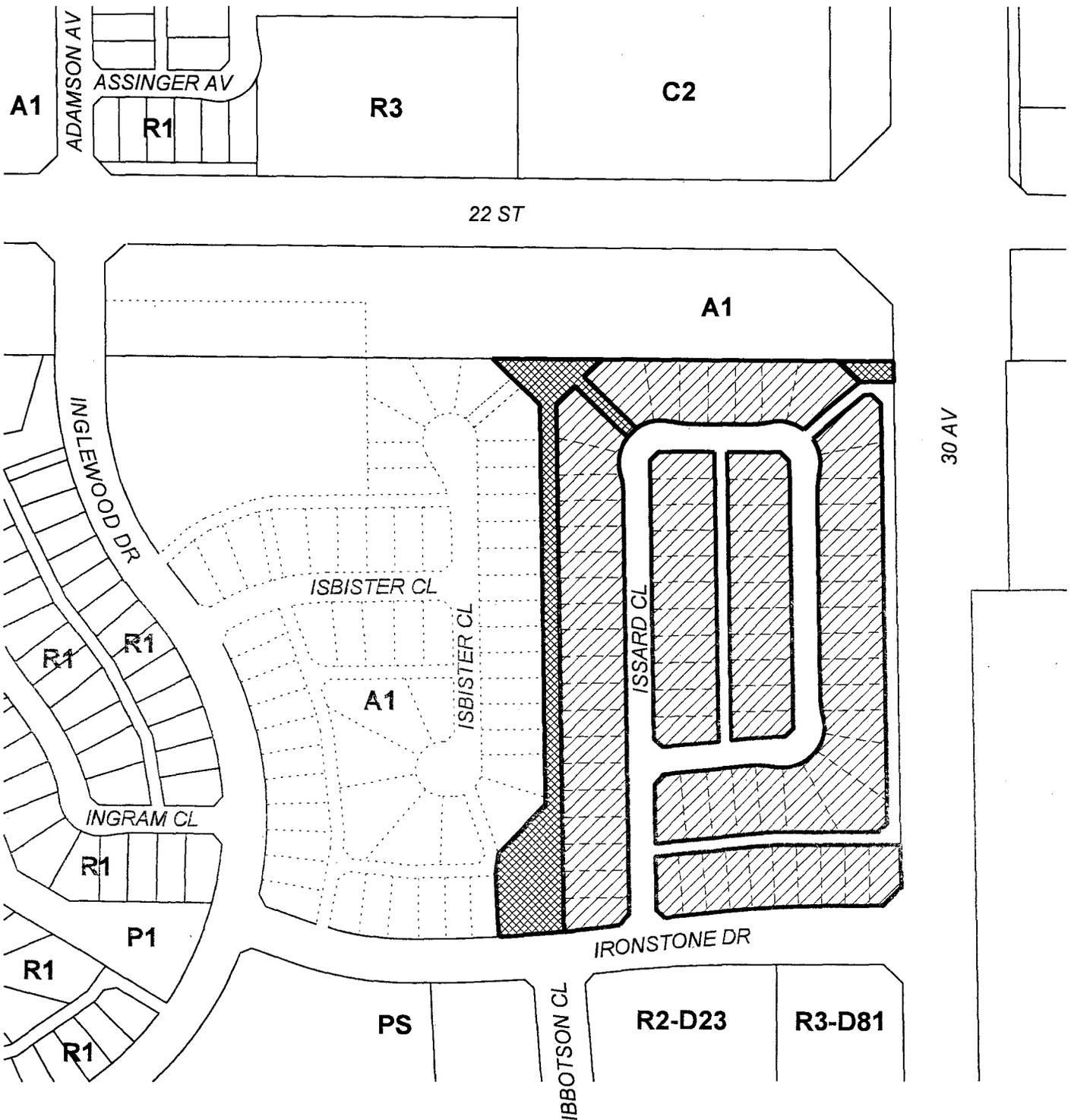
READ A THIRD TIME IN OPEN COUNCIL this      day of      2005.

AND SIGNED BY THE MAYOR AND CITY CLERK this      day of      2005.

\_\_\_\_\_  
MAYOR

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

# The City of Red Deer PROPOSED LAND USE BYLAW AMENDMENT



**AFFECTED DISTRICTS:**  
 A1 - Future Urban Development  
 R1 - Residential (Low Density)  
 P1 - Parks and Recreational



**Change from :**  
 A1 to R1   
 A1 to P1 

MAP No. 26 / 2005  
 BYLAW No. 3156 / DD - 2005



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**DATE:** September 6, 2005  
**TO:** Kelly Kloss, Legislative and Administrative Services  
**FROM:** Nancy Hackett, Planner  
**RE:** Annexation for Industrial Land

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### **Background**

The City of Red Deer has experienced significant population growth and economic development over the last 10 years. The 2005 Census results indicate that Red Deer saw a one year population increase of 4.2% and a 10-year increase of 32%. The accompanying surge in industrial development has led to the absorption of over 183 hectares of industrial land in the same 10-year period and 37% growth in manufacturing jobs (five year growth rate). This unprecedented growth far exceeds previous averages and has led to much higher than anticipated rates of industrial land development. Given this high level of growth, The City now finds itself virtually out of industrial land. To meet demand, new industrial land is required immediately and as a result, The City is proposing annexation of land from Red Deer County.

### **What is Annexation?**

Annexation is the act of incorporating land from one municipality into another municipality. Annexation does not involve a change in land ownership simply a change in municipal jurisdiction. In terms of The City of Red Deer, annexation would involve changing the official boundary of The City to accommodate future growth.

The City of Red Deer last annexed land from Red Deer County in 2004 (primarily for residential development) and in 1996 (current city landfill site).

### **Why is Annexation Needed?**

The primary reason to request annexation is the need to meet growth demands and to ensure ongoing economic development opportunities for The City of Red Deer and also for the Central Alberta Region. It is important to provide economic growth and employment opportunities within the city as well as within the region to help create a balanced economy, attract new investment and new residents, maintain or expand services, and ensure a sustainable community. The City of Red Deer serves not only local needs but also acts as a regional service and employment centre for the Central Alberta Region. The availability of serviced, well-located industrial land is a critical component of Red Deer's continued economic activity and regional employment growth. The 2004 City of Red Deer Growth Study determined that there was less than a one-year supply of industrial land available within the city. Projections completed by PricewaterhouseCoopers indicate ongoing strong demand for serviced industrial land with growth and development forecasted to continue in the city and region at a very strong pace. In assessing anticipated demand against the current industrial land supply, land for serviced industrial development is required immediately to ensure the city can maintain balanced growth.

In addition to the growth pressures being experienced by the city, there are several other reasons why annexation is required at this time. Among these is: the implementation of statutory plans including the Intermunicipal Development Plan and The City's Municipal Development Plan, responding to landowner requests, and incorporating some City optioned land within the city boundary.

### **Statutory Plans**

Several of The City's statutory plans and policies outline the importance of maintaining an industrial land base. The Municipal Development Plan speaks of ensuring the availability of a supply of serviced industrial land (policy 10.1) and creating a balanced, functional mix of growth. The City's Strategic Plan also directs the planning of an appropriate mix of land uses including industrial uses (policy 4.3.4) and continuing to work with Red Deer County to achieve mutually acceptable growth patterns (policy 5.1.3). As well, the Intermunicipal Development Plan which was co-authored and jointly adopted by The City of Red Deer and Red Deer County, discusses the need for the city to grow and continue orderly development and specifies that The City of Red Deer should maintain a 20 to 30 year supply of industrial land.

### **What Lands are Being Considered for Annexation?**

The area being recommended for annexation is located west of the present city limits. It consists of approximately 520 hectares (1280 acres) of land, bordered by The Queen Elizabeth 2 Highway (Highway 2) to the east and Highway 11A to the north. The area presently contains some country residential development, environmental areas in the form of wetlands, Cameo Lake, and tree stands, as well as scattered industrial development. Much of the land is used for agricultural production. While most of the land is privately owned, The City of Red Deer has an option to purchase on two quarters of land. The lands proposed for annexation are detailed in both written and map form in the attached Notice of Intent.

### **Annexation Process**

#### **Preliminary Process**

The need to identify and develop new industrial land has been evident for some time and several steps have been taken in preparing this proposal to explore all options as well as ensure consultation with the County.

Over the past five years, The City of Red Deer initiated a number of servicing and viability studies to determine the best location for future industrial development. This work involved Red Deer County through information sharing, presentations to the Intermunicipal Affairs Committee, or as a steering committee member. Work completed to date includes an industrial land options review, a servicing study, land absorption forecasts, risk analysis, impact analysis, and a growth study update. This work provided direction to The City's annexation process, and provides solid evidence that land west of The Queen Elizabeth 2 Highway (Highway 2) is the best option for The City and the region to develop the next **serviced** industrial land base.

Beginning in 2000, industrial land needs were discussed with the Intermunicipal Affairs Committee of The City and County. With the support of the Intermunicipal Affairs Committee, it was agreed that the proposal for industrial land annexation would be handled separately from

the residential annexation proposal (2002-2004) but would proceed following completion of the residential process. As outlined in the Intermunicipal Development Plan, the Notice of Intent to Annex was referred to Red Deer County for an administrative review prior to any official action being taken. This occurred in June-July 2005. As well, the Notice of Intent was presented at a joint Council to Council meeting held on June 13, 2005.

#### Formal Process

The formal process for annexation is set out in Section 116 of the Province of Alberta Municipal Government Act. Under these regulations, an annexation is initiated by giving written notice to the County explaining which land is being considered for annexation, the reasons, and the proposed public participation process. Notice must also be given to the Province's Municipal Government Board and to any affected agencies/authorities. Discussions/negotiations will then begin between The County and The City. Public consultation will be undertaken. Once the discussion and consultation is complete the County and The City will be required to submit a report to the Municipal Government Board on the annexation. The Municipal Government Board will then issue a decision. They may or may not require a hearing before making a decision. This process may take twelve months or longer. In addition to the provincial requirements, further measures for annexation have been agreed upon within the Intermunicipal Development Plan including at least one Council to Council meeting (held June 13, 2005).

The following chart shows the steps to be taken during the formal annexation process.

#### Annexation for Industrial Land

<b>Stage in Process</b>	<b>Estimated Completion Timeline</b>
Present the Notice of Intent (Annexation Proposal) at a City Council meeting. Following Council's endorsement, provide official written Notice of Intent (Annexation Proposal) to the County, the Municipal Government Board, and affected authorities (e.g. school boards).	<b>September 2005</b>
The Municipal Government Act requires that the two municipal authorities involved must meet to review the annexation proposal. Ongoing discussion/negotiation and resolution of issues as necessary.	<b>September – November 2005</b>
Full Public Participation Process begins (Communication Strategy contains complete information on the proposed process including meetings, letters, web site).	<b>September – November 2005</b>
Discussions with affected authorities as necessary	<b>September – November 2005</b>
Prepare a joint report on the negotiations, agreements, and public consultation process to be signed by both municipalities (which becomes the actual annexation application). Alternately, if no agreement can be reached, each municipality may prepare their own report.	<b>November – December 2005</b>

Submit final report (actual application for annexation) to Municipal Government Board.	<b>December 2005</b>
Please note: The Board will issue a decision and/or require a hearing. The timeline for a hearing, if required, is unknown.	

### **Supporting Materials**

Please find attached documents relating to the proposed annexation. These documents have been prepared in part by Development Services, Engineering Services, Communications, Tax and Assessment, and Land and Economic Development together with Parkland Community Planning Services. Included please find:

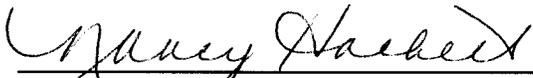
- 1) *Notice of Intent to Annex Land* dated August 8, 2005
- 2) Map of proposed annexation area
- 3) Preliminary, conceptual *Servicing Study* (forms part of *Notice of Intent to Annex*)
- 4) *Communications Plan* for Annexation (forms part of *Notice of Intent to Annex*)

### **Recommendation**

This report is presented to City Council to ask for endorsement to proceed with the annexation process as outlined above. As part of the annexation process it is recommended that:

1. The City of Red Deer initiate a formal annexation process by submitting the written Notice of Intent to Annex Land dated August 8, 2005 to the Municipal Government Board, Red Deer County, and affected authorities as set out in the Municipal Government Act.
2. That once the Notice of Intent to Annex Land has been received by The County, The City of Red Deer proceed with annexation negotiations with the County. The City Manager is delegated the authority to represent The City during these negotiations.

Respectfully submitted,



Nancy C. Hackett, MCIP, ACP  
PLANNER

- c. Bryon Jeffers, Development Services  
Colleen Jensen, Community Services  
Tom Warder, Engineering Services  
Jilaire Wagner, Communications  
Howard Thompson, Land and Economic Development  
Larry Laverty, Tax and Assessment  
Rob Coon, Red Deer County  
Harry Harker, Red Deer County



# Notice of Intent to Annex Land

Submitted By: The City of Red Deer

August 8, 2005

# NOTICE OF INTENT TO ANNEX LANDS

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# Notice of Intent to Annex Lands

## 1.0 Background

The City of Red Deer has experienced significant population growth and economic development over the last 10 years. The recently released 2005 City Census indicates that Red Deer has now reached over 79,000 people. This total represents a 4.2% increase over the 2004 population and a 10-year growth rate of 32%. Red Deer is now Alberta's third largest urban centre. The accompanying surge in industrial development has brought many benefits to the region such as job creation, spin-off spending, increased demand for housing and services, and increased regional economic activity<sup>1</sup>. Since 1995 Red Deer has seen the development and absorption of over 183 hectares of industrial land. Not only have new major industries located in the city, numerous businesses such as Collicutt Energy Services, ATCO Gas, Sanjel Corp and Trican Well Services Ltd. have also expanded operations in Red Deer and invested in new properties and buildings over the last several years. Also demonstrating the strength of the Red Deer economy, manufacturing jobs within the city grew from 4,806 in 2000 to 6,600 in 2004, a 37% increase over five years. This unprecedented growth far exceeds previous averages and has led to much faster than anticipated absorption of industrial land within the city. Given this high level of growth, the city now finds itself virtually out of industrial land. The 2004 City of Red Deer Growth Study determined that there was less than a one-year supply of industrial land available within the city<sup>2</sup>. Predictions based on the 2001 Federal Census released by Statistics Canada pinpoint Central Alberta and the Edmonton-Calgary corridor (Queen Elizabeth 2 Highway corridor) as among the highest growth areas in the nation over the next decade. Growth and development is forecasted to continue in the region at a very strong pace. To meet demand, new industrial land is required immediately and as a result, The City is proposing annexation of land from Red Deer County.

The City of Red Deer last annexed land from Red Deer County in 2004 (primarily for residential development) and in 1996 (current city landfill site).

## 2.0 Introduction

The City of Red Deer is proposing to expand its municipal boundaries by annexing certain lands from Red Deer County. Refer to Figure 1. The following document describes The City's proposal and, in accordance with Section 116 of the Municipal Government Act:

- Describes the lands proposed to be annexed
- Outlines the capacity of The City of Red Deer to service these lands
- Presents the reasons for the proposed annexation

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<sup>1</sup> Applications Management Consulting Ltd. Fiscal Impact Analysis of Alternate Industrial Land Scenarios. Prepared for the City of Red Deer. April 2003.

<sup>2</sup> City of Red Deer, 2004 Growth Study, February 2005.

- Proposes a process to conduct consultation with the County
- Proposes a process to conduct consultation with the public
- Proposes a process to meet with affected land owners, agencies, and stakeholders and to keep them informed of the negotiations.

This annexation application will deal only with industrial land needs. Subsequent annexation phases/applications will deal with any residential, commercial, park, or institutional land needs as required.

### **3.0 Processes Leading to Annexation**

The need to identify and develop new industrial land was first evident as early as 2000 after the completion of the 2000 City of Red Deer Growth Study. This matter was raised at The City of Red Deer and Red Deer County Intermunicipal Affairs Committee meeting on February 9, 2000. The Intermunicipal Affairs Committee confirmed that The City would investigate options for industrial growth including two options for industrial annexation: to the west of Highway 2 and to the south of the city (June 27, 2000). In order to fully examine these options, The City of Red Deer initiated a number of servicing and viability studies, to determine the best location for future industrial development. This work involved Red Deer County through information sharing, presentations to the Intermunicipal Affairs Committee, or as a steering committee member. Work completed to date includes:

- City of Red Deer, Industrial Lands Servicing Study, Final Report. Prepared by: Stantec Consulting Ltd. August 2002. (study looked at servicing issues)
- Industrial Land Absorption Forecast and Municipal Impact Study, City of Red Deer. Prepared by: PricewaterhouseCoopers, October 2002. (study looked at marketing, financial impact, viability, land value)
- Risk Analysis of Industrial Area Options, prepared for The City of Red Deer by Applications Management Consulting Ltd. March 2003. (study looked at risk analysis and review of costs)
- Fiscal Impact Analysis of Alternate Industrial Land Scenarios. Prepared for The City of Red Deer by Applications Management Consulting Ltd. April 2003. (study looked at fiscal impact assessment)
- Future Industrial Land Development Options, City of Red Deer, June 2003. (study looked at: affect of industrial land on local economy, needs for industrial land viability, review of different land areas, planning issues, transportation, servicing, site development, land purchasing and marketing, potential partnerships, site comparison leading to recommendations, land development process and implications)
- Red Deer Industrial Land Development. Applications Management, October 2004.
- City of Red Deer 2004 Growth Study. March 2005. (Update to 2000 Growth Study)

As these studies were completed, copies were provided to the County. This work provided direction to The City's annexation process, including solidifying that land

west of The Queen Elizabeth 2 Highway (Highway 2) as the best option for The City and the region to develop the next **serviced** industrial land base. Lands identified in this application reflect direction and findings identified through this research.

#### 4.0 Lands Proposed to be Annexed

The lands affected by the proposed annexation are presented below by means of legal description. Also included are geographic descriptions, the area size in hectares, and maps illustrating the lands proposed for annexation.

##### Legal Description (to be confirmed):

- NE ¼ 35-38-28-4
- SE ¼ 35-38-28-4
- NW ¼ 36-38-28-4
- Plan 882 2057
- Road Plan 3274 JY
- SW ¼ 36-38-28-4
- Plan 922 2467
- NE ¼ 36-38-28-4
- C of T 872 287 392
- SE ¼ 36-38-28-4
- Plan 932 3029
- Plan 012 2816
- NW ¼ 25-38-28-4
- Plan 912 1232
- NE ¼ 25-38-28-4
- C of T 032 068 806+2
- Plan 902 0911
- Lands contained in Red Deer County Subdivision File S050-04 not yet registered.

The lands described are located west of the present city limits. They are bordered by The Queen Elizabeth 2 Highway (Highway 2) to the east and Highway 11A to the north. Included are the eight quarter sections of land. The area presently contains some country residential development, environmental areas in the form of wetlands or tree stands, and scattered industrial development. Much of the land is used for agricultural production. Refer to Figure 2.

Size: +/- 520 hectares (1280 acres) (8 Quarter Sections)

- All portions of all intervening road and public utility rights-of-way.
- The portions of Road Plan 2082 LZ shown on Figure 2.

## **5.0 Servicing Overview**

The lands described above can be fully serviced by The City of Red Deer with water, sanitary sewer, storm drainage, and transportation services. New storm and sanitary trunk mains will be constructed along the Highway 11A alignment to tie the new industrial area into the existing City of Red Deer system. Figures 3 and 4 depict this proposed infrastructure. Water servicing will be achieved by extending water mains across Highway 2 from connection points on Edgar Industrial Drive, and as illustrated in Figure 3. A booster station and reservoir will be required to deliver adequate pressure to the study area prior to development.

The majority of storm and sanitary servicing can proceed without the need for lift stations as the lay of the land generally slopes from the west to the east, which complements a gravity sewer system. The lower laying lands in the southeast quadrant of section 36 will require a secondary storm and sanitary system across Highway 2 near the weigh scale site in Edgar Industrial Park. As more detailed engineering is completed, should any of the servicing lines need to be situated north of Highway 11A we would seek the County's support in acquiring easements or rights-of-way or other arrangements as necessary.

The proposed arterial roadway as illustrated in Figure 3, meshes with the existing roadway system to the south and will connect to Highway 11A to the north.

Utility companies/agencies providing gas, electrical, telephone, cable, and related utilities will be approached to confirm that servicing is possible before any final annexation application is filed with the Municipal Government Board. Initial contact with these agencies will be made shortly.

Other City services such as policing, emergency services, recreation services, and library services (which are in many cases already used by landowners of these areas) will be available to all businesses/landowners/residents falling within The City of Red Deer boundary should the annexation application be successful. Over time, The City of Red Deer will be able to consider the provision of on-demand public transit services to the proposed annexation area.

## **6.0 Reasons for the Proposed Annexation**

There are several reasons why the annexation of these particular lands is being proposed at this time.

### **6.1 Urban Land Demand**

To create a balanced economy, attract new investment and new residents, maintain or expand services, and ensure a sustainable community, it is important to provide economic growth and employment opportunities within a city. The City of Red Deer is committed to ensuring an adequate supply of serviced land for industrial development as a critical factor in achieving such

opportunities<sup>3</sup>. This goal is set out in The City's Municipal Development Plan which speaks of ensuring the availability of a supply of serviced industrial land (policy 10.1) and creating a balanced, functional mix of growth. The City's Strategic Plan also directs the planning of an appropriate mix of land uses including industrial uses (policy 4.3.4) and continuing to work with Red Deer County to achieve mutually acceptable growth patterns (policy 5.1.3). As well, the Intermunicipal Development Plan specifies that The City of Red Deer should maintain a 20 to 30 year supply of industrial land.

At this time there is a critical shortage of industrial land within the city. Over the last number of years, the city has faced substantially higher than expected industrial growth. Between 1976 and 1991 industrial land absorption rates averaged approximately six hectares per year. Based on this, a Land Bank Audit conducted in 1991 determined that the supply of industrial land was in excess of foreseeable needs. However, between 1998 and 2003, land absorption increased to an average of 18 hectares annually. Projections completed by PricewaterhouseCoopers indicate ongoing strong demand for industrial land. Over the next 25 years, they estimate 11.2 to 33.5 hectares of industrial land absorbed per year, at an average demand of 16.2 hectares per year (including light and heavy industrial uses). In assessing anticipated demand and the current industrial land supply, land for serviced industrial development is required immediately. At these land absorption rates, Table 1,<sup>4</sup> shows that The City is now nearly out of serviced industrial land, with less than a one-year supply available. Lands remaining for industrial development within the city boundaries are shown in Map 1. Of these remaining parcels, it is important to note that some face possible servicing or development constraints and plans for the possible relocation of The City Yards reduce the inventory further. Therefore, new industrial land is needed immediately to ensure the city can maintain balanced growth and maintain a 20 to 30 year supply of industrial lands as set out in the Intermunicipal Development Plan.

In particular, The City wishes to provide land for **serviced** industrial development. The City of Red Deer will provide road, water, sanitary, and storm water services to all industrial areas. In addition, The City will provide full-time emergency services response to industrial areas.

The land being considered for annexation is considered very suitable for urban serviced industrial development. Over the course of the last five years The City has investigated several potential options for industrial growth, both within the current city limits and in several growth directions outside city limits. In looking at possible growth options, these reviews considered planning, marketing, economic

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<sup>3</sup> The City of Red Deer, *Future Industrial Land Development Options - Draft*, Engineering Services, Land and Economic Development, and Parkland Community Planning Services. June 2003 pg. 10

<sup>4</sup> Reprinted from the 2004 City of Red Deer Growth Study.

development, environmental, financial implications and engineering issues. In addition, The City completed a comprehensive industrial land investigation in 2003<sup>5</sup>. The results of this study, as well as the other work completed, indicate that the best option for serviced, urban industrial growth is within the identified annexation area. The results of this study as well as the other work completed have been made available to Red Deer County for information and would be made available to the Municipal Government Board at their request.

## 6.2 Growth Demands of a Regional Centre

The City of Red Deer serves not only local needs but also acts as a regional service and employment centre for the Central Alberta Region. In fact, a *Financial Post Survey of Markets* estimated in 2001 that Red Deer's day-time population grew by 22% or 15,000 people due to commuters from outlying areas coming to work inside the city. In addition, the trade area for businesses in Red Deer is known to extend several hundred kilometers from the city limits. The availability of serviced, well-located industrial land is a critical component of Red Deer's continued economic activity and regional employment growth. Timely industrial land supply expansion would allow for the uninterrupted growth of industrial economic activity in the Red Deer region. An inadequate inventory of serviced urban industrial land means that the Red Deer region could miss the opportunity to capitalize on potential increases in economic activity, in terms of business expansions and new business start-ups, as well as losing the accompanying jobs to competing areas in the Calgary-Edmonton corridor.

## 6.3 Implementing the Intermunicipal Development Plan

In 1999 The City of Red Deer and Red Deer County co-authored and jointly adopted an Intermunicipal Development Plan (IDP). The three goals of the Plan, as found on page 7, are:

1. To improve communication, cooperation and orderly development between The City and County
2. To provide for the future expansion of The City of Red Deer
3. To allow Red Deer County to develop without impeding the orderly expansion plans of The City of Red Deer

Each of these goals relates, in part, to the need for the city to grow and continue orderly development. Additionally, the IDP sets out many policies specifically related to urban industrial growth. In particular, policy 17.1.11, sets out agreement that The City of Red Deer should maintain a 20 to 30 year supply of industrial land. Under current

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<sup>5</sup> The City of Red Deer, *Future Industrial Land Development Options - Draft*, Engineering Services, Land and Economic Development, and Parkland Community Planning Services. June 2003

calculations, as explained above, the city falls short of a 20 to 30 year supply of future industrial land with a current land base that will be entirely depleted before year end. As well, policy 5.2.2 states that both municipalities will work together to provide a sufficient land base to accommodate a range of industrial activities. Policy 11.2 states that the municipalities will cooperate to ensure an adequate supply of serviced and unserviced industrial land is available. At this time, with less than one-year supply of serviced industrial land available in Red Deer, the land base is considered by The City to be gravely insufficient. Therefore, in order to meet the goals and policies of the IDP pertaining to industrial land, annexation is required. While the IDP does not specifically identify where new industrial development could occur, it does refer to the proposed annexation area as a special study area, implying both county and potential city interest in the future planning and development of this area.

#### 6.4 Other Statutory Plans

As discussed above, The City's Municipal Development Plan sets out the goal of ensuring the availability of a supply of serviced industrial land (policy 10.1) and creating a balanced, functional mix of growth within the city. The annexation of new land for serviced industrial development will allow The City to implement the Municipal Development Plan in this regard.

The City does acknowledge that there are presently no statutory plans in place which specifically map out urban growth for industrial land uses in the proposed annexation area. However, it is expected that The City's Municipal Development Plan, which is currently being updated, will recommend urban expansion in this direction. Drafts of the plan are based upon growth directions presented in the 2004 Growth Study and show future urban growth for industrial development in this location. In addition, while the current City of Red Deer Municipal Development Plan (1998) does not specifically show urban growth in a westerly direction, it does identify portions of the area for further study relating to development and servicing. This further study was completed by the County in the form of the Burnt Lake Area Structure Plan which determined the portions of the proposed annexation area that were studied were suitable for future industrial development. Annexation of the proposed lands would allow for industrial development as noted in the Special Study/Burnt Lake Area Structure Plan, albeit under a different jurisdiction and in the form of fully serviced rather than partially or unserviced industrial land. Given the land needs of the city and efficiency of servicing, the proposed annexation area is larger than the Special Study Area / Burnt Lake Area Structure Plan.

#### 6.5 Land Owner Inquiries

The land owners of NW ¼ 25-38-28-4 and SW ¼ 36-38-28-4 have expressed, in writing, their interest in being annexed into The City of Red Deer. Annexation is requested by these owners to allow for serviced industrial development. This annexation proposal responds to the landowners' requests.

#### 6.6 City Optioned Land

Lastly, The City of Red Deer has an offer to purchase undeveloped parcels that fall outside the current city boundary, NE ¼ 36-38-28-4 and NW ¼ 36-38-28-4. As per provincial requirements, The City of Red Deer requested County approval to purchase these lands which are in the County's jurisdiction at present. This correspondence was delivered to the County on May 12, 2005. The County has not yet made a decision on this request. The City of Red Deer is interested in bringing this land into its own jurisdiction to allow for future serviced industrial development at urban standards. These parcels are included in the annexation proposal.

### 7.0 Proposed Process for Negotiation with Red Deer County

The City of Red Deer will follow the process for negotiation set out in the Intermunicipal Development Plan, Section 17.0, which was designed and adopted by both municipalities to minimize any problems that could arise during the annexation process and to ensure that the transition from rural to urban land control occurs as smoothly as possible. This process includes:

- Sharing of growth and development information so that both municipalities are aware of the extent of annexation requirements. This information has been shared via the Intermunicipal Affairs Committee of The City and County during 2002, 2003, 2004, and 2005. Studies which have been shared include:
  - City of Red Deer, Industrial Lands Servicing Study, Final Report. Prepared by: Stantec Consulting Ltd. August 2002.
  - Industrial Land Absorption Forecast and Municipal Impact Study, City of Red Deer. Prepared by: PricewaterhouseCoopers, October 2002.
  - Risk Analysis of Industrial Area Options, prepared for The City of Red Deer by Applications Management Consulting Ltd. March 2003.
  - Fiscal Impact Analysis of Alternate Industrial Land Scenarios. Prepared for The City of Red Deer by Applications Management Consulting Ltd. April 2003.
  - Future Industrial Land Development Options, City of Red Deer, June 2003.
  - Red Deer Industrial Land Development. Applications Management, October 2004.
  - City of Red Deer 2004 Growth Study. March 2005.

- Population Projections, Parkland Community Planning Services, 2003-04.

Ongoing discussion and information sharing is expected.

- Referral of the annexation proposal for comment prior to any official action being taken. This will include an administrative review of the preliminary annexation proposal in June-July 2005.
- A Council-to-Council meeting to discuss the rationale for annexation prior to an annexation application submission. This meeting occurred on June 13, 2005.
- The remainder of the process will follow the requirements as set out in the Municipal Government Act and the Intermunicipal Development Plan.

### **8.0 Proposed Tax or Shared Arrangements**

The City would follow the agreements set out in the Intermunicipal Development Plan, policy 17.1.8 relating to tax compensation. The plan states:

“in the event of annexation, The City shall compensate to the County the existing municipal portion of property taxes on a descending scale for 5 years. In the first year of annexation the rate shall be 100% of municipal taxes, 80% in the second year, 60% in the third year, 40% in the fourth year, 20% in the fifth year and 0% in the sixth year after annexation.”

As well, under policy 17.1.9, The County shall continue to provide normal public works services to the annexed lands for two years after annexation. In defining normal public works services, The City is basing its understanding on the agreements and correspondence<sup>6</sup> of the 2004 residential annexation. Thus, The City interprets normal public works services to be road maintenance, land maintenance, sign replacement and maintenance, pavement markings, bridge maintenance, snow and ice control, drainage, garbage collection and recycling and the mowing/maintenance of municipal owned property such as parks or ditches/road sides as appropriate.

### **9.0 Proposed Public Consultation Process**

Because annexation applications typically stimulate a great deal of public interest, it is extremely important to develop a comprehensive public consultation process. Below is a summary of the proposed public consultation process. Copies of the full communications strategy are available for review.

#### **9.1 Stakeholders**

The following groups or organizations have been identified as stakeholders:

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<sup>6</sup> Letter of June 2, 2003 from Mr. Frank Peck, Director of Operations, Red Deer County, regarding proposed residential annexation – normal public works services.

- Red Deer County
- City of Red Deer
- Affected Utility Companies and Service Agencies (e.g. Enmax, ATCO, Telus, Shaw Cable, Aquia Inc., EPCOR)
- Catholic School Board
- Public School Boards
- Provincial Ministries (e.g. Alberta Transportation, Alberta Environment)
- Alberta Energy and Utilities Board
- David Thompson Health Region
- Canada Post
- Red Deer Chamber of Commerce
- Landowners within proposed annexation area
- Tourism Red Deer
- Red Deer City and County citizens
- Developers of parcels adjacent to proposed annexation areas

### 9.2 Approach

The City of Red Deer approach has and will continue to include discussion with The County, landowners, and stakeholders before submitting a formal application to the Municipal Government Board. Each step of the annexation and public consultation process will prompt a number of communications tactics, which will be used to inform audiences and provide audiences with opportunities for input.

### 9.3 Public Consultation and Communications Process

The following process has been designed to consult with the public, affected landowners and other identified stakeholders. The communications and public consultation process will be closely aligned with project timing. The following list summarizes the planned process and the key periods when The City will contact specific audiences.

<b>Process</b>	<b>Communication &amp; Public Consultation Approach</b>
Annexation Proposal (Notice of Intent to Annex Land) Preparation	
Annexation Proposal presented to City Council and County Council	<ul style="list-style-type: none"> <li>▪ Notice of Intent</li> <li>▪ Presentation at joint Council meeting</li> <li>▪ Opportunity for dialogue between the two bodies</li> </ul>
Notice of Intent approved at open City Council Meeting	<ul style="list-style-type: none"> <li>▪ Notice of Intent submitted to MGB, IAC, County</li> <li>▪ Letter to County: advises that City Council has approved direction to proceed and outlines process</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Letter to landowners and other stakeholders: update on process and invitation to participate in public consultation process</li> <li>▪ News Release</li> </ul>
Consultation with Stakeholders	
Directly affected landowners	<ul style="list-style-type: none"> <li>• Meeting or open house with all directly impacted landowners</li> <li>• Position statements will provide information-relevant issues like taxation, servicing, future development</li> <li>• Intent of this meeting is to identify the concerns of those most affected first</li> <li>• Follow up with letter summarizing first concerns and future direction</li> <li>• Direct invitation to public open house</li> <li>• Follow up with letter summarizing feedback and update on future direction</li> <li>• Direct invitation to second open house (if required)</li> <li>• Follow up with letter summarizing feedback and update on future direction</li> <li>• Continued personal follow up as required</li> <li>• Distribute copies of final application with covering letter</li> </ul>
Affected agencies	<ul style="list-style-type: none"> <li>▪ Letter</li> <li>▪ Web site</li> <li>▪ Invitation to open house</li> <li>▪ Follow up letters as required</li> </ul>
Adjacent landowners and City and County citizens	<ul style="list-style-type: none"> <li>▪ News Release (regular updates)</li> <li>▪ Q&amp;A Document</li> <li>▪ Web site (regular updates)</li> <li>▪ Newspaper Ads</li> <li>▪ 1<sup>st</sup> Open House</li> <li>▪ Comment Cards</li> <li>▪ Personal Follow Up (if required)</li> <li>▪ 2<sup>nd</sup> Open House (if required)</li> <li>▪ Comment Cards</li> <li>▪ Personal Follow Up (if required)</li> </ul>
Application Process	<ul style="list-style-type: none"> <li>▪ Updates to stakeholders at key points (4-5 times via letters, news releases, and web site, as appropriate)</li> </ul>
Municipal Government Board Decision	<ul style="list-style-type: none"> <li>▪ Follow up letter to stakeholders</li> </ul>

#### 9.4 Techniques

The particular techniques used will vary from audience to audience with affected residents and agencies receiving their primary communication from

direct mail outs. The general public will be continually informed through the Web site, newspaper ads, press releases, and the annual City of Red Deer *Inside Out* publication (depending on timing).

A schedule describing the techniques that will be used during the process has been developed and is available for review.

#### 9.5 Spokespeople

To ensure accurate and timely communication, both a spokesperson and a contact person will be used during this process. All members of The City of Red Deer multidisciplinary task force may also be required to serve as area experts from time to time.

The spokesperson is Bryon Jeffers, Director of Development Services, City of Red Deer. His primary role will be to answer media questions and to communicate with the County Administration, Intermunicipal Affairs Committee, and County and City Councils.

The main contact person is Nancy Hackett, Planner, Parkland Community Planning Services. Her primary role will be to answer general landowner questions. As the main contact person, Nancy will try to ensure that all questions are answered in a timely fashion. Specific questions will be referred to a departmental expert (e.g. engineering questions referred to and answered by the Engineering Services Department or parks and recreation questions referred to and answered by the Recreation, Parks and Culture Department) as required.

#### 9.6 Timing

The official process will begin immediately upon presentation of the proposed annexation to The City of Red Deer Council and will continue until a decision has been issued under the Act. In addition, follow up of the decision will be undertaken by The City to inform stakeholders of the outcome of the annexation process/application.

22



HWY 11 A

HWY 2 A

FUTURE CITY YARDS

TAYLOR DR

GAETZ AV

67 ST

67 ST

HWY 11

TAYLOR DR

55 ST

55 ST

HWY 11

HIGHWAY 2

ROSS ST

39 ST

30 AV

32 ST

C & E TRAIL

32 ST

GAETZ AV

TAYLOR DR

19 ST

HWY 595

HWY 2 A

HIGHWAY 2

**LEGEND**

-  Developed Industrial
-  Vacant Industrial

Map 1

# Industrial Development





HWY 11A

HIGHWAY 2

N.E.1/4 SEC.35-38-28-4

N.W.1/4 SEC.36-38-28-4

N.E.1/4 SEC.36-38-28-4

S.E.1/4 SEC.35-38-28-4

S.W.1/4 SEC.36-38-28-4

S.E.1/4 SEC.36-38-28-4

N.W.1/4 SEC.25-38-28-4

N.E.1/4 SEC.25-38-28-4

CAMEO LAKE

EDGAR IND. DR

C.P.R.

JOHNSTONE

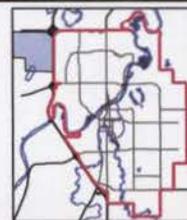
HWY 11

**LEGEND**

-  Existing City Boundary
-  Proposed Annexed Lands

FIGURE 2

# Notice of Intent to Annex Lands



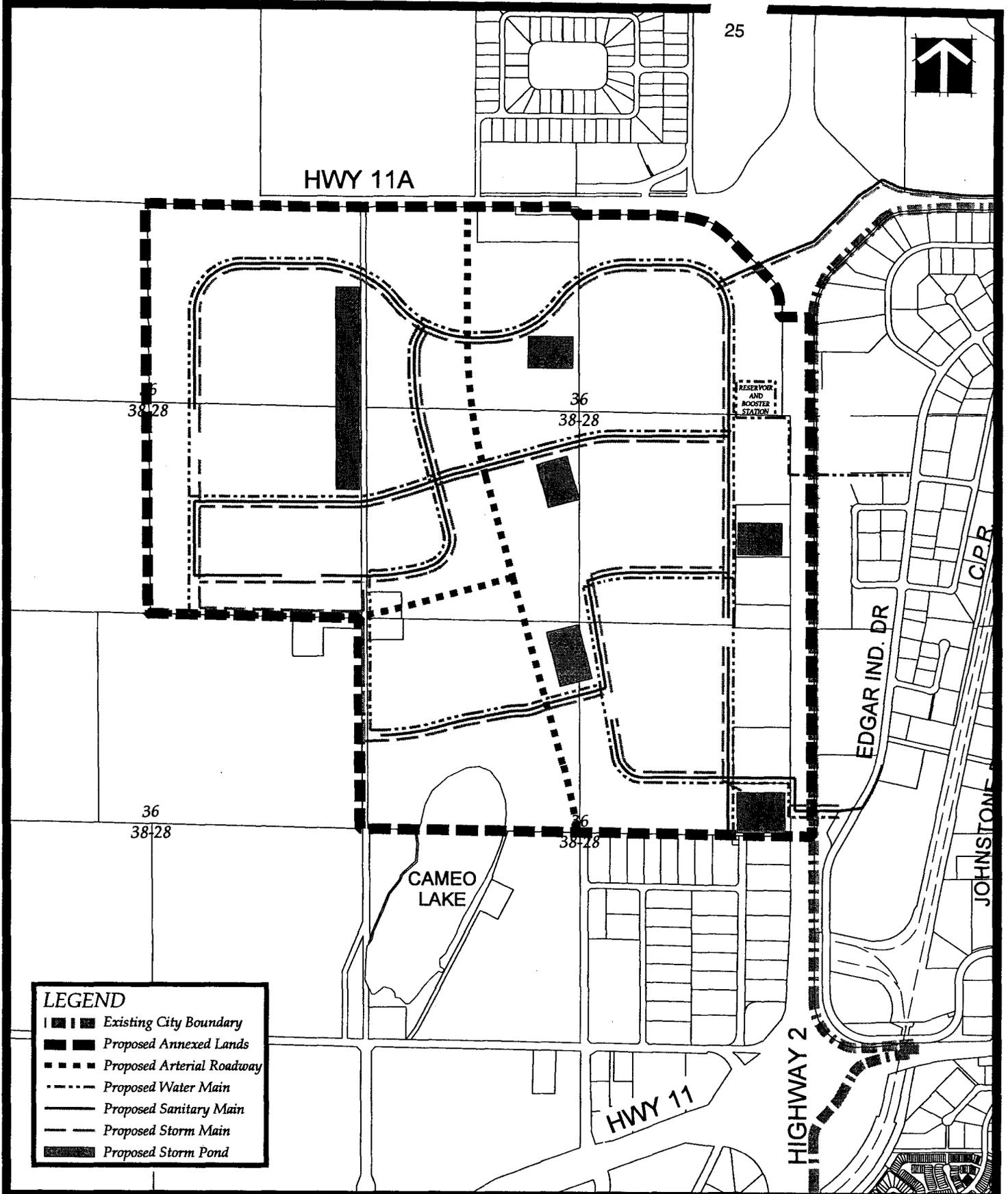
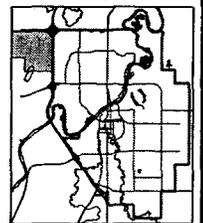
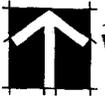


FIGURE 3

## Proposed Industrial Servicing





HWY 2 A

HAZLETT LAKE

HWY 11A

HIGHWAY 2

TAYLOR DR

GAETZ AV

67 ST

TAYLOR DR

RED DEER RIVER

55 ST

**LEGEND**

-  City Boundary
-  Proposed Sanitary Trunk
-  Proposed Storm Trunk

Figure 4



# HIGHWAY 11A SERVICING CORRIDOR

**Table 1: Industrial Absorption Rates and Land Requirements**

Year	Population	Total Vacant		Light Industrial Share	Heavy Industrial Share	Annual County-Developed Land (has)	Annual Total (Region)
		Industrial Inventory in City	Annual City - Developed Land (has)				
1995	59,834	211.94	10.46			31.80	42.26
1996		201.49	9.73			21.86	31.59
1997		191.75	24.06			22.46	46.53
1998		167.69	12.68			19.00	31.69
1999	63,940	155.01	25.91			10.76	36.67
2000	65,701	129.09	23.29			27.97	51.25
2001	68,308	105.81	23.64			30.51	54.14
2002	70,593	82.17	7.50				
2003	72,691	74.67	14.67				
2004	75,923	60.00	33.50				
**2005	77,669	26.50	33.50				
2006	79,223	-7.00	33.50	29.31	4.19	19.42	48.56
2007	80,569	-40.50	33.50	29.31	4.19	19.42	48.56
2008	81,939	-74.00	33.50	29.31	4.19	19.42	48.56
2009	83,250	-107.50	33.50	29.31	4.19	19.42	48.56
2010	84,749	-141.00	33.50	29.31	4.19	19.42	48.56
2011	86,444	-174.50	25.10	21.96	3.14	14.57	36.42
2012	87,913	-199.60	25.10	21.96	3.14	14.57	36.42
2013	89,408	-224.70	25.10	21.96	3.14	14.57	36.42
2014	90,928	-249.80	25.10	21.96	3.14	14.57	36.42
2015	92,473	-274.90	25.10	21.96	3.14	14.57	36.42
2016	94,045	-300.00	16.80	14.70	2.10	9.71	24.28
2017	95,550	-316.80	16.80	14.70	2.10	9.71	24.28
2018	97,079	-333.60	16.80	14.70	2.10	9.71	24.28
2019	98,632	-350.40	16.80	14.70	2.10	9.71	24.28
2020	100,210	-367.20	16.80	14.70	2.10	9.71	24.28
2021	101,814	-384.00	11.20	9.80	1.40	6.48	16.19
2022	103,443	-395.20	11.20	9.80	1.40	6.48	16.19
2023	105,098	-406.40	11.20	9.80	1.40	6.48	16.19
2024	106,779	-417.60	11.20	9.80	1.40	6.48	16.19
2025	108,488	-428.80	11.20	9.80	1.40	6.48	16.19
2026	110,224	-440.00	11.20	9.80	1.40	6.48	16.19
2027	111,987	-451.20	11.20	9.80	1.40	6.48	16.19
2028	113,779	-462.40	11.20	9.80	1.40	6.48	16.19
2029	115,599	-473.60	11.20	9.80	1.40	6.48	16.19
2030	117,449	-484.80	11.20	9.80	1.40	6.48	16.19
<b>Total</b>			<b>707.94</b>	<b>619.45</b>	<b>88.49</b>	<b>447.65</b>	<b>1002.34</b>
<b>Extrapolation</b>							
2031	119,328	-496.00	11.20	9.80	1.40	6.48	16.19
2032	121,118	-507.20	11.20	9.80	1.40	6.48	16.19
2033	122,935	-518.40	11.20	9.80	1.40	6.48	16.19
2034	124,779	-529.60	11.20	9.80	1.40	6.48	16.19
2035	126,651	-540.80	11.20	9.80	1.40	6.48	16.19
2036	128,550	-552.00	11.20	9.80	1.40	6.48	16.19
2037	130,414	-563.20	11.20	9.80	1.40	6.48	16.19
2038	132,305	-574.40	11.20	9.80	1.40	6.48	16.19
2039	134,224	-585.60	11.20	9.80	1.40	6.48	16.19
2040	136,170	-596.80	11.20	9.80	1.40	6.48	16.19
2041	138,144	-608.00	11.20	9.80	1.40	6.48	16.19
2042	140,079	-619.20	11.20	9.80	1.40	6.48	16.19
2043	142,040	-630.40	11.20	9.80	1.40	6.48	16.19
2044	144,028	-641.60	11.20	9.80	1.40	6.48	16.19
2045	146,045	-652.80	11.20	9.80	1.40	6.48	16.19
2046	148,089	-664.00	11.20	9.80	1.40	6.48	16.19
2047	150,088	-675.20	11.20	9.80	1.40	6.48	16.19
2048	152,115	-686.40	11.20	9.80	1.40	6.48	16.19
2049	154,168	-697.60	11.20	9.80	1.40	6.48	16.19
2050	156,249	-708.80	11.20	9.80	1.40	6.48	16.19
2051	158,359	-720.00	11.20	9.80	1.40	6.48	16.19
2052	160,497	-731.20	11.20	9.80	1.40	6.48	16.19
2053	162,663	-742.40	11.20	9.80	1.40	6.48	16.19
2054	164,859	-753.60	11.20	9.80	1.40	6.48	16.19
<b>Total</b>			<b>976.74</b>	<b>854.65</b>	<b>122.09</b>	<b>603.07</b>	<b>1579.81</b>

\*\*2005: Please note that the 2005 City of Red Deer Census released in May 2005 indicates that Red Deer's population has now reached 79,082 placing growth approximately one year ahead of projections, numbers in this table have not been adjusted as yet.

*Comments:*

The proposal to annex land for industrial purposes has been in The City's planning for a number of years. Throughout this time, we have had extensive discussions with our neighbour, Red Deer County, as we concluded the various analysis and due diligence reports that support the need for this annexation. This particular report marks the beginning of the public process and as well as the formal process that will lead to a review and a decision of this application by the Municipal Government Board. With the background work that has been completed, we believe there is strong and compelling evidence of the need for this annexation to proceed. It also marks the beginning of the public consultation process over the coming months.

It is The City's objective to have new serviced industrial land available in 2007. It is therefore critical that this process be expedited to achieve the overall objective of new serviced industrial land.

It is important to reinforce that an annexation results in a change in jurisdiction not a change in ownership of the lands that are annexed.

We concur with the recommendations of Parkland Community Planning Services.

"Morris Flewwelling"  
Mayor

"Norbert Van Wyk"  
City Manager

September 9, 2005

## Council considers Notice of Intent for industrial annexation

### 1. **What is annexation?**

Annexation is the act of incorporating land from one municipality into another municipality. Annexation does not involve a change in land ownership, simply a change in municipal jurisdiction.

In terms of The City of Red Deer, annexation would involve changing the official border of The City to accommodate its growth. This means that some areas that are now located within County jurisdiction would be brought under City jurisdiction.

### 2. **What is the difference between annexation and expropriation?**

Expropriation involves a change in land ownership. Expropriation occurs when an owner is obligated to sell his or her land, at market value, to a municipality for the purpose of a specific major project (e.g. expansion of a major roadway or the creation of a commuter train and stations within a city).

Annexation does not involve a change in land ownership. Owners continue to own their property, but since the boundary of The City does change, the property shifts from being located in the County to being located in The City. If the application is successful for land currently being considered for annexation, property owners or tenants would no longer live in the county, they would live in the city.

### 3. **Why does The City need to annex land right now?**

The City is proposing to annex land from Red Deer County to meet the continuing demand for serviced industrial land. During the last 10 years, the city has experienced significant population growth and economic development. Our 10-year population growth rate is at 32 per cent and manufacturing jobs increased by 37 per cent between 2000 and 2004. This unprecedented growth far exceeds previous averages and has led industrial land to be absorbed much faster than anticipated - 183 hectares of industrial land have been absorbed and developed since 1995. The *2004 City of Red Deer Growth Study* determined there is less than a one-year supply of industrial land available within the city.

Under the Intermunicipal Development Plan (IDP), there is a guideline for The City and County to work together to maintain a 20- to 30-year supply of industrial land within City boundaries in order to accommodate the great deal of planning required for transportation routes, utilities and services. To stay within the 20- to 30-year supply guideline, The City needs to annex approximately 520 hectares or eight quarter sections of industrial land.

### 4. **How long ago did The City annex land from the County?**

The City of Red Deer last annexed land from Red Deer County in 2004, primarily for residential development. Prior to that, an annexation occurred in 1996 when land for the current landfill site was annexed. As this current application deals only with industrial land, any additional land that will be needed for residential, commercial, park or institutional development will occur through future annexation applications.

**5. Why didn't The City annex industrial land, along with residential land in 2004?**

As early as 2000, The City began conducting a series of servicing and viability studies to determine the best locations for future industrial development.

In addition to assessing servicing options, issues and costs, the various studies also looked at the economic and growth impact industrial land development would have on the region. The results of all of this research was reviewed and amalgamated in the *2004 City of Red Deer Growth Study*. It updated projections established in the *2000 City of Red Deer Growth Study*, adjusting the vision and proposed direction for future growth and development within the city based on a future population level of 160,000.

**6. What area is The City of Red Deer looking at annexing?**

The City is currently preparing an application to annex land from Red Deer County that lies west of The Queen Elizabeth 2 Highway (Highway 2) and south of Highway 11A. The area being considered includes approximately eight quarter sections of land.

**7. Why is this area being considered for annexation?**

Based on the servicing and viability studies The City has conducted and shared with Red Deer County since 2000, this area is considered the most suitable location for future serviced industrial growth. The area has excellent transportation and market access, is highly visible and offers the highest opportunity to recover development costs over the next 25 years. In addition, this land can be fully serviced by The City of Red Deer with water, sanitary sewer, storm drainage, transportation and emergency services. It also creates a balanced, functional growth mix within the city.

It's important to note that this is a very long-term investment for The City and we may not recover all input costs associated with development, including land purchases and servicing, through land sales revenue. However, due to the broader economic benefits associated with serviced industrial land including new tax and utility revenues, job creation and the spin off of new spending in the community, The City feels that providing serviced industrial land as an economic development tool is an important investment to make in the region.

**8. What is the process for this industrial annexation?**

The City and County have been sharing information and discussing industrial annexation proposal options for the past five years. On June 13, 2005 a draft Notice of Intent, which is the annexation proposal, was presented at a joint Council-to-Council meeting. Then it was referred to Red Deer County for administrative review through June and July, with continuing discussions into September.

On Monday, September 26, 2005, the Notice of Intent will be presented to Red Deer City Council for endorsement. If the annexation proposal receives City Council's approval, The City will then provide the County, the Municipal Government Board and affected authorities such as the school boards with an official written Notice of Intent.

The next step is for both the City Council and County Council to meet between September and November 2005 to negotiate the proposal and resolve any outstanding issues.

A public consultation process will occur at the same time to gather input from affected residents, landowners and affected authorities, and to keep citizens in both municipalities informed. Following the public consultation process, The City will prepare a report for the Municipal Government Board that outlines results of the City-County discussions, public consultation process and amendments, if required, to the Notice of Intent.

The Municipal Government Board will issue a decision, or if the annexation is contested, may require a hearing. This entire process is expected to be completed by early to mid-2006.

**9. What benefits does industrial annexation create for the Central Alberta Region?**

Industrial annexation secures land for serviced industrial development that will enhance economic growth and employment opportunities within the region, helping to create a balanced economy, attract new investment and new residents, increase local spending, maintain or expand services, and ensure a sustainable region.

In 2003, it was estimated that between 20 to 25 per cent of Red Deer's active labour force was employed in current industrial areas of The City. Serviced industrial development is a critical component to a community's economic activity.

It is estimated that, for every hectare of industrial land developed, approximately:

- 10 new jobs are created;
- six new homes are built;
- an additional \$24,000 per year is spent in the community; and
- \$30,000 in annual municipal revenue (e.g. tax, utility, and user fees) is generated.

Providing serviced industrial land is expected to result in development that will create approximately 10,000 new direct and spin off jobs in Central Alberta during the next 25 years. In addition to job creation, serviced industrial land is expected to result in an additional \$1.46 billion in spending (present value) over the next 25 years. This spending will result in the attraction and retention of a wide range of new businesses, retailers and service providers to the Red Deer region. In addition to increases in economic activity supporting the regional economy, economic diversification helps both The City of Red Deer and Red Deer County to maintain balanced residential and non-residential tax base, a critical element to financial sustainability.

**10. What types of businesses develop on industrial land?**

There are two types of industrial land districts in Red Deer. One is called the I1 – Industrial (Business Service) District which allows light industrial. The purpose of this district is to provide for a limited range of light industrial, warehousing, storage, and industrial support services where the operation of these businesses does not create or emit noise, odour, dust, fumes or any other nuisances beyond the property line. Examples of light industrial currently operating within Red Deer are Daimler-Chrysler and Collicutt Hanover in the Edgar Industrial Area.

The second type of industrial land is known as I2 Industrial (Heavy Industrial) District. The purpose of this district is to allow for a wide range of manufacturing, assembling, fabrication and

processing. Nuisance factors such as noise or smoke can be associated with these types of businesses. Red Deer's Riverside Heavy Industrial Park where Olymel is located is one example of a heavy industrial area.

Although the detailed land use planning is not completed for the land identified in this proposed annexation, the expectation is that the land will be primarily used for I1 light industrial uses. If annexation is successful, an Area Structure Plan will be required prior to development. An Area Structure Plan will determine the location and layout of various land uses, districts and utilities. This plan will require public consultation and adoption by City Council.

**11. How will The City proceed with developing the annexed land?**

If annexation is successful, The City will develop an Area Structure Plan to determine the location and layout of various land uses, districts and utilities for the entire eight quarters. This plan will require public consultation and adoption by City Council. Once approved, the Area Structure Plan will guide all development, both private and city, in the new industrial area.

Part of The City's business is acting as a developer of land for industrial purposes. This means that The City develops and services land with the intent to sell it to industrial businesses wishing to locate in Red Deer. The City currently has an option to purchase two of the eight quarters proposed for annexation. As a developer, The City will purchase land, complete the planning and design work, then service and subdivide it. Once all of this work is done, The City then markets and sells available building lots. In the early 1980s, we acquired and serviced land east of the Queen Elizabeth II Highway (Highway 2) then sold it to a variety of businesses forming the Edgar Industrial Park.

In addition to developing some of the land itself, The City will work with current landowners and private developers west of the Queen Elizabeth II Highway and south of Highway 11A to facilitate future serviced light industrial development in the entire area.

**12. Where can I get more information on the proposed annexation?**

More information on the proposed annexation is available on The City of Red Deer Web site at [www.reddeer.ca](http://www.reddeer.ca) under 'Keeping You Informed'. This section will be updated regularly throughout the annexation process. You can also contact Nancy Hackett with Parkland Community Planning Services at (403) 343-3394.



OFFICE OF THE MAYOR

September 27, 2005

Municipal Government Board  
15 Floor, Commerce Place  
10155 – 102 Street  
Edmonton, AB T5J 4L4

Dear Members of the Municipal Government Board,

During the last ten years Red Deer has experienced significant population growth and economic development. This unprecedented growth far exceeds previous averages and industrial land has been absorbed much faster than anticipated. Over the past five years, The City has conducted a number of servicing, viability and marketing studies to determine the most suitable location for serviced industrial land. The City and County have also shared and discussed industrial annexation options for the past five years.

Red Deer continues to be a growing community and expanding regional centre. Our many new businesses, strong building starts, and a population topping 79,000 all testify to Red Deer's robust economy. Serviced industrial development is critical to enhancing economic growth and employment opportunities within the region.

With growth comes the need to review our inventory of industrial land. We do this in consultation with our community partners. At the forefront of this process is our work with Red Deer County to develop a proposal for future industrial growth through land annexation. As a result, I am pleased to submit to the Board, Red Deer's annexation proposal accompanied by the relevant supporting material.

...../2

We know there is still work to be done and that further discussions will need to be held with both Red Deer County and area landowners before our proposal is finalized. In December, The City will prepare its final report for the Municipal Government Board outlining the results of the City/County discussions, public consultations, amendments, and if required, the Notice of Intent.

This is an exciting time for Central Alberta as the region joins together to build and plan for the future.

Yours truly,

A handwritten signature in black ink that reads "Morris Flewwelling". The signature is written in a cursive, flowing style.

Morris Flewwelling  
Mayor

- c. Hon. V. Doerksen, M.L.A., Red Deer South
- Mary Anne Jablonski, M.L.A., Red Deer North
- Hon. Luke Ouellette, M.L.A., Innisfail/Sylvan Lake
- Reeve Earl Kinsella, Red Deer County
- Norbert Van Wyk, City Manager, City of Red Deer
- K. Kloss, City Clerk, City of Red Deer
- Chapman Riebeek, City Solicitors

Legislative & Administrative Services

**DATE:** September 27, 2005  
**TO:** Nancy Hackett, Parkland Community Planning Services  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Annexation for Industrial Land

---

*Reference Report:*

Parkland Community Planning Services, dated September 6, 2005

*Resolutions:*

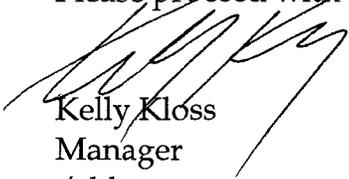
*“Resolved* that Council of the City of Red Deer, having considered the report from Parkland Community Planning Services, dated September 6, 2005, re: Annexation for Industrial Land, hereby agrees as follows:

1. The City of Red Deer initiate a formal annexation process by submitting the written Notice of Intent to Annex Land, dated August 8, 2005, to the Municipal Government Board, Red Deer County, and affected authorities as set out in the Municipal Government Act.
2. That once the Notice of Intent to Annex Land has been received by The County, The City of Red Deer proceed with annexation negotiations with The County. The City Manager is delegated the authority to represent The City during these negotiations.”

*Report Back to Council:* No

*Comments/Further Action:*

Please proceed with the annexation process as noted above.

  
Kelly Kloss  
Manager  
/chk

c City Manager  
Director of Development Services  
Director of Community Services  
Land & Economic Development Manager  
City Assessor  
Communications & Corporate Planning Coordinator



Recreation, Parks and Culture

**Date:** September 12, 2005  
**To:** Kelly Kloss  
**From:** Greg Scott, Recreation, Parks & Culture Manager  
**Subject:** Public Art Locations – Culture Capital of Canada

---

**Background:**

The Community Culture Master Plan strongly noted linking the various culture hubs and also recommended that art be dispersed throughout the community. The Trails and Pathways Master Plan, undertaken in 2004/2005 by a consulting firm presented a preliminary recommendation referencing that citizens wish to see public art along the trails between Red Deer College to other culture facilities such as the Riverlands District and the Central Alberta Theatre (Memorial Centre). Based on this, it is proposed that public art be developed and installed along the trail system that connects these culture facilities/districts.

To facilitate this work, funding from Culture Capitals of Canada is being allocated. This funding was used to identify the map trails to encourage links to be seen as a public art walks. The primary outcome of this review was to identify where public art will be located. There were “temporary” art locations identified where a base will be installed with the idea of changing out the works of art on these bases occasionally. This allows excellent participation by college student, in particular, and also will ensure that there is something new for the Community to review on a fairly regular basis.

**Discussion:**

There are eight proposed locations shown on the following attachments. The general locations of the Public Art follow the trail system from the Red Deer College past Carnival Cinemas to the River Valley Trails and North along the River to River Glen School and to the Memorial Centre. The detailed locations are attached to this document.

The Public Art Policy for the City of Red Deer states that the Culture Advisory Board will be consulted on the selection and placement of art in public places.

As part of the Public Art Policy and Procedures, this proposal has been presented to the Cultural Advisory Board where the following resolution was supported:

The Culture Advisory Board supports the administration’s recommendation for locations of the art platforms to accommodate temporary art pieces presented on the attachments.



Recreation, Parks and Culture

This information is now being presented to Red Deer City Council for their review and discussion.

**Recommendation:**

City Council approve the eight proposed public art trail locations as outlined on the site map.

Thank you,

Greg Scott

cc. Colleen Jensen  
Pierre Oberg  
Doug Evans

# PROPOSED PUBLIC ART LOCATIONS

September 7/2005



Scale N.T.S.

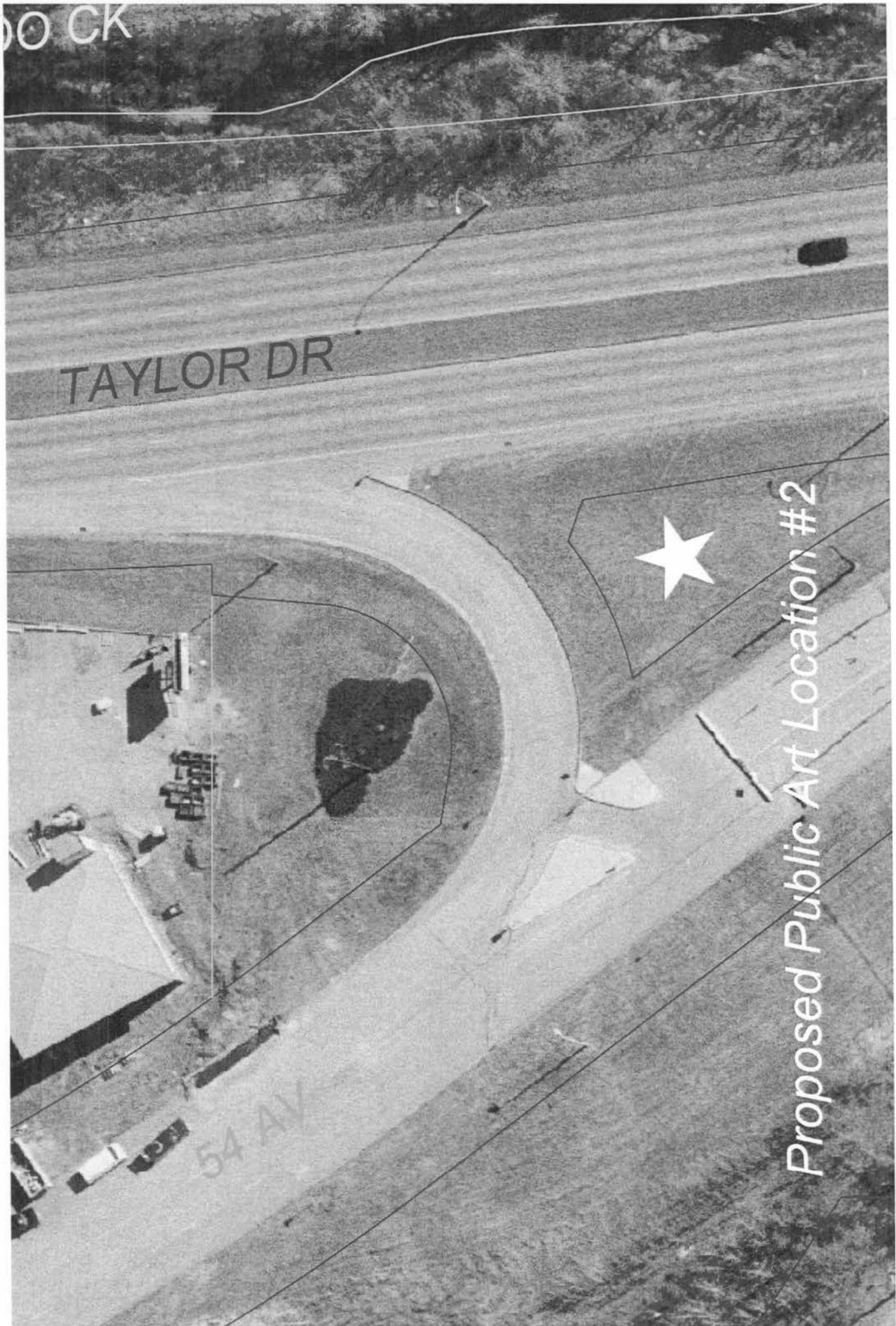


TAYLOR DR

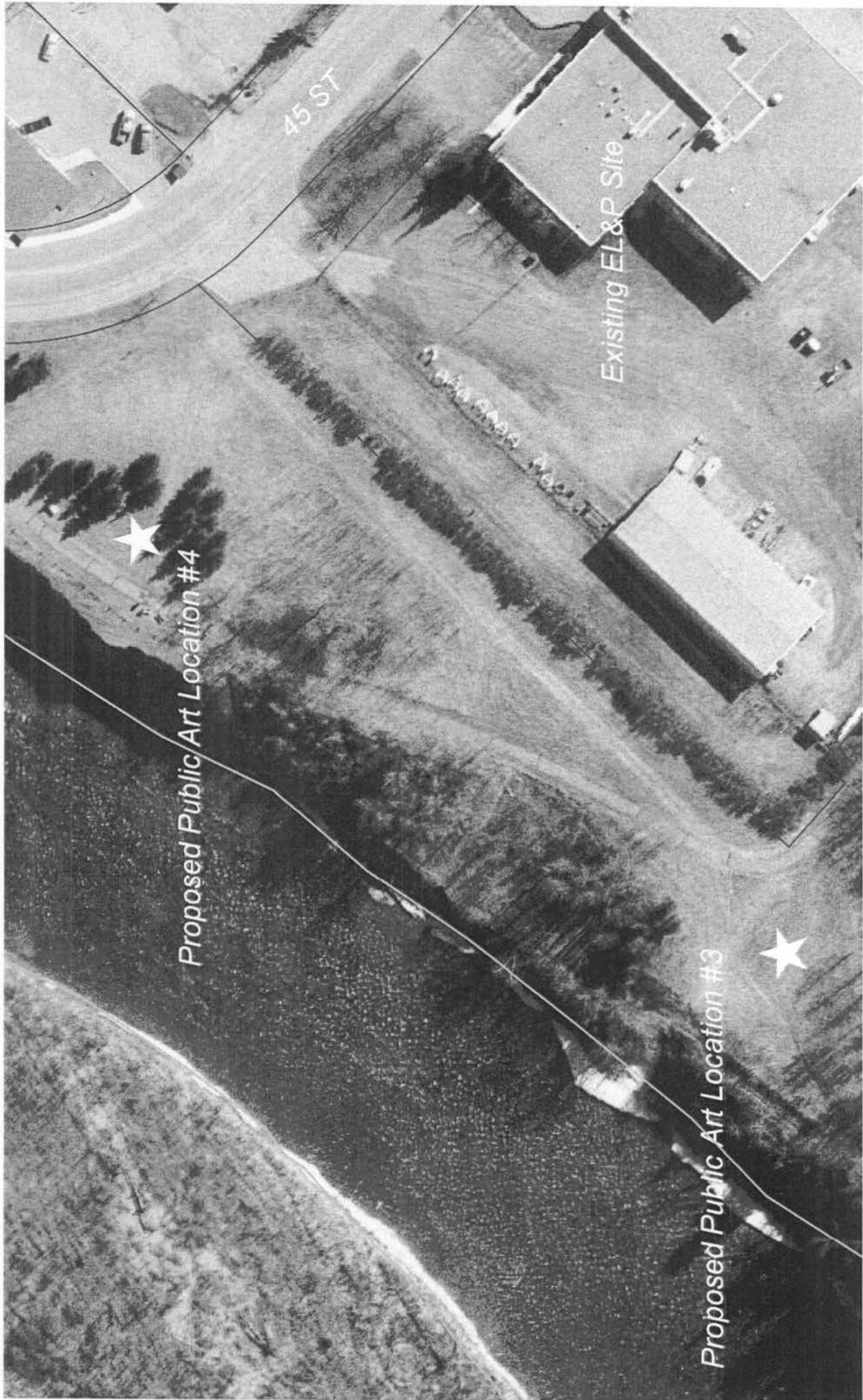
32 ST

*Proposed Public Art Location #1*





Proposed Public Art Location #2

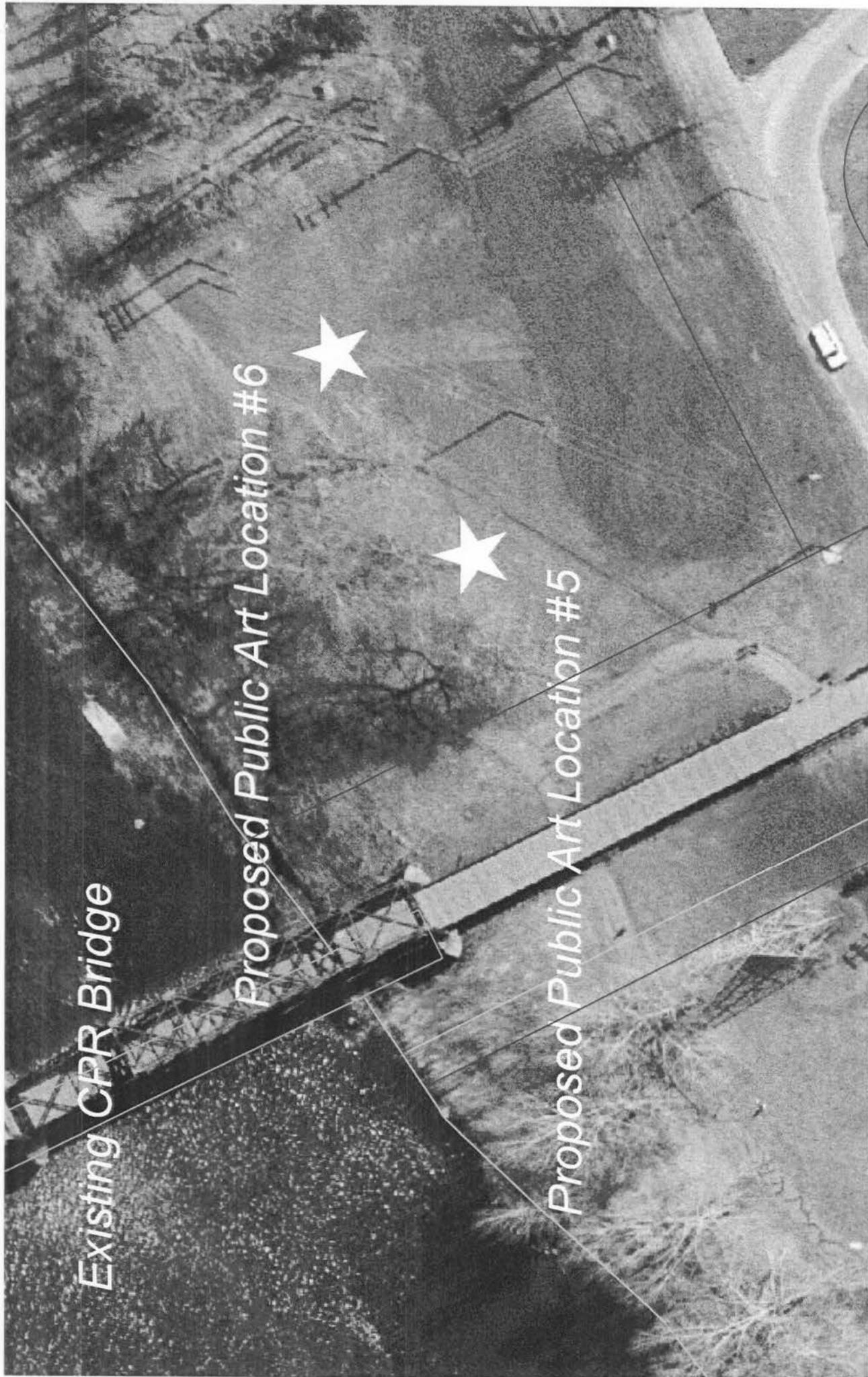


Proposed Public Art Location #4

Proposed Public Art Location #3

Existing EL&P Site

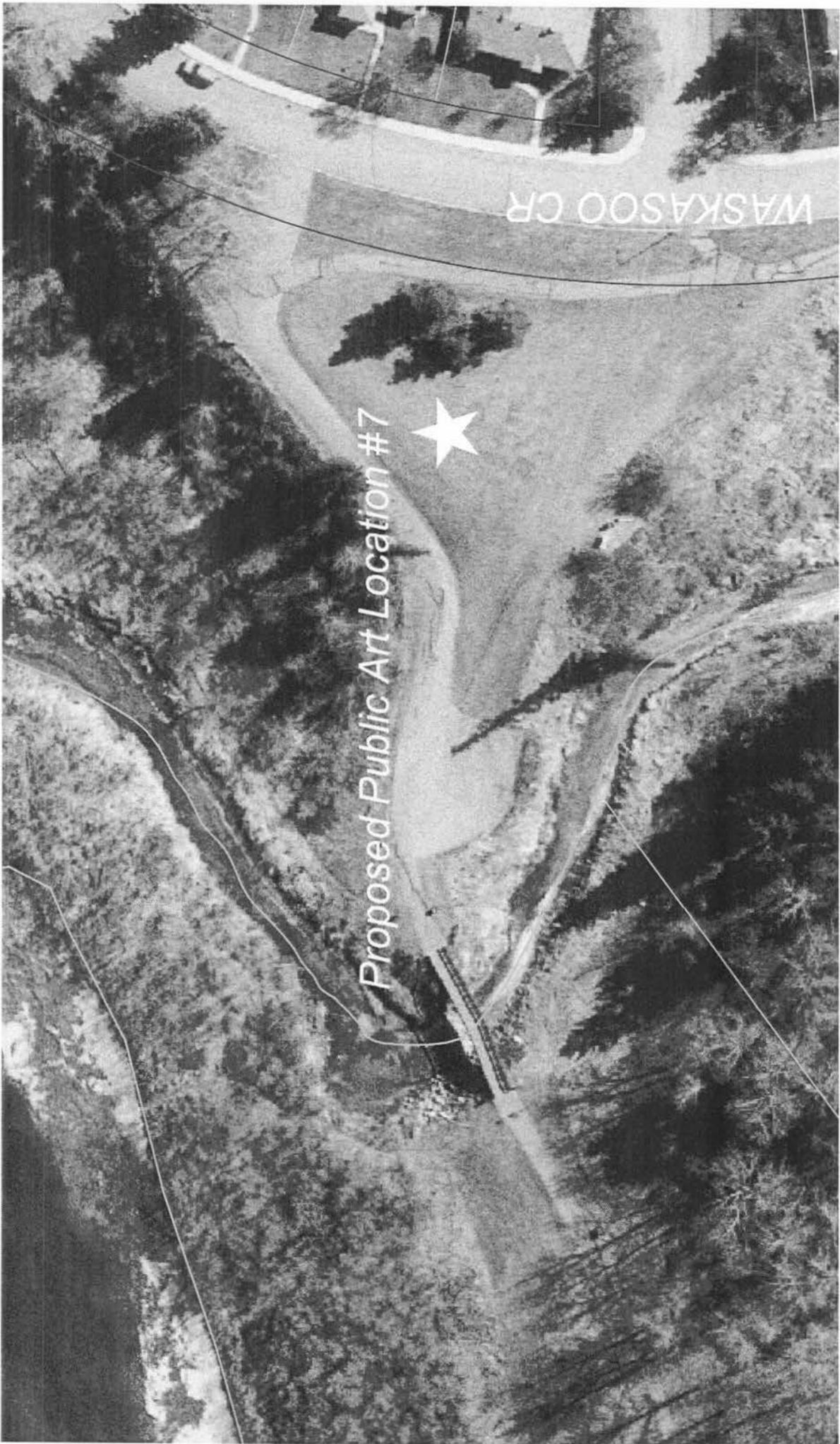
45 ST

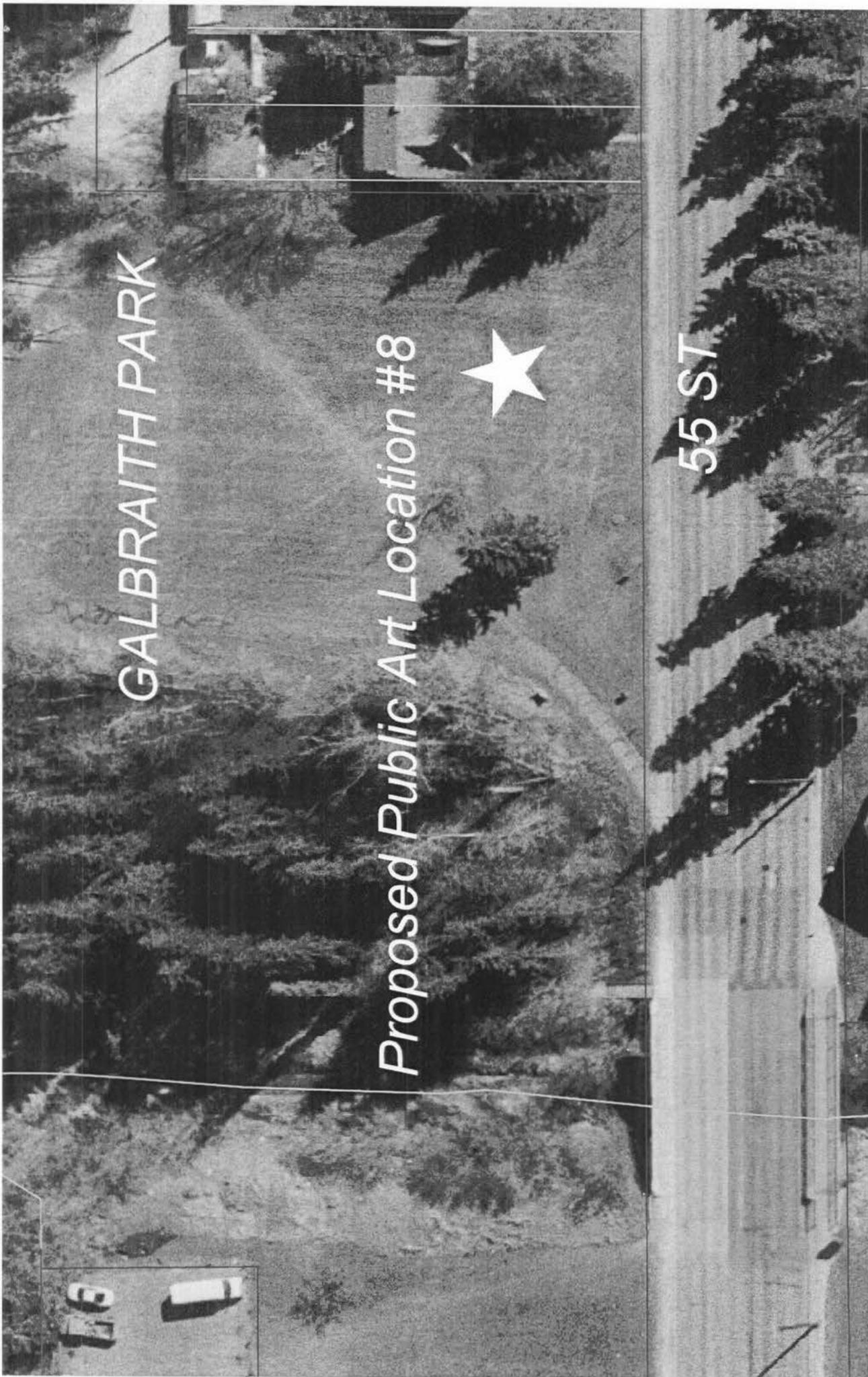


Existing CFR Bridge

Proposed Public Art Location #6

Proposed Public Art Location #5





GALBRAITH PARK

Proposed Public Art Location #8



55 ST

*Comments:*

We agree with the recommendations of the Recreation, Parks & Culture Manager.

“Morris Flewwelling”  
Mayor

“Norbert Van Wyk”  
City Manager

Legislative & Administrative Services

**DATE:** September 27, 2005  
**TO:** Greg Scott, Recreation, Parks & Culture Manager  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Public Art Locations – Culture Capital of Canada

---

*Reference Report:*

Recreation, Parks & Culture Manager, dated September 12, 2005

*Resolutions:*

*“Resolved* that Council of the City of Red Deer having considered the report from the Recreation, Parks & Culture Manager, dated September 12, 2005, re: Public Art Locations – Culture Capital of Canada, approves the eight proposed public art trail locations as outlined on the site map, titled “Proposed Public Art Locations, September 7, 2005, presented to Council on September 26, 2005. “

*Report Back to Council:* No

*Comments/*~~*Further Action:*~~

  
Kelly Kloss  
Manager

/chk

c Director of Community Services

Item No. 3

**DATE: September 7, 2005**  
**TO: Legislative & Administrative Services Manager**  
**FROM: EL&P Manager**  
**RE: Request for Approval of Unbudgeted Expenditure**

---

In October 2004 a 25,000 volt circuit breaker in north Red Deer Substation #14 failed. The expectation was that the breaker could be repaired and while investigating the probable cause and cost of repair, a second identical circuit breaker in the same substation failed in April 2005. Field tests indicated extensive internal and external damage to both breakers.

The tender evaluation for new circuit breakers related to a different budgeted project in Substation #14 had been completed in February 2005. The known firm price of new breakers was compared to the cost of repairing the old ones and the best alternative was to purchase two new breakers. This decision was also influenced by the fact that both breakers are 1980 vintage, one of the failed breakers was repaired in August 2002 and the other repaired in December 2002 and the repair warranty of one year had expired.

The replacement of the two breakers with new ones requires some additional changes to the protection and control circuits as well. The cost of the replacement is estimated at \$145,000 which includes materials, engineering and labour. This expense is not included in the 2005 budget which was prepared prior to the failures. This additional expenditure can be funded in 2005, without incurring any over-expenditure, from the Electric Utility Reserve Fund which is funded through the Depreciation account in the 2005 EL&P operating budget.

### **Recommendation**

It is respectfully requested that Council approve the addition of \$145,000 to the EL&P 2005 Capital Budget to cover the replacement of two failed 25,000 volt circuit breakers at Substation #14 with funding to come from the Electric Utility Reserve Fund.

Al Roth, P.Eng.  
EL&P Manager

*Comments:*

We agree with the recommendations of the EL & P Manager.

“Morris Flewwelling”  
Mayor

“Norbert Van Wyk”  
City Manager



Council Decision – September 26, 2005

Legislative & Administrative Services

**DATE:** September 27, 2005  
**TO:** Al Roth, EL & P Manager  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Request for Approval of Unbudgeted Expenditure

---

*Reference Report:*

EL & P Manager, dated September 7, 2005

*Resolutions:*

*“Resolved* that Council of the City of Red Deer, having considered the report from the EL & P Manager, dated September 7, 2005 re: Request for Approval of Unbudgeted Expenditure, hereby approves an amendment to the EL & P 2005 Capital Budget, to provide for the replacement of two failed 25,000 volt circuit breakers at Substation #14, at a cost of \$145,000, with the funding to come from the Electric Utility Reserve Fund.”

*Report Back to Council:* No

*Comments/Further Action:*

  
Kelly Kloss  
Manager

/chk

c Director of Development Services  
Mary Bovair, Financial Analyst

Item No. 4

**DATE:** September 16, 2005

**TO:** Legislative and Administrative Services Manager

**CC:** Engineering Services Manager  
Financial Services Manager

**FROM:** Corporate Controller - Financial Systems & Methods

**RE:** REPEAL BYLAW 2865/85

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**Background:**

A review of the local improvement process, by Financial Services, brought to our attention Bylaw 2865/85. This Bylaw has been in place since 1985 and provides uniform rates to be used for assessing, charging and levying local improvements. Since the last rate amendment of this Bylaw, in 1993, the City has changed the basis for determining local improvement charges and levies and passed subsequent bylaws with rates that differ from those specified in Bylaw 2865/85. Bylaw 2865/85 should have been repealed in 1993 however due to an oversight this step was missed.

**Issue:**

Until Bylaw 2865/85 is repealed, there is potential financial risk to the City of Red Deer for the discrepancies between rates in existing Bylaw 2865/85 and those in bylaws passed subsequent to 1993.

This item has been reviewed with the Financial Services Manager and she is in agreement with the recommendation set forth.

**Recommendation:**

That Bylaw 2865/85 be repealed.

Joanne Parkin, CGA  
Corporate Controller – Financial Systems & Methods

**OFFICE CONSOLIDATION**

**BYLAW NO. 2865/85**

**UNIFORM RATE BYLAW**

**BYLAW NO. 2865/85**

Being a Bylaw to provide for a uniform rate to be charged for local improvements to be undertaken by The City of Red Deer by way of special frontage or special local benefit assessment.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

- (1) This Bylaw may be cited as "The Uniform Rate Bylaw"
- (2) The following uniform rates, based upon estimated average costs throughout the City for the types of work hereinafter referred to, are hereby fixed and shall hereafter be assessed, charged and levied for such types of work undertaken as local improvements.

TYPE OF IMPROVEMENT	PERIOD OF ASSESSED YEARS	ANNUAL RATE PER ASSESSABLE METRE	TOTAL COST PER ASSESSABLE METRE
(1) <sup>1</sup> DELETED - 2865/B-86			
(2) <sup>2</sup> Residential Paved Lanes	20	13.07/assess m	100.00/m
(3) Residential Streets Paved Minor	20	3.86/m <sup>2</sup> /assess m	24.00/m <sup>2</sup> /assess m

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<sup>1</sup> 2865/A-86

<sup>2</sup> 2865/B-87, 2865/A-89, 2865/A-91

(4)	Residential Streets Paved Collector	20	4.50/m <sup>2</sup> /assess m	28.00/m <sup>2</sup> /assess m
(5) <sup>1</sup>	Industrial Streets Paved Existing Base	20	2.51/m <sup>2</sup> /assess m	20.00/m <sup>2</sup> /assess m
(6)	Industrial Streets Paved New Base	20	4.50/m <sup>2</sup> /assess m	28.00/m <sup>2</sup> /assess m
(7)	Standard or Rolled Monolithic Sidewalk - New	20	8.85/m <sup>2</sup> /assess m	55.00/m <sup>2</sup> /assess m
(8) <sup>2</sup>	Standard or Rolled Monolithic Sidewalk - Replacement	20	13.03/m <sup>2</sup> /assess m	81.00/m <sup>2</sup> /assess m
(9)	DELETED - 2865/C-86			
(10)	Separate Sidewalk - Replacement	20	11.42/m <sup>2</sup> /assess m	71.00/m <sup>2</sup> /assess m
(11)	250 mm Curb & Gutter - New	20	.60/assess m	41.00/assess m
(12) <sup>3</sup>	250 mm Curb & Gutter - Replacement	20	11.58/assess m	72.00/assess m
(13)	Storm Sewer Mains - Roadways	20	14.80/assess m	92.00/assess m

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<sup>1</sup> 2865/A-90

<sup>2</sup> 2865/A-86

<sup>3</sup> 2865/B-87

(14) <sup>1</sup> Storm Sewer Mains - Lanes	20	6.74/assess m	55.00/assess m
(15) <sup>2</sup> Decorative Streetlighting	20	27.14/assess m	235.03/assess m
(16) <sup>3</sup> Residential Gravel Lanes	5	24.17/assess m	98.45/assess m
(17) <sup>4</sup> Converting residential overhead electrical lines to underground lines (one side only)	20	10.10/assess m	76.07/assess m
(18) <sup>5</sup> Streetlighting, Wooden Poles	20	1.17/assess m	9.30/assess m
(19) <sup>6</sup> Streetlighting on Existing Poles	10	4.09/assess m	27.11/assess m

(3) Bylaw 2806/83 is repealed upon the final passage of this Bylaw.

(4) This Bylaw shall come into force upon the final passing hereof.

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<sup>1</sup> 2865/B-87

<sup>2</sup> 2865/A-87, 2865/A-88, 2865/A-92

<sup>3</sup> 2865/C-87, 2865/B-93

<sup>4</sup> 2865/B-88

<sup>5</sup> 2865/A-90

<sup>6</sup> 2865/A-93

READ A FIRST TIME IN OPEN COUNCIL this 15 day of April, A.D. 1985.

READ A SECOND TIME IN OPEN COUNCIL this 15 day of April, A.D. 1985.

READ A THIRD TIME IN OPEN COUNCIL AND FINALLY PASSED this 15 day of April,  
A.D.  
1985.

"MAYOR R.J. MCGHEE"

MAYOR

"C. SEVCIK"

CITY CLERK

*Comments:*

We agree with the recommendations of Administration. This is a housekeeping matter.

“Morris Flewwelling”  
Mayor

“Norbert Van Wyk”  
City Manager



**Council Decision – September 26, 2005**

**Legislative & Administrative Services**

**DATE:** September 27, 2005  
**TO:** Joanne Parkin, Corporate Controller, Financial Systems & Methods  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Repeal of Uniform Rate Bylaw 2865/85  
Bylaw 2865/A-2005

---

*Reference Report:*

Corporate Controller, Financial Systems & Methods, dated September 16, 2005

*Bylaw Readings:*

Bylaw 2865/A-2005 to repeal the Uniform Rate Bylaw 2865/85 was given three readings. A copy of the bylaw is attached.

*Report Back to Council:* No

*Comments/Further Action:*

A handwritten signature in black ink, appearing to read 'Kelly Kloss'.

Kelly Kloss  
Manager

/chk

/attach.

c L. Poth, Financial Services Manager

**BYLAW NO. 2865/A-2005**

Being a bylaw to repeal Bylaw No. 2865/85 the Uniform Rate Bylaw.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

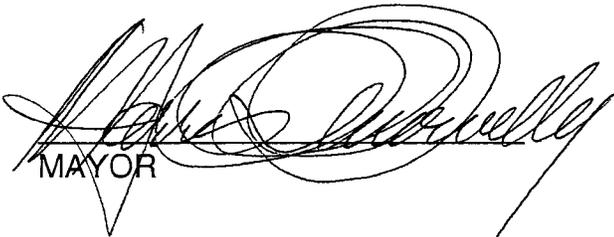
1. That bylaw 2865/85 be repealed.
2. This Bylaw shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this 26<sup>th</sup> day of September 2005.

READ A SECOND TIME IN OPEN COUNCIL this 26<sup>th</sup> day of September 2005.

READ A THIRD TIME IN OPEN COUNCIL this 26<sup>th</sup> day of September 2005.

AND SIGNED BY THE MAYOR AND CITY CLERK this 26<sup>th</sup> day of September 2005.

  
MAYOR

  
CITY CLERK



**DATE:** September 21, 2005

**TO:** Kelly Kloss - Legislative & Administrative Manager

**FROM:** Deborah Mann – License Inspector

**RE:** Taxi Business Bylaw –Rate Change

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## HISTORY

The Municipal Government Act gives a municipality the power to pass bylaws, which govern public safety, transportation and business licensing. City Council has deemed it is in the public's best interest to regulate the Taxi Industry. When Council passed Taxi Business Bylaw 3282/2001 in June 2001, they assured the public of taxi fare consistency and safety of both the vehicle and driver.

Members of the Policing Committee sit as the Taxi Commission on an ad-hoc basis and meet at least once annually. Council has directed the Taxi Commission to receive submissions from interested parties and analyze the effectiveness of the bylaw on an annual and on-going basis. The Taxi Industry is encouraged to make comment on the submissions. Recommendations relative to submissions, including fare increases, are forwarded from the Taxi Commission to City Council for further consideration and amendments to the Bylaw.

Two submissions were received, reviewed and taken to the Taxi Commission September 20, 2005

### 1 - PROPOSED FUEL SUBSIDY

The Taxi Industry submitted an urgent request for a temporary fuel subsidy of between \$0.50 and \$1.00 per trip. This is due to the increasing cost of gasoline – fuel is a direct input cost and drivers have no option but to purchase it, in order to operate. Other Industries, such as airlines, couriers and trucking companies, impose fuel surcharges on a regular basis. After discussions between the Taxi Industry and Inspections and Licensing staff, the industry agreed that a fifty cent surcharge would be acceptable and that the surcharge would apply only if the price of regular fuel exceeded one dollar.

In order to determine the average price of gasoline, staff have located an independent company (MJ Ervin & Associates) which has on-line survey results specific to a "weekly pump price survey" of various Canadian cities. Red Deer is included in their survey. This should be a fair measuring device to use to determine the price of gas. Administration presented a submission to the Taxi Commission meeting of September 20, 2005 recommending a surcharge of \$0.50 per trip, until fuel prices drop below \$1.00 per litre for two consecutive weeks, at which time the surcharge will be dropped. Fuel prices will continue to be monitored and if the fuel price rises above \$1.00 per litre for two consecutive weeks-the surcharge will be re-instated. It is suggested that this fuel surcharge come into effect October 1, 2005 to coincide with the annual 1.4% rate increase approved by Council August 15, 2005 and the Fall taxi meter inspections. The surcharge would be reviewed annually at the same time as the rest of the Taxi Business Bylaw.

## 2 - PROPOSED NON-REFUNDABLE TAXI PLATE APPLICATION FEE

In July 2004, the very first 'random draw' was conducted to have two additional taxi license plates leased. This occurred due to our population increase and in accordance with Section 15 (1) of the Taxi Business Bylaw, which indicates that there should be one taxi license per 750 persons of city population. There were one hundred eleven (111) "qualified applicants" who applied for the two taxi licenses in 2004. The costs incurred were above normal operating costs, such as letters to all qualified applicants, postage, and advertising fees. In order to recoup costs Administration would recommend a non-refundable application fee to defray these costs for any future random draws.

Contact was been made with all taxi brokerages and they have no objection to a \$20.00 non-refundable, random draw, application fee.

## FINANCIAL IMPLICATIONS

Effective October 1, 2005 the average fare for a 3-kilometer taxi trip will be \$8.39. The \$0.50 fuel surcharge would make the average fare for a 3 kilometer trip \$8.89.

## TAXI COMMISSION RESOLUTIONS

At the September 20, 2005 Taxi Commission meeting the following resolutions were made:

***Resolved*** that the Policing Committee support an amendment to the Taxi Business Bylaw to include the implementation of a \$0.50 per trip surcharge when the price of regular gas in the city of Red Deer is above \$1.00 per litre for two consecutive weeks according to the independent weekly gasoline survey conducted by MJ Ervine and Associates. Consequently the \$0.50 per trip surcharge will be dropped when the price of regular gas in the city of Red Deer is below \$1.00 per litre for two consecutive weeks according to the independent weekly gasoline survey."

**“Resolved** that the Policing Committee support an amendment to the Taxi Business Bylaw to include a \$20.00 non-refundable application fee for the taxi plate draw.”

RECOMMENDATION

Inspections and Licensing Administration recommend the Taxi Business Bylaw 3282/2001 be amended as follows:

1. That Schedule “A” be amended at Section 2 to read:
  - 2 (a) Taxi License Plate Fee will be \$40.00
  - (b) Non-refundable Plate Draw Fee will be \$20.00
  
2. That Schedule “B” be amended at Section 1 by adding
  - (d) when the price of regular gas in the city of Red Deer is above \$1.00 per litre for two consecutive weeks according to the MJ Ervine and Associates independent weekly gasoline survey, a surcharge of \$0.50 per trip be added to each fare.
  - (e) when the price of regular gas in the city of Red Deer is below \$1.00 per litre for two consecutive weeks according to the MJ Ervine and Associates independent weekly gasoline survey conducted, the \$0.50 per trip surcharge will be dropped.
  
3. That these amendments take effect October 1, 2005

Respectfully submitted,



Deborah Mann  
License Inspector



Paul Meyette  
Manager

***Comments:***

We agree with the recommendations of the Policing Committee/Taxi Commission.

“Morris Flewwelling”  
Mayor

“Norbert Van Wyk”  
City Manager

Backup



**DATE:** September 12, 2005

**TO:** Taxi Commission  
**c.** Paul Meyette – Inspections & Licensing Manager

**FROM:** Deborah C. Mann – Licensing Inspector

**RE:** Request for Surcharge on Taxi Fares

---

Due to the high cost of gasoline, the Taxi Industry has submitted a request along with a petition (copy attached) signed by members of the Taxi Industry, to have a surcharge added to each taxi trip. The high cost of fuel has been reflected in surcharges of other transportation industries including airlines and trucking.

Administration realizes that to maintain a financially viable and effective Taxi Industry a surcharge may be necessary until the price of gasoline drops to below \$1.00 per litre. Therefore, we are prepared to recommend a surcharge of \$0.50 per trip until the price of regular gas in Red Deer drops below \$1.00 per litre for two consecutive weeks according to the independent weekly gasoline survey conducted by MJ Ervine and Associates Inc.

We recommend the following resolution be made.

**“RESOLVED** that the Policing Committee support an amendment to the Taxi Business Bylaw to include the implementation of a \$0.50 per trip surcharge until the price of regular gas in Red Deer drops below \$1.00 per litre for two consecutive weeks according to the independent weekly gasoline survey conducted by MJ Ervine and Associates Inc.”

Respectfully submitted,

*DC Mann*

1006127 AB. LTD

# **Associated Cab** (2003)

Ph. 1-403-342-2922

Fax 1-403-342-6896

Email info @associatedcab.com

September 12, 2005

Licenses and Inspections Dept.  
License Inspector  
City Hall

To whom it may concern,

On behalf of both taxi companies, Associated cab and Alberta Gold; I have assembled a list of drivers that are petitioning the Red Deer Taxi Commission for a temporary fuel subsidy. Fuel is a direct input cost; the drivers have no choice but to purchase it.

Specifically, we as an industry are requesting between fifty cents and a dollar per trip subsidy in the form of a surcharge. Not an increase in the drop rate and not an increase in the mater rate. If the fuel prices stabilize or drop, the subsidy can be removed,dropped or transferred to a meter increase in the future.

Your assistance is greatly appreciated.

If you need any other assistance please do not hesitate to call me at 342-2922 during regular office hours.

Yours truly,

  
\_\_\_\_\_  
Daryl Frenette  
manager

# ASSOCIATED

WE THE UNDERSIGNED ARE ASKING FOR A METER INCREASE EFFECTIVE AS SOON AS POSSIBLE  
SO AS TO OFFSET THE DRASTIC INCREASE IN GASOLINE PRICES

DATE	NAME (print legibly)	SIGNATURE	BADGE #	YES	NO
2 APR 05	W. GRIMSHAW	<i>W. Grimshaw</i>	109	✓	
	D. Grimshel	<i>D. Grimshel</i>	27	✓	
2 SEPT	L. PARKER	<i>L. Parker</i>	290	✓	
✓	L. DOWNS	<i>L. Downs</i>	063	✓	
✓	W. SIMPSON	<i>W. Simpson</i>	190	✓	
✓	Jasga Letwinete	<i>J. Letwinete</i>	121	✓	
✓	MARK SWIFT	<i>Mark Swift</i>	292	✓	
✓	HLADEN LEVORAC	<i>H. Levorac</i>		✓	
✓	RANDY Carriere	<i>Randy Carriere</i>	267	✓	
✓	DWAYNE ANDERSON	<i>Dwayne Anderson</i>	131	✓	
✓	Shawna Nelson	<i>Shawna Nelson</i>	83	✓	
✓	Virginia McKen	<i>Virginia McKen</i>	05	✓	
✓	Joe May Kellan	<i>Joe May Kellan</i>	325	✓	
✓	THOMAS PAPPIN	<i>Thomas Pappin</i>	308	✓	
✓	LEE ADAMSON	<i>Lee Adamson</i>	127	✓	
✓	Matt Karkubsky	<i>Matt Karkubsky</i>	000059	✓	
✓	BOB MURPHY	<i>Bob Murphy</i>	248	✓	
✓	K. Nussbaum	<i>K. Nussbaum</i>	148	✓	
✓	Tom Stargerson	<i>Tom Stargerson</i>	149	✓	
✓	MATKOJEVIC DRAGONOVIC	<i>M. Matkojevic</i>	090	✓	
✓	Chris Murphy	<i>Chris Murphy</i>	49	✓	
✓	BOB McNEELY	<i>Bob McNeely</i>	166	✓	
✓	JASON SWILSON	<i>Jason Swilson</i>	231	✓	
✓	ANDY ROWAN	<i>Andy Rowan</i>	188	✓	
✓	PERVED KHAN	<i>Perved Khan</i>	247	✓	
✓	Samuel Kellon	<i>Samuel Kellon</i>		✓	
✓	<del>KEVIN WILSON</del>	<del>Kevin Wilson</del>	<del>211</del>	<del>✓</del>	<del>NO</del>
✓	DAN OLSON	<i>Dan Olson</i>	0074	✓	X
✓	MERY SUTHERLAND	<i>Mery Sutherland</i>	35	✓	
✓	DIRK DEFRENNE	<i>Dirk Defrenne</i>	26	✓	
✓	Ron McDonald	<i>Ron McDonald</i>	41	✓	✓
✓	TOMMY	<i>Tommy</i>	299	✓	
✓	<del>STEVE</del>	<i>Steve</i>		✓	
✓	H. Craddock	<i>H. Craddock</i>		✓	

9-05.



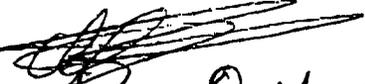
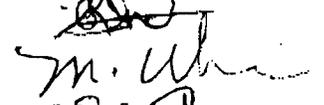


# ALBERTA Gold

WE THE UNDERSIGNED ARE ASKING FOR A METER INCREASE EFFECTIVE AS SOON AS POSSIBLE  
 SO AS TO OFFSET THE DRASTIC INCREASE IN GASOLINE PRICES

DATE	NAME (print legibly)	SIGNATURE	BADGE #	YES	NO
	Bill Birch	Bill Birch	48	✓	
	Ken McEwen	Ken McEwen	53 #153	✓	
	Dave Lawrence	Dave Lawrence	91	✓	
	Dwayne Senter	Dwayne Senter	55	✓	
	SINISA MARTIC	Sinisa Martic	55	✓	
	Glean Kroehler	Glean Kroehler	38	✓	
	Lead Parent	[Signature]	231	✓	
	Herb Beckett	Herb Beckett	86	✓	
	ED ROBINSON	Ed Robinson	186	✓	
	GARY ARSEN	Gary Arsen	46	✓	
	Kamp Pess	Kamp Pess	43	✓	
	Guy Small	Guy Small	78	✓	
Sept 2/05	Darcy Beninger	Darcy Beninger	31	✓	
	Haren Uhl	Haren Uhl	91	✓	
	James Hueck 29K	James Hueck	236	✓	
	GREGORY KRAUSS	Gregory Krauss	217	✓	
	NOBERT [Signature]	[Signature]	31	✓	
	ERIN E BAILES	Erin Bailes	57	✓	
	Jennifer Holte	Jennifer Holte		✓	
	Paul Holte	Paul Holte	110	✓	
	Blair Rogers	Blair Rogers	71	✓	
	PETE BRADSHAW	Pete Bradshaw	1	✓	
Sept 3/05	RAN HOLMES	Ran Holmes	49	✓	
	GUY SHICK	Guy Shick	17	✓	
	DANIEL GIBSON	Daniel Gibson	50	✓	
	DAVID WESTER	David Wester	15	✓	
	DE CHODZICKI	De Chodzicki	73	✓	
	ZORAN CADJAN	Zoran Cadjan	62	✓	
	VALERIE RISEN	Valerie Risen	102	✓	
	Rusty Ross	Rusty Ross	234	✓	
	Bea Pender	Bea Pender		✓	
	Tony Zimme	Tony Zimme	103	✓	
	mel m'Intosh	mel m'Intosh	104	✓	
	Don Kuchel	Don Kuchel	76	✓	
Oct Sept 2005	Allen F. Lewis	Allen F. Lewis	122	✓	
	Maru Smith	Maru Smith		✓	
	Bob Lloyd	Bob Lloyd	40	✓	

# ALBERTA GOLD

DATE	NAME PRINT	SIGNATURE	BAOGE	YES	NO
19.05.05	ALD		114	<input checked="" type="checkbox"/>	
0509/05	LARRY FLEYHART		22	<input checked="" type="checkbox"/>	
09/06/05	PETER TERPSTRA		196	<input checked="" type="checkbox"/>	
09/06/05	M. WILSON		07	<input checked="" type="checkbox"/>	
	F. WILSON		0273	<input checked="" type="checkbox"/>	
	BOB HORNERS		0019	<input checked="" type="checkbox"/>	



**DATE:** September 14, 2005

**TO:** Taxi Commission  
**c.** Paul Meyette – Inspections & Licensing Manager

**FROM:** Deborah C. Mann – Licensing Inspector

**RE:** ~~Request for Surcharge on Taxi Fares~~ *Taxi License Plate Draws*

---

Last year, in July, the very first 'random draw' was conducted to have two additional taxi license plates leased. This was done in accordance with Section 15 (1) of the Taxi Business Bylaw. There were one hundred eleven (111) "qualified applicants" who applied. The costs involved over and above normal operating costs were for letters to all qualified applicants, advertising fees and so forth. In order to be recoup costs Administration would like to charge a nominal, non-refundable application fee to help defray these additional costs for any future random draws.

Contact has been made with all taxi brokerages and they have no objection to a \$20.00 non-refundable, random draw, application fee.

We recommend the following resolution be made:

**"RESOLVED** that the Policing Committee support an amendment to the Taxi Business Bylaw to include a \$20.00 non-refundable, random draw, application fee. "

Respectfully submitted,

*DC Mann*

*THE RESOLUTION  
NOT MARKED  
IN 2005 AUMA  
RESOLUTION BOOKLET.*

**Christine Kenzie**

---

**From:** Kelly Kloss  
**Sent:** June 30, 2005 2:15 PM  
**To:** Christine Kenzie  
**Subject:** FW: AUMA Resolution - High Prairie: Orphaned Vacant Service Stations Sites

Please put in file for AUMA resolutions discussion in September. Thanks

---

**From:** Howard Thompson  
**Sent:** Wed 2005/06/29 6:29 PM  
**To:** Kelly Kloss  
**Cc:** Bryon Jeffers  
**Subject:** RE: AUMA Resolution - High Prairie: Orphaned Vacant Service Stations Sites

Kelly,  
FYI - I have been doing some more work on Councillor Dawson's Brownfield notice of motion with Don Simpson to determine what authority a municipality has to enact a bylaw to force landowners to clean up their sites. He says it maybe possible but with a lot of work as no other municipality has done it before. Environmental law in Alberta falls under the jurisdiction of Alberta Environment so I would support the City requesting the Province to enforce issuing remediation orders to clean up contaminated sights.

Howard  
-----Original Message-----  
From: Kelly Kloss  
Sent: June 29, 2005 5:41 PM  
To: Mayor; Bev Hughes; Cindy Jefferies; Frank Wong; Jeffrey Dawson;  
Larry Pimm; Lorna Watkinson-Zimmer; Lynne Mulder; Tara Veer  
Cc: Norbert Van Wyk; Christine Kenzie; Howard Thompson; Bryon Jeffers  
Subject: AUMA Resolution - High Prairie: Orphaned Vacant Service  
Stations Sites

To: Mayor & Councillors

From: LAS Manager

Hi All,

Norbert asked that I forward this item to you for your information. What we plan on doing is to highlight this information in our AUMA resolutions handbook that we provide to members of Council just before the conference. We do not believe that a specific resolution of Council is needed at this time as the way members support or not support the resolution from High Prairie is through their vote at the AUMA convention.

Thanks

Kelly

-----Original Message-----

2005-07-04

From: K.N. Morgan [mailto:CAO@highprairie.ca]  
Sent: June 16, 2005 4:21 PM  
Subject: All urban Administrators/CAO's in Alberta

The Council of the Town of High Prairie has in past years put forward resolutions to the AUMA that we felt were of a serious nature. Our last large battle was the policing costs to municipalities under 5000 population and are pleased to see results on this one.

Another worthwhile project - orphaned vacant former service station sites still owned by oil companies. Council has directed the attached resolution be put forward to the AUMA this year for discussion, and passage. It is something we are concerned about, and we hope you are too!

I am asking all my counterparts in the LGAA to bring this to the attention of your respective Councils to demonstrate to Alberta Environment and others with the Province that ignoring a situation is not really true remediation.

KN (Ken) Morgan,  
Town Manager, High Prairie, Ab.

[This message has been scanned for security content threats, including computer viruses.]

**Town of High Prairie's Resolution Submission For Consideration  
During the 2005 Annual AUMA Convention**

**WHEREAS:** There is a growing trend in finding increasing numbers of land sites that are contaminated by petrochemical or chemical products in recent years; and

**WHEREAS:** Many of these sites are in prime commercial locations; and

**WHEREAS:** These abandoned or orphaned sites are deemed "unusable" for extended periods of time;

**NOW**

**THEREFORE:** Be it resolved that the Alberta Urban Municipalities Association requests the Government of Alberta through Alberta Environment, as the assigned regulatory body, to enforce the reclamation of these sites in a timely manner; and

To keep the affected municipality informed of not only the process steps, but also the progress.

## Christine Kenzie

---

**From:** Kelly Kloss  
**Sent:** June 29, 2005 5:41 PM  
**To:** Mayor; Bev Hughes; Cindy Jefferies; Frank Wong; Jeffrey Dawson; Larry Pimm; Lorna Watkinson-Zimmer; Lynne Mulder; Tara Veer  
**Cc:** Norbert Van Wyk; Christine Kenzie; Howard Thompson; Bryon Jeffers  
**Subject:** AUMA Resolution - High Prairie: Orphaned Vacant Service Stations Sites



2005 AUMA  
Resolution.doc

To: Mayor & Councillors

From: LAS Manager

Hi All,

Norbert asked that I forward this item to you for your information. What we plan on doing is to highlight this information in our AUMA resolutions handbook that we provide to members of Council just before the conference. We do not believe that a specific resolution of Council is needed at this time as the way members support or not support the resolution from High Prairie is through their vote at the AUMA convention.

Thanks

Kelly

-----Original Message-----

From: K.N. Morgan [mailto:CAO@highprairie.ca]  
Sent: June 16, 2005 4:21 PM  
Subject: All urban Administrators/CAO's in Alberta

The Council of the Town of High Prairie has in past years put forward resolutions to the AUMA that we felt were of a serious nature. Our last large battle was the policing costs to municipalities under 5000 population and are pleased to see results on this one.

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I am asking all my counterparts in the LGAA to bring this to the attention of your respective Councils to demonstrate to Alberta Environment and others with the Province that ignoring a situation is not really true remediation.

KN (Ken) Morgan,  
Town Manager, High Prairie, Ab.

[This message has been scanned for security content threats, including computer viruses.]

## Christine Kenzie

---

**From:** Kelly Kloss  
**Sent:** June 27, 2005 1:59 PM  
**To:** Norbert Van Wyk  
**Cc:** Christine Kenzie  
**Subject:** RE: All urban Administrators/CAO's in Alberta



2005 AUMA  
Resolution.doc

Hi Norbert,

My feeling is the way Mayor and Councillors support this is to vote for it at AUMA, I don't think we need a formal resolution on this. What we can do is send it to members of Council now for their information and then when we bring the AUMA resolutions book to Council in September (with Administrative comments) for discussion, we can also highlight that we had received this email from High Prairie.

Kelly

-----Original Message-----

**From:** Norbert Van Wyk  
**Sent:** June 27, 2005 9:09 AM  
**To:** Kelly Kloss  
**Subject:** FW: All urban Administrators/CAO's in Alberta

HI Kelly, how should we handle this?

Norbert.

-----Original Message-----

**From:** K.N. Morgan [mailto:CAO@highprairie.ca]  
**Sent:** June 16, 2005 4:21 PM  
**To:** lzacharias@town.bonaccord.ab.ca; castor@telusplanet.net; swood@rockymtnhouse.com; kwolansky@lethbridge.ca; melodym@town.athabasca.ab.ca; fstbg@telusplanet.net; withage@town.olds.ab.ca; mwilliams@town.coalhurst.ab.ca; ton@magrath.ca; lwennerstrom@townofspiritrive.ca; vacme@telus.net; wweiss@town.legal.ab.ca; rwatt@vermillion.ca; swalker@city.grande-prairie.ab.ca; ewagar@town.redwater.ab.ca; lyle@blackfalds.com; pvincent@town.beaumont.ab.ca; barrhead@telusplanet.net; Norbert Van Wyk; vofnampa@serbernet.com; tprovost@telusplanet.net; joseph@onoway.com; doug@town.athabasca.ab.ca; mtaylor@village.thorsby.ab.ca; granum@telusplanet.net; vchauvin@telusplanet.net; robs@stettler.net; kstepheson@brooks.ca; ssteinke@coaldale.ca; dstanford@town.strathmore.ab.ca; vmannv@telusplanet.net; hinescrk@telus.net; strome@telusplanet.net; vheisler@telusplanet.net; elnoravl@telusplanet.net; cheryls@crossfieldalberta.com; colleen.shepherd@airdrie.ca; andrew.sears@cochrane.ca; terry@bowisland.com; schindel@strathcona.ab.ca; vilbawlf@syban.net; gscerbak@cityofgp.com; barbs@turnervalley.ca; dsarsfield@townllb.com; mroy@highlevel.ca; cao@town.nanton.ab.ca; lreynolds@town.redwater.ab.ca; carol@thorhild.com; fivesv@telusplanet.net; brauckman@fortsask.ca; jramsdn@town.threehills.ab.ca; arbshaw@telus.net; jquickstad@vegreville.com; harvey.p@tclamont.ca; dponich@town.smokylake.ab.ca; vilna@mcsnet.ca; main@milkriver.ca; cao@town.killam.ab.ca; joanp@townofedson.ca; warburg@telusplanet.net; farrell@town.fox-creek.ab.ca; fstbg@telusplanet.net; gnicolet@town.falher.ab.ca; cnewman@town.hinton.ab.ca; tofield@supernet.ab.ca; dnemeth@city.lethbridge.ab.ca; colleen@town.morinville.ab.ca; tmyndio@city.wetaskiwin.ca; kengabmundy@hotmail.com; jobb@telusplanet.net; lindapay@coldlake.com; cao@highprairie.ca; vofs@telusplanet.net; jmountain@wfn.ca; minchin@dinosaurvalley.com; mmetrunc@gibbons.ca; alixvillage@oanet.com; vchauvin@telusplanet.net; cmckinney@town.beaumont.ab.ca; nmcinnic@picturebutte.ca; wmcgonigal@brooks.ca; carl@town.carstairs.ab.ca; mazurekd@telusplanet.net; matherd@telusplanet.net; info@minburncounty.ab.ca; sylvia@chestermere.com; trochutn@telusplanet.net; johnm@town.coronation.ab.ca;

vholden@telusplanet.net; rmacintosh@town.strathmore.ab.ca;  
rmacintosh@town.strathmore.ab.ca; dmacdonald@vermillion.ca; cao@crowstpass.com;  
lludwig@hope.ca; sarepta@telusplanet.net; brigittel@townofedson.ca; glejbjuk@coaldale.ca;  
innisfree@telus.net; jlambert@irricana.com; jlaidley@town.stpaul.ab.ca;  
llaface@irricana.com; ckwiatkowski@town.beaumont.ab.ca; tnviking@telusplanet.net;  
bkreiner@town.hinton.ab.ca; info@town.blackdiamond.ab.ca; gkrefting@town.jasper.ab.ca;  
barb@villageofboyle.com; townoyen@telusplanet.net; finance@crowstpass.com;  
admin@ryley.ca; admin@eckville.com; development@taber.ca; consort@telusplanet.net;  
kkendall@town.lacombe.ab.ca; hr@taber.ca; vkeeler@rockymtnhouse.com;  
darrylj@town.olds.ab.ca; clarencej@townofedson.ca; hillsprg@theboss.net;  
johnslk@telusplanet.net; wjohnson@grimshaw.ca; hardisty@telusplanet.net;  
rjenkins@town.lacombe.ab.ca; chrisj@town.devon.ab.ca; rycroft@telusplanet.net;  
birvine@didsbury.ca; dhunter@highlevel.ca; ghudson@taber.ca; Nona Housenga;  
townhall@town.stpaul.ab.ca; whornby@town.vauxhall.ab.ca; lholstead@rockymtnhouse.com;  
helene.hesse@mdbighorn.ca; curtis@ponoka.org; bhemming@didsbury.ca;  
alharvey@town.bonnyville.ab.ca; lindahannah@shaw.ca; debbie.h@tclamont.ca;  
darlene@townofmayerthorpe.ab.ca; accounts@town.carstairs.ab.ca;  
kevin.greig@woodbuffalo.ab.ca; mjgoyan@elkpoint.ca; tgoode@city.wetaskiwin.ab.ca;  
randyg@town.redcliff.ab.ca; ggervais.cao@hanna.ca; sgerlitz@county.camrose.ab.ca;  
greg@townofmayerthorpe.ab.ca; phylisg@townllb.com; cagaunt@telusplanet.net;  
l.frostad@stonyplain.com; foxys@telus.net; debbief@crossfieldalberta.com;  
jferguson@cityofgp.com; julie@countypaintearth.ca; svseba@telusplanet.net;  
elaschuk@town.smokylake.ab.ca; cdunn@onoway.com; duane.dukart@town.grandecache.ab.ca;  
r.dubord@stonyplain.com; voflom@telusplanet.net; jdonovan@town.calmar.ab.ca;  
grant.d@telus.net; hdietz@sylvanlake.ca; volinden@telus.net;  
mdeol@town.draytonvalley.ab.ca; annd@townofedson.ca; vald@townofedson.ca;  
jdanyluk@vegnet.com; jcrisp@highlevel.ca; tcosby@town.redwater.ab.ca; beiseker@telus.net;  
vduchess@telusplanet.net; rcoad@townofswanhills.com; caovab@telus.net;  
cclarke@town.morinville.ab.ca; finance@town.threehills.ab.ca; veteran@telusplanet.net;  
renec@town.morinville.ab.ca; twnmcl@telusplanet.net; gr8burt@town.cardston.ab.ca;  
cburke@town.calmar.ab.ca; jboyda@millet.ca; bboothby@coldlake.com; jboleantu@canmore.ca;  
delburne@telusplanet.net; bblondheim@town.calmar.ab.ca; barons@telusplanet.net;  
scottbar@townofraymond.com; nita.b@sundre.com; rbard@htinon.ca; sandra@blackfalds.com;  
cbailey@grimshaw.ca; opser@town.carstairs.ab.ca  
Subject: All urban Administrators/CAO's in Alberta

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KN (Ken) Morgan,  
Town Manager, High Prairie, Ab.

[This message has been scanned for security content threats, including computer viruses.]

FILE COPY



Council Decision – September 26, 2005

Legislative & Administrative Services

DATE: September 27, 2005  
TO: Deb Mann, License Inspector  
FROM: Kelly Kloss, Legislative & Administrative Services Manager  
SUBJECT: Taxi Business Bylaw Amendment 3282/B-2005  
Fuel Subsidy & Non-Refundable Taxi Plate Application Fee

---

*Reference Report:*

License Inspector, dated September 21, 2005

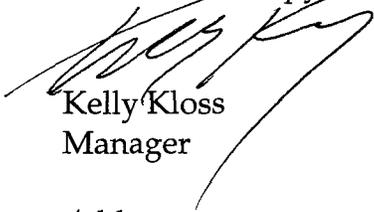
*Bylaw Readings:*

Taxi Business Bylaw Amendment 3282/B-2005 was given three readings. A copy of the bylaw is attached.

*Report Back to Council:* No

*Comments/Further Action:*

Taxi Business Bylaw Amendment 3282/B-2005 provides for a non-refundable taxi plate application fee and a \$0.50 fuel surcharge per trip when the price of regular gas in Red Deer is above \$1.00 per litre for two consecutive weeks. This office will amend the consolidated copy of the Taxi Business Bylaw and distribute copies in due course.



Kelly Kloss  
Manager

/chk

/attach.

c Director of Development Services  
Inspections & Licensing Manager  
Policing Committee

**BYLAW 3282/B-2005**

Being a bylaw to amend Bylaw No. 3282/2001, the Taxi Business Bylaw of The City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

Bylaw No. 3282/2001 is hereby amended by:

1 Amending Schedule "A", Annual License Fees, by replacing Section 2 with the following:

"2 (a) Taxi License Plate Fee will be \$40.00

(b) Non-Refundable Plate Draw Fee will be \$20.00

2 By adding the following sections to Schedule "B", Section 1:

"1 (d) when the price of regular gas in the city of Red Deer is above \$1.00 per litre for two consecutive weeks, according to the MJ Ervine and Associates independent weekly gasoline survey, a surcharge of \$0.50 per trip be added to each fare.

(e) when the price of regular gas in the city of Red Deer is below \$1.00 per litre for two consecutive weeks, according to the MJ Ervine and Associates independent weekly gasoline survey, the \$0.50 per trip surcharge will be dropped."

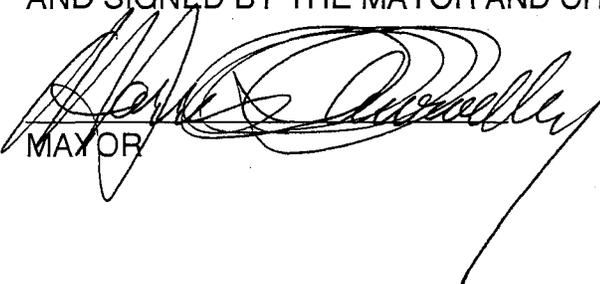
2 This Bylaw shall come into effect October 1, 2005.

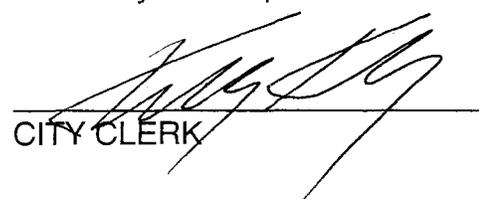
READ A FIRST TIME IN OPEN COUNCIL this 26<sup>th</sup> day of September 2005.

READ A SECOND TIME IN OPEN COUNCIL this 26<sup>th</sup> day of September 2005.

READ A THIRD TIME IN OPEN COUNCIL this 26<sup>th</sup> day of September 2005.

AND SIGNED BY THE MAYOR AND CITY CLERK this 26<sup>th</sup> day of September 2005.

  
MAYOR

  
CITY CLERK



**Legislative & Administrative Services**

**DATE:** September 19, 2005  
**TO:** City Council  
**FROM:** Legislative & Administrative Services Manager  
**SUBJECT:** 2005 AUMA Convention Resolutions

---

*History*

Every year the Alberta Urban Municipalities Association (AUMA) requests resolutions from communities throughout Alberta to be discussed at their annual convention. A request for resolutions is forwarded to the Mayor, Council and City Administration. Resolutions are reviewed by Council and submitted to the AUMA. Resolutions submitted from across the province are included by AUMA in a convention booklet. This booklet is then forwarded once again to City Administration for comments on some or all of the resolutions included in the AUMA resolution booklet.

*Discussion*

The 2005 AUMA Resolutions booklet to be considered at the upcoming AUMA Convention, October 5 – 8, 2005, is provided as an attachment to the Council Agenda of September 26, 2005.

Resolutions will be presented in the following order at the 2005 AUMA Convention:

- A Type: Governance
- B Type: Operating and Implementation
- C Type: Issue Based: (i) General Recognition  
(ii) Roles, Responsibilities and Resources
- Extraordinary Resolutions – added by the convention
- C Type: Issued Based:(iii) Goals and Objectives  
(iv) Delivery Tools and Implementation  
(v) Results and Reactions

City Council  
 September 19, 2005  
 Page 2

The focus of the administrative comments are on resolutions in the following categories:

A Type: Governance

The Governance category would have resolutions that are very broad and contain fundamental statements of policy and principle, such as the Association's guiding principles.

B Type: Operating and Implementation

The Operating and Implementation category would have resolutions that address matters of implementation and operating indicating how the Association does its business and how it expects others to interact with it.

C Type: Issue Based:

- (i) General Recognition: A resolution in which the Association is making a general statement about actions that should be taken in response to a situation affecting a wide range of its members, or is making a statement recognizing the status or contributions of some group or organization – for example, a statement recognizing the contributions of the military or a voluntary organization in response to an emergency.
- (ii) Roles, Responsibilities and Resources: A resolution in which the Association is making a statement addressing overall relationships between and/or capacities of different orders of government, such as statements regarding access to revenue streams, or reaffirming that a current challenge is the responsibility of another order of government.

- (iii) **Goals and Objectives:** A resolution in which the Association is raising questions or taking positions regarding goals and objectives being pursued by others. There is no question of jurisdiction or responsibility, just the objectives to be achieved.
  
- (iv) **Delivery Tools and Implementation:** A resolution in which the Association is addressing the actual implementation instrument being used by another order of government, or other stakeholder.

To assist Council in considering these resolutions, City Administration provided their comments on some of the resolutions. As we received this document electronically, we were able to include the administrative comments directly following each respective resolution. Please note that there are not administrative comments for every resolution.

Council is not required to pass a resolution indicating support or non-support for these resolutions. Individual members of Council can vote as they deem fit at the Convention.

*Please take the attached booklet with you to the AUMA Convention as no other copies will be supplied at the Convention.*

***Recommendation***

That Council receive the report as information.



Kelly Kloss  
Manager

/attach.

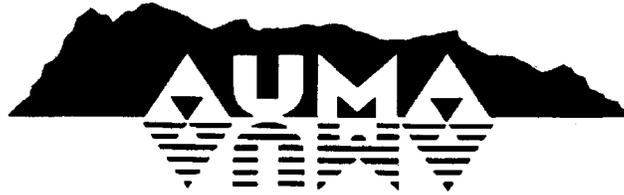


**COUNCIL MEETING OF SEPTEMBER 26<sup>TH</sup> , 2005**

**ATTACHMENT**

**DOCUMENT STATUS:           PUBLIC**

**REFERS TO:                   2005 AUMA CONVENTION POLICY  
AND RESOLUTIONS HANDBOOK**



**CITY OF RED DEER  
ADMINISTRATIVE COMMENTS  
HAVE BEEN  
INCORPORATED INTO  
THIS DOCUMENT**

**2005  
Convention Policy and Resolutions  
Handbook**

**Alberta Urban Municipalities Association**

**Calgary, Alberta  
October 5 - 8, 2005**

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## **RESOLUTIONS**

### **General**

1. The Municipal Governance Standing Committee shall serve as the Resolutions Committee of the Association.
2. The responsibilities of the Committee are to review proposed resolutions for format and content, and assign a category.
3. Resolutions may be submitted for consideration at the annual convention by:
  - (a) a regular member or group of regular members; or
  - (b) the Board of Directors.
4. Resolutions shall be in the form:  
**WHEREAS ...**  
**AND WHEREAS ...**  
**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association (take some action)

### **Resolution Guidelines**

5. Resolutions must meet the following criteria:
  - (a) Each resolution:
    - (i) must be approved by the council of the sponsoring municipality.
    - (ii) should strive to address a topic of concern to municipalities throughout the Province.
    - (iii) Resolutions must not direct a municipality to adopt a particular course of action, but must be worded as a request for consideration of the issue.
  - (b) Whereas clauses should clearly and briefly set out the reasons for the resolutions.
  - (c) Each resolution should be accompanied by background information outlining the issue as it relates to the sponsoring municipality, when and how often the resolution has been submitted in the past, and how the resolution is related to AUMA policy. This material will assist the Municipal

Governance Standing Committee, and later the convention body, in understanding the issues.

- (d) The operative clause of the resolution (i.e. the one beginning NOW THEREFORE BE IT RESOLVED THAT...):
    - (i) must clearly set out what the resolution is meant to achieve, and
    - (ii) state a specific proposal for action. The wording should be straightforward and brief so that the intent of the resolution is clear. Generalization should be avoided.
6. Effective for 2005, resolutions are to be in the hands of the Chief Executive Officer no later than May 31 each year.

### **Extraordinary Resolutions**

- 7. A resolution arising from the proceedings of the convention or related to a matter of an urgent nature arising after the resolution deadline may be considered an Extraordinary Resolution.
- 8. A regular member wishing to propose an extraordinary resolution shall present it, together with a rationale as to why it is extraordinary, to the Chief Executive Officer after the first day of the convention. The sponsoring municipality(ies) shall provide 1000 copies of the resolution.
- 9. The AUMA Executive Committee, in consultation with the Municipal Governance Standing Committee chair, will determine whether the proposed resolution meets the criteria of an extraordinary resolution.
- 10. Criteria for Extraordinary Resolutions are:
  - (a) they deal with an emergent issue of concern to the general membership that has arisen after the resolution deadline;
  - (b) they deal with an emergent issue of concern to the general membership that will be addressed by another order of government BEFORE the next AUMA Annual Convention; and
  - (c) they comply with the guidelines for resolutions set out elsewhere in this policy (AP002).
- 11. A 2/3 majority vote of the assembly is required prior to any Extraordinary Resolution accepted by the Executive Committee being considered by the assembly.
- 12. No debate on the merits or "urgency" of any Extraordinary Resolution will take place prior to the vote.
- 13. Extraordinary resolutions accepted for consideration by the assembly shall be presented following debate of the Roles, Responsibilities and Resources category resolutions.

### **Administrative Review**

14. The Chief Executive Officer may return any submitted resolution to the sponsoring municipality to have deficiencies corrected.
15. Deficiencies may include but are not limited to:
  - (a) absence of any indication of the resolution being endorsed by the council of the sponsoring municipality;
  - (b) preliminary clauses which are contradictory to the operative clause or the absence of preliminary clauses;
  - (c) lack of a clear supporting narrative where the rationale of the resolution is unclear.
16. The return by the Chief Executive Officer of any proposed resolution for the correction of any deficiencies will not affect its categorization nor will it make a timely resolution late.

### **Committee Review**

17. The Municipal Governance Standing Committee shall review each proposed resolution and may recommend that the Board refuse to submit to the convention any resolution deemed inappropriate for consideration by the Association.
18. The Municipal Governance Standing Committee will notify the appropriate policy committee of any proposed resolution related to its policy.
19. The Municipal Governance Standing Committee may:
  - (a) amend the grammar or format of the resolution;
  - (b) consolidate resolutions of similar intent or subject matter;
  - (c) provide comments on each resolution with regard to its background;
  - (d) inform the sponsoring municipality where the resolution will materially change or contradict current AUMA policy.
20. When the Committee determines that a proposed resolution is appropriate for submission to the convention, the Committee shall categorize the resolution as:
  - (a) Governance
  - (b) Operating and Implementation
  - (c) Issue-Based
    - (i) General Recognition
    - (ii) Roles, Responsibilities and Resources
    - (iii) Goals and Objectives
    - (iv) Delivery Tools and Implementation
    - (v) Results and Reactions

21. The Governance category would have resolutions that are very broad and contain fundamental statements of policy and principle, such as the Association's guiding principles.
22. The Operating and Implementation category would have resolutions that address matters of implementation and operating indicating how the Association does its business and how it expects others to interact with it.
23. The Issue-Based category would have resolutions related to specific current issues and initiatives indicating the Association's position on specific issues and challenges emerging from the current environment. Within this category there are five sub-categories.
  - (a) General Recognition is a resolution in which the Association is making a general statement about actions that should be taken in response to a situation affecting a wide range of its members, or is making a statement recognizing the status or contributions of some group or organization - for example, a statement recognizing the contributions of the military or a voluntary organization in response to an emergency.
  - (b) Roles, Resources and Responsibilities is a resolution in which the Association is making a statement addressing overall relationships between and/or capacities of different orders of government, such as statements regarding access to revenue streams, or reaffirming that a current challenge is the responsibility of another order of government.
  - (c) Goals and Objectives is a resolution in which the Association is raising questions or taking positions regarding goals and objectives being pursued by others. There is no question of jurisdiction or responsibility, just the objectives to be achieved.
  - (d) Delivery Tools and Implementation is a resolution in which the Association is addressing the actual implementation instrument being used by another order of government or other stakeholder.
  - (e) Results and Reactions is a resolution in which the Association is addressing the evaluation by another order of government or other stakeholder of the effects of some initiative or policy.
24. The Committee will prepare a resolutions report which will include all proposed resolutions determined appropriate for submission to the convention including the following information on each resolution:
  - (a) Number and Title of Resolution
  - (b) Name of Sponsoring Member(s)
  - (c) Proposed Resolution
  - (d) Resolutions Category
  - (e) Municipal Governance Standing Committee Comment (if any)

25. Resolutions will be presented in the following order:
- Governance**
  - Operating and Implementation**
  - Issue-Based**
    - (i) General Recognition
    - (ii) Roles, Responsibilities and Resources
  - Extraordinary Resolutions added by the convention**
  - Issue-Based**
    - (iii) Goals and Objectives
    - (iv) Delivery Tools and Implementation
    - (v) Results and Reactions
26. The Committee will recommend to the Board a Policy and Resolutions Book including the resolutions report together with such other information on bylaws, policies and procedures as the Committee may deem appropriate which shall be provided to members at least eight (8) weeks prior to the Convention.

### **Resolution Session Agenda**

27. Prior to the beginning of the first resolution session the Chair will ask for a motion from the floor to adopt the Resolution Session Agenda as presented in the Policy and Resolutions Book.
28. Amendments from the floor to the Resolution Session Agenda will be accepted when duly moved and seconded.
29. No debate on the proposed amendments to the Resolution Session Agenda will occur.
30. A 2/3rds majority of the delegates will be required to change the Resolution Session Agenda.
31. If there are no amendments to the Resolutions Session Agenda, resolutions will be debated in the order they are presented in the resolution booklet. No further amendments to the resolution agenda will be accepted.

### **Considering Resolutions**

32. Resolutions sessions at the convention will be chaired by the Municipal Governance Standing Committee chair or his/her designate.
33. The session chair will introduce each proposed resolution by indicating its number, the name of the sponsoring municipality, and then will move the resolution. The Chair will then call on the sponsoring or supporting municipality to second the resolution. If no municipality seconds the resolution, the resolution dies.

34. If the resolutions report includes a comment by the Municipal Governance Standing Committee on the proposed resolution, the session chair will then call on a member of the Committee to give the views of the Committee (if necessary).
35. The session chair will then call for a spokesperson from the sponsoring municipality(ies) to speak to the resolution and open the debate. The spokesperson will be allowed two (2) minutes for the opening.
36. In the case of a proposed new policy position paper, the session chair will allow a spokesperson or designate a maximum of five (5) minutes to introduce the new policy position paper and place the resolution on the proposed new policy before the convention and to name the seconder.
37. Following the initial speaker, the session chair will then call alternately for persons opposing and supporting the resolution. These speakers will have a two (2) minute time limit and shall not speak more than once on any one question. When no alternate position speaker is available, the Chair will declare the end of the debate and the spokesperson will be allowed one (1) minute for the closing of debate.
38. If no one rises to speak in opposition to a proposed resolution, the question will be immediately called.
39. A sponsoring municipality or designate may declare its intent to withdraw a proposed resolution when the resolution is introduced. In this event, the session chair shall declare the resolution withdrawn and no further debate or comments will be allowed.
40. Amendments, including "minor amendments," from the floor will be accepted when duly moved and seconded. Amendments, including "minor amendments", must be submitted in writing to the Chair prior to the amendment being introduced.
41. The session chair will rule whether or not an amendment complies with the intent of the original resolution.
42. Discussion procedures for an amendment shall be the same as for a resolution.
43. The conflict of interest guidelines for council votes, as outlined in the Municipal Government Act, shall also apply to convention resolution votes for all delegates. It is incumbent upon each delegate to ensure adherence to this rule.
44. Voting may be by:
  - (a) a show of delegate accreditation cards; or
  - (b) electronic means and if necessary, the session chair may call for a standing count and shall conduct a standing vote if requested by the assembly.

45. As long as there is a quorum present (as provided in the Bylaws a quorum is comprised of representatives of twenty-five percent [25%] of the Regular Members) the final resolution session shall not be closed until all resolutions listed in the agenda are debated and voted upon, or the allotted time for the session has expired unless the majority of delegates present vote to extend the allotted time.
46. Resolutions which are not debated at a convention resolutions session because of insufficient time or lack of quorum, will be presented by the Municipal Governance Standing Committee, with its recommendations, to a meeting of the Board of Directors following the convention.
47. Resolutions passed by the membership shall not be amended or modified by the Municipal Governance Standing Committee or the Board of Directors.

### **Carried Resolutions**

48. The Municipal Governance Standing Committee will assess each resolution that is carried against current AUMA policy, strategy and capacity, changing circumstances, and any new information available, and make a recommendation to the Board.
49. After the assessment, the Board of Directors will decide which resolutions will or will not be aggressively advocated during the coming year, and inform the membership of its decisions in the status of resolutions book.
50. The Board of Directors will determine and implement the method by which advocacy of the selected resolutions will be undertaken.
51. The Chief Executive Officer will collect all advocacy responses and prepare a status of resolutions book for review by the Municipal Governance Standing Committee which will make recommendations to the Board of Directors. The status of resolutions book will include the responses and an indication of what (if any) follow up action AUMA will take with regards to any resolution for which the advocacy was not successful.
52. Resolutions have an active life of three (3) years, then are deemed inactive.
53. Each year the Municipal Governance Standing Committee shall prepare a summary of this Resolutions Policy, including reference to the conflict of interest guidelines which shall be included in the resolution books and drawn to the attention of the delegates at the start of the first resolution session.



**2005 AUMA CONVENTION  
MEMBER RESOLUTIONS**

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**2005 MEMBER RESOLUTIONS**  
**Category A – GOVERNANCE**

AUMA Resolutions Policy:

The **Governance** category would have resolutions that are very broad and contain fundamental statements of policy and principle, such as the Association's guiding principles.

**AUMA RESOLUTION 2005.A.1**

**AUMA BOARD OF DIRECTORS  
AUMA GUIDING PRINCIPLES**

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**WHEREAS** AUMA's Guiding Principles provide a framework from which to advocate urban municipal issues to the Government of Alberta and the Government of Canada;  
and

**WHEREAS** the Guiding Principles should be updated from time to time to recognize new challenges municipal governments face, and to encourage new approaches to addressing these challenges;

**NOW THEREFORE BE IT RESOLVED THAT** the changes to the AUMA Guiding Principles, proposed by the AUMA Board of Directors, be endorsed by the AUMA General Assembly.

**COMMENTS FROM THE CITY MANAGER**

I recommend support of this resolution.

Norbert Van Wyk  
City Manager

## AUMA Guiding Principles – Current

<b>Principle 1.</b>	Municipal Governments must have the fiscal capacity to fulfill their mandate through: <ul style="list-style-type: none"> <li>• primary access to the property tax base; and</li> <li>• other stable long-term and progressive sources of revenue.</li> </ul>
<b>Principle 2.</b>	The federal and provincial governments have sole responsibility for direct income redistribution programs and services.
<b>Principle 3.</b>	The primary focus of urban government is to provide locally oriented services to property and people.
<b>Principle 4.</b>	Each local urban council will maintain responsibility for the establishment of local standards of services to property and people.
<b>Principle 5.</b>	The imposition of new standards for services to property and people which exceed those determined locally are to be financially supported by those who impose them.
<b>Principle 6.</b>	Amendments and changes in regulations to the Municipal Government Act shall only proceed when AUMA has actively participated through meaningful input in a review process.
<b>Principle 7.</b>	Environmental integrity is essential to the economic viability and quality of life of our community.
<b>Principle 8.</b>	Quality infrastructure is critical to supporting healthy, financially sustainable communities, and strengthens the quality of life for all Albertans, and is the foundation for the Alberta Advantage.

## AUMA Guiding Principles – Revisions Proposed by AUMA Board of Directors - 2005

<b>Principle 1.</b>	<b>Municipal Governments must have the fiscal capacity to fulfill their mandate through:</b> <ul style="list-style-type: none"> <li>• <b>primary access to the property tax base; and</b></li> <li>• <b>sustainable, predictable, long-term sources of revenue.</b></li> </ul>
<b>Principle 2.</b>	The federal and provincial governments have sole responsibility for direct income redistribution programs and services.
<b>Principle 3.</b>	The primary focus of urban government is to provide locally oriented

	services to property and people.
<b>Principle 4.</b>	Each local urban council will maintain responsibility for the establishment of local standards of services to property and people.
<b>Principle 5.</b>	<b>Any new standards or requirements imposed by the provincial or federal orders of government must be fully funded by that order of government.</b>
<b>Principle 6.</b>	<b>Amendments and changes to legislation and regulations relating to municipal governments shall only proceed when AUMA has actively participated and agreed, through meaningful input in a review process.</b>
<b>Principle 7.</b>	<b>Responsible stewardship of our ecological systems is essential to the economic viability, quality of life, and sustainability of our community.</b>
<b>Principle 8.</b>	Quality infrastructure is critical to supporting healthy, financially sustainable communities, and strengthens the quality of life for all Albertans, and is the foundation for the Alberta Advantage.

**AUMA RESOLUTION 2005.A.2**

**REGIONAL MUNICIPALITY OF WOOD BUFFALO  
MACHINERY AND EQUIPMENT MUNICIPAL TAX RATE**

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**WHEREAS** municipalities are given broad responsibilities under the Municipal Government Act to provide infrastructure and other services for their residents; and

**WHEREAS** a principal source of municipal revenue comes from municipal assessment and taxation; and

**WHEREAS** it is desirable for municipalities to be able to maximize revenues from the municipal tax base to adequately provide essential infrastructure and services; and

**WHEREAS** the Province of Alberta has moved to fair market value assessments for land and improvements and has abandoned the previous practice of assessing land at only 65 per cent of fair market value; and

**WHEREAS** Section 297(1)(d) of the Municipal Government Act provides for machinery and equipment to be treated as a separate assessment class; and

**WHEREAS** Section 354(3.1) of the Municipal Government Act requires the tax rate for the machinery and equipment assessment class to equal the tax rate for the non-residential assessment class; and

**WHEREAS** the principle of fair and equitable assessments supports granting municipalities autonomy to establish differential tax rates for different assessment classes;

<p><b>NOW THEREFORE BE IT RESOLVED THAT</b> the Alberta Urban Municipalities Association requests the Government of Alberta to repeal Section 354(3.1) of the Municipal Government Act, R.S.A. 2000, as amended.</p>
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**BACKGROUND**

Local Government Authorities throughout the Province of Alberta are committed to the principle of fair and equitable assessment and taxes for its ratepayers.

Through the Municipal Government Act, the Alberta Government has enacted that the machinery and equipment assessment class must be taxed at the same rate as the non-residential assessment class.

In striving to uphold the principle of fair and equitable distribution of property taxes, municipal governments are faced with inequities that are inherent in the assessment methodology that is regulated through provincial enactments and regulations, for valuation of the different property assessment classes. Of specific concern are the inequities that exist in the assessment methodology as they pertain to the machinery and equipment property assessment class compared to the non-residential and residential property assessment classes.

Currently, the assessment of machinery and equipment is regulated under the Alberta Government Regulation 220/2004 (Matters Relating To Assessment And Taxation) to be assessed at 77 per cent of its value. This automatic reduction is arbitrary and bears no relation to economic depreciation or economic worth. On the other hand, non-residential and residential assessment classes are assessed at 100 per cent of market value. Although different tax rates may be applied against the non-residential assessment class, of which machinery and equipment is a component, it is not taxed at its full value. This difference in methodology creates an inequitable and unfair tax distribution amongst the various property classes.

Under the Machinery and Equipment Assessment Minister's Guidelines, the assessed value of machinery and equipment is already subject to an immediate 25 percent (%) depreciation factor which further diminishes the assessed value at which machinery and equipment is taxed in comparison to the other property assessment classes.

Considering that the machinery and equipment assessment class is granted a reduction in value through provincial regulation and guidelines, while residential and non-residential properties are valued at fair market value, local government authorities should be granted the authority to apply a municipal tax rate against the machinery and equipment assessment class that is different than the municipal tax rate applied against the non-residential property assessment class.

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**AUMA Board of Directors Recommendation:**

That, if this resolution is adopted, an amendment to the Guiding Principles be considered.

**COMMENTS FROM THE ACTING ASSESSMENT & TAX MANAGER**

We support this Resolution as the goal to create equity among ratepayers.

The assessed value of Machinery and Equipment (M & E) is controlled through both Provincial Assessment Regulation and Ministerial Guidelines. Because M & E is reflected at only 77 percent of its value, is subject to an immediate 25 percent depreciation factor and is not subject to the education requisition, this assessment class experiences a tax advantage relative to most other properties.

Resolution 2005.A.2, recommending that municipalities have greater autonomy in setting the tax rate for M & E is one approach to creating equity.

An alternate, and perhaps more transparent solution in achieving equity is proposed in AUMA Resolution 2005.C.iv.7 suggesting changes to the assessment process through abolishing Assessment and Taxation Regulation AR 220/2004. We comment further on this under AUMA Resolution 2005.C.iv.7.

Larry Lavery  
Acting Assessment & Tax Manager

**2005 POLICY and RESOLUTIONS HANDBOOK**  
**Category B – OPERATING AND IMPLEMENTATION**

AUMA Resolutions Policy:

The **Operating and Implementation** category would have resolutions that address matters of implementation and operating indicating how the Association does its business and how it expects others to interact with it.

**AUMA RESOLUTION 2005.B.1**

**TOWN OF KILLAM**  
**CONSISTENT DATES FOR THE ANNUAL AUMA CONFERENCE**

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**WHEREAS** the Alberta Urban Municipalities Association (AUMA) has traditionally held their Annual Conference in early fall during a non-election year and in November during an election year; and

**WHEREAS** fall harvest is generally ongoing during conferences held in early fall; and

**WHEREAS** most members of AUMA are located in an area where agriculture is one of the main industries, and any councillors in these communities that are employed in the agriculture industry find it very difficult to attend conferences held in early fall;

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association take steps to have all conferences held during the same week in November each year.

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**AUMA Comment**

AUMA currently holds its Conventions in early Fall. The AUMA Bylaws state the following:

**Article XII MEETINGS**

**12.01** The annual convention of the Association shall be held at such time and place as the Board of Directors may determine.

**12.02** Written notice of the date of the annual convention shall be provided to each member not less than twelve (12) weeks prior to the date of the meeting.

**Comments from the Legislative & Administrative Services Manager**

From an administrative perspective I see no issues to holding the AUMA convention at a consistent time each year. In the year of the election, the convention is held in November and does not usually conflict with other responsibilities of members of Council during that month. It may be prudent not to hold the convention as to include Remembrance Day, as elected officials normally play a role in those ceremonies within their community.

Although I see no issues with the resolution put forth, I have received no negative comments on the current timing of the AUMA convention. A positive of holding the convention around the beginning of October is the likelihood of better driving weather than in November.

Kelly Kloss, Manager, Legislative & Administrative Services

**2005 POLICY and RESOLUTIONS HANDBOOK**  
**Category C.i. – ISSUE-BASED: GENERAL RECOGNITION**

AUMA Resolutions Policy:

The **Issue-Based** category would have resolutions related to specific current issues and initiatives indicating the Association's position on specific issues and challenges emerging from the current environment.

The **General Recognition** sub-category is a resolution in which the Association is making a general statement about action that should be taken in response to a situation affecting a wide range of its members, or is making a statement recognizing the status or contributions of some group or organization – for example, a statement recognizing the contributions of the military or a voluntary organization in response to an emergency.

**CITY OF EDMONTON  
MOTORCYCLE OPERATOR LICENSES**

---

**WHEREAS** the number of motorcycle operators and the number of motorcycles being driven on the highway is steadily increasing; and

**WHEREAS** two predominant factors in the majority of serious injury and fatal motorcycle collisions are excessive speed and lack of riding skill on the part of the operator; and

**WHEREAS** current legislation does not require candidates for a motorcycle operator's license to undertake classroom as well as practical on-road training;

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association request the Alberta Government to amend the *Traffic Safety Act* to require all candidates for an operator's license to complete a vehicle appropriate driver training course that includes classroom as well as practical driving skills instruction; and

**BE IT FURTHER RESOLVED THAT** all newly licensed motorcycle operators be governed by rules and regulations contained in a graduated motorcycle operators' license program established by the Province of Alberta.

**BACKGROUND**

The number of motorcycles on Alberta highways has been increasing at a steady rate for the last 8 years. The number of licensed operators has also been increasing at a similar rate. In 2004, the number of fatal collisions involving motorcycles increased four times in comparison with the average of the preceding 5 years. Nine motorcyclists were killed in 2004; six of whom were on high-powered sports bikes. The prevalent contributing factors were excessive speed and lack of experience.

Various organizations including the Alberta Safety Council and the Northern Alberta Institute of Technology operate excellent training programs for new and returning motorcyclists. Students not only learn the physical skills needed to control a machine, they also learn tactics and skills that allow them to anticipate danger and take the appropriate course of action. These courses are not mandatory, and are strictly voluntary.

Great Britain utilizes a graduated licensing scheme for individuals less than 21 years of age. All new motorcyclists in Great Britain must successfully complete a Compulsory Basic Training (CBT) program. The CBT very closely resembles the Alberta Safety

Council Basic Motorcycle Course, and includes training on a combination of practical motorcycle handling skills, as well as instruction on defensive driving, rules of the road, and legislation.

The British Motorcycle licensing program also restricts a new driver's access to motorcycles with reduced engine displacement and horsepower. For example, a new 17-year-old rider is only permitted to operate a machine with engine displacement under 125 cc, having a rated brake horsepower (bhp) of less than 14.6.

The British program also has other provisions that restrict a new driver's ability to carry passengers and to have access to certain classes of highway. Riders over 21 years of age may bypass the graduated program and challenge the practical test.

It is government's responsibility to ensure that properly qualified drivers are permitted on highways. The costs associated with unskilled and poor drivers can be very high, especially with regard to health care and time lost to injuries. A legislative scheme that increases the capabilities and skills of drivers will benefit everyone.

#### **COMMENTS FROM THE COMMUNITY SERVICES DIVISION**

RCMP support this resolution.

In 2004 Red Deer experienced two deaths related to the unsafe operation of high-powered sports motorcycles. Young people with little or no driving experience are able to obtain a motorcycle operator's license and drive any type of machine.

Lack of driving experience, coupled with a powerful machine, places these operators at a significant risk for injury or death. In addition, a motorcycle does not offer the operator any protection, as does a car or a truck.

A graduated license program would provide younger, unskilled operators with defensive driving tools and practical experience to be able to avoid putting themselves in hazardous situations. Lower powered machines would contribute to reducing the speed at which tragic traffic events unfold.

The Community Services Director agrees with the above comments.

**AUMA RESOLUTION 2005.C.i.2**

**STRATHCONA COUNTY  
CHANGES TO GENERAL ELECTIONS AND TIMING OF ORGANIZATIONAL  
MEETINGS**

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**WHEREAS** the Local Authorities Election Act, RSA 2000, c. L-21 provides that the members of an elected authority shall be elected at a general election and shall hold office for a term of 3 years; and

**WHEREAS** the Local Authorities Election Act further provides that a general election shall be held every 3rd year commencing with the year 1983 and that election day for a local jurisdiction, in the case of a general election, if required, is to be the 3rd Monday in October; and

**WHEREAS** the Municipal Government Act, RSA 2000, c. M-26 provides that elected officials may not carry out any power, duty or function until they have taken the official oath; and

**WHEREAS** the swearing-in is done in conjunction with the organizational meeting of council which, by virtue of the MGA, must be held not later than two weeks after the third Monday in October; and

**WHEREAS** the Municipal Government Act requires that each year council must adopt an operating and a capital budget for each calendar year;

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association request the Government of Alberta to:

1. Amend the Local Authorities Election Act to change the date of a general election to be the second Monday in April.
2. Amend the Municipal Government Act to change the requirement for the organizational meeting of council to be held not later than 2 weeks after the 2<sup>nd</sup> Monday in April.

**BACKGROUND**

The current day for general elections for local governments is the third Monday in October in an election year. Under the Local Authorities Election Act, the returning officer must post a statement of the results of voting for candidates at 12 noon on the 4<sup>th</sup> day following Election Day. Pursuant to the Municipal Government Act, elected officials may not carry out any power, duty or function until they have taken the official oath. The swearing-in is done in conjunction with the organizational meeting of council which,

by virtue of the MGA, must be held not later than two weeks after the third Monday in October. Taking the 2004 general election held on October 18, as an example, this would mean that new councillors may not be sworn in until November 1<sup>st</sup>.

This timing is problematic for new councillors in that the Municipal Government Act requires that each year council must adopt an operating and a capital budget for each calendar year.

In Strathcona County Budget preparation for an upcoming year begins in February of the current year and is tentatively scheduled for presentation to Council in public budget meetings in November with a view to have the budgets for the upcoming year in place in December, effective for January 1 of the new calendar year.

In an election year under the current regime, this means that when new councillors are sworn in at the organizational meeting, they are immediately required to deal with the particulars of municipal operating and capital budgets.

### **Comments from the Legislative & Administrative Services Manager**

In 1930, Election day changed from the 2<sup>nd</sup> Monday in December to the 2<sup>nd</sup> Wednesday in November. It was thought that more people would vote if elections were held in warmer weather. Since that time Election day changed from the 2<sup>nd</sup> Wednesday in November to the 1<sup>st</sup> Wednesday in November, then from the 1<sup>st</sup> Wednesday in November to the 3<sup>rd</sup> Wednesday in October, then from the 3<sup>rd</sup> Wednesday in October to the 3<sup>rd</sup> Monday in October. (Edmonton Public Library, Historical Highlights in Municipal Elections)

I recommend that this resolution not be supported for the following reasons:

- It appears from the history that one of the goals in setting the date of the municipal election is to try and take advantage of the potential for better weather. I am not confident that the likelihood of good weather is better in April than October.
- Easter occurs somewhere in between the end of March to mid April. In 2007, which is the next municipal election, Easter is April 8 which is the second Sunday of April. I do not believe that from an electors perspective that holding an election during Easter, when many people do take vacation, would be well accepted.
- The process and timing for setting the municipal budget varies among municipalities. Although the proposed change may be better for Strathcona County, it may worsen the situation for other municipalities. For example The City of Red Deer's public budget deliberations occur at the end of January of each year as opposed to budget deliberations being held in November for Strathcona.
- My office has received no requests that the date of the election change. The main concern expressed is the timing of elections relative to the Provincial and Federal election dates.
- No research has been presented outlining the pros and cons of changing the date of the municipal election. Without this research is it very difficult to make an informed decision on the merits of changing the date whether it be to April or any other time.

Kelly Kloss, Manager, Legislative & Administrative Services



**2005 POLICY and RESOLUTIONS HANDBOOK**  
**Category C.ii. – ISSUE-BASED: ROLES, RESOURCES AND**  
**RESPONSIBILITIES**

AUMA Resolutions Policy:

The **Issue-Based** category would have resolutions related to specific current issues and initiatives indicating the Association's position on specific issues and challenges emerging from the current environment.

The **Roles, Resources and Responsibilities** sub-category is a resolution in which the Association is making a statement addressing overall relationships between and/or capacities of different orders of government, such as statements regarding access to revenue streams, or reaffirming that a current challenge is the responsibility of another order of government.

**TOWN OF BEAUMONT**

**SPECIAL FUNDING TO ENCOURAGE GREATER AFTER-HOURS COMMUNITY  
USE OF SCHOOL DIVISIONS' FACILITIES**

---

**WHEREAS**, many if not most communities in Alberta have agreements in place with their local School Divisions to provide for joint use of school and municipal recreational facilities; and

**WHEREAS**, budget constraints and increased costs are placing major impediments on all School Divisions in the Province to continue to accommodate evening and weekend use in their facilities for community groups; and

**WHEREAS**, given the adverse effect that results from the loss of community access to school facilities;

**NOW THEREFORE BE IT RESOLVED THAT** the AUMA request that the Government of Alberta give special funding consideration enabling School Divisions to mobilize resources needed to support and encourage greater after-hours community use within their facilities.

**BACKGROUND**

Many, if not most communities in Alberta have agreements in place with their local School Divisions to provide for joint use of school and municipal recreational facilities. In Beaumont's case, an agreement has been in place since 1997; and, although our own School Division remains committed to providing community groups with subsidized user rates in the schools, budget constraints and increased costs are placing major impediments on all school divisions in the Province to continue to accommodate evening and weekend use, which serves as prime time for community groups.

The School Divisions indicate that the level of funding that they receive does not provide for extra staff to open, monitor and close the schools while used by community groups after hours. Since municipalities staff their own facilities and make them available to the student population in the School Divisions, it was felt that perhaps the Provincial Government should be encouraged to provide an additional level of funding specifically targeted to improve community group access to school facilities.

**COMMENTS FROM THE COMMUNITY SERVICES DIVISION**

The Recreation, Parks & Culture Manager supports this resolution.

The City of Red Deer has Joint Use Agreements with both the Public and Catholic School Boards.

Access to and use of school facilities after regular hours requires funding to offset additional staff costs (caretaking and facility monitors). In some instances these costs are prohibitive for community groups and organizations. If these costs were covered by school administration, additional after hour community use would result.

The Community Services Director agrees with the above comments.

**TOWN OF BOW ISLAND  
IRRIGATION DISTRICT BOARD REPRESENTATION**

---

**WHEREAS** municipalities that draw water from irrigation districts have no current representation on irrigation district boards; and

**WHEREAS** municipalities that rely on irrigation district water supply for domestic needs believe they need to be involved in decisions related to water management within such districts; and

**WHEREAS** irrigators do not have the interests of municipalities foremost in their thoughts when making water management decisions; and

**WHEREAS** in view of broadening responsibilities given to irrigation districts as outlined in the revisions to the Irrigation Act 1999;

**NOW THEREFORE BE IT RESOLVED THAT** the Government of Alberta be asked to allow for municipalities and other users of irrigation systems, other than irrigators, to be represented on irrigation district boards as directors.

**WHEREAS** there is a physician shortage in rural Alberta; and

**WHEREAS** there are limited physician student training positions at both the University of Alberta and the University of Calgary; and

**WHEREAS** the recruitment of immigrants to fill physician positions is a positive measure but needs to be further enhanced with the development of more physicians from within Alberta and Canada;

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association requests the Department of Advanced Education to fund the University of Calgary and University of Alberta in an appropriate manner that will allow for 150 physician student positions to be trained annually at each institution.

**BACKGROUND**

This resolution came out of a southern Mayors and Reeves meeting with the following attendance:

Town of Pincher Creek, Town of Empress, Town of Cardston, Town of Taber, County of Newell, Town of Coaldale, Village of Coutts, Village of Nobleford, Village of Barons, Town of Bow Island, Municipality of Crowsnest Pass, Town of Magrath, AAMD&C (President), County of Warner, Town of Oyen, Town of Bassano, Town of Vauxhall, Town of Milk River, Village of Stirling, M.D. of Cypress, Town of Fort Macleod, M. D of Pincher Creek, Village of Duchess, Town of Picture Butte, City of Lethbridge, Village of Tilley, City of Medicine Hat, County of Forty Mile, Town of Didsbury.

The resolution will also be submitted to the AAMD&C Convention for consideration.

**WHEREAS** Off Highway Vehicle Trail Networks offer resident and visitor participants access to recreational opportunities in our Provincial Green Zones; and

**WHEREAS** local volunteer organizations have developed and maintained controlled and quality trail networks for the enhancement of their communities; and

**WHEREAS** the Province of Alberta derives revenues in the form of licensing and registration fees, permit fees, and gasoline taxation from this source of activity;

**NOW THEREFORE BE IT RESOLVED** that the Alberta Urban Municipalities Association request that the Province of Alberta develop a funding program accessible by volunteer non-profit organizations for the continued development of quality trail networks in the Province of Alberta.

**COMMENTS FROM THE COMMUNITY SERVICES DIVISION**

The Recreation, Parks & Culture Manager supports this resolution.

Alberta Trail Net works diligently across the Province with not-for-profit organizations and various levels of Government relating to the development of trail networks. This process is labour intensive and costly.

Trails provide health benefits, generate tourism dollars and encourage collaborative project development amongst community organizations.

By the Province developing a funding program to assist the non-profit organizations higher quality public information programs could be developed plus additional trails constructed.

The Community Services Director agrees with the above comments.

**CITY OF GRANDE PRAIRIE  
MUNICIPAL INFRASTRUCTURE**

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**WHEREAS** municipalities require a greater investment by the Government of Alberta in providing broad, flexible programs and enhanced funding to address Alberta's aging infrastructure; and

**WHEREAS** the Government of Alberta recognizes that modern infrastructure is key to the health and prosperity of municipalities and is committed to being an active partner in addressing Alberta's infrastructure needs; and

**WHEREAS** the Government of Alberta has supported municipal governments by working together to address Alberta's infrastructure by providing leadership, programs and funding to address infrastructure requirements; and

**WHEREAS** the Government of Alberta has defined infrastructure as "fixed capital assets in Canada for public use or benefit"; and

**WHEREAS** the Government of Alberta, in general, requires that each level of government contribute one third of the total eligible costs of any given infrastructure project; and

**WHEREAS** the Government of Alberta has reported financial surpluses while many municipalities are raising property taxes to meet basic needs and have inadequate revenue sources to match provincial funding programs to deal with aging infrastructure;

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association urge the Government of Alberta to adopt the following definition of infrastructure for all programs designed to fund or address the municipal infrastructure crisis: "Infrastructure means fixed capital assets in Canada for public use or benefit".

**BE IT FURTHER RESOLVED THAT** the Alberta Urban Municipalities Association urge the Government of Alberta to eliminate the requirement for matching municipal funds under provincial infrastructure programs.

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**AUMA Board of Directors Recommendation:**

AUMA has been using the following as a “working definition” of municipal infrastructure:

AUMA defines municipal infrastructure as all capital assets required to create and maintain a safe, secure and sustainable community. Municipal Infrastructure includes but is not limited to:

- transportation infrastructure (e.g., roads, bridges, public transit);
- utilities and environmental infrastructure (e.g., water delivery systems, sewage treatment systems, recycling systems, landfills);
- infrastructure enabling the provision of protective services (e.g., police, fire, flood mitigation);
- parks, recreation and cultural facilities (e.g., arenas, playgrounds, pools, trails, libraries, community and art centres);
- electronic infrastructure (e.g., broadband networks, information systems);
- municipal civic institutions (e.g., City/Town Hall, Administration buildings)

It is recommended that AUMA’s “working definition” of infrastructure replace the definition that the City of Grande Prairie proposes.

**WHEREAS** the provision of health care in the Province of Alberta is a provincial responsibility; and

**WHEREAS** the Alberta Provincial Government has recognized a shortage of physicians, particularly in smaller centers and rural areas, and has initiated the Rural Physician Action Plan; and

**WHEREAS** some communities have offered recruitment and retention incentives to physicians up to and including the provision of locally funded medical clinics, staffing, free or subsidized housing and transportation, all at the expense of the local taxpayer; and

**WHEREAS** section 382(1)(h) of the Municipal Government Act RSA 2000 allows for a special tax bylaw to raise revenue to provide incentives to health professionals to reside and practice their professions in the municipality; and

**WHEREAS** these incentives have led to an ever-increasing inter-community rivalry to meet or exceed the incentives offered by other communities, thereby making recruitment even more difficult for communities without financial ability; and

**WHEREAS** taxpayers already pay taxes to both the provincial and federal governments for the provision of universal health care services and are now being asked to pay a third time to provide these incentive packages;

<p><b>NOW THEREFORE BE IT RESOLVED THAT</b> AUMA strongly urges the Government of Alberta to fully fund all aspects of health care in the Province of Alberta, including the recruitment and retention of health care professionals in smaller centers and rural communities, up to and including necessary funding for clinics, housing and staff.</p>
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## **BACKGROUND**

The doctors practicing in High Level have stated that a new Clinic on the site of the recently opened new Health Centre is an essential incentive to attract doctors.

In the past High Level has assisted doctors with housing and relocation incentives. The regional health authority has continued the practice with various relocation incentives.

On one hand the physicians state that a new clinic is a required incentive to attract new physicians, but on the other hand they state that it will not keep them here, and in fact none are willing to commit themselves to High Level, or become part owners of a new medical building. The doctors suggest that it is the higher earnings that keep them in

towns like High Level, although it is evident that many locate in and around the larger centres for significantly less.

Across Alberta, communities and health regions compete to attract doctors, offering housing, vehicles, clinics and other incentives. The richer or more desperate municipalities are offering ever higher incentives, whilst provincial government health funding seems to be more focused on the larger centres.

In the early days of this government the cry of equal health care for all Albertans was heard, but has never been realized. Yet health regions and municipalities alike are frequently struggling to attract and retain physicians and other health professionals, and some hospitals have devolved into health centres.

Physician incentives and the Ambulance issues are fraught with similar challenges. Municipalities and regional health authorities are deeply enmeshed in both, offering money, housing, vehicles, land and buildings to attract and retain physicians. The physician's issue, like the ambulance issue, is a health responsibility, and therefore is a Provincial responsibility, which should be taken over immediately.

A level of consistency and uniformity is desirable and surely achievable in placing physicians in Alberta. The current welcome wagon approach of offering incentives is obviously inadequate. The complexity of factors other than finances also have to be considered, such as physician training, licensing off shore doctors for rural practice, hospital privileges, the impact on ambulance services, the College of Physicians and Surgeons, and the realistic expectations of the physicians themselves.

Clearly this requires a global comprehensive strategy that should be developed by the government of Alberta, to provide a long range solution covering the whole province. The problem is far larger than any one municipality or regional health authority. Accessible health care for all is attainable, even if the more desirable goal is equal universal health care.

**TOWN OF HINTON**  
**IMPLEMENTATION OF "PARENTAL RESPONSIBILITY ACT"**

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**WHEREAS** the people of Alberta wish to reduce the incidence of youth crime in Alberta; and

**WHEREAS** parental guidance can have a substantial effect on the behaviour of young people; and

**WHEREAS** there are no provisions in place presently to hold the parents of a young person responsible for crimes committed by the young person; and

**WHEREAS** a method of parental accountability would encourage parents to exert more parental control over their children; and

**WHEREAS** it is desirable to have some form of parental responsibility enacted into Alberta Legislation;

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association request that the Government of Alberta pass the appropriate legislation to enact a "Parental Responsibilities Act" similar to the "Parental Responsibilities Act of Manitoba" and "Parental Responsibilities Act of Ontario".

**BACKGROUND**

Under the present legislation, there are no provisions for victims to recover damages from parents whose children (up to 18 years of age) have been involved in deliberately taking, damaging, or destroying property.

It is believed that parents should be held responsible for behaviour of their children in instances where it can be shown that parents were negligent in their responsibility to provide guidance and exercise control over their children. If parents were potentially responsible for the criminal acts of their children, more parents would take their parental responsibility seriously.

Legislation requiring parents to accept parental responsibility for the deeds of their children in the form of financial compensation would force many parents to examine their parenting skills and if lacking in this area, seek help from appropriate authorities.

## **COMMENTS FROM THE COMMUNITY SERVICES DIVISION**

The Social Planning Department suggests that The City of Red Deer does not support this resolution.

- The premise of a Parental Responsibility Act contradicts the intent of programs such as FCSS. Municipalities have had the opportunity to participate in FCSS programs across the Province for almost 40 years with the intent and mandate to support members of our community including youth and families. Parents are, however, limited in their ability to control the decisions and actions of their children; “peer groups, videos, school and television also influence a young person’s behaviour.”<sup>1</sup>
- A punitive justice system simply places blame, ignoring the root causes of youth crime and the restorative potential that exists within the youth, family and community. “Despite the widespread clamour for rough justice, some communities are taking responsibility for youth crime by developing community-based ways to deal with young people in trouble.”<sup>2</sup>
- From the Youth Community Action Plan (YCAP) conducted in Red Deer (2005), a number of insights emerged that speak to the issues being felt by communities related to crime. Of most significance is the recognition by youth that crime and addictions are, by far, the biggest issues in the community. The underlying message is that youth are prepared to be part of the solution and not willing to be simply blamed for the problem. Also of significance is the impact of positive adult relationships and mentors in the lives of youth. Between 7-9% of youth in Red Deer reported that they had no solid/positive relationships with adults during Junior/Senior high school nor do they have any role models or mentors currently in their lives.<sup>3</sup>
- In the absence of positive family structures and role models in the home, the community has a responsibility to show compassion and caring for the youth of our community. Youth tend to shoulder much of the responsibility for problems as they are generally blamed for vandalism, graffiti, and a number of other community challenges. This scapegoat mentality erodes positive self-esteem and, in the absence of positive role models and mentors, youth may simply rise to the image cast upon them.
- Alberta’s communities would be far better served to consider methods of engaging youth and building citizenship than to punish the parents and families of those citizens already experiencing crisis.
- Parental responsibility laws have existed in the United States for almost 160 years (Hawaii, 1846) yet there exists no systemic evidence to support the effectiveness of the legislation.<sup>1,4</sup>

The Community Services Director agrees with the above comments.

<sup>1</sup> McNaught, A. (1998). "Parental Responsibility Legislation and Young Offenders." *Ontario Legislative Library*. Retrieved September 12 2005, from <http://www.ontla.on.ca/library/repository/restricted/mon/1000/202759.pdf>

<sup>2</sup> Theilheimer, I., & Angus, M. (1996). "Communities and Families Working to Prevent Youth Crime: A Snowball's Chance?" *Child and Family Canada*. Retrieved September 12, 2005, from <http://www.cfc-efc.ca/docs/vanif/00000077.htm>

<sup>3</sup> McQuaig, S. (2005). *Youth Community Action Plan Survey Results*. Red Deer: Insight Advanced Inc.

<sup>4</sup> Office of Juvenile Justice and Delinquency Prevention. (n.d.) "Parental Responsibility Laws." *Juvenile Justice Reform Initiatives in the States 1994-1996*. Retrieved September 12, 2005, from [http://www.ojjdp.ncjrs.org/pubs/reform/ch2\\_d.html](http://www.ojjdp.ncjrs.org/pubs/reform/ch2_d.html)

**TOWN OF LACOMBE  
RESERVING PROVINCIAL SURPLUS FUNDS FOR INFRASTRUCTURE DEBT  
RETIREMENT**

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**WHEREAS** the recent Alberta Municipal Infrastructure Program of the Government of Alberta and the "New Deal" funding program of the Government of Canada will provide significant funds to assist Alberta municipalities in beginning to reduce their accumulated infrastructure deficit; and

**WHEREAS** funds will be needed by municipalities in the long term to continue to reduce this infrastructure deficit; and

**WHEREAS** it would be advantageous for the Government of Alberta to set up a capital reserve fund in much the same way as do Alberta municipalities for the purposes of meeting these long term funding requirements;

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association request that the Government of Alberta allocate on an annual basis, funds from the financial surplus of the Province to an ongoing Infrastructure Deficit Reserve Fund from which to fund future projects that will reduce the infrastructure deficit of municipalities over time.

**BACKGROUND**

The Government of Alberta has changed its budgeting process to allow for the creation of long term reserves or endowments with funds from future surpluses for important objectives such as Advanced Education and Sustainability. The Province should also give consideration to establishing such a reserve for the long term reduction of the municipal infrastructure deficit.

**WHEREAS** many urban municipalities have railways running through or near their urban centers; and

**WHEREAS** the maintenance of railway right of ways in terms of grass-cutting and weed control is often not up to urban standards; and

**WHEREAS** conventional bylaw enforcement methods are often disregarded by large bureaucracies like Canadian National Railways or CP Rail;

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association request that the Railway Act (Alberta) be amended to provide as follows:

1. That the grass and weeds on all railway right of ways in Alberta in Urban Centers must be cut at least four times per calendar year.
2. That the railway companies be required to provide municipal offices with written proof that grass-cutting has occurred.

### **BACKGROUND**

Most Municipal “unsightly premises” bylaw envisions a circumstance where the municipality may have to clean up one residential or commercial lot, if all other options fail. The railway right of way is usually a pretty large area. During the busy times of year, it’s not realistic to expect municipal crews to regularly cut that large of an area.

### **COMMENTS FROM THE COMMUNITY SERVICES DIVISION**

The Recreation, Parks & Culture Manager supports this resolution.

Communities work very hard at keeping their neighbourhoods and business sectors clean, maintained and aesthetically pleasing. In support of this Railway, companies should do their part to ensure their properties are properly maintained.

The Community Services Director agrees with the above comments.

**WHEREAS** the Municipal Government Act under Section 427 allows Municipalities a fee of 5 per cent of the amount **paid** for the parcel at the public auction or if the Municipality becomes the owner; and

**WHEREAS** the Municipality must set a reserve bid that reflects as close as reasonably possible to the market value of the parcel (S. 419); and

**WHEREAS** the Municipality must complete numerous out of norm tasks to make ready the parcels for public auction, to have just prior to the sale date payment of the parcel; and

**WHEREAS** the Municipality has done more than 90 per cent of the work for the legislative tasks;

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association request the Province to change the MGA to allow municipalities the ability to place the 5 per cent fee from the reserve bid onto the outstanding tax account at the time of final advertising of the parcel making the parcel ready for tax sale.

**BACKGROUND**

Each year administrative staff report to Council the outcome for the preparation and processes that are required for making parcels and manufactured homes ready for tax sale. Each time just prior to the sale date or on the sale date the outstanding parcels get paid resulting in the cancellation of the tax sale. It is great that the parcels get paid but the concern expressed by Council was the enormous amount of time administration had to put into this process with dialogue with any parties that may have a vested interest on the respective sale items, registry elements, reviewing statutes, ensuring processes are followed correctly and routine dialogue with Municipal Affairs. It was felt if the work is done and the MGA suggests this as an acceptable practice our Council recommends the timing of the 5 per cent fee should tie to the work required and be collectable prior to the sale date not after.

**COMMENTS FROM THE ACTING ASSESSMENT & TAX MANAGER**

We support this resolution allowing municipalities to collect fees for services related to tax sale properties prior to the sale.

As indicated in the background information, municipalities incur administrative costs in the tax sale process, many of which occur prior to a sale. If the sale is cancelled due to payment of outstanding balance, the costs incurred are not recoverable.

Larry Lavery  
Acting Assessment & Tax Manager

**OUTSTANDING AUMA RESOLUTION 2005.C.ii.11 (previously numbered 2004.C.ii.14)**

**CITY OF SPRUCE GROVE  
VANDALISM**

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**WHEREAS** vandalism is an urban blight that detracts from the visual attraction of a community, involves willful damage to municipal and private property, and wastes valuable municipal financial resources in its eradication and correction; and

**WHEREAS** municipalities have limited ability to seek compensation through the courts when malefactors are apprehended, and even less ability to enforce the payment of any fines or restitution orders of the courts; and

**WHEREAS** when the perpetrator of the vandalism is a young offender as defined by the Youth Justice Act with no assets or income, there is currently no opportunity to transfer that debt to the parent(s) or legal guardian(s);

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association requests the Government of Alberta to amend Part 13, Division 4 s.553 of the Municipal Government Act, RSA, 2000 c. M-26 to state that:

A council may add the following amounts to the tax roll of a parcel of land:

“unpaid expenses and costs related to remediation for vandalism to public property perpetrated by the following person(s) responsible for the vandalism:

- (i) an individual convicted of an offence under s. 430 of the *Criminal Code* involving acts of vandalism to public property;
- (ii) an individual who consents to participation in the Alternative Measures Program resulting from acts of vandalism to public property;
- (iii) the parent or guardian of a young offender subject to extra-judicial sanctions relating to acts of vandalism to public property.”

**BACKGROUND**

Vandalism is a complex community issue, with environmental, financial, and social impacts. In the event that charges are laid, the Crown’s cooperation in pursuing acts of vandalism as serious acts against the community is vital so that municipalities may take a stand against malicious destruction of parks and playgrounds, city facilities and signage. Municipalities also need to take a stand in recognizing the civic responsibility to taxpayers of the community by recovering the ever-increasing costs of repairing and replacing damaged property.

Unless there is a mechanism in place to provide some form of guarantee of payment, penalties awarded by the courts are difficult to collect. This is especially true when the convicted person is a young offender. As a result there is no tie between the crime and

the penalty as a deterrent to future acts of vandalism and the taxpayers of the municipalities are left to assume the ever-increasing costs of vandalism.

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### **AUMA Background (as requested by the 2004 AUMA Convention)**

A legal opinion on this resolution was obtained from AUMA's in-house legal counsel, and the following points are made:

- the provisions of Section 553 of the *MGA*, which allow for adding items to the tax rolls are meant to be very limited in scope, and relate to charges against THAT PARCEL, such as unpaid utility charges, expenses and costs taken to remedy contraventions on the parcel, expenses and costs related to stop orders, removing snow from the property, etc. The section was not intended as a "general security" which the municipality can "realize" upon like a bank when an outstanding debt is allegedly due to it by the owner
- there is a potential constitutional argument about municipalities passing laws which infringe on federal jurisdiction over criminal law. If the current criminal law was actually utilized by the courts on sentencing, there is nothing to stop probation orders being created which involve full restitution to municipalities as part of the sentence. It is the opinion of legal counsel that the *MGA* could not be amended to direct a financial "sentence" as a matter of course to a proven criminal conviction. Even in those provinces that have enacted a Parental Responsibility Act, it is necessary to place a civil court in between the criminal conviction and the awarding of a judgment in favour of the person who has suffered a loss thereby.
- Criminal courts do not often order restitution because criminals are either too young to have a job, or, if older, are students, or on social assistance, etc. In most cases, vandals' parents are not large land holders.
- Legal counsel suggests that the idea of requesting legislation similar to B.C., Manitoba and Ontario (a Parental Responsibilities Act) would be of greater use than requesting the changes to the *MGA* suggested in the resolution entitled: Vandalism. While imperfect, such legislation can be used in some circumstances.
- Legal counsel suggests that there is no effective financial solution to vandalism, except in those circumstances where the criminal system orders restitution to the municipality as part of the sentence. In this regard, municipal governments should ensure that the Crown Prosecutors know that every time municipal damage is cited, they should think about a restitution order.

### **COMMENTS FROM THE ACTING ASSESSMENT & TAX MANAGER**

Our position on this resolution in 2004 remains unchanged. We do not support Resolution 2005.C.ii.11.

We concur with the legal opinion outlined in the background information. There may be better alternatives to pursue this compensation issue.

Larry Laverty  
Acting Assessment & Taxation Manager

### **COMMENTS FROM THE COMMUNITY SERVICES DIVISION**

The Recreation, Parks and Culture Department acknowledges that vandalism and the enforcement relating to it is a serious problem. Based on the resolution and its implications relating to the *Municipal Government Act* Division 4 (553) Adding Amounts Owning to Tax Roll, the Recreation, Parks and Culture Department feels the response would be more appropriate coming from the City of Red Deer Assessment and Tax Department.

The Community Services Director agrees with the above comments.

**2005 POLICY and RESOLUTIONS HANDBOOK**  
**Category C.iii. – ISSUE-BASED: GOALS AND OBJECTIVES**

AUMA Resolutions Policy:

The **Issue-Based** category would have resolutions related to specific current issues and initiatives indicating the Association's position on specific issues and challenges emerging from the current environment.

The **Goals and Objectives** sub-category is a resolution in which the Association is raising questions or taking positions regarding goals and objectives being pursued by others. There is no question of jurisdiction or responsibility, just the objectives to be achieved.

**VILLAGE OF BRETON  
RURAL DEVELOPMENT STRATEGY**

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**WHEREAS** the “Land of Opportunity” report indicates that youth leaving the rural/small communities is one of the largest challenges; and

**WHEREAS** youth struggle with a high student debt load on completion of college/university/trade school; and

**WHEREAS** rural/small communities need every possible advantage in encouraging youth to return;

**NOW THEREFORE BE IT RESOLVED THAT** the AUMA urge the Alberta Government to invest in a trust fund to partner with rural/small municipalities in providing bursaries to youth who remain or return to their community to start a business, trade or profession.

**BACKGROUND**

The Village of Breton like other small municipalities in the Province has a vast majority of youth leaving after high school graduation, some to higher level of education and some to find jobs in larger centers. We urge the government to come up with incentives for youth to return to their hometowns with the knowledge that their futures will be secure.

**TOWN OF COALHURST  
APPRENTICESHIP PROGRAM**

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**WHEREAS** the Provincial Government has announced that the need for skilled trade workers in Alberta will require them to recruit people from other countries and provide them with start up funds and living allowances; and

**WHEREAS** to encourage apprenticeships in the past the government paid the tuition fees for individuals and provided financial and other incentives for employers to take on apprentices; and

**WHEREAS** there are a number of unskilled workers in Alberta who are unable to go into the apprenticeship program because of financial reasons; and

**WHEREAS** there is a lack of incentive for employers to take on apprentices;

**NOW THEREFORE BE IT RESOLVED** that the Alberta Urban Municipalities Association lobby the Province of Alberta to provide additional incentives and funding for unskilled Alberta workers to attract them into the apprenticeship program;

**AND FURTHER BE IT RESOLVED** that financial and other incentives are made available for Alberta employers which will make it attractive for them to hire and keep apprentices.

**BACKGROUND**

- Alberta has the lowest unemployment rate in Canada with 31,700 full time jobs and 8,300 part time jobs created in 2004.
- The trades are vital to Alberta's economic success and the strong Alberta economy presents challenges, including skills shortages.
- There is a demand for highly skills workers in a number of fields.
- The province has earmarked a half million dollars for apprenticeship scholarships for 500 high school students (\$1,000 each).
- The province will provide \$5.7 million in 2005 for Advanced Education to increase apprenticeship training spaces, implement new trades and occupations, work with under-represented groups who want to obtain skills and develop refresher programs for workers wishing to upgrade skills and obtain certification.
- Employers are looking for skilled workers and many are unwilling to take on a first- or second-year apprentice because of the time and effort required to train that person to a level where he/she can contribute to the organization.

- An unskilled worker, who wants to be an apprentice, can't afford to sign up for one of the training programs because the available income is not sufficient for him/her to meet his/her family's financial commitments.
  - If travelling away from home to receive the training is required, it is difficult for him/her to maintain two residences for the duration of the 4 to 8 weeks of training.
  - And, they may not qualify for student loans because they have too much debt.

## **COMMENTS FROM THE LAND & ECONOMIC DEVELOPMENT MANAGER**

Land and Economic Development have reviewed this resolution with the local office of Alberta Economic Development (AED)/Central Alberta Economic Partnership (CAEP) and through their research, we believe that Coalhurst's resolution does not have valid facts with regards to the Provincial Government providing start up funds and living allowances to foreign recruited workers. To the best of our knowledge, the Province does not provide incentives, however, they do assist businesses to recruit foreign workers by participating in European labour trades fairs and nominating qualified workers through the federal immigration process.

CAEP completed a Collaborative Labour Force Strategy for Central Alberta in March 2005 that concluded the following:

### **Collaborative Labour Force Strategy Work Plans Executive Summary**

#### **A Collaborative Labour Force Strategy for Central Alberta**

Central Alberta is a region of opportunity and this collaborative labour force strategy provides a blue print for government, colleges, businesses, and other stakeholders to help fulfill that potential. The focus of these strategies for action is on working together to make sure economic prosperity is shared throughout the region and among all people.

This strategy has been built from the work done to date around the labour force needs of business, experience with recruiting workers, research into employment projections and labour force issues, and discussions with stakeholder groups. The "Central Alberta Labour Force Strategy Background and Discussion" provides a rationale for the strategy and answers 5 labour force questions:

- Are there enough workers in central Alberta?
- Can they get the training they need?
- Can everyone participate?
- Is central Alberta a good place to work?
- Do we have good local labour market information?

#### **Are there enough workers?**

How tight is central Alberta's labour market? When unemployment rates drop below 5%, the labour market is considered tight. The Red Deer region had an unemployment rate of 4.0% in November 2004. That is tight.

Employment growth is expected to continue in central Alberta. There are already real and/or perceived labour force shortages in certain sectors and occupations, particularly in the trades. The strong economy and retiring baby-boomers are expected to contribute to an increasingly tight labour market. Sources of new workers to alleviate this include young people who choose the trades, workers from other provinces, and foreign workers.

### **Can workers get the skills and training they need?**

Education and training will continue to be a key to success in the future. According to forecasts by Alberta Human Resources and Employment, there will be a strong demand for occupations that need post secondary, technical or trades training. Occupations requiring less than Grade 12 will account for only about 1 out of every 10 new jobs in the next 4 years. Central Alberta has a good infrastructure of post secondary institutions including Red Deer College and Olds College. In addition, post secondary institutions in both Edmonton and Calgary are within commuting distance. More and more education and training is being offered on-line or through blended and/or flexible delivery mechanisms.

### **Can everyone participate?**

In a tight labour market, it is important to use all talents available including youth, women, persons with disabilities, aboriginals, and older workers.

In central Alberta, there are dozens of programs and services available, designed to assist individuals to participate in the workforce including pre-employment training, work skills training, job search assistance, work placement and recruiting services, job boards, and career counselling.

### **Is central Alberta a good place to work?**

This is the question workers ask. They want to know if they can find work here, if wages are competitive, if jobs are secure, and if workplaces are safe.

### **Do we have good local labour market information?**

Good labour market information and informed forecasts are critical for labour force planning. There are many stakeholders involved in labour force planning so co-ordination also becomes a critical part of this issue.

### **Strategies for Action**

This collaborative labour force strategy focuses on specific strategies for action that we can undertake over the next 3 years. Twelve strategies for action follow from the background research on the labour market in Central Alberta. They are as follows:

#### **Supporting Education and Training**

- Support for Improvement of Training for Meat Cutters.
- Support for Improvement of Training for Truck Drivers.
- Support for Local Training for Rig Technicians.
- Strategic HR Development for Manufacturing and Processing.

**Encouraging Labour Force Participation**

- Focus on Youth in the Trades.
- Support Aboriginal Employment in the Trades.

**Communication and Program Support**

- Maintain and Promote the Central Alberta Labour Force Programs and Services Listing.
- Co-ordinate Collection of Local Labour Market Information.
- Co-ordinate Work Placements.

**Assisting with Recruitment and Retention**

- Retention and Recruitment Best Practices.
- Recruiting Out-of-Province Workers.
- Foreign Worker Recruitment.

Notwithstanding the above, Land and Economic Development recognizes the critical need for additional skilled workers in Alberta and recommends the City supports in principle any resolutions encouraging the Province to undertake initiatives that assists, funds or promotes increased participation in apprenticeship programs.

Howard Thompson  
Land & Economic Development Manager

**TOWN OF COALHURST  
DRUG PREVENTION/ENFORCEMENT**

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**WHEREAS** the Provincial Government is to be applauded for the increased police funding allocations in the 2005 budget; and

**WHEREAS** the provincial funding available for community-developed crime prevention projects is available to non-profit organizations, community-based coalitions and networks, and non-profit professional organizations and associations; and

**WHEREAS** without an eligible organization communities are unable to access the available provincial crime prevention funding; and

**WHEREAS** the RCMP Drug Enforcement Section for Southern Alberta is centralized in the City of Calgary and their mandate is to deal with large quantity dealers; and

**WHEREAS** the investigation and information gathering for drug trafficking in the south region has been left to the detachments that have neither the training nor the manpower to dedicate a member to this area; and

**WHEREAS** drug dealers and traffickers have moved out into the smaller urban and the rural areas as a result of the lack of dedicated policing;

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association communicate to the Province of Alberta that inequities exist in the rules around municipalities accessing the prevention program funding and in the availability of police manpower to investigate illegal drug activity in smaller urban communities and rural areas,

**AND FURTHER BE IT RESOLVED THAT** these inequities should be addressed specifically for the small communities located away from the Cities of Edmonton, Calgary and Red Deer.

**BACKGROUND**

1. Prevention:
  - a. The provincial government provides grant funding for the following programs:
    - i. Alberta Community Crime Prevention Grant Program (up to \$20,000 per initiative)
    - ii. National Crime Prevention Strategy Community Mobilization Program (\$50,000 per phase of a project, up to three phases)

- iii. Proceeds of Crime – Crime Prevention Grant Fund (\$5,000 per project)
  - iv. Alberta Lottery Fund Community Initiatives Program (\$75,000 per project year on a matching grant basis)
  - v. Prevention of Family Violence and Bullying Community Incentive Fund (\$10,000 for two community partners and \$75,000 for four community partners – must include one business sector partner)
- b. The only program accessible by a municipality is the Alberta Lottery Fund Community Initiatives Program. All other programs require application from non-profit and volunteer organizations, societies, associations and groups, community-based coalitions and networks, non-profit professional organizations and associations, aboriginal communities including bands and tribal councils, policing services.
  - c. Communities without qualifying non-profit organizations and without the funds necessary to match the Alberta Lottery Fund Community Initiatives Program cannot access the funding earmarked for community crime prevention initiatives.
2. Enforcement:
- a. There are three RCMP Drug Enforcement Sections in Alberta, located in the cities of Calgary, Edmonton and Red Deer.
  - b. The Lethbridge RCMP Drug Enforcement Section was centralized in the City of Calgary sometime after 1999.
  - c. All the communities in the south region are supposed to receive drug-related police enforcement out of Calgary.
  - d. The RCMP Drug Enforcement Sections are mandated to deal with large quantity drug dealers and have left it up to the local detachments to gather intelligence for submission to the Sections.
  - e. The local detachments have large areas to cover and have neither the training nor the manpower to dedicate one of its members to this area.
  - f. When a local detachment submits the statistics and data to the Section, it is only one in many that are requesting help.
  - g. Currently the Lethbridge detachment is considered to be at full strength with 7 members:
    - i. One member will be retiring with 92 days of accumulated leave. Until the leave is used up the member will not be replaced.
    - ii. One position is dedicated to prisoners.
    - iii. At any given time there could be one or more members on sick leave or vacation leave.
    - iv. Because of the huge learning curve, new recruits have to be partnered with a regular member until they gain on-the-job experience.
    - v. Although they are aware there is a drug problem in the area, they do not have the manpower to dedicate a member to gather drug trafficking intelligence.
    - vi. The Drug and Alcohol Resistance Education (DARE) training offered in the Coalhurst schools has been discontinued because the member trained has been transferred and the detachment doesn't have anyone trained to take her place.

**TOWN OF COCHRANE  
EXPANDED EMERGENCY PUBLIC WARNING SYSTEM**

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**WHEREAS** Alberta Municipal Affairs through Emergency Management Alberta developed in 1992 the Emergency Public Warning System to warn Alberta Communities of imminent danger; and

**WHEREAS** the Emergency Public Warning System arose out of the 1987 Edmonton Tornado; and

**WHEREAS** the Emergency Public Warning System rebroadcasts warning of imminent danger to all radio and television stations and cable systems under a contract between the CKUA Radio Network and the Government of Alberta as represented by Emergency Management Alberta; and

**WHEREAS** the Emergency Public Warning System is also available to major police agencies in the province to issue AMBER Alerts when a child has been abducted and it is believed that his/her life is in grave danger; and

**WHEREAS** the Emergency Public Warning System can be activated by authorities such as local municipal officials, the weather office, or Alberta Environment Flood Forecast staff when a major emergency or disaster threatens a community; and

**WHEREAS** the Emergency Public Warning System is only effective when Alberta residents are listening to the radio or watching television; and

**WHEREAS** when an imminent danger threatens a community in the middle of the night, when the majority of people are sleeping, the Emergency Public Warning System would be ineffective; and

**WHEREAS** the Emergency Public Warning System needs to be expanded to include other methods of notification such as phones, cellular communication and web-based systems;

<p><b>NOW THEREFORE BE IT RESOLVED</b> that the Alberta Urban Municipalities Association request the Government of Alberta to provide 24-hour protection to our communities by expanding the Emergency Public Warning System to include telephones, cellular communication and web-based systems.</p>
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## **BACKGROUND**

For several years, the Town of Cochrane's Disaster Services Committee has been actively seeking to provide protection, through effective notification to its residents, on a 24-hour-a-day basis when imminent danger strikes. Elected Officials and staff are trained in the Emergency Public Warning System and can react and send out the necessary warning message. One of the drawbacks to the current Emergency Public Warning System is the public needs to be awake and hear the message by the electronic media to determine what course of action they have been directed to take such as evacuation or to take shelter. There are 66 different kinds of disasters that could occur province wide and the time of day should provide no barrier. The Disaster Services Committee has researched systems provided by the private sector and there are systems that can provide 24-hour surveillance by using telephones, cellular phones and web based systems. One drawback to these systems is the maintenance of phone numbers when people move throughout the community or the province.

The only viable solution is to have the Government of Alberta utilize the enhanced 9-1-1 data base to acquire the telephone numbers province wide. When a telephone is connected to any network in the province an address or location is created for that telephone. Provincial access to this enhanced data bank could be transferred to the Emergency Public Warning System.

The Town of Cochrane's Disaster Services Committee believes this issue is of significant importance to all Alberta municipalities. The Government of Alberta has the infrastructure in place through the Emergency Public Warning System but needs to expand it for 24-hour-a-day protection for all Albertans.

## **COMMENTS FROM THE FIRE CHIEF**

Red Deer Emergency Services (RDES) supports the concept of using the enhanced 9-1-1 database to notify citizens of a potential or impending emergency. The City of Red Deer utilizes such a system now through the Telus Geomatics system. We can select all, or a particular area of the city, and contact every registered land line with a recorded message in a fairly short time frame. (We also use this system to notify EOC members when the EOC is activated).

The background information also refers to web based surveillance systems, and RDES currently also has a contract with the REACH system to provide automatic, early notification of weather emergencies as identified for the Red Deer area by monitoring the Environment Canada web site. Therefore we support this concept, as it also has the potential to greatly expand the technology and its effectiveness.

One problem with cell phones is they are not currently identifiable with an address. If this initiative were to be the catalyst to obtain provincial government support to effect this change, then that would be extremely beneficial.

In conclusion, RDES recommends supporting this resolution.

Jack MacDonald  
Fire Chief

**TOWN OF COCHRANE**

**REDUCTION OF EDUCATION TAXES PAID BY SENIOR CITIZENS OF ALBERTA**

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**WHEREAS** most seniors rely on a fixed income to manage their daily expenses; and

**WHEREAS** the move to market value assessment in Alberta significantly impacted the amount of education tax collected; and

**WHEREAS** according to Statistics Canada 2001 census, seniors' average income was \$26,336 in 2000. This is \$5,014 (about 20 per cent) lower than the average income for Alberta's population in general; and

**WHEREAS** it is in the best interest to assist Alberta's senior citizens to meet their annual rising household costs; and

**WHEREAS** to align the average household income of seniors to the average household income of Alberta's population in general;

**NOW THEREFORE BE IT RESOLVED** that the Alberta Municipalities Association request that the Government of Alberta reduces the education portion of seniors' personal property tax annually by 5 per cent per annum over a 4 year period.

**BACKGROUND**

According to Statistics Canada in 1993 the average household income for seniors was \$52,483. In 2001 that income dropped to \$49,414, a reduction of \$3,069 (6.21 per cent).

Since the introduction of market value assessment in Alberta, which is used to calculate the education portion of property tax, many seniors on fixed incomes have been significantly challenged in meeting their household costs.

This is supported by other statistics provided by Statistics Canada: That in 2000, the average seniors' income was \$26,336. This is \$5,014. (about 20 per cent) lower than the average income for Alberta's population in general.

Seniors agree that contributing to the education of Alberta's children is important. However, those seniors on fixed incomes have in essence been contributing more than their fair share, as fixed income has not kept up with rising market values.

Therefore we are requesting the Alberta Government recognize the amount that seniors on fixed incomes contribute to education through property tax compared to the average general population of working Albertans and reduce that contribution accordingly.

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**AUMA Board of Directors Comment:**

AUMA has consistently requested the elimination of the education portion of the property tax. The proposed resolution is not in line with AUMA's Guiding Principles, and RESN 2004.C.ii.6 that requests the elimination of the education portion of the property tax over 5 years.

**COMMENTS FROM THE COMMUNITY SERVICES DIVISION**

The Social Planning Department suggests that The City of Red Deer does not support this resolution.

- The selection of a particular segment of the population to receive a tax benefit is arbitrary given that the root issue is a question of income and not age. "Although discussions about property tax effect frequently focus on the elderly, data show that low-income families – young or old – pay relatively high proportions of their incomes in property taxes. However, elderly homeowners have relatively high levels of home equity and financial resources, particularly compared with elderly renters."<sup>5</sup>
- The Province of Alberta already operates a program through Alberta Seniors and Community Supports known as the *Education Property Tax Assistance for Seniors Program*. "The Education Property Tax Assistance for Seniors program provides an annual rebate to assist senior homeowners with the year-to-year increases in the education tax portion of their property taxes."<sup>6</sup>

The Community Services Director agrees with the above comments.

<sup>5</sup> Chawla, R.K., and Wannell, T. (2003). "Property Taxes." *Perspectives*. Ottawa: Statistics Canada.

<sup>6</sup> Government of Alberta. (n.d.). "Education Property Tax Assistance for Seniors Program." Seniors and Community Supports. Retrieved September 12, 2005, from [http://www.seniors.gov.ab.ca/financial\\_assistance/EPTASP/index.asp](http://www.seniors.gov.ab.ca/financial_assistance/EPTASP/index.asp)

**TOWN OF HINTON**  
**PROVISION OF DETOXIFICATION AND TREATMENT FOR DRUG ABUSE IN BOTH**  
**RURAL AND URBAN AREAS**

---

**WHEREAS** the citizens of Alberta are increasingly concerned about the health and social costs due to the proliferation of highly addictive illegal drugs throughout the province, and the resulting increase in persons addicted to these substances; and

**WHEREAS** the Government of Alberta recognizes drug addiction as a health problem and that those so affected who want to become well, require access to detoxification and treatment facilities; and

**WHEREAS** timely, ready access to appropriate services is still out of reach of many addicts who are seeking help, with negative impacts to these individuals, their families and their communities; and

**WHEREAS** the problem of drug addictions is prevalent in both rural and urban areas of this province; and

**WHEREAS** the Rural Alberta Strategy 2004 identifies the provision of essential government services throughout rural areas as a key pillar in its strategy for rural sustainability and growth;

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association support the development of additional detoxification and treatment facilities in rural areas to improve access to help for all Albertans, while providing a non-urban treatment option for those who reside outside of our major cities.

**BACKGROUND**

The drug problem affects both urban and rural communities. As it spreads throughout Alberta more and more communities recognize the social and financial cost of addictions in their communities. In addition to the pain and suffering of the addicted individuals, their friends and families, there are many other serious effects. Agencies, health services, policing services, and others must divert substantial resources to the problem.

For example:

- One addict trying to support his habit through theft can generate a great deal of criminal activity.

- In some areas the most critical child welfare problem is children who are coming into government care because their parents are addicted putting the children at serious risk.
- Health services, for years to come, will be treating the physical and mental problems resulting from the use of drugs such as methamphetamines, using valuable and limited resources.

For these, and other reasons, providing treatment and recovery for drug addicts is not only humane, it makes good sense.

Delays in accessing services often frustrate families and individuals who are trying to get help before the problem further deteriorates. Front line people frequently hear of youth and adults who could not access treatment until they committed a crime. Sometimes 'windows of opportunity' are lost because the person seeking to get off drugs could not 'stay clean' without support and the support was not there.

In many rural areas just getting people to a place where they can 'detox' is extremely difficult. Many hospitals will not take these patients. Police stations are not appropriate places for 'detox' and they are not prepared to take the risk of holding these individuals, as they are likely to require medical attention. Transportation can be difficult to impossible using regular transportation. A facility two hours away can, in fact, be out of reach.

There are some provisions in the last provincial budget that reflect the Government of Alberta's willingness to deal with this problem. The two new youth facilities in Edmonton and Calgary finally provide a residential 'detox' and treatment option for youth. However, the additional sixteen treatment beds and eight beds for 'detox' these two facilities provide will not meet the need in the province.

Additional resources are required. Municipalities are doing their best to respond to the drug crisis in their communities but they require reasonable access to these provincial services to address the problem in a comprehensive way. Expansion should take place in rural areas as well as urban because it will help to provide good access throughout the province. AADAC has recognized that one type of treatment will not work for everyone and the rural areas can be very appropriate for experiential treatment models.

This resolution does not require a centre for treating addictions in every community but it does support that every community would benefit from access in their own region.

## **COMMENTS FROM THE COMMUNITY SERVICES DIVISION**

The Social Planning Department suggests that The City of Red Deer support this resolution.

- Presently AADAC operates and/or funds 11 detoxification and 12 residential treatment programs across the province. These services are generally located throughout the province with programs in the North, South and East. As this resolution is coming from the Yellowhead Region, this may not necessarily be a provincial issue. Outpatient treatment services are available in Hinton and Edson, however, the more intensive detox and residential treatment programs are not. Central Alberta is presently in a similar situation although we are aware of the detox centre efforts in the community and the commitment to establish such services for the region.<sup>7</sup>
- Youth treatment services, however, are a different issue. Presently services for Youth Intensive Treatment are only available in Edmonton and Calgary.<sup>7</sup> Similar in nature to the issues encountered with consolidation of Youth Remand Centres to the larger cities is the issue of reintegrating youth back into their communities following detoxification and treatment. Regional programs would provide greater opportunities for families and community organizations to be part of the integrated service planning for youth dealing with their addictions.

The Community Services Director agrees with the above comments.

<sup>7</sup> Alberta Alcohol and Drug Abuse Commission. (2005). "AADAC and AADAC Funded Services Chart." *AADAC Services*. Retrieved September 12, 2005, from [http://corp.aadac.com/content/corporate/services/services\\_chart.pdf](http://corp.aadac.com/content/corporate/services/services_chart.pdf)

**CITY OF LETHBRIDGE  
PROTECTING EMPLOYEES FROM SECOND-HAND SMOKE**

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**WHEREAS** it has been determined that second-hand tobacco smoke (exhaled smoke and the smoke from idling cigarettes, cigars and pipes) is a health hazard and discomfort for most Albertans; and

**WHEREAS** it is desirable for the health, safety and welfare of all workers and patrons to prohibit smoking in enclosed spaces; and

**WHEREAS** it is desirable to have provincial legislation to ensure uniform regulation of smoking throughout the province; and

**WHEREAS** legislation protecting the safety of workers is the responsibility of the provincial government;

<p><b>NOW THEREFORE BE IT RESOLVED THAT</b> the Alberta Urban Municipalities Association, strongly urge the Province of Alberta to enact legislation that prohibits smoking in all Alberta workplaces without delay.</p>
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**BACKGROUND**

Provincial legislation passed in May 2005 was not sufficient to protect the health of Alberta's workforce and provide a level playing field across the province.

**2005 POLICY and RESOLUTIONS HANDBOOK**  
**Category C.iv. – ISSUE-BASED: Delivery Tools and Implementation**

AUMA Resolutions Policy:

The **Issue-Based** category would have resolutions related to specific current issues and initiatives indicating the Association's position on specific issues and challenges emerging from the current environment.

The **Delivery Tools and Implementation** sub-category is a resolution in which the Association is addressing the actual implementation instrument being used by another order of government or other stakeholder.

**TOWN OF CANMORE  
RECOGNITION OF NON-RESIDENT POPULATION**

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**WHEREAS** municipalities in the Province of Alberta are struggling to provide the critical infrastructure needs for water, water treatment and roads to its citizens; and

**WHEREAS** the Per Capita grant programs such as the Street Improvement Program and the recently announced Alberta Municipal Infrastructure Program are essential parts of municipal revenues; and

**WHEREAS** non-resident populations are easily defined and quantified as they own homes within the municipality but do not consider themselves as permanent residents; and

**WHEREAS** municipalities with significant non-resident populations, that do not qualify for Per Capita grant funding, are not receiving the necessary funds to provide essential water, water treatment and road infrastructure;

**NOW THEREFORE BE IT RESOLVED THAT** the AUMA request the Government of Alberta to allow municipalities to recognize the non-permanent residents as part of the population used to determine Per Capita grant allocations.

**BACKGROUND**

Similar to the notion of shadow populations (visitor and transient populations) occurring in Banff and Wood Buffalo, resort communities experience significant Non-Resident ownership of residential property. Non-resident populations require the same water, water treatment and road infrastructure as resident owners. In some cases, infrastructure needs can be greater than normal circumstances as "Peak Load" demand can cause infrastructure failure.

The Town of Canmore last census in 2003 determined that it contained 11,458 permanent residents and an additional 2,763 (19 per cent of total) non-permanent residents. That translated to 6,201 total dwelling units of which non-residents owned 1,710. These 1,710 dwelling units all required the same water, water treatment and road infrastructure. You can't build major infrastructure to "grow" when they all show up for the long weekend. Based on conservative estimates, our 2005 census will show that 23 per cent of our total population will be non-resident.

The shortfall of grant funding for Canmore has been and will be as follows:

Street Improvement Grant - \$65/capita

\$179,595 (2003), \$237,510 (2005 est.), \$898,430 (last five years)

Alberta Municipal Infrastructure Program - \$977/capita (estimate)

\$3,569,958 over the five-year term based on 2005 estimated non-resident population.

### **COMMENTS FROM THE LEGISLATIVE & ADMINISTRATIVE SERVICES MANAGER**

It appears that the main issue contained with the proposed resolution is that of insufficient grant funding to meet the unique needs of a particular municipality. Canmore describes their unique situation as non-resident population. There may be other situations where communities need additional funding for other unique reasons. For example I am not aware that a non-resident population is an issue for Red Deer however, being a regional center, the transportation network must accommodate those that come into Red Deer each day which is an expansion of our resident population.

I believe that more investigation is needed before support is given to the resolution of Canmore.

Kelly Kloss, Manager  
Legislative & Administrative Services

**TOWN OF CARSTAIRS  
COMPREHENSIVE FIRE DEPARTMENT HIGHWAY PROTOCOLS**

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**WHEREAS** Alberta is a province comprised of main highways such as, but not limited to, Trans Canada Highway 1, Queen Elizabeth Highway 2, Highways 3, 4, and 9, Highway 16, and Highways 35, 43, and 49 and secondary highways which are feeder routes to the main highways; and

**WHEREAS** municipalities and their surrounding areas have Fire Departments often comprised of volunteers; and

**WHEREAS** members of these Fire Departments are required to attend to incidents that have taken place on Alberta Highways; and

**WHEREAS** response by Fire Department personnel is crucial to the outcome of emergency incidents;

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association address this challenge by urging the Provincial Government to create standard levels of service for all responding Fire Departments and in addition agree to assume all liability issues arising from the attendance of highway incidents.

**BACKGROUND**

- On November 4, 2000, a Crossfield, Alberta firefighter was struck by a car while helping a woman to her stranded vehicle on Queen Elizabeth Highway No. 2 during a snow storm. When the tow truck arrived, the Firefighter offered to escort her from his rescue van at the side of the highway to her abandoned vehicle. They were halfway across the road when they entered the path of a car traveling through the blizzard at excessive speed for the conditions. Without regard for his safety, the firefighter pushed the woman out of the way and took the full impact being thrown several metres. As a result this firefighter suffered multiple serious injuries.
- In May 2002, the Carstairs, Alberta Fire Department was called to an incident on Queen Elizabeth Highway 2 and in the performance of their duties, the Command Vehicle was hit from behind by another vehicle. Injuries were sustained by individuals in the vehicle (severe) however the firefighters in the command vehicle were not injured. The command vehicle was written off.
- An average of 105 firefighters in the United States and 14 in Canada die in the line of duty each year. (Canadian Centre for Occupational Health and Safety)

## **COMMENTS FROM THE FIRE CHIEF**

This resolution asks for two things from the Province: to create a standard level of service for Fire Departments responding to motor vehicle accidents on highways, and to assume all liability arising from these incidents.

With respect to the first issue, as we have seen from the provincial handling of the ambulance issue, it is prudent to be careful what you ask for. If the Province were to agree to this issue, it might set a level of service that is less than the City of Red Deer currently provides its citizens (and other citizens traveling the highways in our jurisdiction). Since it is not clear in the resolution what the recommended level of service would be, more detail should be sought. It is also not clear if setting the level of service would be tied to funding (if any) from the Province. In any event, if the service level is equivalent to Red Deer's, then support could be given.

With respect to the second issue of liability protection, it is not immediately clear what this might include, although "all" is the word used. In general, the concept of providing legal protection to Fire Departments that provide fire, rescue, and ambulance service at accident scenes to Albertans and other citizens on Alberta's highways has some appeal. Exactly what protection is intended is unclear, although with clarification this resolution would be more supportable. It would be too easy to support the resolution on the basis that complete protection for our municipality must be a good thing.

Clarification on this resolution should be obtained before supporting, and before the Province asks the same questions. We would be happy to attempt to do this, if you wish.

Jack MacDonald  
Fire Chief

**MUNICIPALITY OF CROWSNEST PASS  
MUNICIPAL INTERN PROGRAM**

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**WHEREAS** the ongoing and sustained economic growth in Alberta is placing significant pressures on Municipalities to hire qualified and well-trained staff; and

**WHEREAS** small- to medium-sized municipalities are experiencing constraints to attract experienced and trained personnel for the positions of Chief Administrative Officer, Assessors, Public Works Managers and Recreation Directors; and

**WHEREAS** the demographics of local government senior administrators is such that 50 per cent of incumbents will be retiring in the next decade; and

**WHEREAS** the Municipal Intern Program has attempted to assist Municipalities to attract career-minded candidates to the field of Local Government;

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association request the Provincial Government to take immediate action to increase and fund the Municipal Intern Program for Chief Administrative Officers, Assessors, Public Works Managers and Recreation Directors.

**BACKGROUND**

The suggestion by the Municipality of Crownsnest Pass is that the Province takes immediate action to increase and fund the Municipal Intern Program for Chief Administrative Officers, Assessors, Public Works Managers and Recreation Directors.

It is becoming increasingly difficult to replace many occupations in the municipal field and with pending retirements, this issue will become more crucial within the next ten years. We feel it is imperative that a strategy should be developed by the AUMA, municipalities and the Province to at least start to address the issue.

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**AUMA Board of Directors Recommendation:**

That the operative clause of the resolution be amended as follows:

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association request the Provincial Government to take immediate action to increase and fund the Municipal Intern Program ~~for Chief Administrative Officers, Assessors, Public Works Managers and Recreation Directors.~~

## **COMMENTS FROM THE PERSONNEL DEPARTMENT**

We recommend that Municipalities be invited to submit proposals for interns. This could be reviewed by Municipal Affairs to confirm that it conforms to their mandate. The plan in its present form does not work for many municipalities as the intern spends most of their time as a "tourist" and does not get any real learning nor does the employer receive any long-term benefit. Projects could be interdepartmental in nature so that the intern receives exposure to all departments.

Carol Dyck  
Recruitment Coordinator

**CITY OF MEDICINE HAT  
PROVINCIAL SUPPORT OF RENEWABLE ENERGY INITIATIVES**

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**WHEREAS** Alberta is substantially reliant on non-renewable energy sources (natural gas and coal) for electricity production; and

**WHEREAS** conventional electric generation technologies (coal and natural gas) can significantly contribute to greenhouse gas emissions; and

**WHEREAS** renewable energy projects do not result in greenhouse gas emissions; and

**WHEREAS** at this time renewable energy projects are often marginally economic; and

**WHEREAS** increased market penetration of renewable energy projects could help lower the costs associated with this type of technology;

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association urge the Government of Alberta, through the Energy Minister, to consider encouraging renewable electric generation alternatives through some form of incentives.

**BACKGROUND**

Renewable energy is often more expensive than using or importing traditional forms of energy. The relative cost of renewables has been the largest impediment to larger market penetration and use of solar, wind and geothermal energy. In addition, many renewable technologies are not widely used, so they do not yet have the benefit of significant economies of scale. More recently though, increases to the cost of non-renewable resources, particularly natural gas, as well as technological advancements in renewable energy systems, has started to improve the relative economic position of renewables.

When incentives are put in place for renewable energy, it supports a technology that has public backing and feeds a new "green" market. Most renewables do not compete successfully against coal and natural gas in the energy marketplace, even though they are close in some instances. Renewables require policy support to survive and grow. These incentive policies can also create economic benefits associated with building renewables in their regions and improving environmental quality. It is clear that incentives remain critical to the renewable segment of the industry.

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## **COMMENTS FROM THE EL & P MANAGER**

It is recommended that only conditional support, if any, be provided for this resolution.

The objective of the resolution is, “urge the Government of Alberta, through the Energy Minister, to consider encouraging renewable electric generation alternatives through some form of incentive”. The underlying objective of the resolution appears to be the reduction of greenhouse gas emissions. While the objective and the reasons for arriving at the objective are worthy of unconditional support, the method of achieving the goal deserves much more careful consideration.

Electric generation in Alberta is, by provincial government policy, a competitive market. This aspect of de-regulation is one which is working quite well and for a government to interfere with it should be very carefully considered. Any intervention, by means of incentives or otherwise, must consider the affects such action will have on the fairness of the entire market and on future development of the market.

Generation of electricity from renewable energy sources is not the sole method available to reduce greenhouse gas emissions and any incentives to meet this underlying objective should not be restricted to only new electricity generation projects which could unfairly tilt the competitive market. Some current participants in the electricity market could justifiably argue that the same underlying objective can be accomplished by other means which should also be eligible for the same incentives. Such other means would include the application of new technology to reduce greenhouse gas emissions from existing plants which use non-renewable energy sources, and applying technology to reduce electricity demand regardless of the prime energy source.

There already exists a better and financially viable alternative to incentives which should be considered for encouraging renewable energy initiatives. This proven alternative, which has been used by the City of Red Deer and a growing number of others, is based on the model of leadership which encourages the use of renewable energy sources through the principle which recognizes that there is currently a societal price which must be paid for reducing greenhouse gas emissions. The City of Red Deer recently concluded a competitive Request for Proposals process which specifically required that part of the electricity supply must be generated from renewable sources. The surprising result, which prompted the bold statement at the outset of this paragraph, was that the added cost for each 1% of renewable energy content was 0.18%. While a 1%

increment may seem almost negligible, a large number of sizeable customers paying the small incremental cost will provide a recognizable market signal, market penetration will grow, and the market, not incentives, will encourage the development of viable renewable energy initiatives.

The competitive market is already generating electricity from renewable sources without the proposed incentives which will likely have a questionable value. What is really needed is not more government incentive but leadership and commitment, perhaps by government bodies, to pay the marginal price to purchase at least part of their electricity requirement from renewable energy sources and, thereby, encourage those new developments which benefit the whole of society.

Because there is a better way to accomplish the underlying objective, it is suggested that only marginal, if any, support be given to the resolution.

Al Roth  
EL & P Manager

**AUMA RESOLUTION 2005.C.iv.5**

**TOWN OF PENHOLD  
PROVINCIAL ROAD WORK**

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**WHEREAS** it is the role of Municipal Government to provide good, responsible and fair government to their respective communities; and

**WHEREAS** the Minister of Infrastructure and Transportation desires to promote open communication creating good planning decisions for the maintenance and repairs of road structures throughout the Province; and

**WHEREAS** the road structures are to serve the municipalities for moving traffic; and

**WHEREAS** the Minister of Infrastructure and Transportation pre-selects road upgrades several years in advance for any given construction year for the current year's roadwork;

**NOW THEREFORE BE IT RESOLVED THAT** the AUMA encourage the Minister of Infrastructure and Transportation to communicate in writing the department's intent for road work that directly affects a municipality,

**AND FURTHER BE IT RESOLVED THAT** there be a commitment by the Province to the Municipalities for maximizing efficiencies for road construction and tie-ins going through the Communities.

**BACKGROUND**

In recent discussion with our engineering department, communities that had experienced new highway upgrades through their communities one year discovered removal of sections of road the following year. The newly constructed road required tie-ins for accelerating and decelerating turning lanes to meet the future municipal development.

Dialogue by transportation officials would have allowed for continuous asphalt work and diverted a patch meal project and criticism by the public in regards to the poor planning.

We propose that Infrastructure and Transportation communicate, coordinate and work with the respective communities when they plan to do highway work through a community giving at least one year prior notice and allowing for good planning and maximizing funding efficiencies for a positive end product.

**WHEREAS** it is the role of Municipal Government to provide good, responsible and fair government to their respective communities; and

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## **BACKGROUND**

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Dialogue by transportation officials would have allowed for continuous asphalt work and diverted a patch meal project and criticism by the public in regards to the poor planning.

We propose that Infrastructure and Transportation communicate, coordinate and work with the respective communities when they plan to do highway work through a community giving at least one year prior notice and allowing for good planning and maximizing funding efficiencies for a positive end product.

## **COMMENTS FROM THE ENGINEERING SERVICES MANAGER**

We haven't had problems with respect to Provincial road works impacting the City, in fact, we have a recent example of very good coordination of Provincial and City construction at the Gaetz Avenue Highway 11A intersection. However, it seems reasonable that the Province should notify communities of planned works that will affect them and to coordinate road works with the communities. To this end, I recommend that we support the resolution.

Tom Warder  
Engineering Services Manager

**TOWN OF PENHOLD  
PROVINCIALY EQUALIZED MUNICIPAL REVENUES**

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**WHEREAS** it is the role of Municipal Government to provide responsible, fair and fiscally responsible government to their respective communities; and

**WHEREAS** the Minister of Municipal Affairs is committed to providing a fair level of assessment information by attempting to get all assessment to a market value system; and

**WHEREAS** the Power, Pipeline and Machinery and Equipment has this year (2005) been moved to reflect market value; and

**WHEREAS** this change in Power, Pipeline and Machinery and Equipment has given the municipalities with these services intact a substantial financial boost; and

**WHEREAS** the return on the investment made within the respective communities is substantially higher than the cost to service these investments; and

**WHEREAS** Power, Pipeline and Machinery and Equipment is for the purpose of distribution of service to clients throughout the Province and should be shared equally by all contributors;

**NOW THEREFORE BE IT RESOLVED THAT** the AUMA encourage the Minister of Municipal Affairs to consider a form of equalization that will distribute revenues derived from Power, Pipeline and Machinery and Equipment to the people as a whole within our Province; and

**FURTHER BE IT RESOLVED THAT** this revenue be distributed to municipalities in a form of equalization that would show fairness in the revenue intake.

**BACKGROUND**

In 2005, the Province has attempted to bring Power, Pipeline and Machinery and Equipment to a value that reflects a market value philosophy. This has in turn created a substantial financial boost to the areas that have a high amount of assessment dollars for Power, Pipeline and Machinery and Equipment (Linear Assessment) within their jurisdictions.

This change has given the respective jurisdictions additional income with little work in obtaining this revenue. Further the revenue being generated by the

municipalities as taxation is passed onto the users as an expense by the corporations. Power, Pipeline and Machinery and Equipment serves the entire population of the Province and municipalities should have an equal share in the taxation of it.

**COMMENTS FROM THE ACTING ASSESSMENT & TAX MANAGER**

This resolution would be financially beneficial to Red Deer and likely to most other urban centers and so we support this resolution. There would be negative financial impacts on many rural municipalities, as a large percentage of the linear assessment base lies in rural areas.

Larry Laverty  
Acting Assessment & Tax Manager

**AUMA RESOLUTION 2005.C.iv.7**

**REGIONAL MUNICIPALITY OF WOOD BUFFALO  
ASSESSMENT METHODOLOGY INEQUITY**

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**WHEREAS** municipalities are given broad responsibilities under the Municipal Government Act to provide infrastructure and other services for their residents; and

**WHEREAS** a principal source of municipal revenue comes from municipal assessment and taxation; and

**WHEREAS** it is desirable for municipalities to be able to maximize revenues from the municipal tax base to adequately provide essential infrastructure and services; and

**WHEREAS** Section 297(1)(d) of the Municipal Government Act provides for machinery and equipment to be treated as a separate assessment class; and

**WHEREAS** Section 9(3) of Matters Relating To Assessment And Taxation Regulation A.R. 220/2004 requires that assessments for machinery and equipment not forming part of linear property reflect only 77 per cent of value; and

**WHEREAS** the assessment of linear property and other assessable property is not discounted to 77 per cent of value; and

**WHEREAS** under the Machinery and Equipment Assessment Minister's Guidelines the assessed value of machinery and equipment is subject to an immediate 25 per cent depreciation factor further diminishing the assessed value of machinery and equipment; and

**WHEREAS** many Provinces and Territories of Canada do not give special treatment to assessment of machinery and equipment; and

**WHEREAS** the principle of fairness and equity in assessments supports assessment of machinery and equipment at full fair market value;

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association requests the Government of Alberta and the Lieutenant Governor in Council to abolish subsection 9(3) of Matters Relating to Assessment and Taxation Regulation, A.R. 220/2004.

## **BACKGROUND**

Local Government Authorities throughout the Province of Alberta are committed to the principle of fair and equitable assessment and taxes for its ratepayers.

In striving to uphold that principle, municipal governments are faced with inequities that are inherent in the assessment methodology that is regulated through provincial enactments and regulations, for valuation of the different property assessment classes. Of specific concern are the inequities that exist in the assessment methodology as it pertains to the machinery and equipment property assessment class compared to the non-residential and residential property assessment classes.

Currently, the assessment of machinery and equipment is regulated under the Alberta Government Regulation 220/2004 (Matters Relating to Assessment and Taxation) to be assessed at 77 per cent of its value. This automatic reduction is arbitrary and bears no relation to economic depreciation or economic worth. On the other hand, non-residential and residential assessment classes are assessed at 100 per cent of market value. Although different tax rates may be applied against the non-residential assessment class, of which machinery and equipment is a component, it is not taxed at its full value. This difference in methodology creates an inequitable and unfair tax distribution amongst the various property classes.

Under the Machinery and Equipment Assessment Minister's Guidelines, the assessed value of machinery and equipment is already subject to an immediate 25 per cent depreciation factor which further diminishes the assessed value at which machinery and equipment is taxed in comparison to the other property assessment classes.

### **COMMENTS FROM THE ACTING ASSESSMENT & TAX MANAGER**

Similar to AUMA Resolution 2005.A.2, the goal of this Resolution is to create equity among ratepayers, which we do support.

The relative tax advantage in the assessed value of Machinery and Equipment, which is controlled through both provincial Regulations and Ministerial Guidelines is described in our comments on AUMA Resolution 2005.A.2.

Resolution 2005.C.iv.7 addresses one of the inequities in the assessment process controlled under Assessment Regulation (A.R. 220/2004). To create full equity, an amendment to this resolution would include changes to the Ministerial Guidelines as well.

Larry Laverty, Acting Assessment & Tax Manager



## **2005 AUMA POLICY PAPERS**

**AUMA BOARD OF DIRECTORS  
PROPOSED CHANGES TO THE MUNICIPAL GOVERNMENT ACT**

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**WHEREAS** every municipal government must have adequate powers and financial and legal resources that other orders of government cannot alter unilaterally; and

**WHEREAS** broad authority should be given to councils, and their right to govern municipalities in whatever way the councils consider appropriate should be respected; and

**WHEREAS** effective engagement is needed on matters of mutual interest, including consultation by the Provincial Government on:

- (i) proposed changes to local government legislation;
- (ii) proposed changes to revenue transfers to municipalities; and
- (iii) proposed changes to provincial programs that will have a significant impact in relation to matters that are within municipal authority; and

**WHEREAS** funding for municipalities should be based on principles of predictable revenues, accountability, flexibility, simplicity and efficiency; and

**WHEREAS** municipalities require the financial capacity to fulfill their mandates, and the services for which they are responsible should be financed through local taxation, fees and other revenue and a defined portion of provincial and federal taxes and fees; and

**WHEREAS** municipal governments must have the fiscal capacity to fulfill their mandate through primary access to the property tax base and other stable long term and progressive sources of revenue; and

**WHEREAS** amendments to the Municipal Government Act must provide enabling powers to allow municipalities to act and operate individually and collectively, and provide adaptability and flexibility to accommodate different types of governance and service delivery; and

**WHEREAS** financial and planning frameworks established by the Province for municipalities should promote efficient and effective inter-municipal cooperation;

**NOW THEREFORE BE IT RESOLVED THAT** the AUMA 2005 General Assembly adopt the proposed changes to the *MGA* that are contained in AUMA's *MGA* review, and urge the Government of Alberta to work with AUMA to implement the changes.

## AUMA MGA REVIEW DOCUMENT

**TABLE 1: SUMMARY OF PROPOSED CHANGES TO ALLOW FOR EFFECTIVE ENGAGEMENT**

Section	<i>Municipal Government Act</i>	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
5.1	New Section under Part 1, Purposes, Powers and Capacity of Municipalities	Any proposed statutory or regulatory change to the powers, duties or functions herein or to any other legislation directly affecting municipal powers, duties or functions, shall only be tabled in the Legislature by the Province for enactment after being reviewed and recommended in accordance with the Amendment Impact Report and Effective Engagement Process attached to this Act as Schedule 'A' and forming part hereof.	<ul style="list-style-type: none"> <li>• every municipal government must have adequate powers and financial and legal resources that other orders of government cannot alter unilaterally</li> <li>• broad authority should be given to councils, and their right to govern municipalities in whatever way the councils consider appropriate should be respected</li> <li>• consultation is needed on matters of mutual interest, including consultation by the Provincial Government on:                             <ul style="list-style-type: none"> <li>• proposed changes to local government legislation; and</li> <li>• proposed changes to revenue transfers to municipalities; and</li> <li>• proposed changes to provincial programs that will have a significant impact in relation to matters that are within municipal authority.</li> </ul> </li> <li>• the Ministry of Municipal Affairs is continuing to support an enhanced partnership approach involving consultation, innovation and shared resourcing in the delivery of services and programs</li> <li>• coordination and consultation between provincial and municipal programs should promote equitable, effective and efficient service delivery, and consultation is more than simply listening</li> </ul>	<ul style="list-style-type: none"> <li>• Joint FCM/CAMA Task Force Report on the Role of Future Government. June 2003.</li> <li>• from Municipal Government Act, s 9</li> <li>• From Community Charter of British Columbia, 2003</li> <li>• from Municipal Affairs Business Plan 2003 – 2006</li> <li>• from AUMA President's Summit on Municipal Finance: Final Report. June 2003, and June 2002 AUMA Working Paper on Creating Accountability – Roles, Responsibilities and Resources</li> </ul>

\* amendments to the MGA should be considered, in each case, with consequential amendments to other related legislation

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
Schedule A	New Schedule	<p data-bbox="590 256 1083 305"><u>AMENDMENT IMPACT REPORT AND EFFECTIVE ENGAGEMENT PROCESS</u></p> <p data-bbox="558 331 793 355"><b>I. Amendment Impact</b></p> <p data-bbox="558 355 865 380"><b>A. Amendment Impact Report</b></p> <ol data-bbox="583 404 1113 1380" style="list-style-type: none"> <li data-bbox="583 404 1056 477">1. In this document "amendment" includes both changes to legislation and new legislative provisions.</li> <li data-bbox="583 477 1113 623">2. Where there is a proposal to amend a power, duty or function under this Act or under any other legislation directly affecting municipal powers, duties or functions, the party proposing same shall prepare an Amendment Impact Report as detailed herein, and follow the processes herein provided.</li> <li data-bbox="583 623 1113 1380">3. The Amendment Impact Report shall include:               <ol data-bbox="632 672 1113 1380" style="list-style-type: none"> <li data-bbox="632 672 1094 769">a. The Section number and/or the power, duty or function to be amended, including suggested wording of the requested amendment, if possible;</li> <li data-bbox="632 769 1094 842">b. A description of the problem which this amendment is intended to resolve, including why it has arisen;</li> <li data-bbox="632 842 1094 915">c. What other options were considered to address the problem, other than an amendment, and why they were not feasible;</li> <li data-bbox="632 915 1094 1062">d. Who is likely to be affected by this amendment. What the possible implications are (positive or negative) of the requested amendment on the municipality and its citizens, other municipalities and the province;</li> <li data-bbox="632 1062 1094 1159">e. What are the perceived impacts (social, environmental and financial) of the suggested amendment, and to whom and to what extent;</li> <li data-bbox="632 1159 1094 1380">f. With respect to the requested amendment, information on:                   <ol data-bbox="663 1208 1094 1380" style="list-style-type: none"> <li data-bbox="663 1208 1066 1256">i. Who was consulted and the method of consultation;</li> <li data-bbox="663 1256 1094 1305">ii. What the results were of the consultation; and</li> <li data-bbox="663 1305 1094 1380">iii. What were all opposing views and outlining the process of how they were or will be addressed or resolved;</li> </ol> </li> </ol> </li> </ol>	<p data-bbox="1136 256 1549 380">The Amendment Impact Report was developed by the MGA Amendment Management and Consultation Committee in 2003, and was agreed upon by both AUMA and AAMD&amp;C</p> <p data-bbox="1136 404 1549 477">AUMA will provide an Amendment Impact Report to accompany the submission of the proposed changes in this document</p>	<p data-bbox="1564 256 1990 305">MGA Amendment Management and Consultation Committee</p>

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
		<p>g. A legal impact report which reviews the proposed amendment against the screening criteria set forth herein;</p> <p><b>B. Screening Criteria</b> An amendment will not be tabled in the Legislature if:</p> <ul style="list-style-type: none"> <li>• The issue is or can be addressed within existing legislation; or</li> <li>• it reduces any existing power, duty or function of municipal governments.               <ol style="list-style-type: none"> <li>1. Where a requested amendment does not clearly violate the screening criteria, it will be forwarded for further consideration under the Effective Engagement process;</li> <li>2. Requested amendments which do not pass the screening criteria will be returned to the requester with an explanation.</li> </ol> </li> </ul> <p><b>II. EFFECTIVE ENGAGEMENT</b></p> <p><u>Purpose</u> The purpose of the effective engagement process is to:</p> <ol style="list-style-type: none"> <li>1. Ensure that an opportunity and process (mechanism) exists for stakeholders to review and discuss proposed changes to the <u>Municipal Government Act</u> and its regulations (<i>MGA</i>), or any other legislation which directly affects municipal powers, duties or functions;</li> <li>2. Ensure that all municipalities and other affected stakeholders are aware of the proposed changes and their potential outcome and impact; and,</li> <li>3. Foster the spirit of cooperative relations between the provincial government and municipalities and stakeholders.</li> </ol> <p><u>Principles</u> Effective engagement is based on the following principles:</p> <ol style="list-style-type: none"> <li>1. It respects and recognizes municipalities, their provincial associations, and the province as the key parties to the MGA, and any other legislation which directly affects municipal powers, duties or functions;</li> <li>2. Municipalities and affected stakeholders must be provided the opportunity to help frame, review and comment on any proposed changes to the</li> </ol>		

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
		<p>MGA, and any other legislation which directly affects municipal powers, duties or functions, regardless of source;</p> <p>3. Effective engagement, to be of true value, has to allow for sufficient time to prepare or respond.</p> <p><u>Protocols</u></p> <p>1. To make informed comments on or to help frame any proposed amendments to the MGA, or any other legislation which directly affects municipal powers, duties or functions, all proposed changes, regardless of source, must be accompanied by an Amendment Impact Report;</p> <p>2. Municipal governments, the Government of Alberta and stakeholders must receive timely notification of an approaching matter requiring the effective engagement process, and timely feedback on the responses to proposed amendments, and notification of the outcome or final product, including reasons for changes to the proposed amendments, for the process to be truly effective.</p> <p><u>Operation</u></p> <p>Effective engagement will be in accordance with the following:</p> <p>1. The Government of Alberta will provide an annual summary of what sections and regulations of the applicable legislation (and the type of review) it believes will be carried out during the coming year as well as providing appropriate Amendment Impact Reports, allowing for the following minimum lead times to allow for effective engagement:</p> <ul style="list-style-type: none"> <li>• Fundamental Review of Legislation – 1 year;</li> <li>• Amendments to Legislation – 90 days;</li> <li>• Fundamental Review of Regulation – 90 days;</li> <li>• Amendment(s) proposed to a regulation – 90 days;</li> <li>• New regulation – 120 days;</li> <li>• Re-enactment without amendments – 60 days;</li> <li>• Private Member Bills, or consequential amendments – 120 days;</li> </ul>		

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
		<ol style="list-style-type: none"><li data-bbox="604 256 1129 358">2. Where a proposed amendment is requested by a municipality or municipal association, the above timelines for effective engagement shall also apply thereto.</li><li data-bbox="604 380 1129 505">3. Only the Minister or applicant, citing urgent circumstances, will be able to shorten the timelines, while still following the amendment impact and effective engagement processes and providing as much notice as possible.</li><li data-bbox="604 526 1129 773">4. A committee shall be formed to review all Amendment Impact Reports and to oversee the Effective Engagement Process. The Committee shall report as required to the Minister of the relevant Government of Alberta Department and to the Boards of Directors of Alberta's municipal associations. The Committee will consist of representatives from AUMA, AAMD&amp;C, the Cities of Calgary and Edmonton and the relevant Deputy Minister or designate.</li><li data-bbox="604 794 1129 943">5. Meeting dates, their frequency, locations, agenda setting procedures and voting procedures will be agreed upon between the parties, but meetings shall be held with sufficient frequency to accomplish the goals of effective engagement and the timelines as set out herein.</li></ol>		

**TABLE 2: SUMMARY OF PROPOSED CHANGES REGARDING PART 10 OF THE MGA (Taxation and Municipal Financial Authority)**

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
<p><b>NEW DIVISION OF PART 10, Taxation S. 325.1</b></p>	<p>New Section</p>	<p>(1) Notwithstanding section 13 of this Act or any other enactment, a municipality may, by bylaw, impose any form of tax which could be levied by the Legislature of Alberta.</p> <p>(2) A bylaw under sub-section 1 shall:</p> <ul style="list-style-type: none"> <li>i. State the subject of the tax;</li> <li>ii. State the rate or amount of tax imposed;</li> <li>iii. Prescribe or authorize full or partial exemptions from the tax imposed, if any;</li> <li>iv. Provide penalties for violation of any of its provisions; and</li> <li>v. Prescribe the manner of administering and collecting the tax in accordance with sub-section 3</li> </ul> <p>(3) A municipality shall provide for collection of the tax in one of the following manners:</p> <ul style="list-style-type: none"> <li>i. Appointment or designation of persons to administer, collect and remit the tax;</li> <li>ii. An agreement with one or more municipalities to jointly administer, collect and remit the tax levied in each municipality; or</li> <li>iii. An agreement with the Province to administer, collect and remit the tax.</li> </ul> <p>(4) Where a municipality proposes to impose a form of tax which is also levied by a provincial enactment, the municipality shall, 90 days prior to passing a bylaw implementing the tax, forward a copy of the proposed bylaw to the Department of Municipal Affairs and may request the Minister to collect and remit the additional tax to the municipality, unless there is a legal impediment to so doing.</p> <p>(5) The amount of tax revenues by the Province pursuant to an enactment and specified under that enactment to be for municipal purposes as defined in Section 3 of this Act, shall be allocated and distributed by the Minister in such a manner as to remit to each municipality a proportionate share based on the approximate amount of tax revenue realized from persons residing or doing business within the municipality.</p> <p>(6) An amount of tax revenues realized by the Province pursuant to any enactment, and an amount of</p>	<ul style="list-style-type: none"> <li>• funding for municipalities should be based on principles of predictable revenues, accountability, flexibility, simplicity and efficiency</li> <li>• amendments to the <i>Municipal Government Act</i> should allow municipalities to raise revenue through a variety of ways to meet expenditures in a financially responsible manner</li> <li>• municipalities require the financial capacity to fulfill their mandates, and the services for which they are responsible should be financed through local taxation, fees and other revenue and a defined portion of provincial and federal taxes and fees</li> <li>• municipal governments must have the fiscal capacity to fulfill their mandate through primary access to the property tax base and other stable long term and progressive sources of revenue</li> <li>• municipalities seek predictable flexible financial systems to address different demands and authority to become innovative funding mechanisms</li> <li>• a mix of infrastructure funding is required from a new set of tax tools for municipal governments, a legislated framework for provincial revenue-sharing with municipal governments and a phased withdrawal from the education property tax</li> </ul>	<ul style="list-style-type: none"> <li>• from Tax Authority Task Group, January 23, 2003</li> <li>• from Amended Management Sheet, submitted to the Honourable Guy Boutilier, then Minister of Municipal Affairs on January 26, 2004;</li> <li>• from June, 2003 AUMA report on President's Summit on Municipal Finance;</li> <li>• from AUMA's Guiding Principles;</li> <li>• from AUMA presentation to Standing Policy Committee on Agriculture and Municipal Affairs;</li> <li>• from Sept. 2004. Canada West Foundation Report: Foundations for Prosperity</li> </ul>

\* together with any consequential amendments to related legislation

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
		<p>revenues, other than a tax, that is collected for Provincial use from any enterprise operating within a municipality by virtue of an enactment, agreement, licence or any other arrangement, shall be transferred to each municipality in such manner as to remit to each municipality a proportionate share based on the approximate amount of revenue realized from persons residing or doing business within the municipality, unless there is an agreement to the contrary.</p> <p>(7) Without restricting the generality of subsection (6), the following minimum percentages of revenue shall be transferred annually by the Province to the municipalities in accordance therewith:</p> <ul style="list-style-type: none"> <li>a) provincial income tax--10%</li> <li>b) fuel tax--11.1%</li> <li>c) provincial gaming--10%</li> <li>d) renewable resource royalties--1%</li> <li>e) any other revenues, including but not limited to vehicle registration, liquor and tobacco sales--10%</li> </ul> <p>(8) Where revenues, other than a tax, are collected for Provincial use from any enterprise operating within the municipality by virtue of an enactment, agreement, licence or any other arrangement, a council, by resolution, may request the Minister to collect and remit an additional amount of revenue as specified by the municipality, and unless there is a legal impediment to so doing, the Minister shall collect and remit the additional revenue to the municipality.</p> <p>(9) Where a municipality has imposed a tax pursuant to sub-section 4, or received a remittance pursuant to sub-section 8, the Minister may make provision for the additional tax or revenue collected for the municipality to be identified distinctly to the person paying same.</p> <p>(10) Notwithstanding any other provision, no revenue sharing agreement in existence between the Province and any municipality may be changed to reduce any payments thereunder except upon one year's prior notice.</p>		
Divisions 1 through 9		With the addition of a new Division, Divisions 1 through 9 should be re-numbered Divisions 2 through 10		

**TABLE 3: SUMMARY OF PROPOSED CHANGES TO PART 4 OF THE MGA (Formation, Fundamental Changes and Dissolution)**

Preamble:

- amendments to the *Municipal Government Act* must empower local governments with the authority and tools to govern themselves in a flexible manner, to provide services and to respond to present and future issues affecting them (from AUMA submission of January 26, 2004 to the Honourable Guy Boutilier, then Minister of Municipal Affairs);
- amendments to the *Municipal Government Act* must provide enabling powers to allow municipalities to act and operate individually and collectively, and provide adaptability and flexibility to accommodate different types of governance and service delivery options (from AUMA submission, above);
- financial and planning frameworks established by the Province for municipalities should promote efficient and effective inter-municipal cooperation (from June, 2003 AUMA report on President's Summit on Municipal Finance);
- no municipality exists in isolation of its neighbours (from 2004/2005 Rural/Urban Discussion Group Draft Discussion Paper);
- the Provincial Government must recognize that municipalities require authority to determine the public interest of their communities, within a legislative framework that supports balance and certainty in relation to the differing interests of their communities (from *Community Charter* of British Columbia, 2003);

Section	<i>Municipal Government Act</i>	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
76 (3)	New Section under Part 4, Formation, Fundamental Changes and Dissolution	<p>Without limiting the generality of Section 76 (1), the principles established thereunder shall include the following:</p> <p>a) <b>Public Consultation and Engagement</b> The views of the residents of all municipalities affected by the decision should be obtained and considered through public meetings, a vote or other appropriate mechanism before any related decision is made.</p> <p>b) <b>Statutory Requirements</b> All municipalities affected should meet the population and ward requirements for their type of municipality following the decision.</p> <p>c) <b>Repeated Applications</b> An application for essentially the same action should not be made for at least three years after a decision has been made denying the action.</p> <p>d) <b>Governance Viability</b> All municipalities affected should have the capacity to govern their affairs following the decision.</p> <p>e) <b>Financial Viability</b> All municipalities affected should be financially viable and sustainable following the decision.</p> <p>f) <b>Environmental Sustainability</b> All municipalities affected should be able to provide services following the decision on an environmentally sustainable basis including consideration of the environmental impact on adjacent municipalities.</p>	<ul style="list-style-type: none"> <li>• AUMA Formation, Fundamental Changes and Dissolution paper, adopted at the 2004 Convention, proposed these principles.</li> </ul>	Recommendation 18 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper

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Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
		<p>g) Orderly Development The decision should enable orderly development and long range planning by the municipalities affected generally using a 20 year horizon as a standard.</p> <p>h) Physical Infrastructure The affected municipalities should have the capacity to provide and maintain the physical infrastructure (including transportation, water and sewer, solid waste, public protection, parks and recreation facilities) typically associated with the anticipated future development following the decision. The infrastructure could be provided and maintained either directly or through contracts with other municipalities or other entities.</p> <p>i) Appropriate Services The receiving municipality should maintain services required by land added to it by a decision until the use of the land changes (for example, services typically overseen by an Agricultural Service Board).</p> <p>j) Administrative Capacity All municipalities affected should have, or be able to obtain, the administrative capacity to effectively support the governance of the municipality following the decision.</p>		
76.1	New Section	In this Part, 'good faith' means honesty of intention to diligently work together in a timely fashion towards a mutually satisfactory conclusion, and an honest intention to abstain from taking advantage of one another, even through technicalities of law.		Recommendation 2 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper
76.2	New Section	In any proceedings under this Part, where parties are required to meet and negotiate issues between themselves, any such party may request that the Minister appoint a mediator at the outset of, or at any time during, negotiations to assist the parties in framing the issues and determining areas of agreement, and the Minister shall, upon such request being made, make an appointment.		Recommendation 3 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper
103(4)	Amendment	<p>delete Section 103(4) and substitute a subsection as follows:</p> <p>Any municipal authority served with a notice under Section 103(1) shall thereafter meet with the initiating party and proceed, in good faith, to participate in the preparation of a study to identify the reasons for, and the impacts and consequences of, the proposed amalgamation. Such study shall include proposals for public consultation and meetings with residents, and keeping them informed.</p>		
104(1)	Amendment	<p>Delete Section 104(1) and substitute the following:</p> <p>After completion of the study under Section 103(4), the parties shall meet and negotiate the proposals in good faith.</p>		
104(3)	New Subsection	Where negotiations are not concluded within 180 days of the notice having been given under Section 103, any party thereto may request the Minister to appoint a mediator under Section 570 of the Act, and the Minister shall, upon such request being made, make an appointment.		Recommendation 2 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
117	Amendment	<p>Delete Section 117(1) and (2)</p> <p><del>117(1) — The municipal authorities from which the land is to be annexed must, on receipt of the notice under section 116, meet with the initiating municipal authority to discuss the proposals included in the notice and negotiate the proposals in good faith.</del></p> <p><del>(2) — If there are matters on which there is no agreement, the initiating municipal authority and the one or more municipal authorities from which the land is to be annexed must, during the negotiations, attempt to use mediation to resolve those matters.</del></p> <p>and substitute the following as Section 117(1):</p> <p><b>After completion of the study under Section 116(2), the parties shall meet and negotiate the proposals in good faith</b></p>		
117(2)	New Subsection	<p>Where negotiations are not concluded within 180 days of the notice having been given under Section 116, any party thereto may request the Minister to appoint a mediator under Section 570 of the Act, and the Minister shall, upon such request being made, make an appointment.</p>		<p>Recommendation 2 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper</p>
116 (2)	New Section	<p>delete Section 116(2) and substitute a subsection as follows:</p> <p>Any municipal authority served with a notice under Section 116(1) shall thereafter meet with the initiating party and proceed, in good faith, to participate in the preparation of a study to identify the reasons for, and the impacts and consequences of, the proposed annexation. Such study shall include proposals for public consultation and meeting with the owners of the land to be annexed, and keeping them informed.</p>		<p>Recommendation 4 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper</p>
120(1)	Amendment	<p>Delete Section 120 and substitute the following:</p> <p><b>120(1)</b> If the initiating municipal authority wishes the annexation to proceed and the Municipal Government Board is satisfied that the affected municipal authorities and the public are generally in agreement with the annexation, <b>and that the appropriate processes have been followed</b>, the Board must notify the Minister and all the local authorities that it considers would be affected by the annexation, and anyone else the Board considers should be notified, that <b>it has confirmed the successful application, and that its report confirming same should be submitted to the Lieutenant Governor in Council for the order to be issued.</b></p> <p><del>(a) — there appears to be general agreement with the proposed annexation, and</del></p>		<p>Recommendations 5 and 8 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper</p>

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
		<p><del>(b) unless objections to the annexation are filed with the Board by a specified date, the Board will make its recommendation to the Minister without holding a public hearing.</del></p>		
120(2)	New section	<p>In this section 'generally in agreement' means that all parties have come together in accord to support the annexation, notwithstanding that there may be specific detailed issues still to be resolved.</p>		<p>Recommendation 7 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper</p>
122 & 123	Amendment	<p>Delete the reference to Section 120(3) therein.</p> <p><b>Notice of hearing and costs</b></p> <p><b>122(1)</b> The Municipal Government Board must publish a notice of a hearing under section <del>120(3) or</del> 121 at least once a week for 2 consecutive weeks in a newspaper or other publication circulating in the affected area, the 2nd notice being not less than 6 days before the hearing.</p> <p><b>(2)</b> The Municipal Government Board may determine the costs of and incidental to a hearing and decide by whom and to whom the costs are to be paid.</p> <p><b>(3)</b> Section 502 applies to a decision of the Board relating to costs under this section.</p> <p><b>Board's report</b></p> <p><b>123</b> After one or more hearings under section <del>120(3) or</del> 121 have been held and after considering the reports and representations made to it and the principles, standards and criteria on annexation established under section 76, the Board must prepare a written report of its findings and recommendations and send it to the Minister.</p>		<p>Recommendation 9 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper</p>
124	Amendment	<p><b>Contents of report</b></p> <p><b>124(1)</b> A report by the Municipal Government Board to the Minister under this Division must set out</p> <p>(a) a recommendation on whether land should be annexed to the initiating municipal authority or other municipal authority; and</p> <p>(b) if it is recommending annexation, a description of the land, whether there should be revenue sharing and any terms, conditions and other things the Board considers necessary or desirable to implement the annexation.</p>		<p>Recommendation 9 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper</p>

Section	<i>Municipal Government Act</i>	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
		(2) <del>If the Board does not recommend that land be annexed in its report</del> , The Board must provide the report to all local authorities that it considers would be affected by the annexation.		
124.1	New Section	<b>The Minister shall provide to all local Authorities that he considers would be affected by the annexation, notice of his recommendation to the Lieutenant Governor in Council, together with all material which will accompany same and the timelines for the affected municipalities to make written submissions.</b>		
125	Amendment	<b>Annexation order</b> <b>125 (1)</b> The Lieutenant Governor in Council, after considering the report of the Board, and any written submissions of the affected municipalities received in response to a notice under Section 124.1, may by order annex land from a municipal authority to another municipal authority, <b>except that where the Board report is pursuant to Section 120 of the Act, the Lieutenant Governor in Council shall issue the order required to give effect to the agreement between the parties.</b>		Recommendations 5, 8 and 9 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper
126	Amendment	<b>126</b> Despite sections 116 to 125, the Lieutenant Governor in Council, on the recommendation of the Minister, may by order annex land to a municipal authority, <b>except if there exists a written agreement to the contrary between the affected municipalities.</b>		
501	Amendment	<b>Costs of proceedings</b> <b>501</b> The Board may determine the costs of and incidental to any hearing before it and decide by whom and to whom the costs are to be paid.  <b>In the case of an annexation hearing under Section 121 of the Act, the Board shall publish guidelines on when it will consider a cost-sharing decision and the principles which will guide the allocation to the various parties involved. The <u>Regulations Act</u> does not apply to such guidelines.</b>		Recommendation 10 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper

Section	<i>Municipal Government Act</i>	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
130	Amendment	<p><b>Dissolution study</b></p> <p><b>130(1)</b> The Minister must undertake a dissolution study before a municipality is dissolved.</p> <p>(2) The Minister <b>must</b> undertake a dissolution study in respect of a municipality if the Minister receives a request for the study from the council of the municipality.</p> <p>(3) The Minister may undertake a dissolution study in respect of a municipality if</p> <p>(a) the Minister receives a sufficient petition requesting the study from electors of the municipality numbering at least 30% of the municipality's population or, in the case of a summer village, a sufficient petition requesting the study from a majority of the electors of the summer village.</p> <p>(b) the municipality cannot balance its revenues with its required expenditures,</p> <p>(c) the municipality is no longer viable,</p> <p>(d) the municipality does not meet the applicable requirements in sections 78 to 82 or, in the case of a specialized municipality, the reasons for its formation as a specialized municipality no longer exist,</p> <p>(e) vacancies on a council cannot be filled, or</p> <p>(f) the dissolution will lead to more effective or efficient municipal operations.</p>		<p>Recommendations 13, 14, 15 and 16 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper</p>
130.1	New section	<p><b>With respect to requests for a study under Section 130(2) or Section 130(3)(a), the request shall also be accompanied by a written confirmation that the requesting parties have reviewed the Minister's information brochure on dissolution which shall be prepared by the Minister, made available to the public, and which shall describe the various alternatives available, and the process, and the consequences of dissolution.</b></p>		<p>Recommendation 12 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper</p>

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
131(1)	New Subsection	<p>Delete section 131:</p> <p><del>131—The Minister, before completing a dissolution study,</del></p> <p style="padding-left: 40px;"><del>(a) must contact all local authorities that the Minister considers would be affected by the dissolution of the municipality and invite them to comment on the proposed dissolution,</del></p> <p style="padding-left: 40px;"><del>(b) may conduct a public meeting, which if conducted must be advertised in accordance with section 606, to discuss the implications of the dissolution, and</del></p> <p style="padding-left: 40px;"><del>(c) must consider</del></p> <p style="padding-left: 80px;"><del>(i) the effect that the dissolution will have on all local authorities that the Minister considers would be affected by the dissolution, and</del></p> <p style="padding-left: 80px;"><del>(ii) the principles, standards and criteria on dissolution established under section 76.</del></p> <p>and substitute the following:</p> <p><b>“The Minister, before completing a dissolution study, may consider the reasons for the petition or resolution and discuss with the petitioners or the council whether or not there are other means of addressing the issues”.</b></p>		<p>Recommendation 13 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper</p>
131(2)	New subsection	<p>add a new subsection (2) commencing as follows:</p> <p><b>“If there is no resolution available pursuant to subsection (1), the Minister shall, before completing a dissolution study:”</b></p> <p style="padding-left: 40px;">(a) contact all local authorities that the Minister considers would be affected by the dissolution of the municipality and invite them to comment on the proposed dissolution,</p> <p style="padding-left: 40px;">(b) conduct a public meeting, which must be advertised in accordance with section 606, to discuss the implications of the dissolution, and</p>		<p>Recommendation 13 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper</p>

Section	<i>Municipal Government Act</i>	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
		<p>(c) consider</p> <p>(i) the effect that the dissolution will have on all local authorities that the Minister considers would be affected by the dissolution, and</p> <p>(ii) the principles, standards and criteria on dissolution established under section 76.</p>		
131	New subsection	<p>add a new subsection (iii) to subsection (c) as follows:</p> <p><b>cultural and community issues within the entire region.</b></p>		<p>Recommendation 15 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper</p>
131.1	New section	<p><b>Where requested by an affected party, the Minister shall consider requesting additional persons to assist Ministry staff in the dissolution study process.</b></p>		<p>Recommendation 16 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper</p>
132	Amendment	<p><b>Vote on dissolution</b></p> <p><b>132(1)</b> After completing a dissolution study, the Minister <del>may</del> shall hold a vote on the proposed dissolution.</p> <p><b>(2) <del>If the Minister holds a vote</del></b> The vote must be conducted in accordance with the <i>Local Authorities Election Act</i> as modified by directions given by the Minister.</p>		<p>Recommendation 14 in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper</p>
Ministerial Order L:077/71 – Section 1		<p>The words “Except as otherwise provided by the Minister” be deleted and the following words be added after “criteria” in line 2 thereof:</p> <p>“which shall only be amended or expanded after a full effective engagement process as detailed in the <i>Municipal Government Act</i> has been followed with the provincial municipal associations”.</p>		<p>Comments on MO L:077/71 found in: 2004. AUMA. Formation, Fundamental Changes and Dissolution Discussion Paper</p>
Ministerial Order L:077/71 – Section 2		<p>Add “annexations”</p>		
Ministerial Order L:077/71 – Section 4(b), 5, and 7		<p>Delete</p>		

**TABLE 4: MISCELLANEOUS PROPOSED CHANGES TO THE MGA**

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
3.1	New Section	<p>“To assist municipalities in fulfilling their municipal purposes, the following principles are acknowledged to apply to the municipal provincial relationship:</p> <ol style="list-style-type: none"> <li>1. Municipalities must have the fiscal capacity to fulfill their mandate through: <ul style="list-style-type: none"> <li>• primary access to the property tax base and</li> <li>• sustainable, predictable, long-term sources of revenue.</li> </ul> </li> <li>2. Each local municipality is responsible for the establishment of local standards of service to its property and people;</li> <li>3. Any new standards or requirements imposed by the provincial or federal orders of government must be fully funded by that order of government.”</li> </ol>	<p>AUMA uses its Guiding Principles regularly, and their addition to the MGA would highlight the progressive role given to municipal governments in the Province of Alberta and acknowledge the fiscal realities which are faced at the municipal level.</p>	<p>AUMA Guiding Principles</p>
7	Amendment	<p><b>7 A council may pass bylaws for <del>municipal purposes respecting the following matters</del> any municipal purpose, including the following matters:</b></p> <ol style="list-style-type: none"> <li>(a) the safety, health and welfare of people and the protection of people and property;</li> <li>(b) people, activities and things in, on or near a public place or place that is open to the public;</li> <li>(c) nuisances, including unsightly property;</li> <li>(d) transport and transportation systems;</li> <li>(e) businesses, business activities and persons engaged in business;</li> <li>(f) services provided by or on behalf of the municipality;</li> <li>(g) public utilities;</li> <li>(h) wild and domestic animals and activities in relation to them;</li> </ol>		

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
		<ul style="list-style-type: none"> <li data-bbox="621 289 1146 370">(i) the enforcement of bylaws made under this or any other enactment, including any or all of the following:               <ul style="list-style-type: none"> <li data-bbox="667 402 947 427">(i) the creation of offences;</li> <li data-bbox="667 459 1125 540">(ii) for each offence, imposing a fine not exceeding \$10 000 or imprisonment for not more than one year, or both;</li> <li data-bbox="667 573 1150 743">(iii) providing for the imposition of a penalty for an offence that is in addition to a fine or imprisonment so long as the penalty relates to a fee, cost, rate, toll or charge that is associated with the conduct that gives rise to the offence;</li> <li data-bbox="667 776 1150 914">(iv) providing that a specified penalty prescribed under section 44 of the <i>Provincial Offences Procedure Act</i> is reduced by a specified amount if the penalty is paid within a specified time;</li> <li data-bbox="667 946 1146 1003">(v) providing for imprisonment for not more than one year for non-payment of a fine or penalty;</li> <li data-bbox="667 1036 1150 1141">(vi) providing that a person who contravenes a bylaw may pay an amount established by bylaw and if the amount is paid, the person will not be prosecuted for the contravention;</li> <li data-bbox="667 1174 1087 1230">(vii) providing for inspections to determine if bylaws are being complied with;</li> <li data-bbox="667 1263 1056 1287">(viii) remedying contraventions of bylaws.</li> </ul> </li> </ul>		

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
22(3)	Amendment	<b>DELETE:</b>  <del>22(3) A bylaw closing a road made by the council of a municipality that is not a city has no effect unless it is approved by the Minister of Infrastructure before the bylaw receives second reading.</del>		Town of Hinton response to request for submissions to the AUMA MGA Review
61(2)	Amendment	A municipality may charge fees, tolls and charges for the use of its property, including property under the direction, control and management of the municipality, <b>and including with respect to any rights granted under Section 45 of this Act.</b>		AUMA Environment & Utilities Committee
224(2)(e)	New sub-section.	The petitioner's current contact phone number		RESN 2004.C.i.14
226(2)	New sub-section	The Chief Administrative Officer will have authority to examine the Affiant on petition witness affidavits, pursuant to the Alberta Rules of Court.		RESN 2004.C.iv.4
289(2)(a)	Amendment	Each assessment must reflect the characteristics and physical condition of the property on <del>December 31</del> October 31 of the year prior to the year in which a tax is imposed under Part 10 in respect of the property.		City Assessors of Alberta
297 (2)(a)	Amendment	<b>DELETE:</b>  <del>(2) A council may by bylaw  (a) divide class 1 into sub-classes on any basis it considers appropriate, and  (b) divide class 2 into the following sub-classes:  (i) — vacant non-residential;  (ii) — improved non-residential;  and if the council does so, the assessor may assign one or more sub-classes to a property.  And substitute with:  297(2) A council may by bylaw divide class 1 or class 2 into sub-classes on any basis it considers appropriate, and if the council does so, the assessor may assign one or more sub-classes to a property.</del>		Regional Municipality of Wood Buffalo

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
354 (3.1)	Repeal	<del>Despite subsection (3), the tax rate set for the class referred to in section 297(1)(d) to raise the revenue required under section 353(2)(a) must be equal to the tax rate set for the class referred to in section 297(1)(b) to raise revenue for that purpose.</del>		Regional Municipality of Wood Buffalo (submitted in 2005)
408(3)	New section under Division 7, Local Improvement Tax, Sewers	A municipality may construct a local improvement for water mains and appurtenances as per the same process described in S. 408(1) and S. 408(2) for sewers.		RESN 2004.C.ii.12
469.1	New Section	<del>There is no appeal from a decision of the Assessment Review Board</del>		Municipal Governance Committee Workshop (February 2005) and Town of Hinton Response to request for submissions to the MGA Review
470 488(1)(c) 491(1)(c) 499(1)(d) 500(3)	Amendment	<p><del>DELETE:</del></p> <p><del>470(1) The decision of an assessment review board may be appealed to the Municipal Government Board.</del></p> <p><del>(2) Any of the following may appeal the decision of an assessment review board:</del></p> <p><del>(a) an assessed person;</del></p> <p><del>(b) a taxpayer;</del></p> <p><del>(c) an assessor;</del></p> <p><del>(d) a municipality, if the decision being appealed relates</del></p> <p><del>to property that is within the boundaries of that municipality.</del></p> <p>*****</p> <p>488(1) The board has jurisdiction</p> <p>(a) to hear complaints about assessments for linear property,</p> <p>(b) to hear any appeal relating to the amount set by the Minister under Part 9 as the equalized assessment for a</p>		Municipal Governance Committee Workshop (February 2005) and Town of Hinton Response to request for submissions to the MGA Review

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
		<p>municipality,</p> <p><del>488(1)(e) to hear appeals from decisions of assessment review boards,</del></p> <p>*****</p> <p><b>491(1)</b> Any matter that is to be dealt with by a hearing before the Board must be in the form of a written statement and must be filed with the administrator within the following periods:</p> <p>(a) for a complaint about an assessment for linear property, not later than the date shown on the assessment notice;</p> <p>(b) for an appeal relating to the amount of an equalized assessment, not later than December 1 of the year in which the equalized assessment is prepared;</p> <p><del>491(1)(e) for an appeal from the decision of an assessment review board, not later than 30 days after the decision is sent to the complainant.</del></p> <p>*****</p> <p><b>499(1)</b> On concluding a hearing, the Board may make any of the following decisions:</p> <p>(a) dismiss a complaint or an appeal that was not made within the proper time;</p> <p>(b) make a change with respect to any matter referred to in section 492(1), if the hearing relates to a complaint about an assessment for linear property;</p> <p>(c) make a change to any equalized assessment, if the</p>		

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
		<p>hearing relates to an equalized assessment;</p> <p><del>(d) make any decision that the assessment review board could have made, if the hearing relates to the decision of an assessment review board;</del></p> <p>(e) decide that no change to an equalized assessment or an assessment or tax roll is required.</p> <p><b>DELETE:</b></p> <p><del>500 (3) If the hearing relates to the decision of an assessment review board, the Board must make its decision within 150 days after receiving the written statement under section 401(1).</del></p>		
527.3	New Section	<p><b>A municipality is only liable for an injury to a person or damage to property caused by the municipality responding in good faith to emergencies or providing services to its region such as water or recreational opportunities if the municipality is grossly negligent.</b></p>		2002 AUMA Resolution B3: Municipal Risk Management Processes in Alberta
534	Repeal	<p><b>Public works affecting adjacent land</b></p> <p><del>534(1) A person having an interest in land that is adjacent to land on which a municipality has constructed or erected a public work or structure is entitled to compensation from the municipality for loss of or the permanent lessening of use of that person's land caused by the public work or structure.</del></p> <p><del>(2) As soon as possible after the construction or erection of the public work or structure is completed, the municipality must publish a notice in a newspaper circulated in the municipality that</del></p> <p><del>(a) identifies the public work or structure,</del></p>		2005 Submission to AUMA from the City of Edmonton

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
		<p><del>(b) gives the date of completion, and</del></p> <p><del>(e) states that claims for compensation under this section must be received within 60 days after the notice is published.</del></p> <p><del>(3) A person is entitled to compensation under this section only if the person files with the municipality a claim within 60 days after notice of the completion of the public work or structure has been published in the newspaper.</del></p> <p><del>(4) The claim must state the amount claimed and the particulars of the claim.</del></p> <p><del>(5) The amount payable as compensation under this section may not exceed the amount of the difference between</del></p> <p><del>(a) the appraised value of the claimant's land prior to the construction or erection of the public work or structure, and</del></p> <p><del>(b) the appraised value of the claimant's land after the construction or erection of the public work or structure, together with an amount of not more than 10% of the amount of the difference.</del></p> <p><del>(6) If the municipality and the claimant are not able to agree on the amount of compensation, the amount of the compensation must be determined by the Land Compensation Board.</del></p> <p><del>(7) No compensation is payable for the loss of or the permanent lessening of use of land caused by</del></p> <p><del>(a) the construction of boulevards or placement of dividers down the centre of a road for the purpose</del></p>		

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
		<p><del>of channelling traffic, or</del></p> <p><del>(b) the restriction of traffic to one direction only on any road.</del></p> <p><del>(8) No action or claim based on the loss of or a permanent lessening of use of land because of the construction or erection of a public work or structure by a municipality may be made except under this section.</del></p>		
553 (1)	amendment	Add "unpaid development levy charges" to the list of amounts that can be added to the tax roll of a parcel of land.		Town of Cochrane Submission through AUMA Standing Committee on Municipal Governance and the AUMA Board of Directors (2005)
648 (2)(e)	New Subsection (e)	<p><b>648 (2)</b> An off-site levy may be used only to pay for all or part of the capital cost of any or all of the following:</p> <p>(a) new or expanded facilities for the storage, transmission, treatment or supplying of water;</p> <p>(b) new or expanded facilities for the treatment, movement or disposal of sanitary sewage;</p> <p>(c) new or expanded storm sewer drainage facilities;</p> <p>(c.1) new or expanded roads required for or impacted by a subdivision or development;</p> <p>(d) land required for or in connection with any facilities described in clauses (a) to (c.1).</p> <p><b>(e) new or expanded recreation facilities.</b></p>		Strathcona County response to request for submissions to the MGA Review
664.1	New section	<b>A council may by bylaw create Environmental Reserves, based on the proposed reserve area's environmental significance and role in ecosystem processes.</b>		RESN 2004.C.ii.2

### Table 5: Moving Sections of the MGA to Regulation

PREAMBLE: THESE PROPOSALS ARE ONLY TO BE ENACTED IF THE AMENDMENT IMPACT REPORT (AIR) PROCESS, as outlined in Table 1 of the AUMA MGA Review Document, IS ENshrined IN LEGISLATION

Section	Municipal Government Act	Change(s) supported by AUMA	AUMA Comment	Cross Reference
59(2)(a)-(c) and (3)	Remove	These sections are to be considered for removal from the MGA to Regulation or other	AUMA supports the removal of these sections of the MGA, only at the time when the Amendment Impact Report (AIR) process is enshrined in legislation.	"MGA Structural Review – proposed regulations" led by Alberta Municipal Affairs (2003)
62(2)(a)(b) and (3)				
63(2)				
64(2) to (4)				
69(2) and (3)				
78				
80				
81				
82				
83				
84				
103(2) to (4)				
104				
105				
106				
112.1				
116(2)				
117				
118				
119				

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Section	Municipal Government Act	Change(s) supported by AUMA	AUMA Comment	Cross Reference
122(1), (2) and (3)				
123				
124				
188 (2) to (5)				
208				
223				
224				
225				
243(1) and (2)				
246				
250(1) (2) (a) to (e), (3) (5)				
253				
256				
257				
258				
259				
260				
261				
262				
263				
264(1)(a) to (c) and (2) and (3)				
265(2)				

Section	Municipal Government Act	Change(s) supported by AUMA	AUMA Comment	Cross Reference
266(2)				
272				
276(2)(a) and (3)				
278				
279 (a) and (b)				
289(2) to (4)				
290				
290(1)				
290.1				
290.2				
291(2)				
303(a) to (i)				
305(4)				
308(3)				
309 (1) (c) (d)				
310(2)				
313(2)				
315(2)				
316(2)				
326(b)				
329(a) to (h)				
330(4)				
333(2) to (4)				

Section	Municipal Government Act	Change(s) supported by AUMA	AUMA Comment	Cross Reference
334 (1)(d)(e)				
335(2)(a)				
340(2)(3)				
342				
343				
344(2)(3)				
345(2)(3)				
350(a) and (b)				
354(1) to (3.1)				
355				
356				
357 (1) and (2)				
358				
359.1(3), (4), (7)(a), (c), (8)				
359.2(3), (4), (7), (8)				
360(2) to (4.2)				
361				
362(1)				
363(1)				
365				
368(1)(a) and (b)				
368(2) (a) and (b)				
369(4) to (7)				

Section	<i>Municipal Government Act</i>	Change(s) supported by AUMA	AUMA Comment	Cross Reference
371(2)				
372(2)				
373(2)				
374(1)(a) to (d), (2)(c) and (d), and 3				
374.1				
375(a) to (d)				
376				
377(2) to (5)				
378				
379(2) to (8)				
382(1)(a) to (l)				
384				
385				
386				
392				
395(1)(a) to 2(e)				
396(2), (3) and (3.1)				
398				
399				
402(1)(a)(b) and (2)				
403(1)(a)(b) and (2)				
404				

Section	<i>Municipal Government Act</i>	Change(s) supported by AUMA	AUMA Comment	Cross Reference
406(1)				
407(1)(a)(b), (2) and (3)				
410(a), (b), (c), (d) and (f)				
412				
413				
414				
415				
416(1) to (2.3) and (3)				
417				
418				
419				
420(2) and (1)				
421(a)(a) and (b) and (2) to (4) +(1)				
422				
423(1)(a) to (g) and (2) + (1) and (3)				
424(2), (3) (a) to (g) and (4) +(1) and (3)				
425.1				
426				
427				
428				
428.1				
428.2(1), (2) and (4)				

Section	<i>Municipal Government Act</i>	Change(s) supported by AUMA	AUMA Comment	Cross Reference
428.2 (3) and (4)				
429(1) and (2)				
429.1				
430				
431				
432				
433				
434				
434.1				
436.01				
436.03(1) to (5)				
436.04				
436.05				
436.06				
436.07(1) to (3) +4				
436.08				
436.09				
436.1				
436.11(1) and (2)				
436.12(1), (20, and (3)				
436.13				
436.14(1) to (5)				
436.15				

Section	Municipal Government Act	Change(s) supported by AUMA	AUMA Comment	Cross Reference
436.16				
436.17				
436.18				
436.19				
436.2(1) to (3)				
436.21 (1), (2)				
436.22				
436.24(1)				
437 (except c and d)				
439				
440.1(1) to (5) and (6)				
441				
442				
443				
444(1) and (2) + (3)				
445				
446				
447				
448				
449				
450				
454 (2) to (3)				
455				

Section	<i>Municipal Government Act</i>	Change(s) supported by AUMA	AUMA Comment	Cross Reference
457				
458				
459				
460(2), (5), (7) and (10)				
462				
468(a), (b)				
469				
471(2)				
481				
482				
483				
486(2), (3), (4)				
487				
488(3)				
489				
490				
491(2)				
492(1)(a) to (g)				
493(2)				
494				
500(2)(3)				

Section	Municipal Government Act	Change(s) supported by AUMA	AUMA Comment	Cross Reference
502				
503				
505				
507(2)				
523				
524				
525				
526				
534(2)(a) to (c)				
571(3), (4)				
572(a)(i) and (ii), (4) and (5)				
602.02(2) (3)				
602.2 (1) (2)				
602.23				
602.35 (3) and (4)				
606(2) to (8)				
612(1), (2)				
619(6)(a)(b)				
623(2)				
624(2)				
626(3)				
627 (3) and (4)				
628				

Section	Municipal Government Act	Change(s) supported by AUMA	AUMA Comment	Cross Reference
629(a) and (b)				
630				
631(2)				
632(3)				
633(2)				
634(a)(i) to (vi)				
635				
640(2) to (6)				
653(3) to (5)				
655(1) (a) and (b)				
657(1)(a) to (c) and (2) to (6)				
648(2)(a) to (d)				
650(1)(a) to (f)				
662(2) (3)				
663(a) – (d)				
664(1) (a) to (c), (2), (3), (4)				
665 (2) (a) – (f)				
666(1) (a) to (d), (2) – (4)				
667 (1) (a) (b)				
668				
669(3) to (7)				
670(1)(a) (b), (2) to (4)				
678(4)				

Section	Municipal Government Act	Change(s) supported by AUMA	AUMA Comment	Cross Reference
679(1)(a) to (f) and (2) and (4) 686(3) to (5) 687(2) 690(1)(a)(b) 691(1)(a), (b) 691(2) 692(4)(a) to (c), (5) and (7)				

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**Table 6: Removal of Sections Pertaining to the Education Requisition on the Property Tax**

Section	Municipal Government Act	Change(s) proposed by AUMA	AUMA Comment	Cross Reference
326(a) (ii) (iii) 359.1 359.2	Repeal	Removal of all reference to the Education Property Tax Requisition on or before January 1, 2010, with consequential amendments to the <i>School Act</i>		AUMA Guiding Principle #1 AUMA RESN 2004.C.ii.6

**AUMA POLICY PAPER 2005.2**

**AUMA BOARD OF DIRECTORS  
ESTABLISHING EDUCATION AND TRAINING OPPORTUNITIES FOR  
MUNICIPAL ELECTED OFFICIALS**

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**WHEREAS** the Alberta Urban Municipalities Association (AUMA) is an association representing Alberta's urban municipal governments and their elected officials; and

**WHEREAS** AUMA's 2005-2007 Business Plan includes the goal of empowering municipalities by providing information, education, and training for officials and organizations to build local advocacy capacity; and

**WHEREAS** AUMA has assessed the education/training opportunities available for municipal elected officials in Alberta, and has identified gaps that must be filled to achieve the goal of empowering municipalities through information, education and training; and

**WHEREAS** an implementation plan for offering training/education opportunities for municipal elected officials has been developed;

**NOW THEREFORE BE IT RESOLVED THAT** the attached document: "Support for Effective Governance" be adopted to guide the implementation of a new education/training service offering of AMSC.

**AUMA**

**Support for Effective Governance**

***Needs and Standards***

**May 2005**

# 1 Background and Context

- Under its new governance framework, AUMA has created separate governance structures for advocacy and service delivery. The AUMA Board is responsible for advocacy. The AMSC Board is responsible for service delivery.
- To date, the initiative to develop and implement training and support services for elected officials has been handled by the AUMA Board through its Municipal Governance Committee.
- The next phase for this initiative is design of service delivery details and implementation (things like contracting with service providers, development of detailed pricing strategies and priority setting and sequencing) as outlined in the way-ahead plan presented in May 2005. These activities are the mandate of AMSC.
- In order to ensure continuity of objectives and clarity of intent during this transition implementation by AMSC is best guided by a statement of anticipated outcomes or standards. This document contains that statement.

## 2 Anticipated Outcomes and Standards -- Learning

### *2.1 Basic Knowledge*

Participants should obtain the technical and procedural knowledge needed to:

- Understand the basic operations and realities of service delivery through a municipal government by enhancing their knowledge of:
  - Law, in particular the Municipal Government Act
  - Finance
  - Land use planning and development
  - Conceptual and operational realities of key services
    - Recreation
    - Emergency services
    - Economic development
    - Infrastructure management
  - Communication, consultation and media relations skills and strategies
  - Performance management
  - Political – staff relations
  - Strategy development and implementation

- Effective leadership
  - Effective change management
  - Conflict management and resolution
  - Regional service delivery – development, implementation and management
- Develop and lead implementation of effective regional service delivery strategies.

## ***2.2 Issue and Context Knowledge***

Participants should obtain the knowledge needed to understand the strategic and general technical realities of current issues and challenges facing municipal government, in order to participate constructively in the development of effective governance responses. The current list of issues should be addressed includes at least the following.

- Water quality
- FOIPPA
- Emergency services
- E – government
- E – financial systems
- Land use and management
- Municipal – first nations relations
- Urban - aboriginal strategies and structures

## ***2.3 Governance Skills***

Participants should obtain the knowledge and skills needed to;

- work efficiently and effectively in the multi-party decision-making environment of a municipal council;
- interface effectively with administration during the governance life cycle;
- develop and oversee implementation of creative sustainable services that meet the needs of local and regional citizens;
- measure and assess the results of decisions and take action in response to the results of performance assessment; and
- understand and work effectively using accepted meeting practices.

## ***2.4 Specific Situation Support***

Participants should be given the opportunity to learn by accessing the knowledge and experience of peers and advisors in the context of making governance decisions in the 'real world' environment of their local situations and circumstances.

## **3 Anticipated Outcomes and Standards – Service**

- Service delivery should commence in Fall 2005, as outlined in the way-ahead plan of May 2005.
- “Customized” events designed to meet the needs of specific councils or regions should be part of the initial service offering.
- Overall pricing strategy should align with the results of the survey conducted during the Fall 2004 convention.

**AUMA BOARD OF DIRECTORS  
BUILDING RELATIONSHIPS: THE FINAL REPORT OF THE  
AAMD&C-AUMA ADVISORY COMMITTEE ON ABORIGINAL ISSUES**

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**WHEREAS** Alberta's urban municipal governments recognize the importance and value of Aboriginal and First Nations peoples living within and adjacent to municipal boundaries; and

**WHEREAS** the importance and value of building positive relationships with Aboriginal and First Nations communities is also recognized; and

**WHEREAS** social and economic benefits for all Albertans can be realized through the development and enhancement of relations between municipal governments and Aboriginal peoples/First Nations communities;

**NOW THEREFORE BE IT RESOLVED THAT** the AUMA General Assembly endorse the recommendations from the Final Report of the AAMD&C/AUMA Advisory Committee on Aboriginal Issues:

1. That the AUMA and AAMD&C pursue appropriate arrangements with the Province of Alberta to ensure greater municipal involvement in Aboriginal issues that may affect them.
2. That the municipal associations (AAMD&C, AUMA and FCM) be informed about and consulted on federal and provincial Aboriginal policies and legislation.
3. That as appropriate, the Boards of Directors of the AUMA and AAMD&C organize membership education sessions on Aboriginal/First Nations issues at their respective conventions, and further that a resource package be assembled for the membership.
4. That Alberta Aboriginal Affairs and Northern Development and Alberta Municipal Affairs be asked to assemble and maintain a list of resource people in the field of Aboriginal relations.
5. That the AAMD&C and AUMA continue the work of the present advisory committee by establishing a smaller implementation committee, with the goal of developing strategies and resource materials to help municipalities and Aboriginal/First Nations communities develop more effective working relationships and partnerships around common interests, in cooperation with the Province of Alberta and representatives of Aboriginal communities.

**Building Relationships:**

**The Final Report of the  
AAMD&C-AUMA Advisory Committee  
on Aboriginal Issues**

April 15, 2005



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## Executive Summary

The work of the AAMD&C-AUMA Advisory Committee on Aboriginal Issues is summarized in *Building Relationships*. The Committee was established in 2001, and has met regularly since that time. The Committee was mandated to examine municipal-First Nations relations and related provincial and federal policy, and following that, to make recommendations for strengthening municipal-First Nations relationships and address municipal concerns with related provincial and federal policy.

The Report concludes that discussion and consultation between municipalities, First Nations, the Province of Alberta and the federal government are essential to effective local governance. The role of municipalities in the development of policy and legislation impacting Aboriginal peoples and local governments must be strengthened.

Both municipalities and Aboriginal communities have a shared interest in improving the well-being of Aboriginal people living in urban and rural municipalities. The two provincial municipal associations in Alberta – the AAMD&C and the AUMA – wish to work towards better relationships between all parties by facilitating the transfer of knowledge about First Nations and Aboriginal communities to municipal councillors and staff. There are many opportunities for municipal governments and First Nations to share technical expertise, services and political support on important local/regional initiatives.

The Report makes the following recommendations:

- That the AAMD&C and AUMA pursue appropriate arrangements with the Province of Alberta to ensure greater municipal involvement in Aboriginal/First Nations issues that may affect them.
- That the municipal associations (AAMD&C, AUMA and FCM) be involved in developing federal and provincial Aboriginal policies and legislation.
- That as appropriate, the Boards of Directors of the AAMD&C and AUMA organize membership education sessions on Aboriginal issues at their respective conventions, and further that a resource package be assembled for the membership.
- That Alberta Aboriginal Affairs and Northern Development and Alberta Municipal Affairs be asked to assemble and maintain a list of resource people in the field of Aboriginal relations.
- That the AAMD&C and AUMA continue the work of the present advisory committee by establishing a smaller implementation committee, with the goal of developing strategies and resource materials to help municipalities and Aboriginal communities develop more effective working relationships and partnerships around common interests, in cooperation with the Province of Alberta and representatives of Aboriginal communities.

Appendix A to the Report includes nine possible areas of agreement that would serve as the basis for further discussion between the Committee and Alberta Aboriginal Affairs and Northern Development and Alberta Municipal Affairs.

## **Introduction**

The AAMD&C Advisory Committee on Aboriginal Issues was established by the AAMD&C Board of Directors on May 31, 2001, in response to AAMD&C Resolution 1-01S, endorsed by delegates to the association's 2001 Convention (see Appendix D). In accordance with the resolution, membership included representatives of AAMD&C member municipalities and the AUMA.

According to the Advisory Committee's terms of reference (see Appendix C), the mandate of the Committee comprised

- Identifying aspects of municipal-First Nations-Aboriginal relations which are potential causes of concern to local municipal governments;
- Identifying any aspects of federal and/or provincial First Nations-Aboriginal policy which may affect local municipal governments;
- Identifying recommendations for strengthening municipal-First Nations-Aboriginal relationships;
- Identifying recommendations for enhancing federal and/or provincial First Nations-Aboriginal policy, to address municipal concerns;
- Producing a report outlining the Committee's findings and recommendations; and
- Meeting with representatives of First Nations-Aboriginal communities to explore issues of mutual concern.

This report represents the findings of the Advisory Committee, building on the conclusions and recommendations of the AAMD&C Advisory Committee Draft Summary Report presented to the AAMD&C Board of Directors in March 2002.

It should be noted that following the acceptance by the AUMA Board of Directors in July 2004 of the revised terms of reference, the AUMA became a full member of what was renamed the AAMD&C-AUMA Advisory Committee on Aboriginal Issues.

### ***THE WORK OF THE COMMITTEE***

The Committee met on 14 occasions from August 2001 through the spring of 2005, discussing such issues as the historical context of relations between the federal and Alberta governments and First Nations as they relate to municipalities, current trends in that relationship, a possible consultation agreement between municipalities and the Province, legislation to protect access to resource developments on Crown lands and local developments with respect to municipal-First Nations relations.

#### **A. The historical context and current trends**

Lorne Ternes from Tamera Services Ltd. reported to the Committee on Aboriginal land use issues in Alberta. Under Section 91(24) of the Constitution Act, 1867, the federal

government has jurisdiction over “Indians and lands reserved for the Indians”. The federal Indian Act makes provisions for band councils as elected government bodies. The Indian Act gives band councils certain powers, while the First Nation Land Management Act delegates even more powers and authority to some bands, e.g. the Siksika Nation. Provincial laws which are land-related do not apply to Indian reserves, although provincial laws of general application do apply unless displaced by federal or Indian law.

The Government of Alberta has set aside eight Metis Settlements and, under the Metis Settlements Act established Metis Settlements Councils which exercise powers, including certain authority over land use.

Mr. Ternes told the Committee that the Constitution Act, 1982 entrenched existing and future Aboriginal and treaty rights and made them enforceable. These rights are largely undefined and are being defined through court decisions and negotiations.

The 1996 Royal Commission on Aboriginal Peoples said that self-government is an inherent right and suggested that First Nations are a distinct order of government. However, there is no established mechanism to resolve land use conflicts, and therefore all agreements must be negotiated on a case-by-case basis.

Mr. Ternes also said that land belonging to Indian reserves is exempt from municipal property taxes; municipal bylaws, permits and licences may be quashed if they infringe on treaty or Aboriginal rights.

Ken Boutillier, assistant deputy minister with Alberta Aboriginal Affairs and Northern Development (AAND), presented an overview of the legal and political implications of Aboriginal history in Canada and the Alberta Aboriginal Policy Framework, adopted by the Province and released to the public in September 2000. He said the Aboriginal Policy Framework commits the Province to working with Aboriginal organizations and communities, municipal governments, industry and other parties to realize the goals of well-being and self-reliance on the part of Aboriginal people. The Province is further committed to developing partnerships with Aboriginal organizations, and where appropriate, with the federal and municipal governments to address social and economic issues facing Aboriginal people who live off reserve or off Metis Settlements in urban and rural municipalities. Finally, under the Framework the Province has agreed to adopt an effective consultation process with Aboriginal people regarding resource and economic development.

Mr. Boutillier also told the Committee that the relationship between First Nations and the Province and municipalities is changing. First Nation councils are exercising greater political and economic influence regarding a range of issues outside the reserves. This has resulted in greater interaction between the Province and First Nations. The interest of First Nations in off-reserve issues such as regional economic development and employment opportunities, and the provision of social and other services to former residents of reserves, has increased significantly.

Mr. Boutillier said the Province is involved in treaty land entitlement claims because of its obligation to the federal government under the Natural Resources Transfer Agreement. His department has been settling about one treaty land entitlement claim a year and is currently working on several such claims. Specific claims, which related to the improper surrender or management of Indian lands or mismanagement of Indian monies, are a responsibility of the federal government and the Province is usually not directly involved.

As the economic capacity and political influence of First Nations communities has increased in recent years, Mr. Boutillier said the leadership of First Nations is generally more committed to improving better relationships with other parties, in line with a new focus on looking off reserve for economic opportunities. This has led to greater contact with municipalities, and underlines a general need to improve municipal-First Nations relationships.

Mr. Boutillier also pointed out that population growth among Aboriginal peoples in Alberta is higher than the general population and that young people make up a higher proportion of the Aboriginal population than is the case with other Albertans. The cities of Edmonton and Calgary have the highest numbers of Aboriginal people, and frequent movement of First Nations people between urban centres and reserves, because of differing federal and provincial responsibilities, creates issues in the delivery of health, education and other services.

The Honourable Pearl Calahasen, Minister of Aboriginal Affairs and Northern Development, provided the Committee with an update on the Province's draft First Nations Consultation Policy. Minister Calahasen said the courts have been the final arbitration mechanism for issues involving treaty and other Aboriginal rights since the adoption of the Canadian constitution in 1982. According to recent court decisions, First Nations must be consulted with respect to resource developments which impact them and their rights. However, those municipalities who are impacted by land claims must also be at the table, together with other affected stakeholders.

Minister Calahasen said the draft consultation policy between the Province and First Nations deals only with resource development and land management. The policy will be a living document that will change as circumstances change; each department will develop its own detailed guidelines and some of them may require regulatory changes in the future.

After receiving comments from First Nations and industry, and the presenting the draft policy to the Advisory Committee, the Minister said the draft consultation policy would be submitted to cabinet for final approval. She said the Advisory Committee is a good idea, and requested that Mr. Boutillier continue to work with the Committee and make her aware of its recommendations.

The Committee echoed the Minister's statement about municipal participation by emphasizing that municipalities want to be involved when their interests are affected.

A question was raised as to the practical impact of implementing the consultation policy.

Mr. Boutillier responded that over the long run, a change will occur in the way the Province does business with First Nations. In brief, the policy will make the Province more sensitive to consultation. Having said that, provincial consultation with First Nations does not give them a veto in situations where they perceive their traditional rights to be affected. First Nations bring forward their concerns about how traditional rights will be impacted, and government determines how these impacts can be mitigated.

Brian McGuigan, executive coordinator of Aboriginal consultation with AAND, told the Committee that both the provincial cabinet and industry want a more organized consultation approach with a stable set of rules. The department has met with First Nations, tribal councils and industry and will recommend a consultation policy based on a trilateral approach setting out the roles of the Province, First Nations and industry. A key to making this work is greater cross-cultural awareness and training to improve understanding of the other parties' requirements.

Chris Wilson, assistant negotiator for specific claims with Indian and Northern Affairs of Canada (INAC), also made a presentation to the Committee. He said that all Indian reserves own their surface and sub-surface rights, and consultation for some off-reserve resource development is now occurring. Mr. Wilson explained that during land claim negotiations INAC provides funds for legal costs but not for lawsuits.

Based on the information provided by various presenters, the Committee identified the following specific issues:

- In settling specific claims, the federal government has provided funds to First Nations to purchase fee simple lands with few restrictions as to which land can be added to Indian reserves.
- The transfer of assessable assets from municipal jurisdiction to an Indian reserve can have an adverse impact on the property tax base of affected municipalities.
- There is no mechanism in place to require First Nations to negotiate for the provision of ambulance, waste management and road maintenance services, among others.
- The Province of Alberta has entered into memoranda of understanding with First Nations on timber allocations and other resource developments, without the consent of or input from affected municipalities.
- By contrast, the Province of British Columbia has involved municipalities in treaty negotiations by inviting them to join Treaty Advisory Committees.
- The number of Aboriginal peoples living off reserve, often referred to as "urban Aboriginal peoples," is increasing. This trend poses challenges for urban municipalities as they proceed with social and physical infrastructure planning. As populations of Aboriginal peoples living in urban municipalities continue to grow, additional resources will be required for a number of services such as social, housing, fire and ambulance and policing.

Further to the issue of urban Aboriginal peoples, the Calgary Health Authority has stated that more Aboriginal peoples live within its urban region than are currently living on reserve. The regions of both Edmonton and Calgary have urban Aboriginal populations of about

50,000 people, and the City of Edmonton has the second largest urban Aboriginal population in Canada. Numbers of Aboriginal peoples living off reserve are expected to increase as migration to urban areas continues. This demographic reality poses challenges to urban municipal governments as they strive to coordinate and provide services (e.g. in employment, training, resource centres operated by municipal governments, social services, policing and community safety, ambulance and fire services and housing) that are culturally appropriate for Aboriginal citizens.

The Committee heard that urban municipal governments view improved municipal-Aboriginal relations as a positive and necessary action. Urban municipalities in Alberta recognize the need to increase communications and coordinate policies and programs aimed at the urban Aboriginal population as a priority in providing the highest levels of service to all urban citizens.

## **B. Local developments with respect to municipal-First Nation relations**

Consistent with the Committee's goal of improving the level of consultation with First Nations and the provincial and federal governments on issues, Committee members provided a number of examples of specific challenges facing municipalities with respect to First Nations in their area:

- Potential loss of revenue through acquisition of Crown and fee simple lands by First Nations;
- First Nations may not recognize municipal governments as an order of government, and consultations/negotiations may be difficult;
- A number of ongoing lawsuits requiring lengthy judicial proceedings, and the increased conflict and mistrust that arises following such litigious processes;
- Adverse economic impacts to municipalities due to road blockades; and
- The long-term reality of increasing numbers of Aboriginal peoples living in urban municipalities, and the development of coordinated government (federal, provincial and municipal) programs to facilitate the challenges arising from demographic changes.

However, Committee members also identified a number of instances in which cooperation between municipal governments and First Nations was occurring:

- Joint meetings between agricultural service boards (ASBs) of municipalities and First Nations;
- Consultation between the two parties regarding social services and a facility to provide those services;
- Provision of municipal water and sewer services to reserves located within municipalities and the provision of natural gas through the local natural gas co-op;
- Joint ambulance services;
- Negotiations towards shared fire protection services;
- Negotiations regarding regional waste management; and
- Municipal programs targeted at the urban Aboriginal population, to improve relationships between urban municipal governments and Aboriginal citizens, and to

ensure municipal services are culturally appropriate (e.g. the Edmonton Urban Aboriginal Affairs Committee and Edmonton Urban Aboriginal Accord Initiative, and the Calgary Urban Aboriginal Affairs Committee and Calgary Urban Aboriginal Initiative).

The Committee agreed that too many municipalities are uninformed about land claims and additions to reserves, resource and economic development projects, provincial and industry agreements with First Nations addressing these projects, and other issues involving First Nations and Aboriginal people that affect them. In addition, while many urban municipal governments have recognized growing Aboriginal populations as positive in terms of economic development, and a cultural diversity to be celebrated, they also recognize the importance of developing strategies and programs to maximize the urban living experience for urban Aboriginal peoples and all citizens. Committee members emphasized that improving the level and quality of communication – following a process of learning about the perspective of Aboriginal-First Nations people in general and with regard to specific issues at hand – was key to a better relationship and information flow.

The Committee also considered some ongoing initiatives to document examples of cooperation between Aboriginal communities and municipalities in Canada. The Federation of Canadian Municipalities (FCM) has partnered with INAC on two projects in the past few years. First was a study of joint economic development initiatives by First Nations and municipalities adjacent to them. Second, and more recently, is the Land Management Project, including a “tool kit”, which will include model agreements and best practices for use by First Nations and municipal governments. Committee members noted that FCM has had good results assisting municipalities with land claims and other negotiations. The Committee agreed to work with INAC through FCM and its Land Management Project to include municipalities as negotiation partners in a guideline manual for reserve additions being developed by the department.

Rick McDonald and Lorne Ternes from Tamera Services Ltd. discussed the Local Government-First Nations Government Project led by Alberta Municipal Affairs (MA) in cooperation with British Columbia’s Ministry of Community, Aboriginal and Women’s Services and Manitoba Intergovernmental Affairs. Among the recommendations contained in the Project report were proposed initiatives to provide positive examples of Aboriginal-local government relations across Canada and develop a library of sample agreements. It was later reported that neither initiative had been implemented. The Committee agreed that this underlines the continuing need to develop an Alberta-specific municipal “tool kit” to assist municipal governments in working effectively with adjacent First Nations communities, and with Aboriginal peoples living within municipal boundaries.

### C. A proposed municipal-provincial consultation agreement

Based on the concerns outlined above, a draft memorandum of understanding (MOU) between the two municipal associations and the Province was developed during the course

of meetings held between August 2001 and February 2002, and was included in the draft summary report presented to the AAMD&C board in March of that year. The MOU was “intended to ensure that all matters pertaining to Aboriginals that may affect local government are negotiated with the knowledge and input of the affected municipality and their respective association(s)”.

The draft agreement envisaged a commitment by the Province to ensure that both the affected municipality and the respective Associations would be represented during discussions or negotiations and consulted in any Aboriginal matter that may potentially affect a municipality, including but not limited to

- First Nation treaty land entitlements
- Memoranda of understanding
- Protocols
- Other agreements involving land and renewable and non-renewable resources.

The draft MOU also stated that the Province and the Associations would develop a protocol to implement the agreement.

During 2004, the Committee adopted, in principle, as a basis for further discussion a document entitled “Possible Areas of Agreement” (see Appendix A). One factor in this decision was a desire to also encompass issues of mutual concern to urban municipalities and Aboriginal peoples living within their boundaries.

#### **D. *The Public Lands Amendment Act, 2003***

*The Public Lands Amendment Act, 2003* (formerly known as Bill 49) received third reading in the Alberta Legislature on December 3, 2003, and royal assent the following day. The legislation is intended to allow the Province to deal swiftly and effectively with instances in which access to public lands along industrial roads has been blocked.<sup>1</sup> The Act would appear to be the major response of the Government of Alberta to concerns similar to those expressed in AAMD&C Resolution 1-03S, which was endorsed at the association’s spring 2003 convention (see Appendix D).

Bruce Mayer of the consultation unit with Alberta Sustainable Resource Development (SRD) told the Committee that his department views the Act as a more expedient tool to deal with problems regarding the improper use of Crown land. He emphasized that Bill 49

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<sup>1</sup> In moving second reading of the *Public Lands Amendment Act, 2003* on November 20, 2003, Mr. Denis Ducharme, MLA for Bonnyville-Cold Lake, said “we need to have it clearly stated in legislation that it is unlawful for people to travel on a closed road or to place barriers that impede lawful use of a road”. He also stated that police authority to remove a person if they refuse to leave a closed-off area must be clarified, and a need existed to take swifter action to “safely and legally control access on public land”. Describing the situation that pertained prior to the enactment of the amendments, Mr. Ducharme said that when people illegally placed a barricade on public land the Province’s only recourse was through a ministerial order, which he described as a “very long and arduous process”.

applies to any group, not only First Nations, that puts up road blockades and impedes economic development.

Committee members agreed that the bill is a step in the right direction, but noted that municipalities were not consulted in its development. The Committee also noted that other Crown land dispositions, such as miscellaneous leases (MLL) and pipelines are not included in Bill 49; further, the Committee agreed that law enforcement powers should be increased to facilitate more effective action with respect to blockades. These concerns were forwarded in a letter dated February 9, 2004 from Committee Chairman Ben Boettcher to the Honourable Mike Cardinal, Minister of Sustainable Resource Development.

## **CONCLUSIONS**

Based on information presented at meetings of the Advisory Committee and discussions held by Committee members, the Committee has reached the following conclusions:

Municipalities are adversely affected when they are excluded from consultations between the federal and/or provincial governments and Aboriginal communities on issues that impact municipal governments. These issues include resource development, economic development, environmental protection, education and training, health services, public safety and human resources, among others.

Alberta municipalities have a strong interest in ongoing dialogue with representatives of Aboriginal communities, the Province and the federal government to keep informed on issues that may affect municipal governments.

As a means of facilitating dialogue and better representing municipal interests, the two Associations have a strong interest in improving knowledge and understanding of Aboriginal concerns among municipal councillors and staff.

With a few notable exceptions, the amount and quality of communication between Alberta municipalities and local Aboriginal communities and regional and province-wide Aboriginal organizations is inadequate.

Municipalities and First Nations/Aboriginal people can provide each other with concrete benefits, and this can serve as a basis for increased communication. As First Nations continue to move towards self-government, municipalities may offer shared services, technical expertise and political support to Aboriginal communities. Aboriginal people can help address labour and skills shortages throughout Alberta and bolster local economies. Both municipalities and Aboriginal communities have a shared interest in improving the well-being of Aboriginal people living in urban and rural municipalities.

## **RECOMMENDATIONS**

**1. That the AAMD&C and AUMA pursue appropriate arrangements with the Province of Alberta to ensure greater municipal involvement in Aboriginal issues that may affect them.**

There is no formal consultation mechanism in place between the Province and Alberta municipalities or the AAMD&C and AUMA regarding First Nations and Aboriginal issues. Should it deem it appropriate, the Province may or may not invite local governments to the discussion table to address items which will in most cases directly affect one or more municipal governments. The primary recommendation of this committee is that all affected municipalities and their respective association(s) be invited by the Province to participate in discussions affecting municipal interests, in accordance with the "Possible Areas of

*Building Relationships:*

*The Final Report of the AAMD&C-AUMA Advisory Committee on Aboriginal Issues*

Agreement” document appended to this report. In this regard, both associations and the Province should enter into discussions to develop an implementation protocol.

**2. That the municipal associations (AAMD&C, AUMA and FCM) be informed about and consulted on federal and provincial Aboriginal policies and legislation.**

All too often local government is excluded from the policy development process. Since these provincial and federal policies and programs invariably affect local governments, it is vital that municipalities have input in this process. Such policies and programs may include, but are not limited to, those affecting the education, employment or health of Aboriginal peoples residing within municipal boundaries.

**3. That as appropriate, the Boards of Directors of the AAMD&C and AUMA organize membership education sessions on Aboriginal/First Nations issues at their respective conventions, and further that a resource package be assembled for the membership.**

The Committee recognizes that education of all municipal councils in not only the legal and political history, but also key Aboriginal issues is an important step in improving relations between municipalities and their Aboriginal neighbours. This could take the form of workshops and issue forums at the annual conventions and regional seminars.

**4. That Alberta Aboriginal Affairs and Northern Development and Alberta Municipal Affairs be asked to assemble and maintain a list of resource people in the field of Aboriginal relations.**

Since the subject area of Aboriginal relations is often new to municipal councils and administration, it is frequently necessary to draw on expertise from individuals and firms that specialize in this area. Alberta municipal governments would be well served through the development and maintenance of such a list of resource people by the departments of Aboriginal Affairs and Northern Development and Municipal Affairs.

**5. That the AAMD&C and AUMA continue the work of the present advisory committee by establishing a smaller implementation committee, with the goal of developing strategies and resource materials to help municipalities and Aboriginal-First Nations communities develop more effective working relationships and partnerships around common interests, in cooperation with the Province of Alberta and representatives of Aboriginal communities.**

Alberta municipalities would benefit from the development of a “tool kit” containing resource materials and examples of municipal-Aboriginal-First Nations cooperation (see Appendix F). In addition to facilitating the development of a tool kit, a smaller implementation committee could also formulate strategies to improve the relationship between municipal governments and Aboriginal communities, monitor the overall issue area and provide valuable input to the Associations.

## Possible Areas of Agreement

1. Alberta Aboriginal Affairs and Northern Development (AAND) will work with the Alberta Association of Municipal Districts and Counties and the Alberta Urban Municipalities Association (the Associations) to clarify protocols and procedures regarding the notification and involvement of Alberta municipalities in relation to the negotiation of Aboriginal land claims (Recommendation #1).
2. AAND and Alberta Municipal Affairs (MA) will work with the Associations to develop appropriate ways in which the Associations can be better informed during the formulation of provincial policies regarding Aboriginal issues in which Alberta municipalities may have a significant interest or role, or be significantly affected (Recommendation #2).
3. AAND and MA will provide or assist the Associations in providing workshops or information sessions on significant or emerging Aboriginal issues at Association conventions and seminars (Recommendation #3).
4. AAND and MA will assist the Associations in developing appropriate background materials on current Aboriginal issues for dissemination by the Associations to their member municipalities (Recommendation #3).
5. AAND and MA will assist the Associations in developing and maintaining a list of resource people who could assist municipalities in understanding and addressing Aboriginal issues (Recommendation #4).
6. AAND and MA will provide a key contact name/number where the Associations or member municipalities can obtain information or advise regarding specific Aboriginal issues (Recommendation #5).
7. AAND, MA and the Associations, possibly with the involvement of Aboriginal representatives, will work to develop strategies and resource materials to assist municipalities and Aboriginal communities in developing more effective working relationships and, possibly, partnerships around common interests (Recommendation #5).
8. AAND, MA and the Associations will explore ways in which urban Aboriginal issues can be better understood and more effectively addressed (Recommendation #5).
9. AAND, MA and the Associations will establish a Joint Alberta/Municipal Association Implementation Committee to undertake the above-named initiatives (Recommendation #5).

Appendix B

**Membership of the AAMD&C-AUMA Advisory Committee on Aboriginal Issues  
(as at March 1, 2005)**

Ben Boettcher, Vice President, AAMD&C (chair)  
Len Bracko, Director, AUMA  
Harlan Cahoon, Councillor, Cardston County  
Peter Green, Councillor, County of Vermilion River  
Bill Neufeld, Councillor, Municipal District of Mackenzie  
Shirley Reinhardt, Councillor, Wheatland County  
Jeff Pearson, Alberta Municipal Affairs

**Resource persons:**

Ken Boutillier, Alberta Aboriginal Affairs and Northern Development  
Patrick Martin, Policy Analyst, AAMD&C  
Sue Welke, Director of Public Affairs, AUMA

**Secretariat:**

Harvey Prockiw, County Manager, Lamont County

**Members of the AAMD&C Advisory Committee on Aboriginal Issues or AAMD&C-AUMA  
Advisory Committee on Aboriginal Issues\***

Sheila Foley, Reeve, Municipal District of Lesser Slave River  
Frank Schoenberger, Councillor, Sturgeon County

**Resource persons:**

Kim Speers, Director of Strategy and Policy Development, AUMA  
Ed Marchak, Senior Director for Strategy and Policy Development, AUMA

\* in addition to the full members of the AAMD&C-AUMA Advisory Committee named above

## Appendix C

### Terms of Reference

1. Committee's Official Designation:  
AAMD&C-AUMA Advisory Committee on Aboriginal Issues

2. Committee Members:

The AAMD&C-AUMA Advisory Committee on Aboriginal Issues shall be comprised of the following individuals:

Chosen by the AAMD&C Board of Directors:

- A Chair from within the current AAMD&C Board of Directors;
- One elected official from each AAMD&C District;
- One senior administrator from an AAMD&C member municipality, who will act as secretariat to the Committee.

Chosen by the AUMA Board of Directors:

- One member of the AUMA's Strategic Policy Committee;
- One member of the AUMA support staff.
- One representative designated by Alberta Municipal Affairs, who will act as an information resource to the Committee.

3. Committee's Objective, Scope of Activities and Duties:

The AAMD&C-AUMA Advisory Committee on Aboriginal Issues will:

- Identify aspects of municipal/First Nations relations which are potential causes of concern to local municipal governments;
- Identify any aspects of federal and/or provincial Aboriginal policy which may affect local municipal governments;
- Identify recommendations for strengthening municipal/First Nations relationships;
- Identify recommendations for enhancing federal and/or provincial Aboriginal policy, to address municipal concerns;
- Produce a report outlining the Committee's findings and recommendations;
- Meet with representatives of Aboriginal communities to explore issues of mutual concern.

4. Time Period Necessary For The Committee To Carry Out Its Purpose:

The Committee will meet as required.

5. Reporting Structure:

The Committee shall report directly to the AAMD&C Board of Directors through its Chair. The Committee shall report through the Strategic Policy Committee to the AUMA Board of Directors through its appointed representative to the committee. The Boards of Directors of the AAMD&C and AUMA may designate the Executive Director of each association or his designate to handle any day-to-day contact with the advisory committee on their behalf.

6. Committee Secretariat, Administrative and Financial Support:

- A senior administrator from an AAMD&C member municipality will be invited to participate on the Committee and provide secretariat services.
- The AAMD&C office shall provide or arrange meeting space for the advisory committee as required.
- The AAMD&C and AUMA shall reimburse their respective advisory committee members for any expenses related to travel, accommodation, and meals related to attendance at regular Committee meetings.
- Any additional financial support that may be required for advisory committee operations requires pre-approval by the Boards of Directors of the AAMD&C and AUMA.

## Appendix D

### Relevant AAMD&C and AUMA Resolutions

#### **AUMA Resolution 2004.C.i.21: Land Added to First Nations Reserve**

WHEREAS the federal government in co-operation with the provincial government increase the size of First Nations reserves from time to time; and

WHEREAS the land added to the reserve is Crown land, which is provincial property and therefore part of a municipality; and

WHEREAS this land is taken from Crown inventory and municipal assessment without consulting local municipal authorities; and

WHEREAS this arbitrary distribution of Crown land has an effect on municipal planning in many cases, especially if land in question is bordering municipal development either urban or rural;

**NOW THEREFORE BE IT RESOLVED THAT** the Alberta Urban Municipalities Association request that the federal and provincial governments implement a public hearing process similar to the annexation process for municipalities and this public process be applicable to land annexed for First Nations reserves.

*N.B. This resolution was previously endorsed by the AUMA membership as AUMA Resolution 2000 ER-2.*

#### **AAMD&C Resolution 1-03S: Authority over Crown Lands**

WHEREAS the Supreme Court of Canada, in *Delgamuukw et al vs. the Queen, in Right of British Columbia*, has ruled that Aboriginal title may extend to traditional lands;

AND WHEREAS First Nation bands covering a vast portion of northern Alberta are demanding that the oil and gas industry pay fees for activities carried out on "traditional lands" encompassing Crown land administered by the Province of Alberta;

AND WHEREAS Alberta oilfield contractor companies have had their operations limited by the demands by northern Alberta Aboriginal groups for "access fees" from major industry;

AND WHEREAS Treaty No. 8 ceded all lands within the given area, except for the right to "vocations of hunting, trapping and fishing" upon traditional lands, in exchange for Indian Reserves under the administration of the Federal Indian Affairs Department on or after June 21, 1899;

AND WHEREAS subsequent to the creation of the Province of Alberta the Government of Canada ceded authority over Crown lands to the Province of Alberta, which has since that time exercised control over those Crown lands on behalf of all the people of Alberta;

AND WHEREAS the exercise of “demand payment” practices by the First Nation bands is limiting and eliminating the equitable opportunity for all to contract for work on activities on non-reserve Crown lands;

AND WHEREAS the provincial government has not enforced its jurisdiction over its Crown lands on behalf of all Albertans;

**THEREFORE BE IT RESOLVED THAT** the Alberta Association of Municipal Districts and Counties urge the Province of Alberta to:

1. Exert its authority over all Crown lands under the authority of the Crown as represented by the Province of Alberta;
2. Serve and protect all leaseholders and other disposition holders or holders of Crown lands under other arrangements made by the Crown as represented by the Province of Alberta;
3. Exercise their authority as stewards of the Crown lands under their jurisdiction on behalf of all Albertans, without discrimination, to ensure a “level playing field” for all who wish to participate in activities or opportunities relating to those lands; and
4. Initiate a legal challenge against First Nation groups to determine a legal interpretation of the meaning, spirit and intent of “traditional lands” as they pertain to Crown land.

**AAMD&C Resolution 1-01S: First Nations Task Force**

WHEREAS local governments are responsible for the delivery of many key services to their residents and the delivery of these services is contingent upon the municipality’s ability to access property tax revenues through assessment of the local land base;

AND WHEREAS First Nations are increasing their efforts to control land and development of both renewable and non-renewable resources located off-reserve;

AND WHEREAS the Provincial Government has entered into Memorandums of Understanding (MOUs) with numerous First Nations without the input or consent of affected municipalities;

AND WHEREAS local governments are not allowed to participate when land claims and other treaty entitlements are negotiated;

AND WHEREAS the resolution of Aboriginal land claims and treaty entitlements and the implementation of Memorandums of Understanding which provide First Nations with

effective control over local land bases can result in significant impacts on the financial resources available to local municipal governments.

THEREFORE BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties establish a Member Advisory Committee on First Nation Issues, to develop recommendations aimed at ensuring that provincial and federal Aboriginal policy, and any new agreements with First Nations, do not create undue hardship for local municipal governments and affected communities.

AND FURTHER BE IT RESOLVED that the Alberta Association of Municipal Districts and Counties, alone and/or in partnership with the Alberta Urban Municipalities Association and Federation of Canadian Municipalities, urge the Government of Alberta and the Government of Canada to directly involve municipal representation, either through the municipal associations or directly through the affected municipality, in all future land claims and resource negotiations.

## FCM Policy on Municipal-Aboriginal Relations

### **Excerpted from the FCM Policy Statement on Social and Economic Development (for consideration/adoption at the FCM 2005 AGM and Conference)**

#### ***FCM PRIORITIES FOR SOCIAL DEVELOPMENT***

##### ***1.4 Support for Aboriginal People Living Off Reserve***

The Aboriginal population is growing at a more rapid rate and is proportionately younger than the non-Aboriginal population in Canada. The urbanization of the Aboriginal population continues to increase, as over half of Aboriginal people live off reserve. Barriers to employment and to programs and services such as education, housing, and childcare often impede the success of Aboriginal people in urban centres. We believe that these barriers must be addressed.

It is unclear, however, as to which order of government is responsible for providing services to Aboriginal people living off reserve. As a result, government actions are generally not coordinated.

We advocate improved collaboration among orders of government and Aboriginal organizations to address challenges faced by Aboriginal people in our communities. The initiatives of other orders of government must respect the interests and resources of municipal governments. To this end we are building relationships with Aboriginal organizations such as the National Association of Friendship Centres and the National Aboriginal Housing Association.

## **2. Community Economic Development**

##### ***2.4 Economic Development and Coordination with Reserve Communities***

Autonomous territories created by the approval of land claims have implications for municipal governments. Service standards, development priorities and regulatory objectives may be incongruent, the municipal tax base may be compromised, and supply of specific services may affect municipal administration and finances. For example, when municipal lands are designated as reserve, local governments are no longer able to leverage property taxes on that land, and may experience a significant loss of tax revenue. Further, municipal services such as water treatment and garbage collection will continue to be required on the reserve land, and municipalities are faced with the challenge of providing services with little or no corresponding revenue.

Positive relations between municipal governments and Aboriginal authorities are rooted in pragmatic cooperation such as service delivery agreements, joint meetings, Aboriginal

representation on relevant boards and agencies, and the joint pursuit of economic development opportunities.

Other orders of government play a role in fostering relations between municipal governments and reserve communities. Respecting the municipal tax base and municipal services, and involving municipal governments in the land claims process will help to secure positive working relationships and foster opportunities for joint economic and social development.

## **STRATEGIES**

### **Social Development and Infrastructure**

FCM will:

11. Improve programs and services for Aboriginal people living off reserve in municipalities by:
  - i) urging the federal, provincial and territorial governments and Aboriginal authorities to work with municipal governments in addressing the needs of urban Aboriginal people;
  - i) urging the federal, provincial and territorial governments to ensure municipal government interests are considered in implementation of initiatives implicating municipal government operations, such as the federal Urban Aboriginal Strategy;
  - ii) working with status blind Aboriginal organizations such as the National Association of Friendship Centres and the National Aboriginal Housing Association;
  - iii) strengthening policy and research to address issues accompanying the increasing urbanization of Aboriginal people, potentially through an expanded mandate and funding for the Centre for Municipal Aboriginal Relations.

### **Community Economic Development**

FCM will:

17. Encourage improved collaboration with reserve communities by:
  - i) through the Land Management Project, fostering positive relationships between First Nations and municipal governments for community economic development, and assess federal policies that affect this relationship such as the Addition to Reserves Policy and the First Nations Land Management Act;
  - ii) urging the federal, provincial and territorial governments and Aboriginal authorities to recognize municipal governments as an order of government and, therefore, a participant during land claim negotiations;
  - iii) urging the federal, provincial and territorial governments to recognize and respect the jurisdiction and territorial integrity of municipal governments, the applicability of territorial, provincial, and municipal laws, to recognize and respect the municipal tax base and the financing of municipal services when negotiating land claims.

## ***Examples of Municipal-First Nations Cooperation in Other Jurisdictions***

### **Union of British Columbia Municipalities (UBCM)**

UBCM has a “UBCM First Nations Relations Office”, and the UBCM library includes documents on the following topics:

- Treaty Related Policy Papers
- Community to Community Forum Program
- Relationship Building and Dispute Resolution (including a 2005 Handbook for Local Government: Building Relations with First Nations)

The documents can be accessed on UBCM’s website: [www.civicnet.bc.ca/](http://www.civicnet.bc.ca/)

### **Association of Manitoba Municipalities (AMM)**

In its “Tools for Change” Resource Kit, AMM includes a best practice from the Town of The Pas, the RM of Kelsey and Opaskwayak Cree Nation.

The Town, the RM and OCN all face challenges that are unique to the north and remote communities. Goods and services are more expensive in the north than in the south which means the communities have to accept higher costs to achieve an equal standard of service. Also, like many other northern municipalities, The Pas and Kelsey have experienced a decline in population. OCN, on the other hand is growing and seeking ways to improve efficiency in the delivery of services to its residents.

To overcome these challenges, The Pas, Kelsey and OCN determined that they needed to work together to find economies of scale and service delivery efficiencies, and to promote their communities. The communities are now actively building on existing regional approaches to service delivery, and are forming new partnerships in support of community economic development and tourism promotion.

More details are on AMM’s website: [www.amm.mb.ca](http://www.amm.mb.ca)

### **Federation of Canadian Municipalities**

Partnerships in Practice

Executive Summary:

Partnerships in Practice

Case Studies in Municipal and First Nations’ Economic Development Co-operation

Neighbouring municipal governments and First Nations across Canada are working together to create economic opportunities and improve the quality of life in their communities.

In 2001, the Centre for Municipal-Aboriginal Relations (CMAR) struck a committee to explore these relationships. The committee consists of representatives from the Federation of Canadian Municipalities (FCM), the Indian Taxation Advisory Board (ITAB), and Indian and Northern Affairs Canada (INAC). FCM and ITAB together manage CMAR.

The Municipal-Aboriginal Adjacent Community Cooperation Project committee conducted research to identify best practices in municipal and First Nations' partnership building for economic development, and to provide a resource for other municipal governments and First Nations interested in pursuing similar partnerships.

While improvements have been made, persistent gaps remain in the quality of life in Aboriginal communities compared to their non-Aboriginal neighbours. The federal government promotes partnerships in economic development as a key tool to improve the social and economic status of Aboriginal communities. By pooling assets, especially in an area with limited or constrained economic opportunity, municipal governments and First Nations can improve their local and regional economies. Joint initiatives can open up a larger market for both, as First Nations' land holds a full range of opportunities for economic development that frequently remains untapped. First Nations' reasons for entering into a partnership with municipal governments include the provision of municipal services in cases where it is more cost effective to draw on existing infrastructure, or the establishment of urban reserves through the federal Treaty Land Entitlement or Additions to Reserve Policy process.

Aboriginal communities and municipal governments recognize the potential economic and social benefits of an expanded industry and tourism sector by jointly fostering opportunities for economic development. The differing governance and taxation systems within which municipal governments and First Nations operate and a lack of effective communication are identified as the main barriers to economic partnerships. In particular, the relationship between First Nations and the federal government is not always well understood. And businesses off-reserve feel at a disadvantage when businesses on-reserve, which do not have to charge provincial sales tax, can offer lower prices for goods and services.

The Municipal-Aboriginal Adjacent Community Cooperation Project committee selected five case studies for further research:

- Fredericton and St. Mary's First Nation, New Brunswick
- Thunder Bay and Fort William First Nation, Ontario
- The Pas and Opaskwayak Cree Nation, Manitoba
- Saskatoon and Muskeg Lake Cree First Nation, Saskatchewan
- Central Okanagan and Westbank First Nation, British Columbia

Information provided by these communities confirms the reasons for and barriers to the partnerships mentioned above. Despite the challenges, the case studies demonstrate that, with perseverance and commitment from Aboriginal communities and municipal governments, mutually beneficial economic development initiatives can be achieved. In all

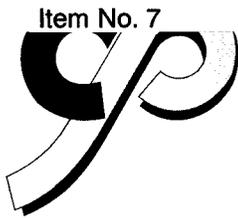
five cases, the foundation for partnership building was laid by service agreements for the provision of municipal services, such as sewage, water, fire protection, and policing.

The specific experiences of these communities provide lessons learned in creating opportunities for successful economic development partnerships in municipal and First Nations' communities across Canada. Each case study partnership had some practical advice for other communities contemplating or about to embark on a joint municipal-First Nations' economic development initiative. Their recommendations form the conclusion of this report and include partnership aspects, such as service agreements, public perception, communication, building trust, leadership, and planning and resources.

Perhaps owing to their mostly informal nature, many of these types of partnerships are undocumented. This study on municipal and First Nations' economic development cooperation fills that information gap by documenting the experiences of five partnerships. That makes this report a much-needed resource to others interested in pursuing similar relationships with a neighbouring community.

The full "Partnerships in Practice" Report can be accessed on FCM's website: [www.fcm.ca](http://www.fcm.ca)

- <sup>1</sup> McNaught, A. (1998). "Parental Responsibility Legislation and Young Offenders." *Ontario Legislative Library*. Retrieved September 12 2005, from <http://www.ontla.on.ca/library/repository/restricted/mon/1000/202759.pdf>
- <sup>2</sup> Theilheimer, I., & Angus, M. (1996). "Communities and Families Working to Prevent Youth Crime: A Snowball's Chance?" *Child and Family Canada*. Retrieved September 12, 2005, from <http://www.cfc-efc.ca/docs/vanif/00000077.htm>
- <sup>3</sup> McQuaig, S. (2005). *Youth Community Action Plan Survey Results*. Red Deer: Insight Advanced Inc.
- <sup>4</sup> Office of Juvenile Justice and Delinquency Prevention. (n.d.) "Parental Responsibility Laws." *Juvenile Justice Reform Initiatives in the States 1994-1996*. Retrieved September 12, 2005, from [http://www.ojjdp.ncjrs.org/pubs/reform/ch2\\_d.html](http://www.ojjdp.ncjrs.org/pubs/reform/ch2_d.html)
- <sup>5</sup> Chawla, R.K., and Wannel, T. (2003). "Property Taxes." *Perspectives*. Ottawa: Statistics Canada.
- <sup>6</sup> Government of Alberta. (n.d.). "Education Property Tax Assistance for Seniors Program." Seniors and Community Supports. Retrieved September 12, 2005, from [http://www.seniors.gov.ab.ca/financial\\_assistance/EPTASP/index.asp](http://www.seniors.gov.ab.ca/financial_assistance/EPTASP/index.asp)
- <sup>7</sup> Alberta Alcohol and Drug Abuse Commission. (2005). "AADAC and AADAC Funded Services Chart." *AADAC Services*. Retrieved September 12, 2005, from [http://corp.aadac.com/content/corporate/services/services\\_chart.pdf](http://corp.aadac.com/content/corporate/services/services_chart.pdf)
- <sup>7</sup> Alberta Alcohol and Drug Abuse Commission. (2005). "AADAC and AADAC Funded Services Chart." *AADAC Services*. Retrieved September 12, 2005, from [http://corp.aadac.com/content/corporate/services/services\\_chart.pdf](http://corp.aadac.com/content/corporate/services/services_chart.pdf)



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**DATE:** September 14, 2005  
**TO:** Legislative & Administrative Services Manager  
**FROM:** Tony Lindhout, City Planning Manager  
**RE:** Background Report - Consideration of Portable Sign Regulations

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The City of Red Deer takes a positive approach to the issue of signage by including in its land use regulations and strives to maintain sign regulations that are current, up to date and reflective of what is deemed appropriate for the City, the business community and the public at large. While our Land Use Bylaw makes provision for many different types and forms of signage, it does not permit or provide for all forms of temporary signage. The most visible forms of temporary signage allowed in the city are real estate signs and the A-board signs that are permitted in the City's downtown C1 and C1A Commercial Districts. Other forms of temporary signage such as inflatable signs, banner signs or, mobile or portable signs are not permitted anywhere in the city as they are prohibited under the City's Land Use Bylaw.

The City's Inspections & Licensing Department faces an increasingly number of inquiries from businesses who are requesting permits for temporary signs not allowed under the Land Use Bylaw or calls complaining about illegal temporary signage popping up within the city. Increased signage, both legal and illegal, appear throughout the city in the form of more A-Board signs on sidewalks in the downtown, signage on boulevards, advertising on large trailers, advertising on vehicles parked on commercial lots and inflatable signs on roofs or tethered in front of businesses. Enforcement of illegal signs has become a major challenge for City Bylaw officers.

While for overall aesthetic, traffic and safety impact reasons, the City has resisted the move to expand the amount and types of temporary signage permitted throughout the city, recent Court challenges to the broad prohibition against temporary or portable signs in municipal land use bylaws has resulted a need to re-think the status-quo. Courts have been progressively critical of any local legislation which has absolutely prohibited some forms of signage, including affixing posters to utility poles, prohibiting the placement of electoral signs on public property and lastly, the broad prohibition against portable signs.

As a result of Court decisions across Canada and the intent to comply with the law, most urban municipalities now permit, but legislate the use of temporary signage. Therefore, it is now deemed necessary for the City of Red Deer to consider modifying its Land Use Bylaw so as to regulate various forms of temporary signage including portable signs, rather than totally prohibiting them as the Bylaw now provides. Any further prohibition by The City against portable signs could potentially be subject to successful legal challenge because similar provisions have been successfully challenged in other jurisdictions.

### **What is a Portable Sign?**

A "portable sign" is any sign or advertising device that can be carried or transported from one site to another, which does not rely on a building or a fixed concrete foundation for its structural support and includes signs commonly known as mobile signs, temporary signs, inflatable signs or devices or

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**Background Report - Consideration of Portable Sign Regulations**  
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banners, whether tethered to a building or not, vehicles placed in a location for advertising purposes, but does not include an A-board or real estate sign or signage on motor vehicles used in the day to day conduct of a business.

One of the most common examples of a stand-alone portable sign is the type illustrated in the picture to the right. This form of sign has metal legs, or is on a frame on wheels, and typically contains advertising media using coloured lettering on a black background. These units are up to 8 feet high and 10 feet in length and are usually located in the front yard or boulevard of the site or business to which the advertising applies.



**Degree to which a Municipality may regulate Portable Signage?**

As the Courts have recognized that municipalities have the right to regulate portable signs in the same way that signage generally is regulated, the following areas of portable sign regulation have withstood a court challenge (*Canadian Mobile Signs Association v. City of Burlington, Ontario*):

1. A limit on the consecutive number of days that a particular sign could be placed.
2. A limit on the number of signs which could be placed in relationship to the number of units in a commercial strip mall.
3. Restrictions with respect to illumination, flashing or sequential lights or other mechanical or electronic devices to provide or simulate motion.
4. The location only on private property and to the same property to which the sign applies.

In the above noted instances, the Court has indicated that such provisions in a land use bylaw represents a rational attempt to strike a balance between the right of business to identify themselves and convey messages, and the right of the public to establish and maintain standards of aesthetics and to deal with safety concerns of motorists and pedestrians.

The Courts have indicated support for the proposition that signage overload increase traffic hazards and contribute to the clutter and aesthetic blight which sign regulations aim to reduce. The Courts further indicated that there was sufficient evidence to indicate that bright lighting associated with illumination of portable signs caused driver distraction also resulting in traffic hazards. In a recent City of Edmonton trial decision, the Court commented that a municipality is not prevented from making regulations about the number, the size, length of use, the colour of portable signs, or the location of portable signs. A municipality is, however, prevented from completely banning portable signage as the Courts have determined these to be a legitimate method of advertising.

**Public Engagement**

As part of the preparation of the administrative background and research on the matter of portable signage, local sign industry stakeholders and the public were apprised of the requirement of the City to move forward with the preparation of portable signage regulations. Of the sign industry stakeholders that responded to a written referral letter, only those few business with the potential to

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provide portable signs supported their inclusion as an allowable use into the land use bylaw; the rest of the respondents were opposed. The general public mainly through a City based, web-page, on-line survey, strongly indicated opposition to any move by the City to allow portable signage. The most common concerns raised by both sign industry stakeholders and the general public to allowing portable signage were sign pollution, cluttering of city streetscapes and aesthetic blight. Many commented that they have seen the proliferation of these portable advertising signs in other urban centres and were very appreciative that they were not allowed in Red Deer. Respondents clearly indicated that if portable signs were to be allowed, significant limitations must be applied in order to find a balance that maintains the aesthetic values of the City of Red Deer, its business community and area residents.

**Which areas of regulation should the City of Red Deer consider?**

Planning, Inspections and Licensing staff and City legal counsel suggest that the following elements should be considered in formulating any portable sign regulations:

- Signs to be located only on the site to which advertising applies - no off-site advertising.
- Establish maximum sign size, height and sign area.
- Establish traffic and pedestrian safety sight-lines with sign setbacks on corner sites and from parcel access points and driveways.
- Establish sign location/placement (setbacks) within property lines.
- No signs on City boulevards.
- Set limit for number of portable signs allowed per site.
- Establish minimum separation distances between portable signs.
- Determine maximum length of stay for a portable sign (temporary signs must not become permanent).
- Determine land use districts which will allow portable signs.
- Recognition of the increased workload for enforcement and administration to ensure necessary permits are issued and Bylaw enforcement.
- Ease of enforcement – will sign ID tags be required?
- Establish fine schedule and penalties to deter illegal signage.
- Removal costs and storage costs of illegal or expired signs.
- Include inflatable and banner signs.

Any approach to establish portable signage regulations would be undertaken in a manner that would make them supplementary to existing sign regulations. The City would continue to maintain an overall scheme of signage control that allows for advertising options but at the same time, regulate the overall aesthetic and traffic impact of signage as a whole.

**Where to from here?**

Based on the legal trend in Canada, the law appears to be now well settled and requires that the City of Red Deer amend its Land Use Bylaw so as to regulate but not prohibit portable signs. There will be those who consider any move to incorporate portable sign regulations as a step backwards and conversely, there will be those who might find any proposed regulations ultimately to be too restrictive.

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**Background Report - Consideration of Portable Sign Regulations**  
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The challenge in any bylaw amendment proposal will be to find that balance required between portable sign industry interests and maintaining the aesthetic values of the City of Red Deer and its citizens. This new category of signage will lead to a noticeable increase in the number of advertising signs both on individual sites and particularly along our major commercial corridors. This additional signage will affect the look, aesthetics and appearance of those city streets that will ultimately be located in land use districts allowing portable signs.

Although sign industry stakeholders and the general public have already been apprised of, and have had preliminary opportunity for input regarding the City's general intent to move forward with portable sign regulations, it will be important that the community understands why the City is raising this matter. Accordingly, while many may continue to believe that there ought to be an absolute prohibition against portable signs in the City of Red Deer, given that this is an issue that pertains to property rights and the right to communicate (i.e. advertise) such an absolute prohibition is no longer legally supportable. While this legal precedent needs to continue to be communicated to the public, they also need to be assured that the City of Red Deer has the right to apply sign regulations. Courts have sustained Bylaws that contain signage limitations and restrictions, but only where those restrictions are not tantamount to the prohibition of this form of signage.

### **Conclusion**

Since it is clear that a total prohibition of portable signs will not withstand a Court challenge, it is necessary for the City of Red Deer to modify the Land Use Bylaw so as to regulate portable signs rather than totally prohibiting them as the Bylaw now provides.

### **Recommendation**

That City Council instruct its administration to prepare a Land Use Bylaw amendment proposal for regulating portable signage.

Any proposed regulations or restrictions will aim to satisfy the balance which seeks to maintain aesthetic values of the City of Red Deer, while at the same time minimally impairing the rights of those who wish to place such signs on their property.

The draft Bylaw amendment would be brought to Council for their review and consideration.



Tony J. Lindhout, ACP, MCIP  
City Planning Manager

### **Attachments**

- c. Colleen Jensen, Community Services Director  
Joyce Boon, Inspections & Licensing Manager

*Comments:*

We concur with the recommendations of Parkland Community Planning Services to prepare a Land Use Bylaw Amendment for regulating portable signage. We need to take this course of action given other Court decisions applying to the prohibition of portable signs. We run a much greater risk of not regulating signage than preparing a bylaw that would provide a balanced approach to the regulation of portable signs. The risk is that if The City takes no action then a Court decision may allow portable signs without giving The City the opportunity for input. Under these circumstances, we could see a proliferation of signs that would be totally unacceptable to The City. The lower risk approach is to proceed with the preparation of a bylaw containing appropriate regulations.

“Morris Flewwelling”  
Mayor

“Norbert Van Wyk”  
City Manager

FILE COPY



Council Decision – September 26, 2005

Legislative & Administrative Services

**DATE:** September 27, 2005  
**TO:** Tony Lindhout, Parkland Community Planning Services  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Background Report –  
Consideration of Portable Sign Regulations

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*Reference Report:*

Parkland Community Planning Services, dated September 14, 2005

*Resolutions:*

*“Resolved* that Council of the City of Red Deer, having considered the report from Parkland Community Planning Services, dated September 14, 2005, re: Background Report – Consideration of Portable Sign Regulations, hereby directs Administration to prepare a Land Use Bylaw Amendment for regulating portable signage.”

*Report Back to Council:* Yes

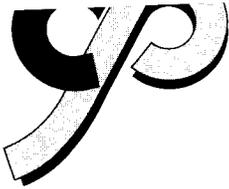
*Comments/Further Action:*

Please prepare a Land Use Bylaw Amendment regarding regulation of portable signage for a future Council Meeting.

  
Kelly Kloss  
Manager

/chk

c Director of Development Services  
Director of Community Services  
Inspections & Licensing Manager



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**DATE:** September 21, 2005

**TO:** Kelly Kloss, Legislative & Administrative Services Manager

**RE:** Land Use Bylaw Amendment 3156/R-2005  
Overnight Stay of Trailers (RV's) in Parking Lots

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This Land Use Bylaw (LUB) amendment proposal is meant to clarify and allow the overnight stay of trailers (RV's) only in approved campgrounds, continue to allow them under certain conditions in residential areas but also allow self-contained RV units, subject to certain criteria, to park overnight within parking lots at the Westerner Exposition site, schools, churches, community centers, recreation facility sites and major hotels.

### **Background**

Other than in campgrounds and subject to certain criteria in residential districts, the City's Land Use Bylaw (Section 47) prohibits in any other locations the overnight parking and use (living/sleeping) of self contained recreation vehicle units. This causes a problem when major events are held in the city. Overflow trailer (RV) parking occurs at the Westerner site and during major conventions and events, there have been RV's parked at the convention hotels. In addition, family reunions and sporting tournaments on public sites have included requests for overnight RV parking which is not allowed under the current bylaw.

City Administration in 2004 examined and evaluated the current Bylaw requirement that does not allow overnight visitor RV parking outside of designated campgrounds. This became an issue because of Wal-Mart's policy across North America to allow overnight visitor RV parking in their parking lots after their stores had closed. Research on this matter revealed that none of Alberta's major cities regulate this activity on the basis that these parking areas are considered to be private land, they do not have the staff to monitor or police the situation, they have not had complaints and if there were complaints of noise or nuisance, charges under the appropriate municipal bylaw would be laid and lastly, as long as the overnight RV parking does not interfere with the Land Use Bylaw parking standards as to the number of stalls available to customers while the store is open, they do not have a concern. The City of Red Deer, through its Licensing and Inspections Department, enforces municipal Bylaws on a complaint basis.

Also, the practice of parking and occupying a RV unit overnight while parked at a convention hotel, recreation facility site, community center, school or church site was noted. This appears to occur occasionally during special functions, tournaments, family reunions, concerts or other entertainment events held at these locations. Furthermore, the Westerner Exhibition Association allows the overnight stay of RV units on portions of their parking lots when their own campground is full and/or in conjunction with agricultural shows/events.

**Legislative & Administrative Services Manager**  
**Land Use Bylaw Amendment 3156/R-2005**  
**Page 2**

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Previous Council Action (proposed Land Use Bylaw Amendment 3156/AA-2004)

Following evaluation of the above noted occurring overnight RV parking situations, planning and Inspections & Licensing staff felt there was merit for Council to debate and consider a LUB amendment that would, subject to certain criteria, allow the overnight parking of RV units outside of designated campgrounds. The proposed amendment also removed the potential inconsistency between the Traffic Bylaw and the Land Use Bylaw by having the traffic bylaw defer to the land use bylaw on the issue of overnight RV parking.

In this regard, proposed Land Use Bylaw Amendment 3156/AA-2004 was presented to City Council on September 20, 2004 at which time it was supported and given first reading. This Bylaw amendment proposed to allow overnight RV parking in commercial parking lots located within the C1, C1A, C2 & C4 Commercial Districts and parking lots located in the PS Service District (schools, churches, community centers), subject to the following limitations:

1. consent of the property owner was required,
2. overnight parking not to exceed two consecutive nights without the property owner obtaining approval from the Development Authority,
3. no fees to be charged and,
4. overnight parking could only occur on an occasional basis on any site.

The simultaneous Traffic Bylaw Amendment 3186/A-2004 was also given first reading by Council.

Following first reading staff became aware of concerns expressed from campground operators. Based upon a package of information received from one of the campground operators, the Bylaw was reviewed again to ensure that it would not create widespread camping throughout the city and impact parking standards on the commercial sites. The Inspections & Licensing Manager requested of Legislative and Administrative Services that advertising of these Bylaws be deferred until the City could meet with the campground operators and other related stakeholders. Council was informed that these Bylaws were not advertised. Since the Traffic Bylaw amendment did not directly affect the parking of RV's as it merely deferred to the regulations in the Land Use Bylaw, this amendment ultimately came back to be approved by Council on May 24, 2005 under Bylaw 3186/A-2005 which included a number of other related traffic bylaw amendments.

Follow-up Consultation

Planning and Inspections & Licensing staff met with the operators of the two city campgrounds who reiterated their concerns regarding the viability of their campground operations if travelers with RV units were allowed to freely park overnight in city commercial parking lots. Concerns were also expressed related to the volume of campers and resulting impact on parking in the commercial parking lots. Photos were provided

**Legislative & Administrative Services Manager**  
**Land Use Bylaw Amendment 3156/R-2005**  
**Page 3**

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showing sites in other municipalities where RV units were occupying large portions of commercial parking lots. Representatives from two of the city's larger convention hotel operations also came forward indicating that, while it is not their desire to be in the campground business, hotel operators would however like the ability to accommodate hotel patrons who arrive with a RV unit to attend a major event at their facility when all normal rooms are fully booked. The campground operators acknowledged that when certain major events are held in the city, generally all available accommodation is full including campgrounds. Therefore, campground operators were prepared to support the overnight stay of RV units in hotel parking lots on a limited basis.

There was also discussion related to overnight RV parking at public sites (schools, churches, community centers) to accommodate family reunions, ball tournaments and other specialized events. It appeared that this practice was not wide spread, generally limited to the summer season and, for the most part, goes unnoticed by the general public.

**Revised Land Use Bylaw Amendment**

Based on the discussions held with local campground and hotel industry operators and the consensus and analysis reached with them, planning and Inspections & Licensing staff are supportive of an alternative land use bylaw amendment based on an approach that does not undermine the campground industry but yet supports the local convention and conference industry and preserves the parking available to commercial customers. Proposed Land Use Bylaw Amendment 3156/R-2005 now aims to regulate overnight parking of RV units in the following manner:

1. Will continue allow overnight parking of RV units in approved campgrounds.
2. Will allow, on the Westerner Exhibition site, overnight parking of RV units if their campground is full and/or if patrons require close proximity to agricultural facilities housing livestock or other show animals. The Westerner site is often the venue for major events that cannot be accommodated in their existing campground. It is not practical to expand the campground for these few events per year.
3. Will allow, subject to certain criteria, limited overnight parking of self-contained RV units in parking lots at schools, churches, recreation facility sites and community centers in order to accommodate patrons of on-site family reunions, concerts, sporting tournaments, etc. This provision is being retained from the earlier Bylaw amendment proposal as this was not identified as being an issue.
4. Will allow, subject to certain criteria, limited overnight parking of self-contained RV units in the parking lots of major hotels to accommodate patrons who attend functions and/or events in facilities on the same site when regular hotel accommodation is not available.

**Legislative & Administrative Services Manager**  
**Land Use Bylaw Amendment 3156/R-2005**  
**Page 4**

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5. Will continue to allow, subject to existing Section 47 of the Land Use Bylaw, limited overnight parking of RV units in residential areas. While some minor wording, renumbering and format changes are being proposed to this section, these changes do not alter the intent of what is permitted under the current Bylaw.

The criteria referenced in (3) & (4) above to regulate overnight parking of self-contained RV units in parking lots located at schools, churches, recreation facility sites, community centers and major hotel sites are proposed as follows:

- a) the occupant shall obtain consent from the owner of the site and must be attending a function or event in a facility on that site;
- b) the owner of the site shall obtain approval from the Development Authority;
- c) overnight parking on the site shall not exceed two consecutive nights unless approved by the Development Authority;
- d) overnight parking on the site shall not exceed two occasions per calendar month unless approved by the Development Authority;
- e) no fees shall be charged for overnight parking; and
- f) the owner of the site shall be responsible to ensure that all City of Red Deer Bylaws, including the Public Order Bylaw, are complied with.”

The overnight parking of RV units in commercial parking lots, which is not permitted under the current Land Use Bylaw, **will not be changed** except as proposed in this Bylaw amendment for patrons at major hotel sites who attend on-site facilities that offer conference, convention, banquet and entertainment services. The Inspections & Licensing Department is actively working to ensure and educate large commercial retail operators of the fact that overnight parking of RV units in their parking lots are not permitted.

**Recommendation**

It is recommended that City Council rescind the first reading given to Land Use Bylaw amendment 3156AA/2004 and proceed with first reading of Land Use Bylaw amendment 3156/R-2005.



---

Tony Lindhout, ACP, MCIP  
City Planning Manager

*Comments:*

We agree with the recommendations of Parkland Community Planning Services that Council give first reading to the Land Use Bylaw Amendment. A Public Hearing would be held on Monday, October 24, 2005 at 7:00 p.m. during Council's regular meeting.

"Morris Flewwelling"  
Mayor

"Norbert Van Wyk"  
City Manager



Council Decision – September 26, 2005

Legislative & Administrative Services

**DATE:** September 27, 2005  
**TO:** Tony Lindhout, Parkland Community Planning Services  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Land Use Bylaw Amendment 3156/R-2005  
Overnight Stay of Trailers (RV's) in Parking Lots

---

*Reference Report:*

Parkland Community Planning Services, dated September 21, 2005

*Resolutions:*

*“Resolved* that Council of the City of Red Deer having considered the report from Parkland Community Planning Services, dated September 21, 2005, Re: Land Use Bylaw Amendment 3156/R-2005 – Overnight Stay of Trailers (RV's) in Parking Lots) hereby rescinds first reading of Land Use Bylaw Amendment 3156/AA-2004.”

*Bylaw Readings:*

Land Use Bylaw Amendment 3156/R-2005 was given first reading. A copy of the bylaw is attached.

*Report Back to Council:* Yes.

A Public Hearing will be held on Monday, October 24, 2005 at 7:00 p.m. in Council Chambers, during Council's regular meeting.

***Comments/Further Action:***

Land Use Bylaw Amendment 3156/R-2005 provides for the regulation of overnight parking of RV units to allow the overnight stay of trailers (RV's) only in approved campgrounds and to allow them under certain conditions in residential areas. It will also allow self-contained RV units, subject to certain conditions, to park overnight within parking lots at the Westerner Exposition site, schools, churches, community centers, recreation facility sites and major hotels. This office will now proceed with the advertising for a Public Hearing. The City of Red Deer will be responsible for the advertising costs in this instance.



Kelly Kloss  
Manager

/chk  
/attach.

- c Director of Development Services  
Inspections & Licensing Manager  
Land & Economic Development Manager  
C. Adams, Administrative Assistant  
T. Edwards, Clerk Steno

## BYLAW NO. 3156/R-2005

Being a Bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of The City of Red Deer as described herein.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

Bylaw No. 3156/96 is hereby amended as follows:

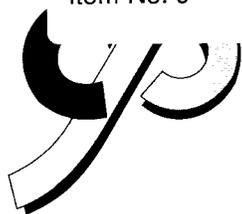
1 Section 47 is deleted in its entirety and replaced with the following new section:

- “47 No owner or person in lawful possession or control of a site shall allow or permit a trailer parked on such site to be used for living or sleeping accommodation except as follows:
- (1) A trailer parked in an approved campground.
  - (2) A trailer parked in the Westerner Exposition site if their on-site campground is full or if exhibitors require close proximity to on-site facilities.
  - (3) A self-contained trailer parked in the parking lot of a church, school, recreation venue site, community centre or major hotel with conference/convention facilities providing:
    - (a) the occupant has obtained consent from the owner of the site and is attending a function or event in a facility on that site;
    - (b) the owner of the site has obtained approval from the Development Authority;
    - (c) overnight parking on the site does not exceed two consecutive nights unless approved by the Development Authority;
    - (d) overnight parking on the site shall not exceed two occasions per calendar month unless approved by the Development Authority;
    - (e) no fees shall be charged for overnight parking;
    - (f) the owner of the site will be responsible to ensure that all City of Red Deer Bylaws, including the Public Order Bylaw, are complied with.”
  - (4) A trailer parked on a site in a residential district for 48 hours or less between the first day of May and the thirtieth day of September each year.
  - (5) A trailer parked on a site in a residential district for a period greater than 48 hours between the first day of May and the thirtieth day of September each year providing:
    - (a) the owner of the site obtains approval from the Development Authority;
    - (b) no rent or fees are paid for the use of the site or facilities;
    - (c) the period shall in no circumstances exceed thirty days without prior approval of the Development Authority.”

READ A FIRST TIME IN OPEN COUNCIL this 26<sup>th</sup> day of September 2005.  
READ A SECOND TIME IN OPEN COUNCIL this day of 2005.  
READ A THIRD TIME IN OPEN COUNCIL this day of 2005.  
AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2005.

\_\_\_\_\_  
MAYOR

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



LAND  
**COMMUNITY  
PLANNING  
SERVICES**

Suite 404, 4808 Ross Street  
Red Deer, Alberta T4N 1X5  
Phone: (403) 343-3394  
FAX: (403) 346-1570  
e-mail: pcps@pcps.ab.ca  
www.pcps.ca

---

**DATE:** September 16, 2005  
**TO:** Kelly Kloss, Legislative and Administrative Services Manager  
**FROM:** Martin Kvapil, Planning Assistant  
**RE:** Land Use Bylaw Amendment No. 3156/II-2005  
Portion of SW ¼ Sec. 3-38-27-W4M  
Inglewood West – Phase 2A  
Inglewood Communities Inc.

---

**Proposal**

Inglewood Communities Inc. is proposing to develop Phase 2A of the Inglewood West neighbourhood. Phase 2A is located within the most southwesterly portion of the Inglewood West Neighbourhood Area Structure Plan (NASP). The applicant seeks to rezone approximately 0.5 ha (1.2 ac.) of land from A1 Future Urban Development District to R1N Residential Narrow Lot District for the purpose of creating 8 residential lots.

The proposed lots would be created upon lands previously contained within a landfill setback, as per the Subdivision and Development Regulation. The operating portion of this landfill is expected to be closed in the near future and therefore a lesser setback distance from residential development would be required. Subdivision approval would not be received until the City's closure report is approved by Alberta Environment and the landfill is deemed closed.

**Staff Recommendation**

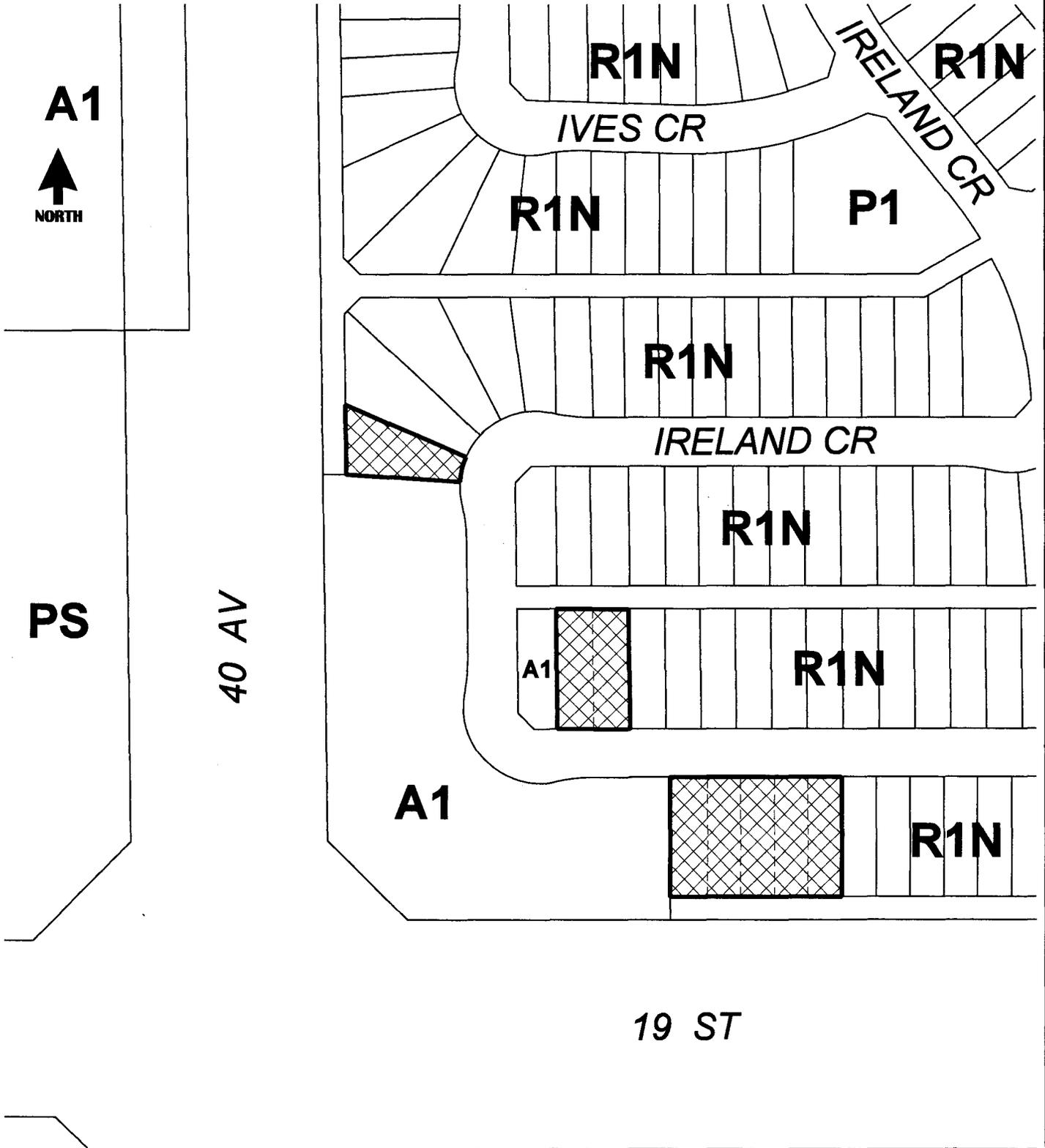
The proposal conforms with the Inglewood West Neighbourhood Area Structure Plan and therefore it is recommended that City Council proceed with first reading of Land Use Bylaw Amendment 3156/II-2005.

---

Martin Kvapil

attachments

# The City of Red Deer PROPOSED LAND USE BYLAW AMENDMENT



**AFFECTED DISTRICTS:**  
 A1 - Future Urban Development  
 R1N - Residential Narrow Lot

Change from :  
 A1 to R1N 

MAP No. 31 / 2005  
 BYLAW No. 3156 / II - 2005

*Comments:*

We agree that Council proceed with first reading of the Land Use Bylaw Amendment. A Public Hearing would be held on Monday, October 24, 2005 at 7:00 p.m. during Council's regular meeting.

While these lots are being rezoned in anticipation of approval by Alberta Environment, development of the lots cannot proceed until The City's closure report has been approved. At that point, a recommendation to subdivide will be presented to the Municipal Planning Commission.

"Morris Flewwelling"  
Mayor

"Norbert Van Wyk"  
City Manager



FILE COPY

LEGISLATIVE & ADMINISTRATIVE SERVICES  
September 27, 2005

Fax: 343-7510

Melcor Developments Ltd.  
502, 4901 – 48 Street  
Red Deer, AB T4N 6M4

Dear Sirs:

***Land Use Bylaw Amendment 3156/II-2005  
Portion of SW ½ Sec. 3-38-27-W4M  
Inglewood West – Phase 2A  
Inglewood Communities Inc.***

Red Deer City Council gave first reading to *Land Use Bylaw Amendment 3156/II-2005* at the City of Red Deer's Council Meeting held Monday, September 26, 2005. For your information, a copy of the bylaw is attached.

*Land Use Bylaw Amendment 3156/II-2005* provides for the rezoning of approximately 0.5 ha (1.2 ac) of land from A1 Future Urban Development District to R1N Residential Narrow Low District in order to develop Phase 2A of the Inglewood West Neighbourhood. This will create 8 residential lots.

Council must hold a Public Hearing before giving second and third readings to the bylaw. This office will now advertise for a Public hearing to be held on Monday, October 24, 2005 at 7:00 p.m. in Council Chambers of City Hall during Council's regular meeting.

According to the *Land Use Bylaw*, the City requires a deposit before public advertising. An amount equal to the estimated cost of advertising, which in this instance is \$400, is required by Wednesday, October 5, 2005. You will be invoiced for or refunded the difference once the actual cost of advertising is known.

Please call me if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kelly Kloss'.

Kelly Kloss  
Manager  
KK/chk  
/attach.

c Parkland Community Planning Services  
C. Adams, Administrative Assistant

\* \* \* Transmission Result Report (MemoryTX) ( Sep.27. 2005 8:25AM ) \* \* \*

1) CITY OF RED DEER  
2) Legislative and Admin. Services

Date/Time: Sep.27. 2005 8:24AM

File No. Mode	Destination	Pg(s)	Result	Page Not Sent
3226 Memory TX	3437510	P. 3	OK	

## Reason for error

E.1) Hang up or line fail  
E.3) No answerE.2) Busy  
E.4) No facsimile connection

THE CITY OF  
**Red Deer**  
LEGISLATIVE & ADMINISTRATIVE SERVICES  
September 27, 2005

Fax: 343-7510

Melcor Developments Ltd.  
502, 4901 - 48 Street  
Red Deer, AB T4N 6M4

Dear Sirs:

*Land Use Bylaw Amendment 3156/II-2005*  
*Portion of SW ¼ Sec. 3-38-27-WAM*  
*Inglewood West - Phase 2A*  
*Inglewood Communities Inc.*

Red Deer City Council gave first reading to *Land Use Bylaw Amendment 3156/II-2005* at the City of Red Deer's Council Meeting held Monday, September 26, 2005. For your information, a copy of the bylaw is attached.

*Land Use Bylaw Amendment 3156/II-2005* provides for the rezoning of approximately 0.5 ha (1.2 ac) of land from A1 Future Urban Development District to R1N Residential Narrow Low District in order to develop Phase 2A of the Inglewood West Neighbourhood. This will create 8 residential lots.

Council must hold a Public Hearing before giving second and third readings to the bylaw. This office will now advertise for a Public hearing to be held on Monday, October 24, 2005 at 7:00 p.m. in Council Chambers of City Hall during Council's regular meeting.

According to the *Land Use Bylaw*, the City requires a deposit before public advertising. An amount equal to the estimated cost of advertising, which in this instance is \$400, is required by Wednesday, October 5, 2005. You will be invoiced for or refunded the difference once the actual cost of advertising is known.

Please call me if you have any questions or require additional information.

Sincerely,

Kelly Kloos  
Manager  
KK/chk  
/attach.

c Parkland Community Planning Services  
C. Adams, Administrative Assistant

FILE COPY



Council Decision – September 26, 2005

Legislative & Administrative Services

**DATE:** September 27, 2005  
**TO:** Martin Kvapil, Parkland Community Planning Services  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Land Use Bylaw Amendment 3156/II-2005  
Portion of SW ¼ Sec. 3-38-27-W4M  
Inglewood West – Phase 2A  
Inglewood Communities Inc.

---

*Reference Report:*

Parkland Community Planning Services, dated September 16, 2005

*Bylaw Readings:*

Land Use Bylaw Amendment 3156/II-2005 was given first reading. A copy of the bylaw is attached.

*Report Back to Council: Yes*

A Public Hearing will be held on Monday, October 24, 2005 at 7:00 p.m. in Council Chambers, during Council's regular meeting.

*Comments/Further Action:*

Land Use Bylaw Amendment 3156/II-2005 provides for the rezoning of approximately 0.5 ha (1.2 ac) of land from A1 Future Urban Development District to R1N Residential Narrow Low District in order to develop Phase 2A of the Inglewood West Neighbourhood. This will create 8 residential lots. This office will now proceed with the advertising for a Public Hearing. Inglewood Communities Inc. will be responsible for the advertising costs in this instance.



Kelly Kloss  
Manager  
/chk  
/attach.

c Director of Development Services  
Inspections & Licensing Manager  
Land & Economic Development Manager  
C. Adams, Administrative Assistant  
T. Edwards, Clerk Steno

**BYLAW NO. 3156/II-2005**

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

1. That "Use District Map I4" contained within "Schedule B" of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 31/2005 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 26<sup>th</sup> day of September 2005.

READ A SECOND TIME IN OPEN COUNCIL this day of 2005.

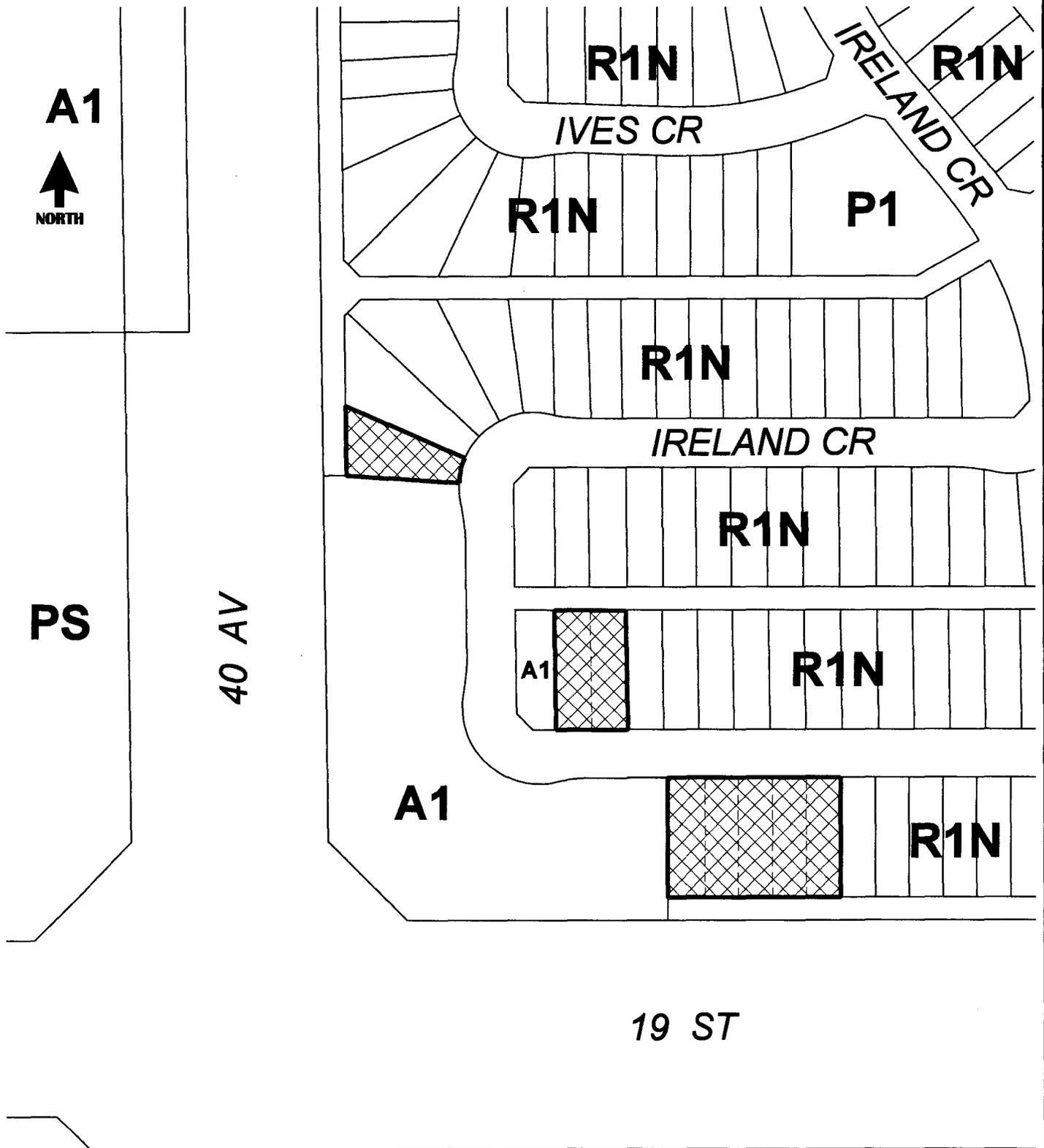
READ A THIRD TIME IN OPEN COUNCIL this day of 2005.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2005.

\_\_\_\_\_  
MAYOR

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

**The City of Red Deer** PROPOSED LAND USE BYLAW AMENDMENT



**AFFECTED DISTRICTS:**  
A1 - Future Urban Development  
R1N - Residential Narrow Lot

Change from :  
A1 to R1N 

MAP No. 31 / 2005  
BYLAW No. 3156 / II - 2005



**Legislative & Administrative Services**

**DATE:** September 19, 2005  
**TO:** City Council  
**FROM:** Legislative & Administrative Services Manager  
**SUBJECT:** Notice of Motion – Councillor Larry Pimm  
Playground Speed Zones for Tot Lots

---

At the September 12, 2005 Council Meeting, Council tabled consideration of the report from the Engineering Services Manager, dated September 1, 2005, regarding Playground Speed Zones for Tot Lots.

The attached report is now being presented for Council's consideration at the September 26<sup>th</sup> Council Meeting.

A handwritten signature in black ink, appearing to read 'Kelly Kloss', written over the printed name and title.

Kelly Kloss  
Manager

KK/chk



**Date:** September 1, 2005

**To:** Legislative & Administrative Manager

**From:** Engineering Services Manager

**Re:** Notice of Motion - Playground Speed Zones for Tot Lots

A Notice of Motion has been presented to Council to sign all streets adjacent to playgrounds, including tot lots, as Playground Zones regardless of size or equipment on-site. This report is intended to give more information to Council regarding the implications of this change.

#### **What is our current Playground Zone signing policy?**

Our current Playground Zone signing policy has been utilized for over 20 years. It allows speed reduction zones to be placed adjacent to large parks with sports fields (i.e. significant pedestrian destinations with relatively long street frontages). Small tot lots and other park spaces are not marked with speed reduction zones.

As illustrated on the attached map, there are currently 35 Playground Zones in the City and an additional 23 combination Playground/School Zones. There are another 13 small playgrounds (Tot Lots) that are not marked.

#### **Would signing of Tot Lots improve safety?**

Over thirteen years (1991 to 2003) of collision records in the City of Red Deer, there have been over 400 vehicular collisions and 13 pedestrian collisions within or adjacent to signed Playground and School Zones. During this same period, there have been 16 vehicular and only 1 pedestrian collision in unmarked playground areas. Although there are a number of other factors to be considered when assessing traffic and pedestrian safety, these statistics provide an indication that:

- There are very few collisions in the City's unmarked playground areas and very low risk to pedestrians (the one pedestrian collision was an adult at 2 a.m.),
- It is unlikely that speed reduction zones adjacent to Tot Lots would improve pedestrian safety, and
- It is likely that speed reduction zones would increase vehicle traffic safety risks.

Legislative & Administrative Manager  
September 1, 2005  
Page 2

**What are some of the concerns to signing Tot Lots?**

While it would seem that slowing traffic down would result in increased safety, the problem is related to inconsistent driver response to the speed zones. Non-compliance with the speed limit in these zones is extremely high and is expected to be even higher in short speed zones adjacent to Tot Lots. This inconsistency makes it very difficult for other motorists to make measured driving decisions and for pedestrians (particularly children) to judge the speed of approaching vehicles to decide whether or not to cross the street.

If the City were to increase the number of speed reduction zones in the City, non-compliance would increase and the RCMP's resources for enforcement would be spread over more areas, thus their ability to enforce would be diminished.

**Why should we wait for a National standard?**

The safety record of the existing signing policy is very good and a change in policy at this time could result in higher risk to pedestrians and motorists. The Transportation Association of Canada (TAC) is currently studying this matter and is expected to issue a National standard within the next year or two. Waiting for this standard would allow us to draw on the collective wisdom and experiences of experts from across the country and adopt a broadly accepted standard.

If we implement a policy change at this time, then make a later change to adopt the TAC standard, many of the zones could be affected (e.g. the tot lot signage may be removed). This would be confusing to motorists and pedestrians and could increase risk.

**What would it cost to sign Tot Lots as Playground Zones?**

If playground speed zone signs were to be installed for all City Tot Lots, about 100 signs would need to be added at an approximate cost of \$17,000.

Legislative & Administrative Manager  
September 1, 2005  
Page 3

**Recommendation**

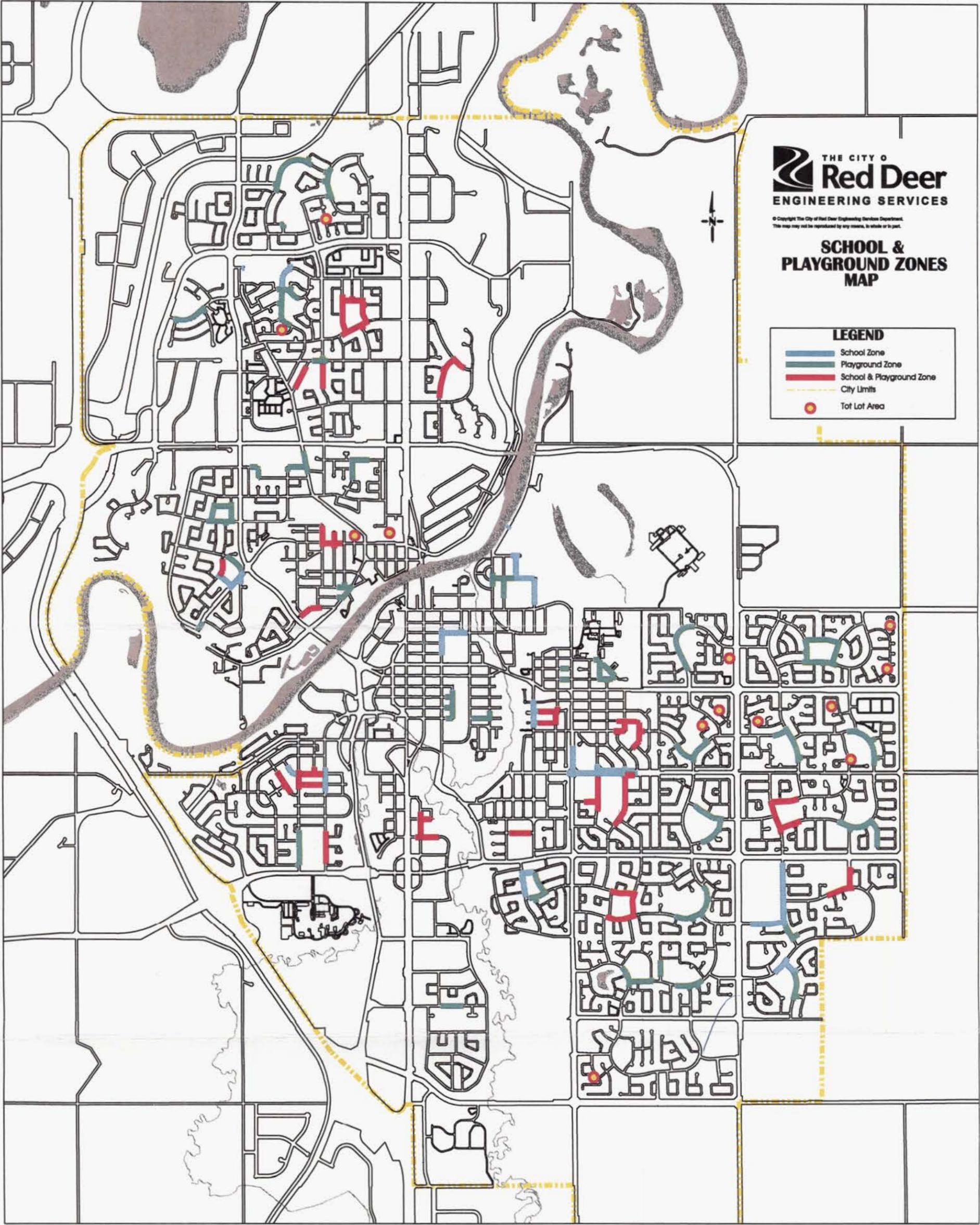
We respectfully recommend that the exiting policy remain unchanged until such time as TAC has developed a National standard. At that time our policy can be re-evaluated and amended as deemed appropriate for Red Deer.



Tom Warder, P. Eng.  
Engineering Services Manager

RJC/ldr

- c. Traffic Engineer  
Traffic Operations Engineer





*Comments:*

We agree with the recommendations of the Engineering Services Manager.

"Morris Flewwelling"  
Mayor

"Norbert Van Wyk"  
City Manager



## Council Decision – September 26, 2005

Legislative &amp; Administrative Services

**DATE:** September 27, 2005

**TO:** Tom Warder, Engineering Services Manager

**FROM:** Kelly Kloss, Legislative & Administrative Services Manager

**SUBJECT:** 1) Notice of Motion – Councillor Larry Pimm  
Playground Speed Zones for Tot Lots  
2) Request for Comments – City Wide Speed Limit Reduction

---

*Reference Report:*

Engineering Services Manager, dated September 1, 2005

*Resolutions:*

The following resolution was discussed and defeated.

*Whereas* The City of Red Deer policy does not currently provide for playground zone signage for tot lots,

*And whereas* there is no common policy for signing playground zones among Alberta cities,

*And whereas* some tot lots are located adjacent to busy collector streets,

*And whereas* drivers benefit from being alerted to the presence of all playgrounds,

*Therefore be it resolved* that The City of Red Deer adopt a policy of signing all playgrounds including tot lots as playground zones where such playgrounds border a street.

*Report Back to Council: Yes*

***Comments/Further Action:***

Councillor Dawson requested information on the implications that one should consider if Council were to reduce the speed limit on local residential roads. It was suggested that this reduction may not include collector roads.

The intent is not for you to do an analysis at this time but to generally document your views on such a change and the implications that would have to be considered if a formal review was done. You should also include the time and resources that would be required if Council directed a formal review.

Please provide your comments to me by Monday, October 31, 2005 for the November 7, 2005 Council meeting.



Kelly Kloss  
Manager

/chk

c Director of Development Services

**BYLAW NO. 3156/DD-2005**

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

1. That "Use District Map J4" contained within "Schedule B" of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 26/2005 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 29<sup>th</sup> day of August 2005.

READ A SECOND TIME IN OPEN COUNCIL this day of 2005.

READ A THIRD TIME IN OPEN COUNCIL this day of 2005.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2005.

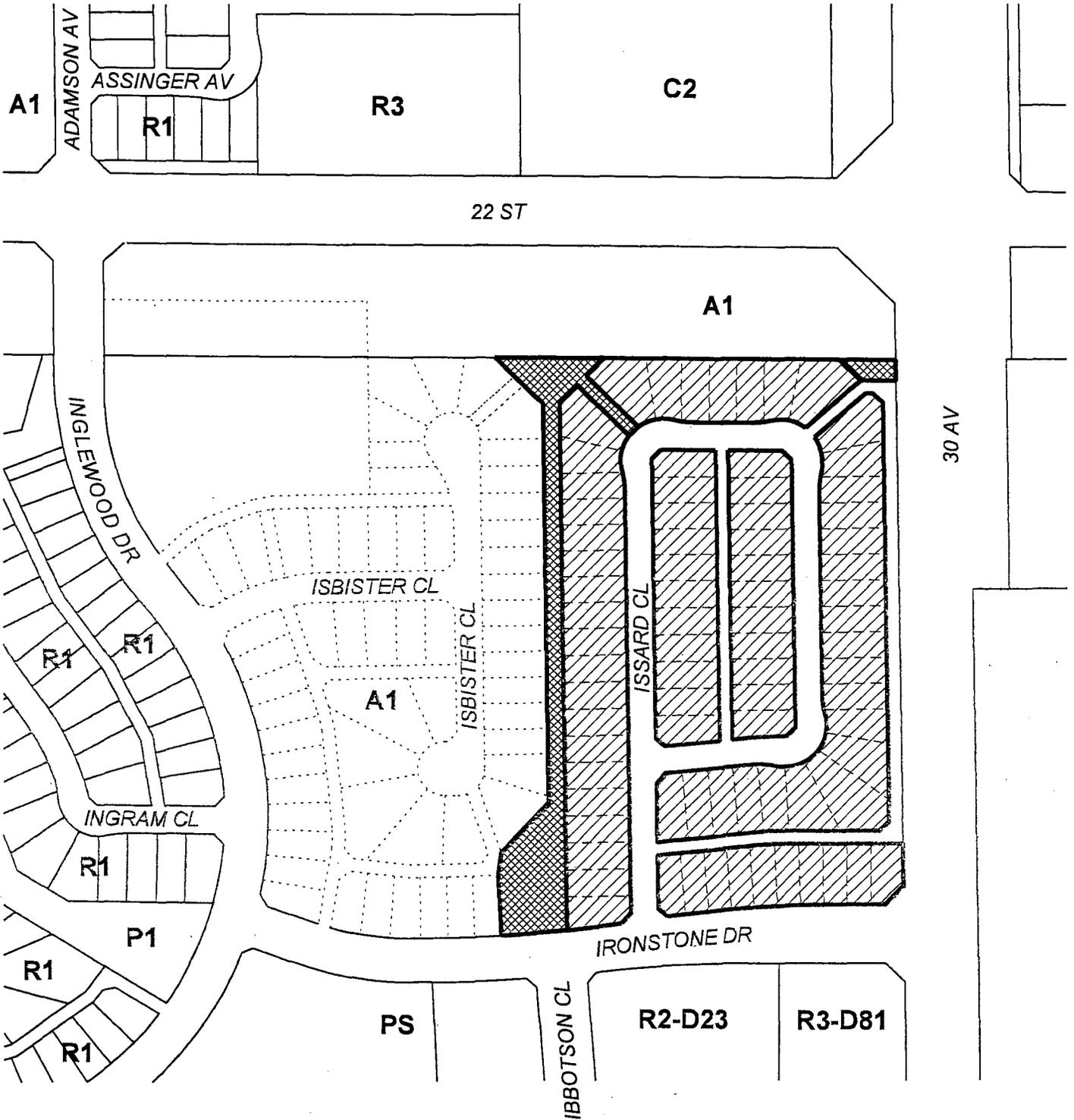
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MAYOR

---

CITY CLERK

# The City of Red Deer PROPOSED LAND USE BYLAW AMENDMENT



**AFFECTED DISTRICTS:**

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- P1 - Parks and Recreational



**Change from :**

- A1 to R1
- A1 to P1

MAP No. 26 / 2005  
 BYLAW No. 3156 / DD - 2005

**BYLAW NO. 3156/R-2005**

Being a Bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of The City of Red Deer as described herein.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

Bylaw No. 3156/96 is hereby amended as follows:

1 Section 47 is deleted in its entirety and replaced with the following new section:

- “47 No owner or person in lawful possession or control of a site shall allow or permit a trailer parked on such site to be used for living or sleeping accommodation except as follows:
- (1) A trailer parked in an approved campground.
  - (2) A trailer parked in the Westerner Exposition site if their on-site campground is full or if exhibitors require close proximity to on-site facilities.
  - (3) A self-contained trailer parked in the parking lot of a church, school, recreation venue site, community centre or major hotel with conference/convention facilities providing:
    - (a) the occupant has obtained consent from the owner of the site and is attending a function or event in a facility on that site;
    - (b) the owner of the site has obtained approval from the Development Authority;
    - (c) overnight parking on the site does not exceed two consecutive nights unless approved by the Development Authority;
    - (d) overnight parking on the site shall not exceed two occasions per calendar month unless approved by the Development Authority;
    - (e) no fees shall be charged for overnight parking;
    - (f) the owner of the site will be responsible to ensure that all City of Red Deer Bylaws, including the Public Order Bylaw, are complied with.”
  - (4) A trailer parked on a site in a residential district for 48 hours or less between the first day of May and the thirtieth day of September each year.
  - (5) A trailer parked on a site in a residential district for a period greater than 48 hours between the first day of May and the thirtieth day of September each year providing:
    - (a) the owner of the site obtains approval from the Development Authority;
    - (b) no rent or fees are paid for the use of the site or facilities;
    - (c) the period shall in no circumstances exceed thirty days without prior approval of the Development Authority.”



Item No. 3

**BYLAW NO. 3156/II-2005**

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

1. That "Use District Map I4" contained within "Schedule B" of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 31/2005 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this                      day of                      2005.

READ A SECOND TIME IN OPEN COUNCIL this                      day of                      2005.

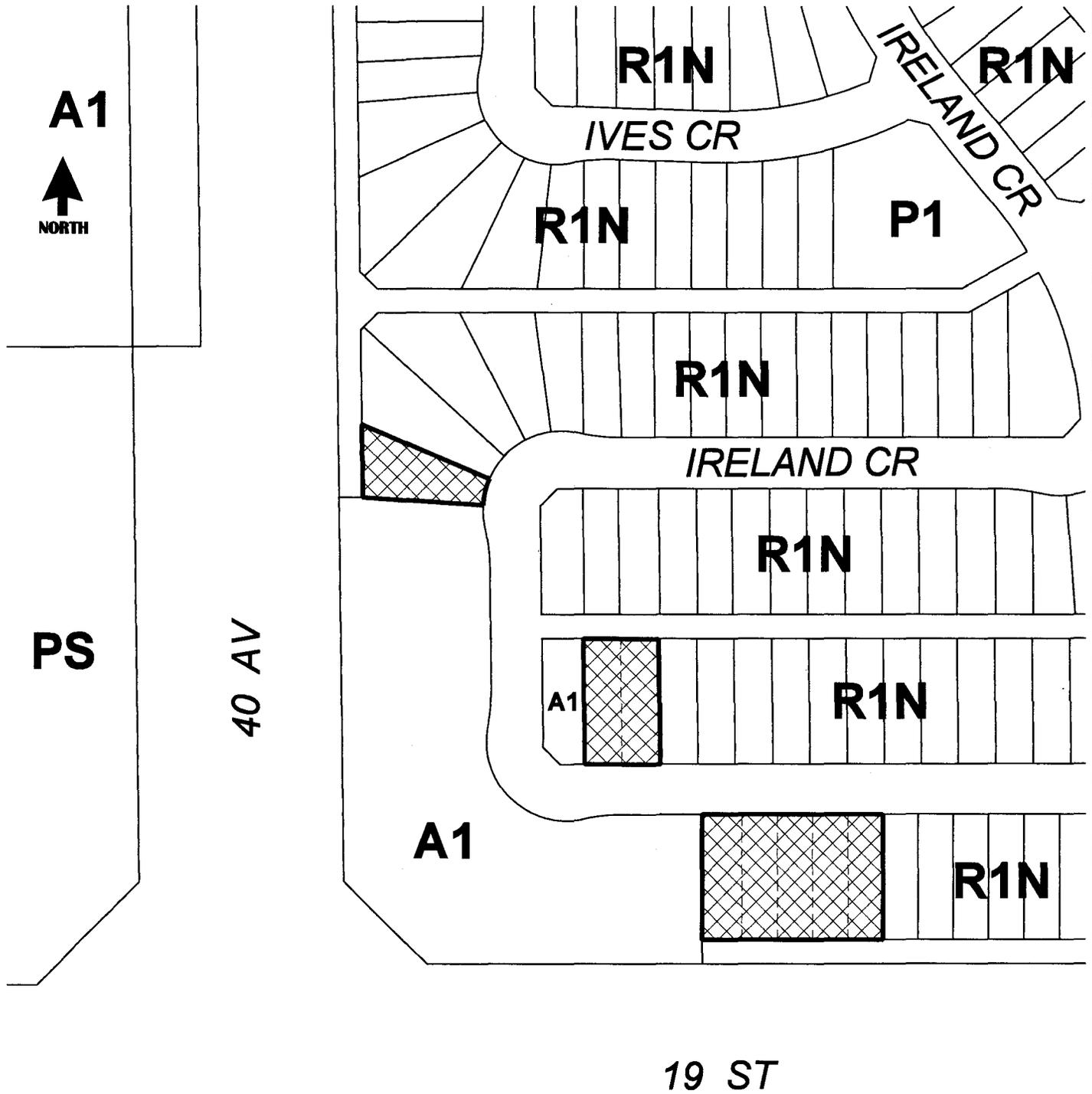
READ A THIRD TIME IN OPEN COUNCIL this                      day of                      2005.

AND SIGNED BY THE MAYOR AND CITY CLERK this                      day of                      2005.

\_\_\_\_\_  
MAYOR

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

# The City of Red Deer *PROPOSED LAND USE BYLAW AMENDMENT*



**AFFECTED DISTRICTS:**  
 A1 - Future Urban Development  
 R1N - Residential Narrow Lot

Change from :  
 A1 to R1N 

MAP No. 31 / 2005  
 BYLAW No. 3156 / II - 2005

**BYLAW 3282/B-2005**

Being a bylaw to amend Bylaw No. 3282/2001, the Taxi Business Bylaw of The City of Red Deer.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

Bylaw No. 3282/2001 is hereby amended by:

1 Amending Schedule "A", Annual License Fees, by replacing Section 2 with the following:

- "2 (a) Taxi License Plate Fee will be \$40.00
- (b) Non-Refundable Plate Draw Fee will be \$20.00

2 By adding the following sections to Schedule "B", Section 1:

- "1 (d) when the price of regular gas in the city of Red Deer is above \$1.00 per litre for two consecutive weeks, according to the MJ Ervine and Associates independent weekly gasoline survey, a surcharge of \$0.50 per trip be added to each fare.
- (e) when the price of regular gas in the city of Red Deer is below \$1.00 per litre for two consecutive weeks, according to the MJ Ervine and Associates independent weekly gasoline survey, the \$0.50 per trip surcharge will be dropped."

2 This Bylaw shall come into effect October 1, 2005.

READ A FIRST TIME IN OPEN COUNCIL this                    day of                    2005.

READ A SECOND TIME IN OPEN COUNCIL this                    day of                    2005.

READ A THIRD TIME IN OPEN COUNCIL this                    day of                    2005.

AND SIGNED BY THE MAYOR AND CITY CLERK this                    day of                    2005.

\_\_\_\_\_  
MAYOR

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

Item No. 5

**BYLAW NO. 2865/A-2005**

Being a bylaw to repeal Bylaw No. 2865/85 the Uniform Rate Bylaw.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, ENACTS AS FOLLOWS:

1. That bylaw 2865/85 be repealed.
  
2. This Bylaw shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this	day of	2005.
READ A SECOND TIME IN OPEN COUNCIL this	day of	2005.
READ A THIRD TIME IN OPEN COUNCIL this	day of	2005.
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	2005.

\_\_\_\_\_  
MAYOR

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