

FILE

DATE: March 28, 1995
TO: All Departments
FROM: City Clerk
RE: PLEASE POST FOR THE INFORMATION OF EMPLOYEES

S U M M A R Y O F D E C I S I O N S

★★★★★★★★★★★★★★

FOR THE REGULAR MEETING OF RED DEER CITY COUNCIL

HELD IN THE COUNCIL CHAMBERS, CITY HALL

MONDAY, MARCH 27, 1995

COMMENCING AT 4:30 P.M.

★★★★★★★★★★★★★★★★★★★★★★★★★★★★★★

- (1) Confirmation of the Minutes of the Regular Meeting of March 13, 1995

DECISION - CONFIRMED AS TRANSCRIBED

PAGE

(2) **UNFINISHED BUSINESS**

(3) **PUBLIC HEARINGS**

- 1) City Clerk - Re: Land Use Bylaw Amendments:
- A) 2672/H-95 provides for the development of 5 - C4 Commercial (Major Arterial) sites, 1 - R2 Residential (General) site, 4 - P1 Parks and Recreation sites (1 to accommodate the pedestrian/bike path and 3 public utility lots).
 - B) 2672/I-95 provides for the development of 43 - R1 (Single Family) parcels, 8 (16 units) R1A (Semi-Detached) parcels and 1 - P1 (Parks and Recreation) parcel for utilities in the southwestern portion of Lancaster Meadows and containing 7.74 hectares (11.73 acres). . 1

(4) **REPORTS**

- 1) Recreation, Parks & Culture Manager - Re: Appointment/City Weed Inspector .. 9

DECISION - APPOINTS MS. JUDY ADAMSON AS THE CITY WEED INSPECTOR FROM MAY 8 TO SEPTEMBER 15, 1995.

- 2) Land & Economic Development Manager - Re: Land Sale to Seibel Construction/Plans 3051 HW and 802-2781/Road Closure Bylaw 3131/95 .. 10

DECISION - BYLAW GIVEN 1ST READING.

- 3) R.D.R.P.C. - Re: Land Use Bylaw Amendment 2672/L-95 - C.P.R. Right-of-Way Area Redevelopment Plan - Area 7, 54 Avenue & 55 Avenue .. 12

DECISION - BYLAW GIVEN 1ST READING.

- 4) City Manager - Re: Organizational Bylaw 3130/95/New Municipal Government Act, R.S.A., 1980, Ch.M-26.1 (1994) .. 13

DECISION - APPOINTS H. MICHAEL C. DAY AS THE CHIEF ADMINISTRATIVE OFFICER/CITY MANAGER OF THE CITY OF RED DEER. BYLAW GIVEN 1ST & 2ND READINGS

- 5) Director of Corporate Services - Re: Comparison of Residential Property Taxes between Red Deer and other Cities .. 15

DECISION - REPORT RECEIVED AS INFORMATION

- 6) Engineering Department Manager - Re: 1995 Standard Development Agreement/Administration and Survey Network Levies . . 19

DECISION - AGREED TO TABLE THE REVISED ADMINISTRATION LEVY AND SURVEY NETWORK LEVY RATES AS OUTLINED IN THE REPORT FROM THE ENGINEERING DEPARTMENT MANAGER UNTIL THE NEXT MEETING AND A FURTHER REPORT FROM THE ENGINEERING DEPARTMENT MANAGER.

- 7) Engineering Department Manager - Re: 1995 Off-Site Levy Rates/The Off-Site Levy Bylaw Amendment 3068/A-95 . . 22

DECISION - BYLAW GIVEN 3 READINGS.

- 8) Land and Economic Development Manager - Re: Residential Lot Pricing and Sales Policy/Lancaster Meadows . . 24

DECISION - AGREED TO LOT PRICING POLICY FOR LANCASTER MEADOWS PHASE 1 & 2, AS FOLLOWS:

SINGLE FAMILY LOTS	\$7.10 PER SQ. FT.
DUPLEX LOTS	\$7.80 PER SQ. FT.

- 9) Bylaws and Inspections Manager - Re: Electrical Installations - Red Deer/Permit Bylaw 3132/95 . . 30
(Note: There are no pages 29, 39-44)

DECISION - BYLAW GIVEN 1ST & 2ND READINGS

(5) **CORRESPONDENCE**

- 1) Jeff Hanson - Re: Dog Bylaw/Fines/Offences/License . . 45

DECISION - AGREED THAT NO CHANGES BE MADE TO THE ANIMAL CONTROL BYLAW

- 2) Public School Boards' Association of Alberta - Re: Request for Financial and Moral Support/Constitutional Challenge . . 49

DECISION - RESOLUTION TO OFFER MORAL SUPPORT TO THE PUBLIC SCHOOL BOARDS' ASSOCIATION OF ALBERTA DEFEATED.

- 3) Town of Grand Centre - Re: Family Day Referendum . . 70

DECISION - CORRESPONDENCE RECEIVED AS INFORMATION AND FILED.

- 4) The Canadian National Institute for the Blind - Re: 1995 Grant Request of the C.N.I.B./Reconsideration . . 71

DECISION - AGREED TO PROVIDE FUNDING TO THE C.N.I.B. IN THE AMOUNT OF \$2,100.00.

(6) **PETITIONS AND DELEGATIONS**

(7) **NOTICES OF MOTION**

(8) **WRITTEN ENQUIRIES**

(9) **BYLAWS**

- 1) 2672/H-95 - Land Use Bylaw Amendment/provides for the development of 5 - C4 Commercial (Major Arterial) sites, 1 - R2 Residential (General) site, 4 - P1 Parks and Recreation sites (1 to accommodate the pedestrian/bike path and 3 public utility lots) - 2nd & 3rd readings . . . 1

DECISION - BYLAW GIVEN 2ND & 3RD READINGS.

- 2) 2672/I-95 - Land Use Bylaw Amendment/provides for the development of 43 - R1 (Single Family) parcels, 8 (16 units) R1A (Semi-Detached) parcels and 1 - P1 (Parks and Recreation) parcel for utilities in the southwestern portion of Lancaster Meadows and containing 7.74 hectares (11.73 acres) - 2nd & 3rd readings . . . 1

DECISION - ADOPTED THE AMENDED OUTLINE PLAN FOR LANCASTER MEADOWS SUBDIVISION AND GAVE BYLAW 2ND & 3RD READINGS.

- 3) 2672/L-95 - Land Use Bylaw Amendment/C.P.R. Right-of-Way Area Redevelopment Plan - Area #7/54 Avenue & 55 Avenue - 1st reading . . . 12
.. 79

DECISION - BYLAW GIVEN 1ST READING.

- 4) 3068/A-95 - /The Off-Site Levy Bylaw Amendment 3068/A-95/ 1995 Off-Site Levy Rates - 3 readings . . . 22
.. 81

DECISION - BYLAW GIVEN 3 READINGS.

- 5) 3130/95 - Organizational Bylaw/New Municipal Government Act, R.S.A., 1980, Ch.M-26.1 (1994) - 3 readings . . . 13
.. 82

DECISION - BYLAW GIVEN 1ST & 2ND READINGS

- 6) 3131/95 - Road Closure Bylaw/Land Sale to Seibel
Construction/Plans 3051 HW and 802-2781 - 1st reading .. 10
.. 95

DECISION - BYLAW GIVEN 1ST READING

- 7) 3132/95 - Permit Bylaw/Electrical Installations - Red Deer - 3
readings .. 10
.. 95

DECISION - BYLAW GIVEN 1ST & 2ND READINGS

ADDITIONAL AGENDA ITEM

- 1) City Clerk - Re: Municipal Planning Commission/Appointment

DECISION - AGREED TO APPOINT DAN GILLILAND AS A CITIZEN-AT-LARGE TO THE MUNICIPAL PLANNING COMMISSION TO FILL THE UNEXPIRED TERM OF WALTER REED, TERM TO EXPIRE OCTOBER 1995.

- 2) Land & Economic Development Manager - Residential Lot Prices

DECISION - AGREED TO REDUCE UNSOLD CITY LOTS ON OSMOND CLOSE AND OWEN CLOSE BY 10% AND REFUND PURCHASERS OF LOTS ON THESE CLOSES 10% OF THE LOT PRICE PAID. REDUCE LOT PRICES ON CITY DUPLEX LOTS IN LOWER FAIRVIEW BY 5% AND ONE UNSOLD LOT ON KIRKLAND CRESCENT BY 10%.

- 3) Land & Economic Development Manager - Residential Lot Prices

DECISION - AGREED THAT REPORTS 5 & 6 ON THE COMMITTEE OF THE WHOLE AGENDA DEALING WITH LOT PRICING BE PLACED ON THE OPEN AGENDA.

A G E N D A

FOR THE REGULAR MEETING OF RED DEER CITY COUNCIL

TO BE HELD IN THE COUNCIL CHAMBERS, CITY HALL,

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4)	City Manager - Re: Organizational Bylaw 3130/95/New Municipal Government Act, R.S.A., 1980, Ch.M-26.1 (1994)	.. 13
5)	Director of Corporate Services - Re: Comparison of Residential Property Taxes between Red Deer and other Cities	.. 15
6)	Engineering Department Manager - Re: 1995 Standard Development Agreement/Administration and Survey Network Levies	.. 19
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(6) **PETITIONS AND DELEGATIONS**

(7) **NOTICES OF MOTION**

- (8) **WRITTEN ENQUIRIES** ALDERMAN Pimm - Re: Referendum Question on the
"ADVISABILITY OF DECLARING THE CENTRUM
"SMOKE FREE" "

(9) **BYLAWS**

- | | | |
|----|--|----------------|
| 1) | 2672/H-95 - Land Use Bylaw Amendment/provides for the development of 5 - C4 Commercial (Major Arterial) sites, 1 - R2 Residential (General) site, 4 - P1 Parks and Recreation sites (1 to accommodate the pedestrian/bike path and 3 public utility lots) - 2nd & 3rd readings | .. 1 |
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.. 95 |

Committee of the Whole:

- 1) Committee Appointment
- 2) Land Matter
- 3) Land Matter
- 4) Legal Opinion
- 5) Administrative Matter
- 6) Legal Opinion

PUBLIC HEARINGSNO. 1

DATE: March 20, 1995
TO: City Council
FROM: City Clerk
RE: LAND USE BYLAW AMENDMENTS 2672/H-95 AND 2672/I-95

Public Hearings have been advertised in regard to the above noted Land Use Bylaw Amendments. The Public Hearings are scheduled to be held in the Council Chambers on Monday, March 27, 1995, commencing at 7:00 p.m. or as soon thereafter as Council may determine.

Land Use Bylaw Amendment 2672/H-95 provides for the development of 5 - C4 Commercial (Major Arterial) sites, 1 - R2 Residential (General) site, 4 - P1 Parks and Recreation sites (1 to accommodate the pedestrian/bike path and 3 public utility lots).

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Following the Public Hearings, Council may choose to give the Bylaw Amendments 2nd & 3rd readings.



Kelly Kloss
City Clerk

KK/ds



THE CITY OF RED DEER

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

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

March 28, 1995

Snell and Oslund Surveys (1979) Ltd.
P.O. Box 610
4826 - 47 Street
Red Deer, Alberta
T4N 5G6

Att: Dick Vanden Brink

Dear Sir:

RE: SUBDIVISION OF LOT 3, BLOCK 1, PLAN 892-0476
YOUR FILE: 1024002/CONWOOD CONSTRUCTION LTD.
LAND USE BYLAW AMENDMENT 2672/H-95

Further to my letter of February 28, 1995 concerning the above, please be advised as follows.

Council of the City of Red Deer at its meeting of March 27, 1995 held a Public Hearing concerning the above noted Land Use Bylaw Amendment. Following the Public Hearing, Land Use Bylaw Amendment 2672/H-95 received second and third readings, a copy of which is attached hereto.

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

Sincerely,



KELLY KLOSS
City Clerk

KK/clr
attchs.

cc: Principal Planner
Council and Committee Secretary, S. Ladwig



*a delight
to discover!*

DATE: MARCH 28, 1995
TO: RED DEER REGIONAL PLANNING COMMISSION
FROM: CITY CLERK
RE: LAND USE BYLAW AMENDMENTS 2672/H-95 AND 2672/I-95

Public Hearings were held at the Council Meeting of March 27, 1995 with regard to Land Use Bylaw Amendments 2672/H-95 and 2672/I-95. At this meeting said bylaws were given second and third readings, copies of which are attached hereto.

Land Use Bylaw Amendment 2672/H-95 provides for the development of 5-C4 commercial (Major Arterial) sites, 1-R2 Residential (General) site, 4-P1 Parks and Recreation sites (1 to accommodate the pedestrian/bike path and 3 public utility lots).

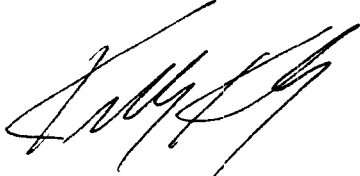
Land Use Bylaw Amendment 2672/I-95 provides for the development of 43-R1 (Single Family) parcels, 8 (16 units) R1A (Semi-Detached) parcels, and 1-P1 (Parks and Recreation) parcel for utilities in the southwestern portion of Lancaster Meadows and containing 7.74 ha (11.73 acres).

Prior to the passage of Land Use Bylaw Amendment 2672/I-95, the following resolution was passed:

"RESOLVED that Council of The City of Red Deer, having considered report from the Red Deer Regional Planning Commission dated March 20, 1995, re: Proposed Outline Plan Amendment, Lancaster Meadows Subdivision, hereby adopts the amended Outline Plan for Lancaster Meadows Subdivision, as submitted to Council March 27, 1995."

Red Deer Regional Planning Commission
March 28, 1995
Page 2

I trust you will be updating the Outline Plan of Lancaster Meadows in accordance with the above resolution and forwarding to this office the amended Land Use Bylaw pages in due course.

A handwritten signature in black ink, appearing to read 'Kelly Kloss', written in a cursive style.

KELLY KLOSS
City Clerk

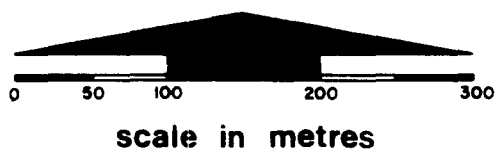
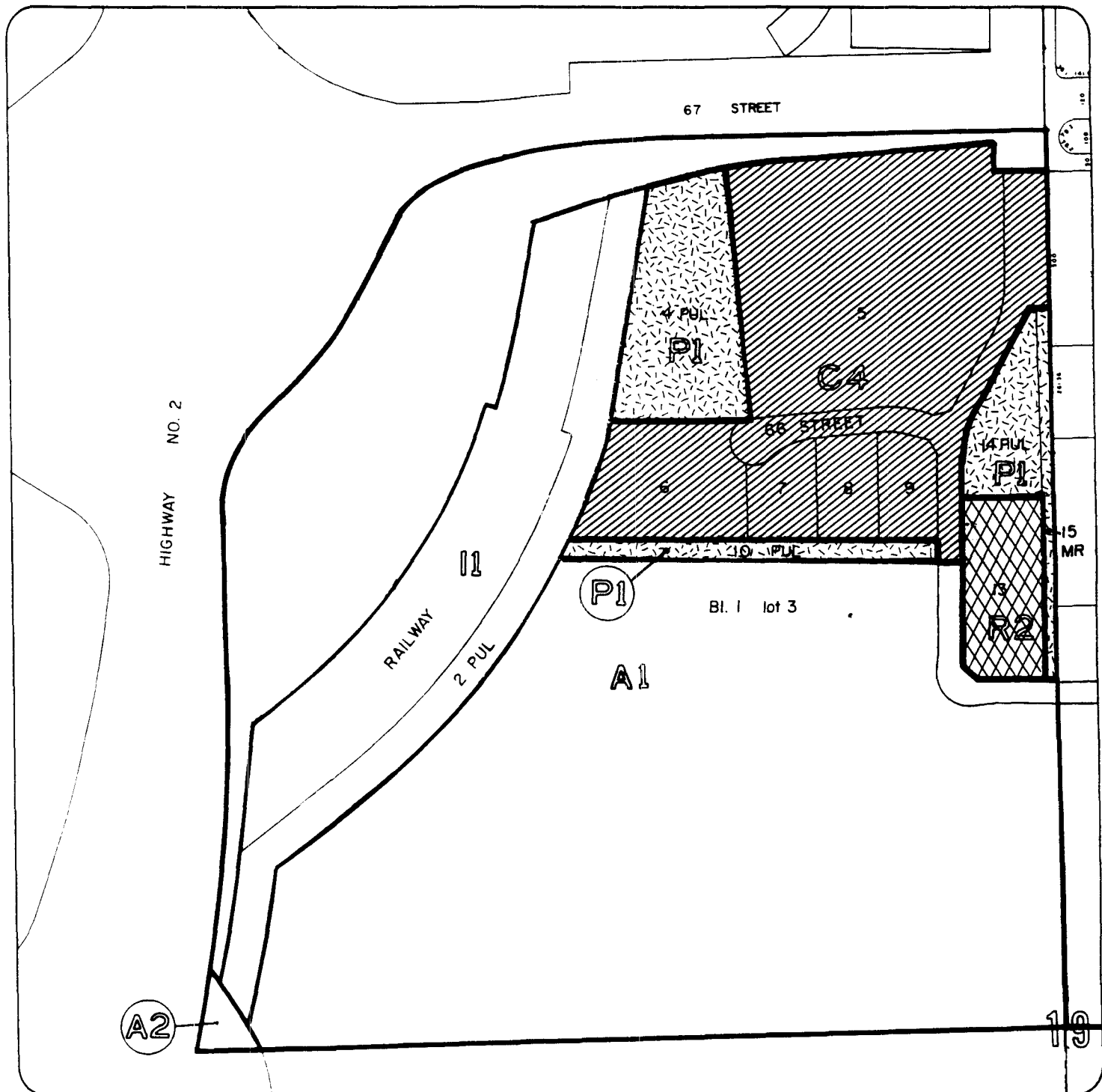
KK/clr
attchs.

cc: Director of Development Services
Director of Community Services
Bylaws and Inspections Manager
City Assessor
E. L. & P. Manager
Fire Chief
Public Works Manager
Council and Committee Secretary, S. Ladwig

City of Red Deer ² Land Use Bylaw

Land Use Districts

C11



Revisions :

MAP NO. 2/95

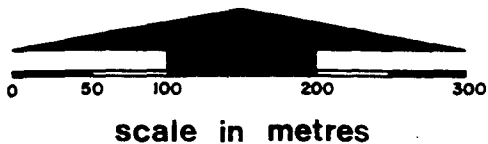
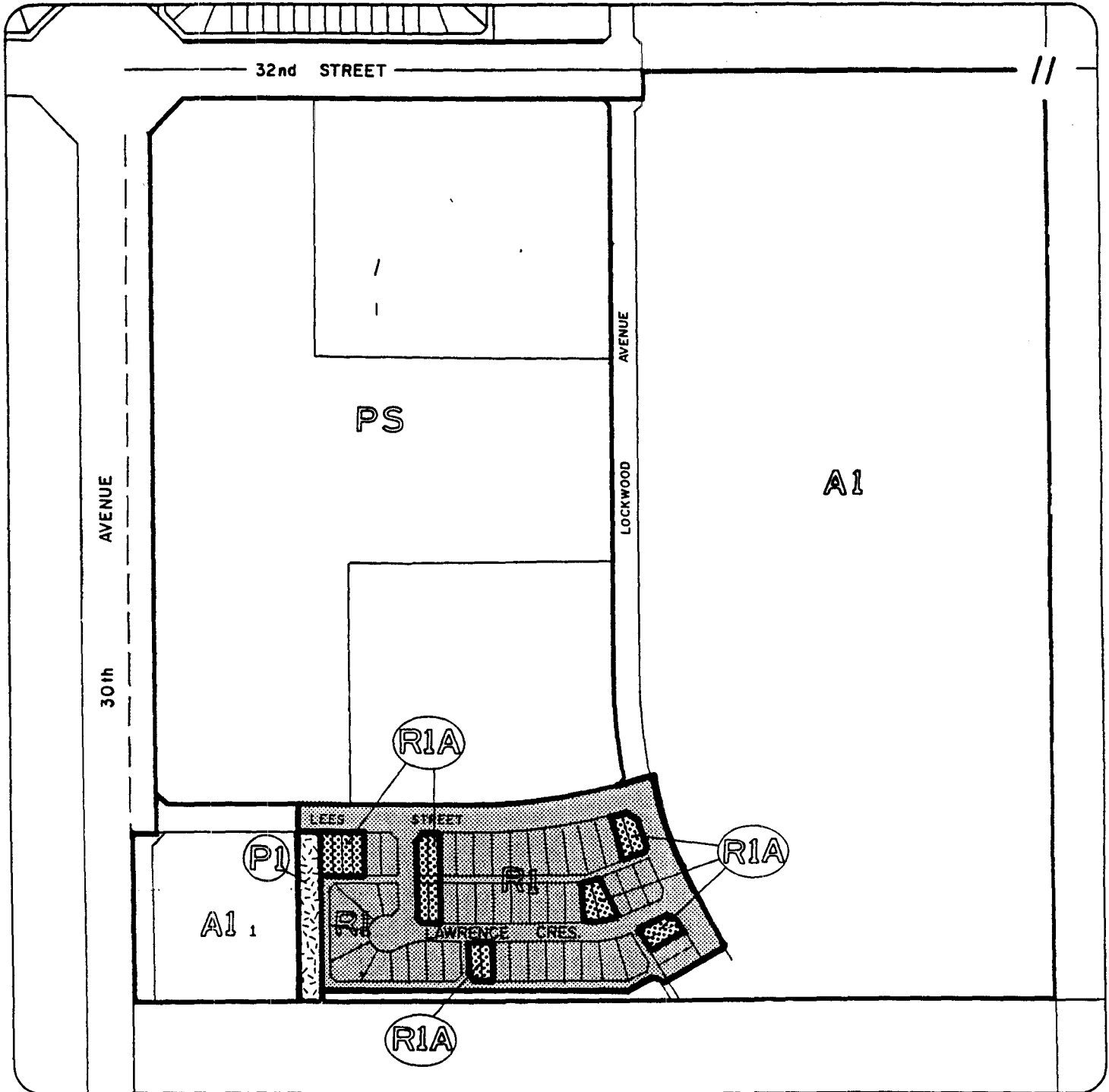
Bylaw No. 2672/H-95

Change from A1 to C4 P1 R2

City of Red Deer ³ Land Use Bylaw

Land Use Districts

K6



Revisions :

MAP NO 3/95
Bylaw No. 2672/I-95

Change from A1 to R1 R1A P1



**RED DEER
REGIONAL PLANNING COMMISSION**

2830 BRENNER AVENUE, RED DEER,
ALBERTA, CANADA T4R 1M9

Telephone: (403) 343-3394
Fax: (403) 346-1570

DIRECTOR: W. G. A. Shaw, ACP, MCIP

DATE: March 20, 1995

TO: City Council, City of Red Deer

FROM: Frank Wong, Planning Assistant

**RE: PROPOSED OUTLINE PLAN AMENDMENT
LANCASTER MEADOWS SUBDIVISION**

An Open House was held on March 16, 1995, to seek public input regarding amendments to the Outline Plan for Lancaster Meadows.

The proposed amendments to the approved Outline Plan are:

- * decreasing the number of semi-detached lots and the integration of single family and semi-detached lots in Phase 1
- * relocating the social care parcel to the south-east corner of the quarter section
- * replacing the term "innovative housing" with "multiple family housing" and,
- * amending the development phasing plan.

The Open House was attended by 4 people (registration and comments enclosed). These people were all interested in purchasing a lot in the area, because of the existing and future amenities (high schools and recreation centre).

At the Open House, the only concerns were related to the proposed integration of single family and semi detached lots in Phase 1. The comments suggest that the semi-detached lots be grouped.

This proposed plan has been circulated to the various City departments. The Land & Economic Development is recommending the integration of single family and semi-detached lots in Phase 1 to test the market for this concept.

Planning staff recommend that City Council adopt the amended outline plan as submitted.

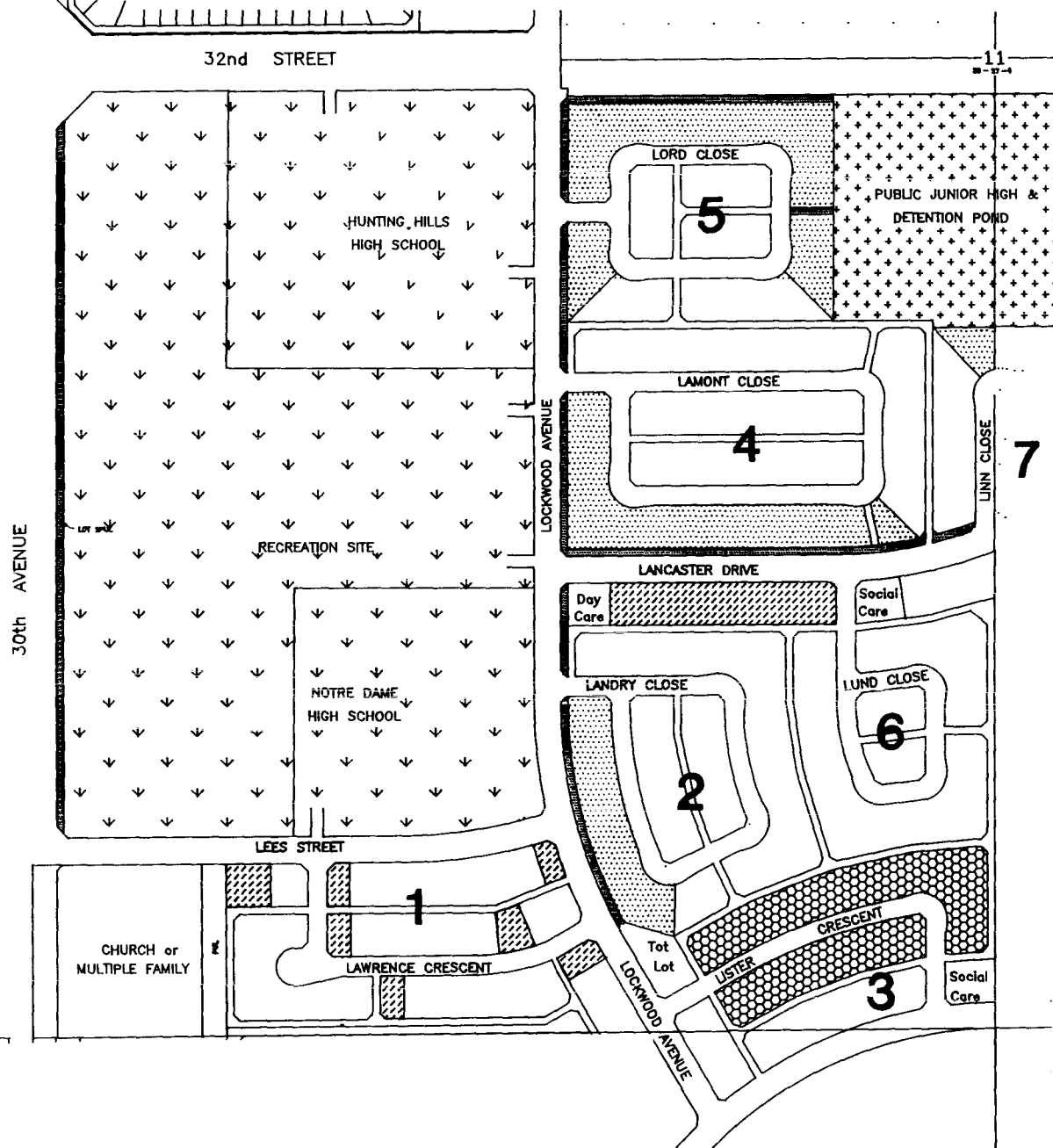
Frank Wong,
PLANNING ASSISTANT

/cc

Enclosures

LANCASTER MEADOWS OUTLINE PLAN

Adopted by Council: August 3, 1993
September 26, 1994



DEVELOPABLE AREA	Saleable Frontage	Units
Single Family (laned)	3231m (15m)	215
Single Family (laneless)	895m (17m)	53
Semi-detached	355m (9m)	40
Day Care/Social Care	98m	3
Multiple Family	438m (7m)	63
Church or Multiple Family	2 ha (5 ac.)	60

Total Units 434

UT

RESERVE DEDICATION

High School/Recreation	2.02 ha
Detention Pond/School	1.10 ha
Walkways/Utilities	0.98 ha
Tot Lot	0.21 ha

Total - 4.31 ha (10.65 ac)

4 PHASING

PROPOSED DESIGN Lancaster Meadows

S.W.11,TWP.38,RGE.27 W4M

Prepared by: RDRPC
DATE: June 10, 1992
REVISED: June 24, 1992
October 5, 1992
August 10, 1994
March 6, 1995



6
PUBLIC OPEN HOUSE
LANCASTER MEADOWS OUTLINE PLAN

RED DEER REGIONAL PLANNING COMMISSION/CITY OF RED DEER

MARCH 16, 1995

NAME: BOB SMITTEN

ADDRESS 27 DEPALME ST RED DEER ALTA T4R 2G4

COMMENTS

I QUESTION THE ADVISABILITY OF SCATTERING DUPLEX
LOTS IN WITH SINGLE FAMILY DWELLINGS. PARTICULARLY
IN A CLOSE OR CRESCENT, SETTING. WHILE THE PROPOSAL
MAY IMPROVE THE MARKETABILITY OF THE DUPLEX LOTS,
IT WILL HAVE AN IMPACT ON THE MARKETABILITY OF
THE SINGLE FAMILY LOTS. AND GIVEN THE PRICE OF
SINGLE FAMILY LOTS IN THE CITY OF RED DEER ONE
HAS TO QUESTION ^{THE} ADVISABILITY OF SUCH A PROPOSAL

PUBLIC OPEN HOUSE
LANCASTER MEADOWS OUTLINE PLAN

RED DEER REGIONAL PLANNING COMMISSION/CITY OF RED DEER

MARCH 16, 1995

NAME: Rick & Irish Ross
ADDRESS 3 Doranna Place Red Deer 886-4965

COMMENTS

We are going to wait for phase II not
draw as Phase one has been ruined
by the placement of the duplex's

It is a good idea in Phase II what all
the duplex's ~~are~~ are on Lancaster Drive

Please!! Please leave this plan as
is!

We would like to see the future phases
have all the duplex's grouped together
not spread all over as in Phase I
or none at all.

PUBLIC OPEN HOUSE
LANCASTER MEADOWS OUTLINE PLAN

RED DEER REGIONAL PLANNING COMMISSION/CITY OF RED DEER

MARCH 16, 1995

NAME: LORRAINE/ELDON WOLTER
ADDRESS 125 DOWLER ST. R.D. 343-1709

COMMENTS

We feel that Phase 1 is laid out adequate. However, some of the duplexes maybe sure have been put along Leckwood Ave. in order to retain # phase 2 & phase 6 for a higher quality of development. This would give us an ample amount of duplexes that are on demand & still a lot of interest from the rest of the community to develop single family homes.

However, we are happy that the city is going ahead in development again, it helps to keep the business circulating.

[illegible]

NO. 1

weedcntl\inspctr.apt

DATE: March 21, 1995
TO: CITY COUNCIL
FROM: DON BATCHELOR
Recreation, Parks & Culture Manager
RE: APPOINTMENT - CITY WEED INSPECTOR

In accordance with the Province of Alberta Weed Control Act, I request that City Council appoint Ms. Judy Adamson as the City Weed Inspector for 1995.

Ms. Adamson has held the position of Weed Inspector for The City of Red Deer over the past nine (9) years. In 1994, 146 weed complaints/notices were dealt with by the Weed Inspector. As Weed Inspector, Ms. Adamson, monitors all privately owned and public lands to prevent the spread of noxious weeds and to ensure their control. This position also serves in the capacity of a Parks Labourer approximately 70% of the work week, performing work tasks related to tree pruning, biological mosquito control and weed/pest control applications. Many of the liaison functions with Provincial representatives and landowners previously undertaken by the Parks Planner (terminated position in 1994) are now undertaken by the Weed Inspector.

RECOMMENDATION

That City Council appoint Ms. Judy Adamson as the City Weed Inspector from May 8, 1995 - September 15, 1995.



DON BATCHELOR

:ad

- c. Lowell Hodgson, Director of Community Services
Ron Kraft, Parks Construction/Maintenance Superintendent

COMMENTS:

We concur with the Recreation, Parks & Culture Manager.

"G. SURKAN"
Mayor
"M.C. DAY"
City Manager

DATE: MARCH 28, 1995

TO: RECREATION, PARKS AND CULTURE MANAGER

FROM: CITY CLERK

RE: APPOINTMENT - CITY WEED INSPECTOR

At the Council Meeting of March 27, 1995, consideration was given to your report dated March 21, 1995 concerning the above. At this meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer having considered report from the Recreation, Parks & Culture Manager dated March 21, 1995, re: Appointment - City Weed Inspector hereby appoints Ms. Judy Adamson as the City Weed Inspector from May 8, 1995 to September 15, 1995, and as presented to Council March 27, 1995."

The decision of Council in this instance is submitted for your information. This office will be forwarding confirmation of the above appointment to the Weed Control and Field Services Branch.



KELLY KLOSS
City Clerk

KK/clr

cc: Director of Community Services



THE CITY OF RED DEER

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

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

March 29, 1995

Weed Control & Field Services Branch
Plant Industry Division
701 Agriculture Building
9718 - 107 Street
Edmonton, Alberta
T5K 2C8

Dear Sir/Madam:

RE: NOTIFICATION OF APPOINTMENT OF WEED INSPECTOR

This is to advise that:

Judy Adamson

City of Red Deer
Recreation, Parks and Culture Department
P.O. Box 5008
Red Deer, Alberta
T4N 3T4

was appointed as Weed Inspector by resolution of Council on March 27, 1995.

Appointment effective from May 8, 1995 to September 15, 1995.

Sincerely,

KELLY KLOSS
City Clerk

KK/clr

cc: Recreation, Parks and Culture Manager



*a delight
to discover!*

NO. 2

DATE: March 16, 1995
TO: Kelly Kloss, City Clerk
FROM: Alan Scott, Land and Economic Development Manager
RE: **LAND SALE TO SEIBEL CONSTRUCTION LTD.
LAND AND STREET CLOSURES - PLANS 3051 HW AND 802-2781**

Due to the sale of land adjacent to Lot 1A, Plan 802-2781, it is necessary to facilitate this new plan of subdivision to request the following lane and road closures to be approved by bylaw:

1. All that portion of lane as shown on Plan 3051 HW, contained within Lot 3 MR, Plan _____, and containing 0.091 ha (0.22 ac.) more or less.
Excepting thereout all mines and minerals.
2. All that portion of lane as shown on Plan 3051 HW, contained within Lot 2, Plan _____, and containing 0.045 ha (0.12 ac.) more or less.
Excepting thereout all mines and minerals.
3. All that portion of street as shown on Plan 3051 HW, and contained within Lot 3 MR, Plan _____, and containing 0.403 ha (1.00 ac.) more or less.
Excepting thereout all mines and minerals.
4. All that portion of street as shown on Plan 3051 HW, and contained within Lot 2, Plan _____, and containing 0.002 ha (0.01 ac.) more or less.
Excepting thereout all mines and minerals.
5. All that portion of addition to street as shown on Plan 802-2781, contained within Lot 3 MR, Plan _____, and containing 0.019 ha (0.05 ac.) more or less.
Excepting thereout all mines and minerals.

Enclosed is a sketch showing the areas involved.

RECOMMENDATION

We recommend that City Council approve the above lane and road closures.



Alan V. Scott

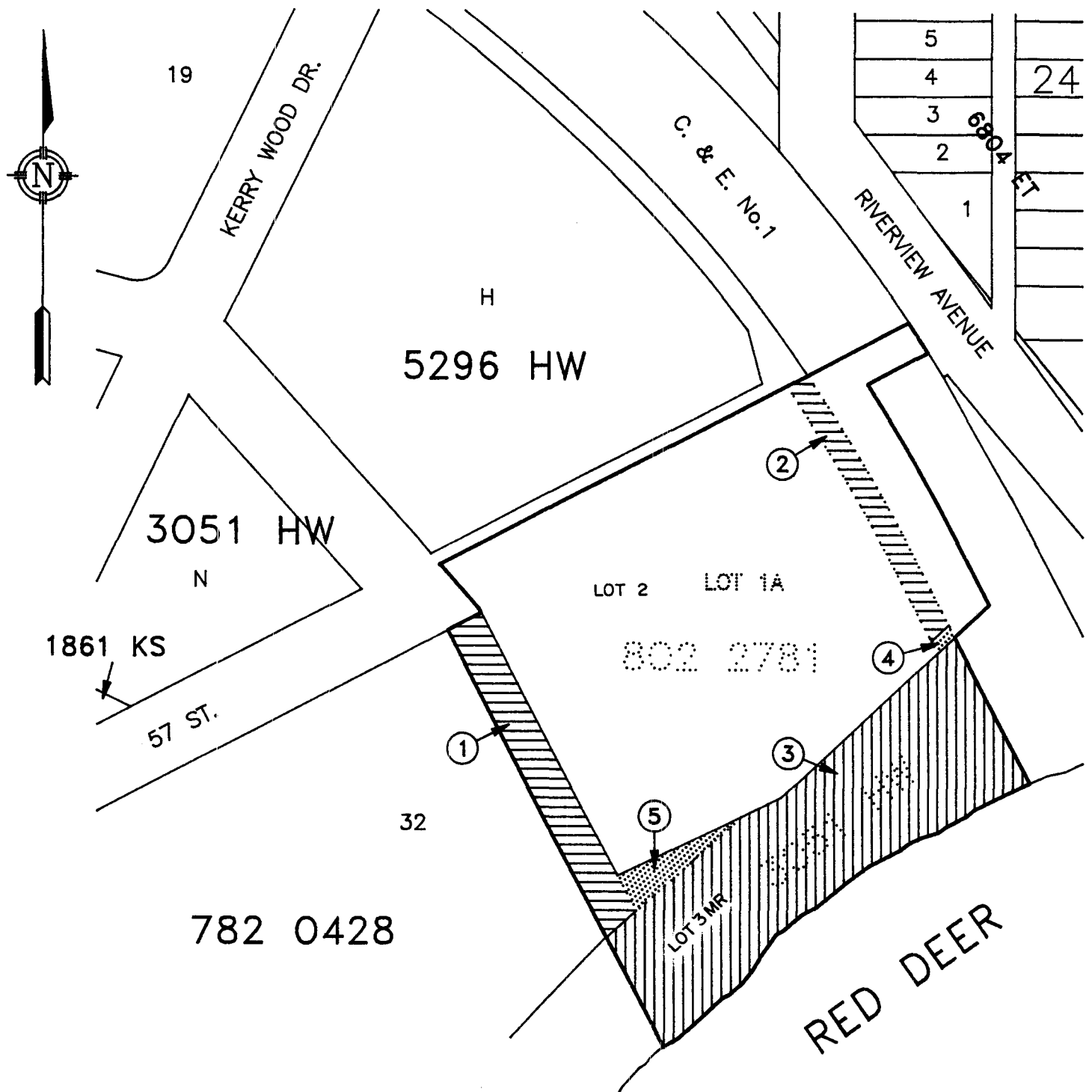
PAR/mm

COMMENTS:

We concur with the recommendation of the Land & Economic Development Manager.

"G. SURKAN"
Mayor

"M.C. DAY"
City Manager



RED DEER

Sketch Showing
Areas for ROAD CLOSURE
in the
S.E.1/4 SEC.20-38-27-4

SCALE = 1:1500

BY: DIRK VANDENBRINK A.L.S.

0 15 30 60 90 120 150 Metres

LEGEND & NOTES

AREAS AND DISTANCES ARE APPROXIMATE AND
MAY VARY PRIOR TO FINAL REGISTRATION.

AREAS REQUIRED ARE AS FOLLOWS:

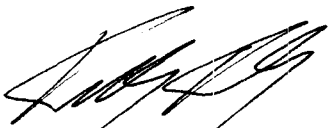
AREA 1	=	0.091 ha.
AREA 2	=	0.047 ha.
AREA 3	=	0.401 ha.
AREA 4	=	0.002 ha.
AREA 5	=	0.019 ha.
TOTAL	=	0.560 ha.

DATE: MARCH 28, 1995
TO: LAND AND ECONOMIC DEVELOPMENT MANAGER
FROM: CITY CLERK
**RE: ROAD CLOSURE BYLAW 3131/95, LAND SALE TO SEIBEL
CONSTRUCTION LTD., PLANS 3051 H.W. AND 802-2781**

At the Council Meeting of March 27, 1995, consideration was given to your report dated March 16, 1995 concerning the above topic. At this meeting first reading was given to Road Closure Bylaw 3131/95, a copy of which is attached hereto.

This office will now proceed with advertising for a Public Hearing to be held on Monday, May 8, 1995, commencing at 7:00 p.m., or as soon thereafter as Council may determine.

Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr
attchs.

cc: Director of Development Services
City Assessor
Recreation, Parks and Culture Manager
Public Works Manager
Principal Planner
Council and Committee Secretary, S. Ladwig



**RED DEER
REGIONAL PLANNING COMMISSION**

2830 BRENNER AVENUE, RED DEER,
ALBERTA, CANADA T4R 1M9

NO. 3

DIRECTOR: W. G. A. Shaw, ACP, MCIP

Telephone: (403) 343-3394
Fax: (403) 346-1570

DATE: March 21, 1995

TO: City Council, City of Red Deer

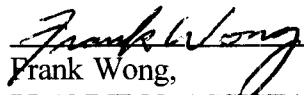
FROM: Frank Wong, Planning Assistant

RE: **PROPOSED LAND USE BYLAW AMENDMENT 2672/L-95**
C.P.R. Right-of-Way Area Redevelopment Plan - Area #7
54 Avenue & 55 Avenue

The C.P.R. Right-of-Way Redevelopment Plan, being Bylaw No. 3073/92 was adopted in 1992 and amended by Bylaw No. 3073/A-93. Area #7 of the above Plan identifies the above portion of the abandoned right-of-way as future multiple family sites.

The City Land and Economic Department is in the process of negotiating with adjacent property owners as to land exchange/sale of the above subject lands.

Planning staff recommend that City Council proceed with the first reading of the proposed land use amendment.


Frank Wong,
PLANNING ASSISTANT
/cc
Encl.

COMMENTS:

We concur with the recommendation of the Planning Assistant.

"G. SURKAN"
Mayor
"M.C. DAY"
City Manager

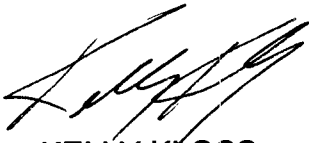
DATE: MARCH 28, 1995
TO: PRINCIPAL PLANNER
FROM: CITY CLERK
RE: LAND USE BYLAW AMENDMENT 2672/L-95

At the Council Meeting of March 27, 1995, first reading was given to the above noted Land Use Bylaw Amendment, a copy of which is attached hereto.

Land Use Bylaw Amendment 2672/L-95 provides for the rezoning of Area 7 of the CPR Right-Of-Way Redevelopment Plan from I1 to R2 and Road and from Lane to R3 D-216.

This office will now proceed with preparation for the advertising for a Public Hearing to be held in the Council Chambers of City Hall, on Monday, April 24, 1995, commencing at 7:00 p.m., or as soon thereafter as Council may determine.

Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr
attchs.

cc: Director of Development Services
Director of Community Services
Bylaws and Inspections Manager
Recreation, Parks and Culture Manager
City Assessor
Council and Committee Secretary, S. Ladwig

NO. 4

DATE: March 21, 1995

TO: CITY COUNCIL

FROM: CITY MANAGER

RE: ORGANIZATIONAL BYLAW FOR THE CITY OF RED DEER

The new Municipal Government Act, R.S.A., 1980, Ch.M-26.1 (1994) came into force on January 1, 1995, requires that Council establish an Organizational Bylaw to deal with certain matters specified in the Act.

Bylaw No. 3130/95, cited as the "Organizational Bylaw" for The City of Red Deer, will replace Bylaw 3029/90, "The Commissioners' Bylaw".

There are a number of significant items which are addressed in the new Bylaw:

- 1) **Establishment of the position of chief administrative officer**, to be known as the City Manager, and definition of the powers, duties and functions of the position.
- 2) **Definition of the duties of the Chief Elected Officer**, the Mayor, which are additional to the Mayor's duties as a member of Council.
- 3) **Establishment of the Senior Management Team** consisting of the Mayor, City Manager, the Director of Development Services, the Director of Corporate Services and the Director of Community Services, and definition of the responsibilities of the Team.

The definition of powers and duties of the CAO, the CEO and the Senior Management Team, reflect the approach set out in the report entitled "Organization Change - First Steps" approved by Council in December, 1994.

- 4) **Establishment of the positions of City Manager, City Assessor, City Clerk, Director of Corporate Services and Director of Development Services** to carry out the powers, duties and functions of a **designated officer** under the Act, or any other enactment or bylaw.

While under the old Act Council was required to appoint a City Clerk, a City Assessor, etcetera, the new Act is somewhat more flexible and the number of designated officers is at the discretion of the municipality. We had a great deal of difficulty in determining the advantages and disadvantages of having designated officers, and the list as outlined in No. 4 above represents what we believe to be the most reasonable approach to the situation. The list of duties of each Designated Officer has been confined to those duties which are specifically set out in the MGA as requiring designation. The CAO has been specifically identified as being the Designated Officer for the remaining specific sections of the Act which require a power to be exercised by a Designated Officer.

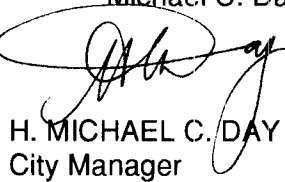
In addition to the items noted above, the new Bylaw also deals with notice of meetings of Council and Council Committees; signing authority for The City; and the appointment of members of Council as Deputy Mayor. It also maintains the status quo with respect to the election of the Mayor by a vote of the electors of the municipality, rather than the appointment of the CEO from among the councillors.

TO: CITY COUNCIL
22Mar95
Page 2

Organizational Bylaw No. 3130/95 has had substantial discussion and review by Department Heads and the Senior Management Team, and is presented in its final form for passage by Council.

RECOMMENDATION:

- 1) That Council of The City of Red Deer pass Bylaw No. 3130/95, cited as the "Organizational Bylaw" for The City of Red Deer, and
- 2) That, in accordance with Section 205 of the Municipal Government Act, Council appoint H. Michael C. Day the Chief Administrative Officer/City Manager of The City of Red Deer.



H. MICHAEL C. DAY
City Manager

pms
Att.

COMMENTS:

I concur with the recommendation of the City Manager.

"G. SURKAN"
Mayor

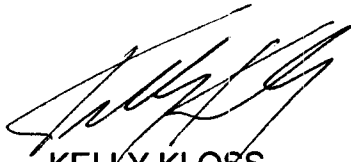
DATE: MARCH 28, 1995
TO: CITY MANAGER
FROM: CITY CLERK
RE: ORGANIZATIONAL BYLAW 3130/95

At the Council Meeting of March 27, 1995, consideration was given to your report dated March 21, 1995, re: Organizational Bylaw for The City of Red Deer, and at which meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer hereby appoints H. Michael C. Day as the Chief Administrative Officer/City Manager of The City of Red Deer, and as presented to Council March 27, 1995."

In addition to the above resolution, Council considered first and second reading only of Organizational Bylaw 3130/95. Third reading of this Bylaw will be considered at the Council Meeting of April 10, 1995. If this Bylaw passes, the above resolution will then take effect.

Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr

cc: Personnel Manager
Pat Shaw, Executive Assistant

NO. 5

DATE: February 23, 1995

**TO: Mayor
Aldermen**

FROM: Director of Corporate Services

**RE: COMPARISON OF RESIDENTIAL PROPERTY TAXES
BETWEEN RED DEER AND OTHER CITIES**

Attached for Council's information is a comparison of 1994 property tax and utility charges for a single family home for various cities done by the City of Edmonton.

You will note that Red Deer ranks second lowest behind Medicine Hat in terms of total property tax and utility charges. In terms of property taxes alone, Red Deer ranks fourth out of the five Alberta cities listed.

There has been concern expressed by some members of Council and the media about the apparently high rate of residential property taxes in Red Deer compared with other cities. This is especially highlighted by studies done by real estate firms such as Royal LePage.

A major reason residential taxes are higher in Red Deer compared with other cities is that Council wants to maintain less of a difference between the residential and non-residential mill rates for municipal purposes. This means the burden of taxation is shifted toward the residential taxpayer in Red Deer compared with other cities. For example, comparing mill rates in Red Deer with Lethbridge for 1993:

**COMPARISON OF MUNICIPAL MILL RATES
BETWEEN RED DEER AND LETHBRIDGE
1993**

<u>Mill Rate</u>	<u>Red Deer</u>	<u>Lethbridge</u>
Residential	7.529	11.038
Non-Residential	8.632	17.352
% Residential Rate is of the Non-Residential Rate	<u>87%</u>	<u>64%</u>

If the difference between the mill rates was the same in Red Deer as for Lethbridge (64%) then the residential municipal mill rate would have been 11% less or about \$78 for the average house.

Mayor, Alderman
 February 23, 1995
 Page 2

Some concern has also been expressed that the total amount of taxes collected in Red Deer is higher than for other cities such as Lethbridge. Attached is a comparison of the 1994 recoveries for Red Deer and Lethbridge for the following purposes:

- property taxes for municipal purposes
- business taxes
- gas franchise fee.

It will be noted that although Lethbridge's population is 7.5% greater than for Red Deer, the total recoveries for the above purposes is 20% greater. If Lethbridge's revenues for the above purposes were only 7.5% greater than for Red Deer, their revenue would be \$2.93 million less.

An additional item of interest on the attached chart is that although the total property taxes collected for municipal purposes in Lethbridge is 16.8% higher than for Red Deer, the amount collected from residential properties is the same even though Lethbridge has 7.5% more population.

The result of the comparison of the selected revenues of Red Deer and Lethbridge is that:

- the burden for payment is shifted to the non-residential sector in Lethbridge (residential taxes are the same but non-residential taxes are 53% higher)
- the total recoveries in Lethbridge are much greater than for Red Deer (20% greater recoveries but only 7.5% more population).

This report is submitted for the information of Council.



A. Wilcock, B. Comm., C.A.
 Director of Corporate Services

AW/jt
 Att.

c. City Manager
 Director of Community Services
 Director of Development Services

~~Enclosure VIIa~~

Combined Net Property Tax and Utility Charges for a Single Family House in 1994

City	Net (1) Property Tax (\$)	Utility Charges (\$)	Total (\$)	Rank
EDMONTON	1,535	1,224 (2)	2,759 (2)	9
		(1,127)	(2,662)	
Calgary	1,652	1,163	2,815	11
Red Deer	1,632	1,063	2,695	7
Medicine Hat	1,150	821	1,971	1
Lethbridge	1,560	1,163	2,723	8
Montreal	2,443	633	3,076	13
Vancouver	1,514	803	2,317	3
Victoria	1,905	747	2,652	6
Regina	1,976	1,167	3,143	14
Saskatoon	1,766	1,052	2,818	12
Winnipeg	2,300	979	3,279	15
Toronto	2,265	1,135	3,400	16
Ottawa	2,751	945	3,696	17
North York	3,084	1,194	4,278	18
Halifax	1,652	1,116	2,768	10
Saint John	1,405	1,236	2,641	5
Fredericton	1,577	1,038	2,615	4
St. John's	1,100	963	2,063	2
18 City Average	1,848	1,024	2,873	-

Prepared by: The City of Edmonton, Planning and Development Department, December 1994.

Notes: (1) Property tax levy net of homeowner grants or credits, including school taxes.

(2) Includes surcharges for cast iron water mains and sewer upgrading; figure in bracket excludes these surcharges.

**COMPARISON OF SELECTED REVENUES FOR THE CITY OF RED DEER
AND THE CITY OF LETHBRIDGE
FOR THE YEAR 1994**

	RED DEER	LETHBRIDGE	% GREATER	LETHBRIDGE AT 7.5% GREATER	EXCESS REVENUE
Population	60,424	64,938	7.5%		
Property Taxes for Municipal Purposes					
- portion from residential properties	\$13,848,096	\$13,849,730	0.0%		
- portion from non-residential properties	\$6,385,026	\$9,775,239	53.1%		
Total Property Taxes for Municipal purposes	\$20,233,122	\$23,624,969	16.8%	\$21,750,606	\$1,874,363
Business Taxes	\$1,729,562	\$1,975,825	14.2%	\$1,859,279	\$116,546
Gas Franchise Fee	\$1,521,399	\$2,575,320	69.3%	\$1,635,504	\$939,816
TOTAL REVENUES	\$23,484,083	\$28,176,114	20.0%	\$25,245,389	\$2,930,725

NOTE: Red Deer's 1994 population was assumed at 1% higher than in 1993.

COMMENTS:

This is submitted for Council's information. It will be interesting to see what Red Deer's overall ranking turns out to be when the anticipated adjustments are made to school taxation as a result of the equalization process across the Province. This is expected to take at least three years, but should benefit Red Deer taxpayers relative to those in other major Alberta cities.

"G. SURKAN"
Mayor

"M.C. DAY"
City Manager

DATE: MARCH 28, 1995
TO: DIRECTOR OF CORPORATE SERVICES
FROM: CITY CLERK
RE: COMPARISON OF RESIDENTIAL PROPERTY TAXES BETWEEN
RED DEER AND OTHER CITIES

At the Council Meeting of March 27, 1995, consideration was given to your report dated February 23, 1995 concerning the above topic and it was agreed that same be filed.

Thank you for providing this information to Council.



KELLY KLOSS
City Clerk

KK/clr

cc: City Assessor

NO. 6

660-042

DATE: March 21, 1995

TO: City Clerk

FROM: Engineering Department Manager

RE: **1995 STANDARD DEVELOPMENT AGREEMENT
ADMINISTRATION AND SURVEY NETWORK LEVIES**

The City currently charges developers an administration levy, when they enter into a Development Agreement, to cover the cost of preparing the Agreement, inspections during construction and after the maintenance period, and to prepare record drawings for the utilities and roads constructed. We also charge a survey network fee to cover the cost of extending the Alberta Survey Control Monument network into the new development areas.

We have recently undertaken a review of the cost to provide these services and have found that the current administration levy rates are not sufficient to cover our costs. Attached is a table that illustrates revenues, compared to actual and projected costs for the private Development Agreements entered into in 1994. As you can see, we expect to be approximately 20% under-recovered.

Because this analysis only considers one year's costs and revenues, and some of the costs are projected rather than actual, we recommend that the administration levy rate only be increased by 10% this year to account for half of the under-recovered amount. If next year's analysis confirms that we are under-recovered, we will recommend a further increase at that time.

It should be noted that this rate increase is in addition to the \$98 increase approved by Council during the 1995 Budget deliberations for the Traffic Section's involvement in development reviews. This cost was not previously accounted for in the administration levy.

The administration levy rate is currently staged for residential development depending on the size of development area. The standard rate applies to the first 16 ha of development, then a slightly lower rate applies to the remaining area. Because developers are significantly more conservative than they were in the oil boom days, we have not had a development larger than 16 ha in the last 10 years. We, therefore, have no data to determine what the second rate should be, nor do we foresee the need to use the second rate. We are, therefore, proposing that the two rate system be eliminated.

As for the Survey Network Levy, the administration has determined that the current rate is sufficient to cover our anticipated costs. No rate increase is recommended.

City Clerk
 Page 2
 March 21, 1995

RECOMMENDATION

We respectfully recommend that Council approve the following rate changes:

Development Type	Current Rate	Proposed Rate
Administration Levy		
a. Residential	\$1,590 on first 16 ha \$1,250 on remaining area	\$1,850 /ha*
b. Industrial / Commercial	\$1,195 /ha	\$1,315 /ha*
c. Minimum Administration Levy per Development Agreement	\$2,270	\$2,500
* Note that the proposed rate increase is 10% plus the \$98 per ha for traffic review.		
Survey Network Levy		
All Development Types	\$285	\$285



Ken G. Haslop, P. Eng.
 Engineering Department Manager

TCW/emg
 Att.

c.c. Director of Corporate Services
 c.c. Subdivision Administrator

1994 DEVELOPMENT AGREEMENT ADMINISTRATION CHARGE REVIEW

SUBDIVISION		DEVELOPMENT AGREEMENT ADMINISTRATION CHARGES	ADMINISTRATION COSTS						
DESCRIPTION	AREA (ha)		ACTUAL COSTS IN 1994			PROJECTED COSTS			TOTAL COST
			AGREEMENT PREPARATION	CCC CAMERA INSPECTION	CONSTRUCTION INSPECTION	RECORD DRAWINGS	FAC CAMERA INSPECTION	FAC INSPECTION	
Seibel Const. Highland Gr.	0.720	\$2,270	\$222	\$115	\$434	\$230	\$172	\$350	\$1,522
Rosedale Phases 1C & 2B	6.287	\$11,445	\$384	\$1,710	\$4,916	\$1,140	\$2,566	\$1,700	\$12,415
Eastview Phases 13 & 14	4.649	\$7,392	\$399	\$1,634	\$3,391	\$740	\$2,452	\$1,100	\$9,716
Deer Park Phase 5C	1.564	\$2,487	\$764	\$585	\$1,167	\$250	\$877	\$350	\$3,993
Kentwood Phase 6	3.460	\$5,501	\$435	\$1,098	\$1,801	\$550	\$1,646	\$850	\$6,380
Stolz - Deer Park Phase 4E	0.666	\$2,270	\$200	\$338	\$149	\$230	\$506	\$350	\$1,773
Anders East Phase 3	3.394	\$5,396	\$287	\$1,228	\$1,331	\$540	\$1,842	\$800	\$6,029
Parkvale Place	1.794	\$2,852	\$352	\$582	\$860	\$290	\$873	\$450	\$3,407
Deer Park Phases 5D & 6B	1.948	\$3,097	\$435	\$812	\$406	\$310	\$1,218	\$450	\$3,632
Kentwood Phases 5B & 5D	1.532	\$2,436	\$376	\$243	\$501	\$240	\$364	\$350	\$2,073
Deer Park Phase 6C	1.986	\$3,158	\$155	\$498	\$461	\$320	\$747	\$450	\$2,631
Eastview Phase 15	1.219	\$2,270	\$200	\$724	\$509	\$230	\$1,086	\$350	\$3,100
General Development	--	--	\$4,085	--	--	--	--	--	\$4,085
TOTALS	29.219	\$50,575	\$8,294	\$9,566	\$15,926	\$5,070	\$14,350	\$7,550	\$60,756

SUMMARY

ADMINISTRATION CHARGES	\$50,575	
ADMINISTRATION COSTS	(\$60,756)	
NET REVENUE:	(\$10,181)	20.1% Unrecovered

Note: General Development Agreement cost includes updating of the standard agreement and review of tentative developments.

17-Mar-95

COMMENTS:

We concur with the recommendation of the Engineering Department Manager.

"M.C. DAY"
City Manager

DATE: MARCH 28, 1995

TO: ENGINEERING DEPARTMENT MANAGER

FROM: CITY CLERK

**RE: 1995 STANDARD DEVELOPMENT AGREEMENT, ADMINISTRATION AND
SURVEY NETWORK LEVIES**

At the Council Meeting of March 27, 1995, consideration was given to your report dated March 21, 1995 concerning the above topic and at which meeting the following resolution was introduced:

"RESOLVED that Council of The City of Red Deer having considered report from the Engineering Department Manager dated March 21, 1995, re: 1995 Standard Development Agreement, Administration and Survey Network Levies hereby approves the revised Administration Levy and Survey Network Levy rates as outlined in the above noted report, and as presented to Council March 27, 1995."

Prior to voting on the above resolution, the following tabling motion was introduced and passed:

"RESOLVED that Council of The City of Red Deer hereby agrees to table the resolution relative to the 1995 Standard Development Agreement, Administration and Survey Network Levies, pending receipt of additional information from the Engineering Department.

Council further agrees that customers be advised that Standard Development Agreements may be subject to the new levies presented to Council on March 27, 1995."

Please contact the Director of Development Services regarding additional information required by Council for this matter. As it is intended that this item be brought back to the April 10, 1995 Council Meeting, I require the report by Monday morning, April 3, 1995.

Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr

cc: Director of Corporate Services

NO. 7

0715

DATE: March 21, 1995

TO: City Clerk

FROM: Engineering Department Manager

RE: 1995 OFF-SITE LEVY RATES

Each year the City or its agents extend arterial roadways, trunk water, sanitary, and storm mains to serve new development within the City. These facilities do not directly benefit the general taxpayer, thus their cost is rightly assessed to the new development areas. The mechanism provided in the Alberta Planning Act for this assessment is the Off-site Levy.

The proposed 1995 rates have been adjusted for 1994 revenue, expenditures, interest, and inflation. The most significant changes this year are as follows:

1. The 1994 Water Off-site rate was based on costs provided in a study conducted by CH2M Hill in 1992. During 1994, UMA Engineering was commissioned to review the CH2M Hill Water Network Model and provide current costs for the construction of a water reservoir adjacent to the Water Treatment Plant, revisions to the Pressure Zone Boundary, and improvements to the Mountview and East Hill Pumping Stations. These revised costs have been used in the current off-site levy calculation.
2. During the past year, PVC pipe prices have increased approximately 30%. This has contributed to the rate increases for water, sanitary, and storm mains.
3. The Roadway Levy shows a reduction. This is mainly to a significant reduction in the estimated cost of the 67 Street River Bridge Twinning. It was originally estimated by IMC as part of the 1990 Transportation Study. IMC erroneously assumed a bridge length of 500 m, while the actual length of the structure will be approximately 240 m.

The following table illustrates the Off-site Levy Fund net expenditures to date (i.e. expenditures less revenue), future construction costs (less anticipated revenue for roadways), remaining development areas within the basin, and the levy rate required to cover total expenditures.

	Current Net Expenditure	Future Net Construction	Total Expenditure	Development Area (ha)	Rate per Hectare
Roads	(\$1,988,496)	\$15,650,250	\$13,661,754	1895	\$7,210
Water	\$5,948,367	\$10,064,630	\$16,012,997	1930	\$8,300
Sanitary	\$1,762,735	\$6,085,505	\$7,848,240	1945	\$4,035
Storm	\$10,472,044	\$19,009,300	\$29,481,344	1755	\$16,795
Totals	\$16,194,650	\$50,809,685	\$67,004,335	N/A	\$36,340

City Clerk
 Page 2
 March 21, 1995

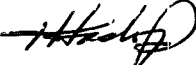
The net effect is a 4.4% increase in the total off-site rate from 1994.

RECOMMENDATION

Based on the updated analysis as described above, we respectfully request Council approval of the proposed 1995 Off-site Levy Rates listed below.

	Current 1994 Rates	Proposed 1995 Rates	Percent Change
Roads	\$8,060/ha	\$7,210/ha	-0.167
Water	\$6,710/ha	\$8,300/ha	+23.7%
Sanitary	\$3,950/ha	\$4,035/ha	+2.2%
Storm	\$16,090/ha	\$16,795/ha	+4.4%
Totals	\$34,810/ha	\$36,340/ha	+4.4%

In order to enact the new rates, we respectfully request that Council revise the Off-site Levy By-law and the Public Roadway Resolution.


 Ken G. Haslop, P. Eng.
 Engineering Department Manager

SS/emg

c.c. Director of Corporate Services

COMMENTS:

We concur with the recommendation of the Engineering Department Manager.

"M.C. DAY"
 City Manager

DATE: MARCH 28, 1995

TO: ENGINEERING DEPARTMENT MANAGER

FROM: CITY CLERK

RE: 1995 OFF-SITE LEVY / OFF-SITE LEVY BYLAW AMENDMENT 3068/A/95

At the Council Meeting of March 27, 1995, consideration was given to your report dated March 21, 1995 concerning the above topic and at which meeting the following resolution was passed:

WHEREAS Council of The City of Red Deer wishes to establish a 1995 Public Roadway Levy;

WHEREAS pursuant to Section 77 of the Planning Act, 1980, Section 2.2.5.4. subparagraph (a) of the Land Use bylaw authorizes the Development Officer to require as a condition of the issuance of a Development Permit that the applicant enter into an agreement to pay for or construct a public roadway to give access to a development, and

WHEREAS pursuant to Section 92 of the Planning Act, 1980, a subdivision authority may, at the request of City Council, impose a condition that the applicant for a subdivision enter into an agreement with the Council of the City respecting all or any of the following, namely:

1. to construct or pay for the construction of a public roadway to give access to the subdivision,
2. to install or pay for the installation of utilities that are necessary to serve the subdivision, and
3. to pay an off-site levy or redevelopment levy imposed by bylaw, and

WHEREAS Council of The City of Red Deer desires the subdivision approving authority to impose the conditions hereinbefore recited.

WHEREAS The City of Red Deer must construct, or pay for the cost of constructing major thoroughfares to give access to the development having regard to traffic generated thereby and the necessity to provide emergency and service vehicles adequate access thereto, and

WHEREAS it is necessary to establish the amount which shall be paid by the developer to the City as a contribution towards the cost of providing such major thoroughfares.

Engineering Department Manager
March 28, 1995
Page 2

NOW THEREFORE BE IT RESOLVED that Council of The City of Red Deer hereby agrees that the Development Officer shall require all developers of lands as outlined in Schedule A annexed thereto, to pay to or enter into, an agreement to pay the City the sum of \$7,210 per hectare of land within the area of land to be developed."

In addition to the above resolution, Off-Site Levy Bylaw Amendment 3068/A-95 was passed, a copy of which is attached hereto.

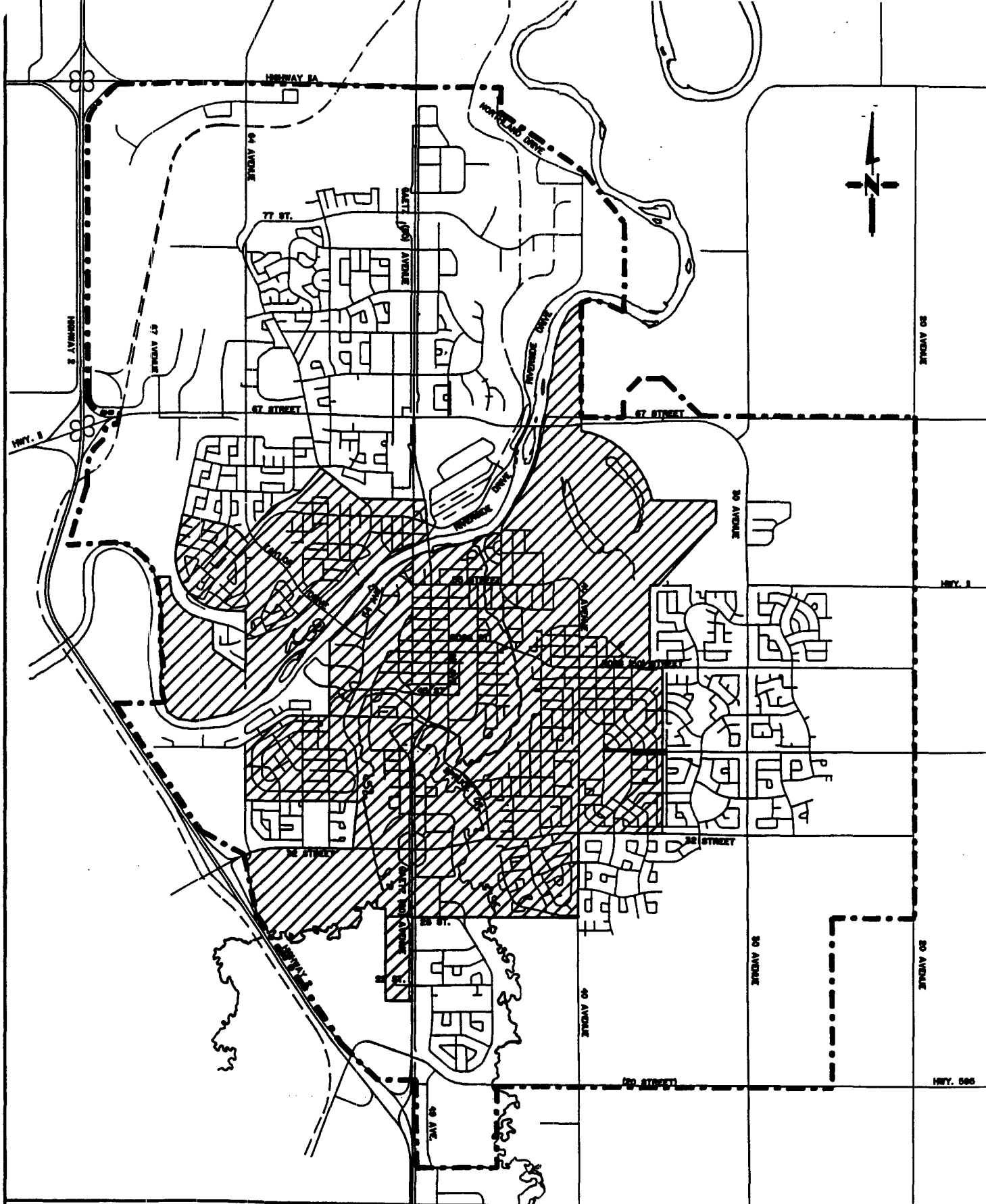
Trusting you will find this satisfactory.

A handwritten signature in black ink, appearing to read 'Kelly Kloss', is written over the typed name and title.

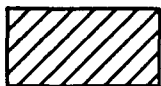
KELLY KLOSS
City Clerk

KK/clr
attchs.

cc: Director of Corporate Services



PUBLIC ROADWAY LEVY



AREA FOR WHICH OFFSITE
LEVY CHARGE NOT APPLICABLE.

SCHEDULE 'A'
JANUARY 1992

No. 8

DATE: March 15, 1995

TO: Kelly Kloss, City Clerk

FROM: Alan Scott, Land and Economic Development Manager

RE: **RESIDENTIAL LOT PRICING AND SALES POLICY -
LANCASTER MEADOWS**

Planning and subdivision of the first phase of residential development in Lancaster Meadows has now been completed. Servicing of the area will be undertaken this year and, assuming a normal construction season, the first lots will be completed and ready for home construction about August 31. Under an agreement reached with private sector developers, the City is restricted to developing 27.5% of the new residential lot requirement for 1995. This will drop to 25% in 1996, and remain at that figure under the current policy. We estimate that our portion of this year's market is 85 building lots, which we are proposing to develop in Lancaster Meadows. In addition, the City would be permitted to develop an additional 40 to 50 lots to make up the shortfall we experienced in 1994 when only 34 lots were developed.

We have broken down the first development in Lancaster Meadows into two phases, as indicated on the attached map. Phase 1 consists of 43 single family and 8 pairs (16 units) duplex lots, for a total of 59 units. Phase 2 has 50 single family and 3 pairs (6 units) duplex lots for 56 units. The first two phases, therefore, total 115 units - about 20 over our 1995 allocation, but well short of what we are permitted when the 1994 shortfall is considered.

1995 MARKETING PROPOSAL

Due to prevailing market conditions such as interest rates, the economy, and the city-wide undeveloped lot inventory, we are recommending that Council endorse a policy that would allow us some flexibility in our development plans:

1. We recommend that as quickly as possible - during the second half of April - we conduct a lot draw on a **pre-sale** basis of Phase 1 development. The sale would be conducted on the understanding that servicing will be completed this summer, and home construction could start about August 31. Terms of purchase would be structured to reflect this delay, by extending the term when the first 1/3 payment is due, to the date upon which building permits can be issued.

Normally, a purchaser pays \$600 at the time of the lot draw. If the purchaser chooses a lot, he or she has 30 days to sign the agreement and make the first 1/3 payment. With the pre-sale, the 30 days would remain for the agreements to be signed, but the first payment would not be due until servicing has been completed and the lots are ready for development - about 120 days.

City Clerk
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March 15, 1995

This is a new way of marketing for the City, but one which is very common in the private sector.

2. Following the Phase 1 lot draw, a decision would be made on timing for Phase 2 servicing. If demand is strong - say 60 to 70% sales - then we would recommend proceeding with servicing of Phase 2. Because this work is contracted to the private sector, the actual work could be done as one project and Phase 2 would be ready for sale by the end of August.

Retaining this flexibility allows us to pull back from some major expenditures if it is determined that the market is soft. In the event that we did not proceed with Phase 2 this year, we would be in a position to have this work completed early in 1996 and then, depending on marketing conditions, move on to the next phase of the subdivision.

POLICY

We recommend that policies adopted by Council for Owens Close sale in Oriole Park (brochure attached) be retained for the Lancaster Meadows lot draw, with the following changes:

1. **Section C, Clause 8 to read as follows:**

*"The applicant, prior to commencement of construction, may exchange his lot for another lot in the same **phase** of the subdivision, if available, by paying a fee of \$100.00. The fee to exchange for a lot in a **different** phase is \$500.00. All dates and requirements of the original agreement will continue to apply."*

We feel this change is needed to give us an accurate indication of sale in Phase 1. If the fee remained at \$100.00, it is conceivable that applicants could switch to Phase 2 when the decision was made to proceed, leaving us with unanticipated unsold inventory in Phase 1. A \$500.00 transfer will discourage this.

RECOMMENDED PRICE

Council policy is to sell residential land at market value and we have therefore commissioned an independent appraisal of building lots. A couple of points were considered by the appraiser:

City Clerk
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1. Sales of land throughout the city were reviewed, but those in the south-east area, notably Deer Park, Rosedale, and Eastview, received prime consideration for this exercise.
2. Anders/Victoria Park sales, while examined, were not considered in establishing values. Because of architectural controls and the size of many of the lots, it was felt that this subdivision was not a direct competitor with Lancaster Meadows.

Single Family Lots

Private developers have sold 70 lots (not including Anders/Victoria Park) in the past year. The largest concentration of lot sales were in the 4500 to 6500 sq. ft. range (49). In this range of lot sizes, it appears that developers' prices have increased 2.3% to 4%. These figures are based on actual sales registered with the Land Titles Office.

A review of price lists which reflects unsold inventory, would indicate that asking prices are approximately 10% above our current pricing of \$7.50 per sq. ft., which was approved by Council in 1994.

A preview of the independent fee appraisal indicates there is a considerable range in prices, and there are often wide variances between posted prices and actual sales. At present, some discounting of prices is occurring in an effort to stimulate the market. After careful consideration, the appraiser has established a value of **\$7.50** per sq. ft. as a bench mark for lots in the 4500 to 6500 sq. ft. range (typical of Lancaster size). This is the same price approved by Council on August 29, 1994, for Owens Close.

Duplex Lots

The City has an inventory of 7 pairs (14 lots) in north Red Deer on 60 Avenue, which were developed along the former CP right-of-way. The lots are priced at \$6.50 per square foot, and will sell over a period of time. Our last duplex lots in Deer Park were priced \$6.95 to \$7.63 per square foot depending on size, with the smaller lots commanding a higher square foot price.

Based on actual sales registered with Land Titles, private developers have sold small lots (2500 to 3500 sq. ft.) at \$9.50 per sq. ft. and larger lots (3500 sq. ft. and up) at \$7.62 per sq. ft. - increases of 20% and 9% respectively. Again, there appears to be a variance between asking and selling price. After careful review of actual sales (excluding Anders/Victoria Park) the appraiser has established a value of \$8.25 per sq. ft. for duplex lots.

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RECOMMENDATION

Land appraisal is a subjective business which, in the end, is valuable in confirming data which we have collected. An exhaustive review of actual sales of residential lots by the Land and Economic Development Department confirms the independent appraiser's opinions. While the estimates of value may seem low, it should be noted again that actual sale prices are frequently lower than posted prices. In addition, the private sector tends to be more flexible on payment schedules, often allowing construction to start and, indeed, finish, prior to payment in full. There is value to this type of accommodation, which must be factored into the overall cost of the project.

We would therefore recommend that Council approve the following prices for Phase 1 and Phase 2 (if sold in 1995) of Lancaster Meadows:

Single Family Lots	\$7.50 per square foot
Duplex Lots	\$8.25 per square foot

As has been the policy in the past, adjustments would be made from this base price to reflect size, shape and location.

We would further recommend that the pre-sale proceed as proposed, with the recommended changes to the payment schedule and transfer fees.

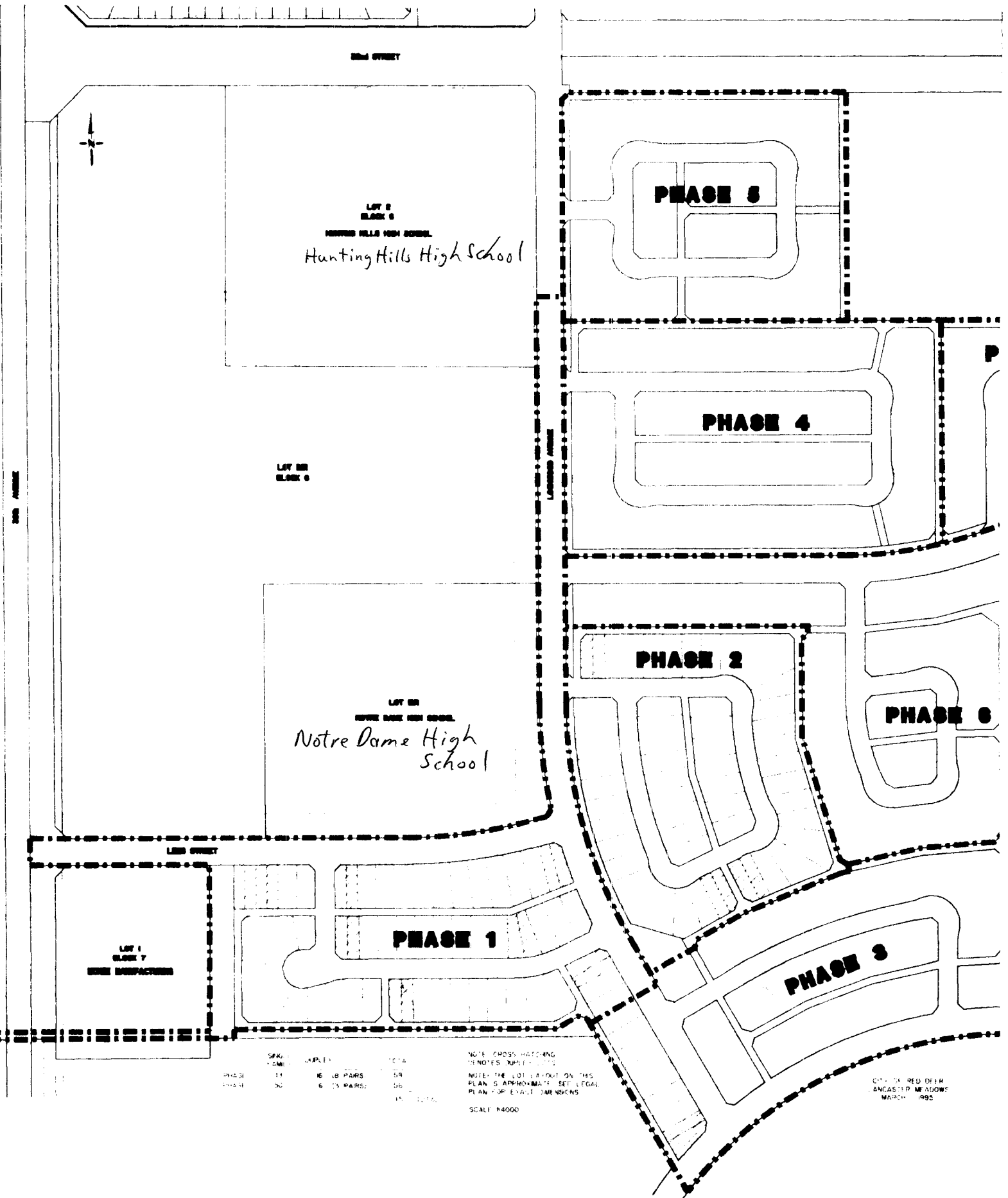
Respectfully submitted,



Alan V. Scott

AVS/mm

Att.



COUNCIL MEETING OF MARCH 27, 1995

ATTACHMENT TO REPORT ON OPEN AGENDA

**RE:
RESIDENTIAL LOT PRICING
LANCASTER MEADOWS - PAGE 24**

**CITY OF RED DEER
ORIOLE PARK POLICIES
PHASE 2B, Plan 942-2419 (OWENS CLOSE)**

Residential Land Policies, Requirements and Procedures

A. RE: HOMEOWNER APPLICANTS ONLY

1. Only one application per family may be submitted per draw. "Family" means the immediate family (spouse, father, mother, children) who have resided in the same residence as the applicant at any time within three months immediately preceding the date of the lot draw.
2. If an applicant is represented by an agent, such agent must produce written authorization when making application for the draw and when selecting a lot. An agent may not represent more than one applicant.
3. Persons who have defaulted under a previous City residential land sale agreement by failing to meet the twelve month residency requirement and who have failed to pay the liquidated damage penalty specified therein, shall not be eligible to apply to purchase a City lot under this lot draw.
4. Purchasers in the homeowner category may not purchase a lot prior to the 12 month residency condition of previously purchased City lots being fulfilled.
5. Purchasers in the homeowner category may not purchase a lot prior to the building commitment of previously purchased City lots being fulfilled.

B. RE: CONTRACTOR APPLICANTS ONLY

1. Applicants will be restricted to companies where there are no duplicate shareholders or directors of other companies in the lot draw.
2. To be eligible to participate in the draw, contractors must present a current City General Contractors License upon applying to register for the draw. Such a license could take up to three weeks to process if home occupation approval is required.

C. GENERAL POLICIES AND REQUIREMENTS WHICH APPLY TO BOTH HOMEOWNER AND CONTRACTOR APPLICANTS

1. An Application Fee of \$600.00 in cash or by certified cheque, bank draft or money order must be paid with the application. Such fee will apply on the purchase price if the option is accepted, but shall be forfeited if the applicant selects a lot but does not enter into the Option Agreement. The fee will be returned if the Applicant's name is not drawn to receive a lot and/or if name is drawn but applicant does not take a lot.

2. Option Agreements are to be signed and returned to the City within thirty (30) days of receipt by the Applicant.
3. Terms of Option:
 - a) 1/3 of the purchase price less Application Fee of \$600.00 on signing the agreement;
 - b) 1/3 of the purchase price within 4 months of signing the agreement;
 - c) 1/3 of the purchase price plus Goods and Services Tax (G.S.T.) calculated on the total purchase price within 8 months of signing the agreement.

The City will not accept mortgage draws for payment of lots.

4. G.S.T. is not payable to the City by contractors provided they furnish to the City their G.S.T. Registration Number and a completed G.S.T. 60 Form.
5. Duplicate Certificate of Title and land transfer will not be released until the lot is paid for in full and either:
 - a) the construction of the residence is completed; or
 - b) a mortgage has been approved in the name of the Applicant for construction, in which case a transfer back of title to the City will be required.
6. Construction must be commenced not later than 12 months from the date of the Option Agreement and be completed not later than 18 months from the date of the said agreement. "Commence construction" means that the basement walls and sub-floor shall be completed and in place, the outside basement excavation is back-filled, as determined by the City.
7. If an Applicant, after signing the Option Agreement, fails to commence construction, or desires to cancel such agreement, he shall be entitled only to a refund of that portion of the purchase price paid by the Applicant under the said Option Agreement, less:
 - a) the \$600.00 Application Fee; and
 - b) an amount equal to 6% per year of the total purchase price multiplied by the number of days elapsed from the date of the agreement; and
 - c) G.S.T. (being 7% of the forfeited monies).
8. The Applicant, prior to commencement of construction, may exchange his lot for another lot in the same subdivision, if available, and paying a fee of \$100.00. All dates and requirements of the original agreement will continue to apply.

9. The City will use its best efforts to fully service all lots in 1994 with exception of the paving of Owens Close. Owens Close is scheduled for final paving in 1995.
10. Lot draw rules and policies are subject to such other qualifying criteria as Council may establish prior to the date of the lot draw (sale and possible rescheduling of the sale date).
11. Notwithstanding any representations made, the title to all lots sold by the City shall be subject to all easements and restrictions registered against the title to such lands.
12. Prices and lot dimensions are listed in the attached price list and schedules, but are subject to change without notice and will not be considered firm until the Option Agreement is given to the Applicant.
13. The Applicant will be responsible for payment of property taxes levied on a lot from the first day of the month following the date the lot is paid for in full.
14. Lots not sold at the Homeowner's and Contractor's draw will be made available on a first come, first serve basis, commencing at 8:00 a.m. on the day following the Homeowner's and Contractor's draw.
15. Building permits can take up to three weeks for processing, however, they will be processed as soon as possible. Building permits will not be issued until the full purchase price has been paid, and no sooner than two (2) full working days from the receipt of payment in full for the lot.
16. Pregrading and Site Grading:
 - a) Lots 1 to 7 and 18 and 19 have been pregraded, but are not levelled to finished drainage grades. Final lot levelling is the responsibility of the applicant.
 - b) Lots 9 to 17 have not been pregraded. It is the applicant's responsibility to pregrade and clear any trees necessary for construction. No burning of trees allowed.
 - c) Applicants are to confirm existing and proposed lot corner elevations (rear and front) and recommended landscaping grades with the Engineering Department. Purchasers are advised to contact purchasers of abutting lots to determine compatibility of house design, elevation and drainage grades.
17. No trees in municipal reserve Lot 20 MR, 34 MR, R-7, Lot C, Plan 1472 NY may be cut, disturbed, or removed at any time by the applicant. Applicants are encouraged to preserve as many of the existing trees, within their lot, as possible.

D. RESPONSIBILITIES OF THE APPLICANT

1. It is the responsibilities of the Applicant:
 - a) to investigate the title to the purchased lot at the Land Titles Office in Edmonton, Alberta;
 - b) to check for and confirm easements as shown on the maps;
 - c) to provide for the installation and connection of the electrical service lead, video, telephone, gas service, water service and sanitary service from the meters on the building to the utility system at a point on the property line designated by the City, the location of which will be supplied by the relevant utility;
 - d) to check for and confirm utilities with the City Engineering Department (telephone number 342-8161), Northwestern Utilities, Alberta Government Telephones, Shaw Cable T.V., and review attached maps to determine front servicing.
 - e) to review the attached maps and consult the Building Inspections Department to obtain side yard requirements, maximum and minimum floor areas required, Building Line Frontages and Front and Rear Yard Setback requirements and determine if the proposed dwelling and garage meets Land Use Bylaw No. 2672/80 requirements;
 - f) to submit building plans in metric dimensions;
 - g) to protect the property survey pins which have been checked and placed by an Alberta Land Surveyor prior to the lot draw. The City shall not be responsible for the replacement of property pins after the lot has been sold;
 - h) to contain the excavation dirt from the basement and any construction debris, entirely within the lot property lines;
 - i) to provide for the placement and hauling of black dirt for landscaping purposes. The black dirt may be obtained only from the stockpile designated by the City. The soil hauled to the lot is not to exceed 8 inches in depth over the area of the lot excepting buildings, driveways, decks, parking areas, etc. Once the black dirt stockpiles are depleted, the City will not be responsible for the supply of top soil. No other fill will be supplied. Top soil stock pile for Oriole Park Phase 2B is located within the berm north of Phase 2A. Access to top soil stock pile by way of 67 Street and Golden West Avenue south of 67 Street (see attached map);

- j) to note that Oriole Park Phase 2B does not have rear lane access and therefore access along the sideyard to the rear yard should be considered in the design of the house;
- k) to check for Canada Post Community Mail Box locations as shown on the attached maps;
- l) if a front driveway is proposed, the location is subject to approval by the Engineering Department. Curbcut and sidewalk crossings will not be permitted as a modified type of rolled monolithic curb will be constructed in these areas. Settlement of driveways in the easement and boulevard areas to be the responsibility of the Applicant;
- m) to obtain information from the Engineering Department to ensure that the house type is compatible with sewer grades as footing elevations within the subdivision will vary;
- n) to review any soils report which may be available at the City Engineering Department as lands are purchased in "as is" condition and the City does not warrant that soil conditions are suitable for building;
- o) to take into consideration the recommendations of the soils report dated April 1993, prepared by HBT Agra Limited prior to construction of foundation system;
- p) to have a geotechnical engineer inspect the soils at excavated depth prior to pouring any concrete. The owners are to provide The City of Red Deer with a copy of the geotechnical engineer's report, verifying that the soils have adequate bearing capacity and/or stipulating any construction recommendations and specifications;
- q) to submit a copy of the geotechnical engineer's bearing certificate and verification of the "as built" installation upon completion of the foundation system. The owner is hereby advised that a structural engineer's report may also be required.
- r) to contact Red Deer Regional Planning Commission at 343-3394 to confirm final approval of N.W. Sector Structure Plan (Preliminary Plan is included in brochure).

DATE: MARCH 28, 1995

TO: LAND AND ECONOMIC DEVELOPMENT MANAGER

FROM: CITY CLERK

**RE: RESIDENTIAL LOT PRICING AND SALES POLICY /
LANCASTER MEADOWS**

At the Council Meeting of March 27, 1995, consideration was given to your report dated March 15, 1995 concerning the above. At this meeting the following resolutions were introduced and passed:

"RESOLVED that Council of The City of Red Deer having considered report from the Land & Economic Development Manager dated March 15, 1995, re: Residential Lot Pricing and Sales Policy - Lancaster Meadows hereby agrees as follows:

1. That the prices for Phase 1 and Phase 2 (if sold in 1995) of Lancaster Meadows be as follows:

Single Family Lots - \$7.10 per square foot
Duplex Lots - \$7.80 per square foot

2. That the pre-sale of the above noted lots proceed as outlined in the above noted report and with the recommended changes to the payment schedule and transfer fees

and as presented to Council March 27, 1995."

"RESOLVED that Council of The City of Red Deer hereby agrees as follows:


1. that the selling price of the 32 City lots developed on Osmond Close be reduced by 10%;
2. that any purchaser of a City lot on Osmond Close be refunded 10% of their original purchase price of said lot;
3. that the selling price of the 18 City lots developed on Owens Close be reduced by 10%;

4. that the selling price of the City duplex lots in Lower Fairview be reduced by 5%;
5. that the selling price of the one unsold City lot on Kirkwood Crescent be reduced by 10%,

and as presented to Council March 27, 1995."

In addition to the above, Council agreed that your reports dealing with Lancaster Meadows - Estimated Development Costs, dated March 14, 1995 and Residential Lot Pricing dated March 16, 1995, which both appeared on the Committee of the Whole Agenda, be placed on the Open Agenda. As Council approved that these reports be on the Open Agenda they have been provided to the media.

Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr

cc: Director of Development Services
Director of Corporate Services
City Assessor
Bylaws and Inspections Manager

DATE: 22 March 1995

TO: City Clerk

FROM: Bylaws and Inspections Manager

RE: **ELECTRICAL INSTALLATIONS - RED DEER**

Please arrange to have the following item placed before City Council, for their consideration.

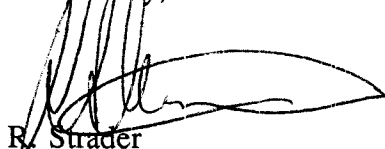
The Provincial Department of Labour has recently informed us that they will no longer be responsible for permits for electrical installations in The City. Mr. Holloway's attached report details the choices to replace the Provincial inspections service and the discussion we have had with the electrical contractors of whom a majority favour The City being responsible for permits and inspections.

There are several advantages if the City assumes this responsibility, including those mentioned by Mr. Holloway.

1. "One stop" for contractors/home owners. We currently issue all permits for routine construction other than electrical, boilers & elevators; adding it to our services would give us an opportunity to make the current system more convenient (eg. Currently, two electrical permits are needed: a temporary saw service and a permanent hook-up permit. It seems, from a conversation with the E.L. & P. Department, we could make the system work with one permit.) Contractors could obtain permits through the use of faxed-in applications, as is currently done by other types of mechanical contractors in Red Deer.
2. Our files are used as an information source for a variety of people (contractors, appraisers, etc.). Having electrical information in these files would assist them, as all pertinent information would be in one location.
3. One inspector would be required at this time; however, depending on volume of work in the future, there may be the need for additional inspectors or contracts with private agencies. The cost of inspections, stationery, etc. would be funded through permit fees. It is our opinion that our permit fees will be less than those charged by a private agency, based on the fees charged in other construction areas by private agencies, because we have our support system (files, telephones, etc.) in place.

Recommendation: That The City of Red Deer assume responsibility for electrical permits/inspections. If Council agrees, the Quality Management Plan and Permit Bylaw be amended accordingly.

Yours truly,



R. Strader

Bylaws and Inspections Manager

BUILDING INSPECTION DEPARTMENT

RS/vs

DATE: March 21, 1995

TO: Ryan Strader

FROM: Peter Holloway

RE: **PROTECTIVE INSPECTIONS - ELECTRICAL**

Further developments have taken place in determining the possibility of The City issuing permits and providing an inspection service for electrical installations. Currently, the Provincial government is responsible for permits/inspections for electrical installations; however, their instructions to the Department of Labour are to move this responsibility to either a municipality or an accredited agency (attachment A). An accredited agency is a company who would be responsible for the permitting and inspections of work done under the Safety Codes Act, which would set permit and inspection fees. Currently, 13% of the permits being issued are inspected. It is expected that, whether an agency or a municipality assumes the responsibility, 100% of permits would require inspections. In order to determine what would be acceptable to the electrical contractors, we have done the following:

Survey: January 16, 1995

A survey was mailed to 32 licensed electrical contractors, requesting their input to the following questions (attachments B & C):

1. Should The City issue electrical permits and provide an electrical inspection service?
2. Should The City issue electrical permits and provide electrical inspections with a private accredited agency?
3. Should The City continue to let the Province issue electrical permits and the Province provide the inspection service with an accredited agency?

We received twenty replies, resulting in the following choices:

- | | | |
|-------------|---|--|
| Question #1 | - | 13 contractors in support |
| Question #2 | - | 4 contractors in support (providing the Province will not continue in its current role). |
| Question #3 | - | 7 contractors in support |

As well as the mailed back (faxed) survey, we received numerous telephone inquiries from the electrical contractors. For example:

- ▶ What is the cost of a permit?
- ▶ How many inspections?
- ▶ Regulating & control?

In order to respond to the above questions, plus any others that might arise, a meeting was arranged for all interested parties at City Hall on February 7, 1995. Thirteen people attended the meeting and the following questions were addressed, discussed and, in my opinion, agreed upon by everyone in attendance.

1. **City's Proposal to Electrical Permits/Inspections** - With the Province inspecting only 13% of buildings under construction or being renovated within The City and the probability of the Province having no active involvement in permit issuance or on-site

PROTECTIVE INSPECTIONS - ELECTRICAL

March 21, 1995

Page 2

inspections in the near future, it would be in the best interests of the general public and the contractors, in the one-stop permit concept, to have electrical permits issued by The City.

2. **Cost of the Permit/How Many Inspections** - A proposed permit fee schedule (attachment D) was formulated from the Provincial fee schedule which would cover the costs of the permit processing and inspection service. Included in the minimum \$30.00 permit fee would be one inspection (small additions, detached garages, etc.) and a basic minimum single family dwelling unit fee of \$60.00 would allow for two inspections and a cursory plan check.

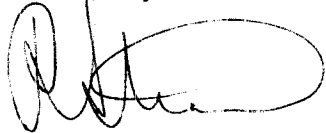
Permit fees for the larger commercial and industrial projects would be dependant upon the electric installation costs within the building, with the number of field inspections being dependant on the complexity of the building's electrical system.

The contractors attending the meeting appeared satisfied with the proposed permit fee and inspection schedule and agreed with my comments that Council's expectations would be that we should be a self-supporting section, with the permit fees paying for the inspection and administrative service. I explained that the number of electrical inspectors would be dependant upon the volume of permits issued.

3. **Regulating and control** - The contractors agreed that, with The City not having a conflict of interest in the buildings to be inspected, we could regulate the requirements of the Electrical Code in a uniform and unbiased manner. Control over inspection policy and procedure, permit fee costs, etc., is with City Council and concerns can be brought to Council at any time.

In conclusion, I believe the electrical contractors support The City being accredited as an electrical discipline (see attached letters) and, in my opinion, we should prepare an agenda item to City Council for consideration and approval. Also, we would be required to draft an amendment to the Quality Management Plan and the Permit Bylaw (copies attached), describing the levels of service proposed, to be approved by City Council.

Yours truly,



Peter Holloway

Bylaws and Inspections Assistant Manager
BUILDING INSPECTION DEPARTMENT

PH/vs

As approved by the Coordinating Committee
of the Safety Codes Council - May 19/94

ROLE AND RESPONSIBILITIES THE SAFETY CODES COUNCIL, THE MINISTER AND THE DEPARTMENT OF LABOUR

The role of the Safety Codes Council as outlined in the Safety Codes Act is to exercise the following responsibilities delegated to it by the Minister of Labour:

- the development of codes and standards
- the promotion of uniform safety standards
- the administration of accreditation, certification and designation
- the administration of appeals, and
- the provision of advice on request.

The role of the Minister of Labour is to establish public policy through the legislative process, and through the Department of Labour, and to administer, delegate or audit the administration of programs which support public policy directions.

Where the Minister delegates administration, as he has to the Safety Codes Council, the Minister will, on a planned basis:

- provide financial resources and technical support in the establishment and operation of appropriate mechanisms
- audit that public policy is being followed, and
- address any regulatory changes proposed by the Council.

The purpose of the Safety Codes Act system is to encourage over the next few years a single system of code enforcement. As this system is based essentially on voluntary municipal participation, both the Department and the Council will, as partners, encourage the accreditation of municipalities, corporations and agencies so that provincial coverage is complete.

During the transition period, where municipalities or corporations do not choose to become accredited, the Province is committed to moving as quickly as possible towards the use of accredited agencies. These agencies will provide the standard of service required by the Council. The Province will not set minimum standards for any interim service in order to avoid any comparison with the standards set by the Safety Codes Council.

Attachment A (Page 2)

- 2 -

In relation to the possible development of Delegated Regulatory Organizations (DRO's) in or affecting the safety disciplines, the Department will share with the Council and with any affected Technical Council any proposals that are being considered. Currently the only proposals being considered by the Department through its Business Plan are DRO's for the administration of matters relating to Underground Storage Tanks and the Boiler and Pressure Vessels Program of the Department. This does not restrict other disciplines from developing proposals. The Department will provide resource support for the development of DRO's that are consistent with the departmental Business Plan.

May 20/94

Attachment B

Bar W Petroleum 343-1414 347-9310	McKeith Electric 343-1758	Syndicated Technologies Ltd. 342-4115 346-7090
Baymac Electrical Systems Ltd. 346-1299	Meeres Electrical Contractors 347-2066	Tangerman Bros. Electric 346-5934 347-2975
Bryon Buehler Electric 347-5625	Parkland Electrical Systems 346-6500	
Carba Electric 341-3762	Pohl Power Electric 346-5266	Titan Electric & Controls 343-6802 343-2623
D & K Consulting 343-6385	Prime Electrical Services 343-8717	Triple-A-Electric Ltd. 346-6156 346-1888
Duane Redelback Electric 347-0562	R. Richter Electrical 347-8953	Way-Mar Electric Ltd. 346-8562 342-1792
Graceland Electric	R. K. M. Electrical Contracting 342-7970	Wilf Zohner Electric Ltd. 343-1936
Heartfaster Enterprises 346-8216	Ram Electric & Instrumentation 343-7915 343-7557	
Home Craft Construction 341-6114		
J.W. Light Electric 347-3634 346-6552	Sage Electric Ltd. 347-7059 347-9719	
Johnson Controls Ltd. 343-1339 346-4630	Sid's Electric Ltd. 346-2147 343-7422	
Koola Industrial Systems Ltd. 346-1653 346-7779	Slim Cunningham Ltd. 342-4111 342-4022	
Laser Electric 346-3490	Sprague Electric 343-2011	

INSPECTION DEPARTMENT

COMPANY: 1~
TELEPHONE: 2~
FAX: 3~

SURVEY: ELECTRICAL INSPECTIONS

Question: Should The City issue electrical permits and provide an electrical inspection service?

☐**YES**☐**NO**

Question: Should The City issue electrical permits and provide electrical inspections with a private accredited agency?

☐**YES**☐**NO**

Question: Should The City continue to let the Province issue electrical permits and they provide the inspection service with an accredited agency?

☐**YES**☐**NO**

Attachment D

PROPOSED PERMIT FEE SCHEDULE (ELECTRICAL)

		Fees
Minimum Permit Fee - Less than \$1000 installation cost		
*	One Inspection	\$ 30.00
Installation Cost	\$ 1000 - \$ 2000	\$ 60.00
* 2 Inspections &	\$ 2000 - \$ 3000	\$ 75.00
Plan Check	\$ 3000 - \$ 4000	\$ 90.00
	\$ 4000 - \$ 5000	\$105.00
Installation Cost	\$ 5000 - \$ 6000	\$115.00
* More than 2	\$ 6000 - \$ 7000	\$125.00
Inspections &	\$ 7000 - \$ 8000	\$135.00
Plan Check	\$ 8000 - \$ 9000	\$145.00
	\$ 9000 - \$10000	\$155.00
	Over \$10000 - Add 1% to Fee for Every \$1000 of installation cost	
Re-Inspection Fee (work not ready for inspection purposes)		\$100.00
Requested Additional Inspection		\$ 30.00

NOTE: Installation cost to include labour and material (all electrical components and fixtures).

COMMENTS:

As Council can see a great deal of work has been undertaken by the Bylaws & Inspections Department to ascertain whether or not there is a role for The City in electrical permits and inspections, and areas soon to be vacated by the Province.

There are two possible solutions to the problem. The first is to allow private accredited agencies to undertake this work. This has the advantage of us not entering into an area which can be serviced by the private sector and is in keeping with the general thrust of downsizing government. A disadvantage is the potential for varying interpretations of the code depending on which agency undertakes the work and unequal treatment of contractors. The second is for The City to enter this field. There are a number of advantages to this as outlined by the Bylaws & Inspections Manager but the principal advantages are that this would reinforce the "one stop shopping" concept for the development industry and most important it is preferred by the majority of contractors because they perceive that The City will be more impartial and objective. In addition, because we have all of the systems in place, it is likely that the cost to the contractors will be lower. We recommend that Council accept the recommendations of the Bylaws & Inspections Manager and approve the Quality Management Plan and amend the Permit Bylaw accordingly.

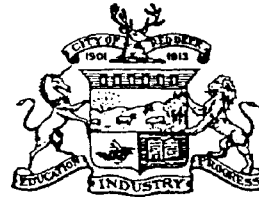
"G. SURKAN"
Mayor

"M.C. DAY"
City Manager

APPROVED

THE CITY of RED DEER
BYLAWS & INSPECTIONS

RECEIVED	
TIME	
DATE	JUNE 30, 1995
BY	



Quality Management Plan (Accredited Municipality)

**CITY OF RED DEER FIRE PREVENTION BUREAU
CITY OF RED DEER BUILDING INSPECTIONS
CITY OF RED DEER PLUMBING INSPECTIONS
CITY OF RED DEER GAS INSPECTIONS
CITY OF RED DEER ELECTRICAL INSPECTIONS**

City of Red Deer _____
NAME
Box 5008, Red Deer, Alberta _____
ADDRESS
T4N 3T4 _____

<u>FIRE PREVENTION</u>	<u>346-2776</u>	<u>343-1866</u>
<u>BUILDING DEPARTMENT</u>	<u>342-8190</u>	<u>347-1138</u>
	PHONE	FAX

QUALITY MANAGEMENT PLAN
City of Red Deer

EDITION _____
REVISION _____
DATE 95/03/28
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QUALITY MANAGEMENT PLAN

This Quality Management Plan of the City of Red Deer has been accepted by the Administrator of Accreditation.

Signature 
(Administrator of Accreditation)

Date JUNE 26th 1995

QUALITY MANAGEMENT PLAN
City of Red Deer

EDITION _____
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PAGE 2 OF 20

SCOPE/FORWARD

ELECTRICAL

The Municipality will administer the Electrical part of the Safety Codes Act:

The Municipality will perform compliance monitoring consisting of:

- Examination of building construction documents

- Issuance of required permits

- Compliance with the Safety Codes Act

- Inspection of construction

- Investigations of building failures

This is the Quality Management Plan of the City of Red Deer (hereafter referred to as the Municipality).

QUALITY MANAGEMENT PLAN
City of Red Deer

EDITION _____
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PAGE 3^A OF 20

QUALITY MANAGEMENT PLAN (Con't)

H.M.C. Day - City Commissioner

Person responsible for this QMP

Signature

QUALITY MANAGEMENT PLAN
City of Red Deer

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TITLE	SECTION
Management Policy on Adherence to Quality Management Plan	1
Organization Chart	2
Provision of Safety Codes Officers	3
Policy for Personnel Training	4
Policies and Procedures Related to Compliance Monitoring - Electrical	5
Documentation	6
Program Review	7
Revision Control System	8
Non-Conformance/Corrective Actions	9

QUALITY MANAGEMENT PLAN
City of Red Deer

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Section 1

**MANAGEMENT POLICY ON ADHERENCE
TO QUALITY MANAGEMENT PLAN**

The Chief Executive Officer, and any other officers and staff of this Municipality including engaged accredited agencies shall respect and comply with the policies and procedures covered in this Quality Management Plan.

The Chief Executive Officer will be responsible for the effectiveness and compliance with this QMP.

It is recognized that the Administrator of Accreditation or a person representing him/her will periodically audit adherence to this plan. The Chief Executive Officer, any other officers and the staff of the Municipality will give full cooperation to the Administrator or his representative conducting an audit.

The person responsible for the administration of this plan will ensure that the recommendations of the auditor will be implemented.

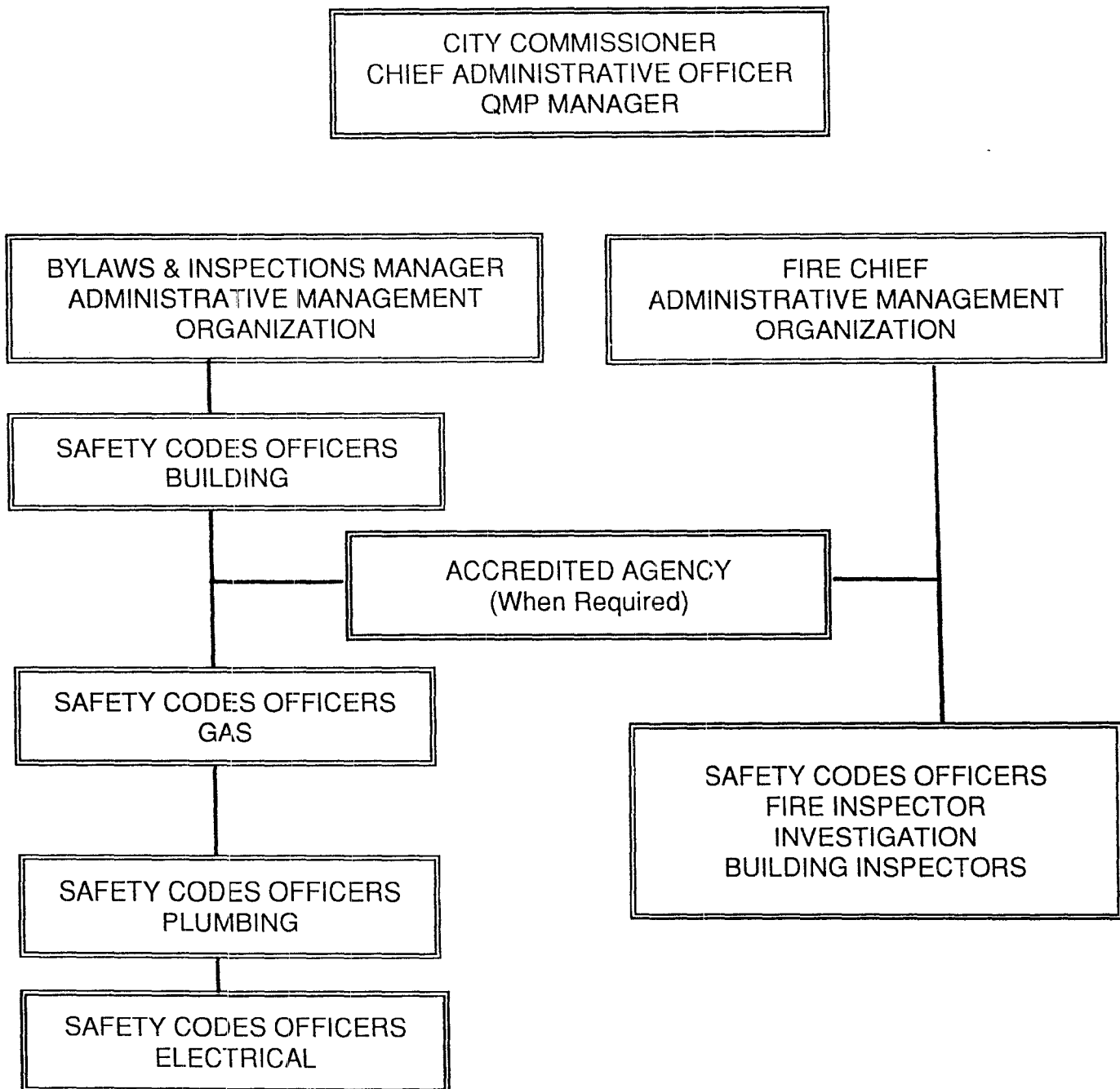
The Chief Executive Officer recognizes that failure to follow this QMP may result in suspension or cancellation of this Municipality's accreditation by the Administrator of Accreditation.

QUALITY MANAGEMENT PLAN
City of Red Deer

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PAGE 5 OF 20

Section 2

ORGANIZATION CHART



QUALITY MANAGEMENT PLAN
City of Red Deer

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Section 3

PROVISION OF SAFETY CODES OFFICERS

It will be the policy of this Municipality to primarily employ Safety Codes Officers to meet the obligation of the Municipality's stated responsibilities in the Safety Codes Act, i.e. that a Municipality is responsible to provide for Safety Codes Officers.

Where special expertise or workload dictates, the services of accredited agencies will be used to meet the Municipality's responsibilities.

Only Safety Codes Officers with a certificate of competency in the appropriate discipline to monitor the compliance will be employed by the Municipality.

Sufficient numbers of Safety Codes Officers will be employed to properly respond to the work load.

An up-to-date file of Safety Codes Officers on staff will be maintained by the Municipality and made available to the auditors.

Building owners will not be allowed to hire accredited agencies, unless approval in writing is obtained from the City.

QUALITY MANAGEMENT PLAN
City of Red Deer

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Section 4

POLICY FOR PERSONNEL TRAINING

The Municipality will ensure that the Safety Codes Officers it employs will attend any updating seminars that are offered and reasonably required to maintain an officers competency respecting:

- changes in the Safety Codes Act
- changes in regulations under the Act
- changes in codes and standards mandated by the Act
- changes in procedures under the Act
- changes in Safety Codes Council policies and directives
- changes in Administrators directives
- any related Safety Codes courses when available

It is the policy of this Municipality to ensure that the Safety Codes officers employed know the Quality Management Plan of this Municipality before the officers undertake their duties. This training will be provided by the Municipality.

Section 5

**POLICIES AND PROCEDURES RELATED
TO COMPLIANCE MONITORING**

Electrical Discipline

The Municipality will ensure that compliance monitoring be performed in strict conformance with the Safety Codes Act and the Regulations.

The compliance monitoring for Inspections will consist of:

- review of construction documents, and
- review of construction

Review of construction will be performed to a minimum frequency as outlined in the following table.

Non-compliances and the corrective actions taken to rectify the infractions will be recorded by the Municipality as per the attached Reporting Format.

QUALITY MANAGEMENT PLAN
City of Red Deer

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Section 5

**POLICIES AND PROCEDURES RELATED
TO COMPLIANCE MONITORING (Con't)**

Minimum Construction Review Frequency

ELECTRICAL

Detached Garages, Additions to S.F.D., Renovations to S. F. D.	One Inspection -Upon Completion-
S.F.D., Duplex's - Building to maximum of \$5,000.00 Installation Cost of the Electrical System (Labour & Material)	- Plan Review - Rough-in Wiring to Electrical System - Completion of Electrical System prior to Occupancy
Buildings to over \$5,000.00 Installation Cost of the Electrical System (Labour & Material)	- Plan Review - Rough-in Wiring to Electrical System - Completion of Electrical System prior to Occupancy - Monitoring Inspections as Required

QUALITY MANAGEMENT PLAN
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Section 6

DOCUMENTATION

All documentation will be retained by The City of Red Deer filing system for an indefinite length of time.

QUALITY MANAGEMENT PLAN
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Section 6

COMPUTER RECORDS
Inspection Monitoring

THE CITY OF RED DEER
PERMITS WITH NO FINAL INSPECTION

BP6018

05/06/94

PAGE 27

PERMIT TYPE 02

PERMIT #	DATE	A D R E S S APT HOUSE NAME	ST CL	LEGAL DESCRIPTION LOT BLOCK PLAN	W O R K CD DESCRIPTION
10273	94/03/30	41 KIRKLAND INSPECTION CODE DESCRIPTION 01 FOUNDATION 02 STRUCTURAL 03 OCCUPANCY	OR APPROVED DATE 94/04/08 94/05/03	9 2 9223102 CONTRACTOR - BRIAR OAK DEV. PERMIT COMMENT - SPEC	01 SINGLE FAMILY DWELLING
10275	94/03/31	9 ATLEE INSPECTION CODE DESCRIPTION 01 FOUNDATION 02 STRUCTURAL 03 OCCUPANCY	CL APPROVED DATE 94/04/05 94/05/05	40 4 9222473 CONTRACTOR - KEN WESSEL PERMIT COMMENT - SPEC	02 S.F.D & ATTACHED GARAGE
10276	94/03/31	3932 35A INSPECTION CODE DESCRIPTION 01 FOUNDATION 02 STRUCTURAL 03 OCCUPANCY	AV APPROVED DATE	22 13 6337KS CONTRACTOR - JOE HENDRYCKS PERMIT COMMENT - SELF	05 S.F.D (ADDITIONS)
10277	94/03/31	14 5125 62 INSPECTION CODE DESCRIPTION 01 FOUNDATION 02 STRUCTURAL 03 OCCUPANCY	ST APPROVED DATE	37 7 6073X CONTRACTOR - SIEBEL CONSTRUCTION PERMIT COMMENT - SPEC. ALSO UNITS #15 AND 16	06 MULTI-ATTACHED BLDG.
10278	94/03/31	6320 50 INSPECTION CODE DESCRIPTION 03 OCCUPANCY	AV APPROVED DATE	8 2509MC CONTRACTOR - PHOENIX CONSTRUCTION PERMIT COMMENT - SHALIMAR PHYSIOTHERAPY-DEMISE WALL	11 COMMERCIAL BUILDING (RENOVAT.)
10279	94/03/31	4900 MOLLY BANISTER INSPECTION CODE DESCRIPTION 03 OCCUPANCY	OR APPROVED DATE	6A 7921077 CONTRACTOR - CAMERON-MCINDOO CON PERMIT COMMENT - SMITHBOOKS	11 COMMERCIAL BUILDING (RENOVAT.)
10282	94/03/31	2 DOAN INSPECTION CODE DESCRIPTION 01 FOUNDATION 02 STRUCTURAL 03 OCCUPANCY	AV APPROVED DATE 94/04/06 94/04/22	43 8 9321612 CONTRACTOR - ABBEY HOMES PERMIT COMMENT - SPEC	02 S.F.D & ATTACHED GARAGE

QUALITY MANAGEMENT PLAN
City of Red Deer

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Section 6

PLAN EXAMINATION REPORT



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

FILE NO.

PLAN EXAMINATION REPORT - ELECTRICAL

Report On:

Report No:

Lot: Block: Plan:

Municipal Address:

Owner/Contractor:

Notwithstanding the approval herein granted and the issuance of this Plans Examination Report, the City does not assume responsibility that the said plans and specifications as filed comply in all respects with the Safety Codes Act, the City Building Bylaw or any other relevant City Bylaws or Provincial or Federal statutes or regulations in force.

Safety Codes Officer: _____

Designation Number: _____

QUALITY MANAGEMENT PLAN
City of Red Deer

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Section 6

ELECTRICAL INSPECTION REPORT



THE CITY OF RED DEER

CITY HALL, RED DEER, ALBERTA T4N 3T4 TELEPHONE 342-8111

ELECTRICAL INSPECTION REPORT

ADDRESS _____ DATE _____
Year / Month / Day

LOT _____ BLOCK _____ PLAN _____

The following items do not comply with THE CANADIAN ELECTRICAL CODE THESE
ITEMS MUST BE CORRECTED. Upon completion of the necessary changes YOU WILL, will not
require a reinspection in order to proceed with THE INSTALLATION:

WHITE - OFFICE COPY
PINK - OWNER'S COPY
CARD - SITE COPY

Form No. 31509840
Rev. 91.06

QUALITY MANAGEMENT PLAN
City of Red Deer

EDITION _____
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DATE 95/03/28
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Section 6

"ORDER" TO COMPLY



THE CITY OF RED DEER

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

BUILDING INSPECTION DEPARTMENT

(403) 342-8190

Fax: 347-1135

ORDER

TO: _____ DATE: _____

(Pursuant To Section 45(1) _____ of the, SAFETY CODES ACT, Chapter S-0.5)

HAVING INSPECTED THE BUILDING, STRUCTURE OR PLACE ON THIS DATE:

_____ 19 _____,

LOCATED AT: _____ LOT _____ BLOCK _____ PLAN _____

I FIND THAT: _____

Under authority of the Safety Codes Act, Chapter S-0.5 you are hereby ORDERED TO:

TO BE COMPLETED ON OR BEFORE: _____ YR. _____ MO. _____ DAY _____

Safety Codes Officer _____ Designation No. _____

I HEREBY ACKNOWLEDGE RECEIPT OF THE ABOVE NOTED ORDER THIS _____

DAY OF _____ 19 _____ AT _____ HOURS AT _____

_____, ALBERTA.

(SIGNED) _____

OWNER AND/OR AGENT

Non-compliance with the instructions of the Order is an offence under the Safety Codes Act.

The person(s) who have been served this Order may request an Administrator review the Order (SEE REVERSE SIDE)

QUALITY MANAGEMENT PLAN
City of Red Deer

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Section 6

"ORDER" TO COMPLY (CON'T)

SAFETY CODES ACT
CHAPTER S - 0.5

Procedure for requesting a review by an Administrator:

The person(s) who have been served this Order may request an Administrator review the Order to ensure that the Order is:

- (a) proper, practical, and reasonable,
- (b) contains correct references and no typographical errors, and
- (c) corrects or satisfies concerns about safety within 21 days of the issuance of the order.

Requests for review are to be directed to:

Coordinator of Appeals
Room #602, 10808 - 99 Avenue
Edmonton, Alberta T5K 0G5 Telephone Number: 427-8523
Fax Number: 422-3562

Procedure to commence an appeal of the Order:

A person on whom this Order is issued may, if the person objects to the contents of the order, appeal the order to the Safety Codes Council in conformance with the bylaws of the Council, within 30 days of the date the order was served on the person.

Requests for an appeal should be made to:

Coordinator of Appeals
Room #602, 10808 - 99 Avenue
Edmonton, Alberta T5K 0G5 Telephone Number: 427-8523
Fax Number: 422-3562

Request for an appeal hearing is to be accompanied by a cheque or money order in the sum of \$500 made payable to the Safety Codes Council.

QUALITY MANAGEMENT PLAN
City of Red Deer

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DATE 95/06/21
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Section 7

PROGRAM REVIEW

The Quality Management Plan and all related records will be available at all times for review by the Administrator of Accreditation or his/her agent.

The Municipality will undertake a periodic internal review program of records management, and the operation of the Municipality as defined within the plan.

EDITION _____
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REVISION CONTROL SYSTEM

[illegible]

QUALITY MANAGEMENT PLAN
City of Red Deer

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Section 9

NON-CONFORMANCE/CORRECTIVE ACTIONS

Should there be any non-conforming items to the QMP after audit of the Safety Codes Council, the person responsible for this QMP will inform the Council of the action taken in the following document.

Audit Date	Auditor	Non-Conforming Items	Corrective Action	Correction Date

COUNCIL MEETING OF MARCH 27, 1995

ATTACHMENT TO REPORT ON OPEN AGENDA

**RE:
ELECTRICAL INSTALLATIONS
INDUSTRY COMMENTS
PERMIT BYLAW 3132/95: PAGE 30**

**SLIM
CUNNINGHAM**
LTD.
Electric

#7 - 7880 - 48th AVENUE
RED DEER, ALBERTA
T4P 2B2

PHONE: 342-4111
FAX: 342-4022

March 3, 1995

THE CITY OF RED DEER
P.O. Box 5008
RED DEER, Alberta

ATTENTION: Her Worship Mayor Surkan

Dear Madam:

RE: PROTECTIVE INSPECTION - ELECTRICAL

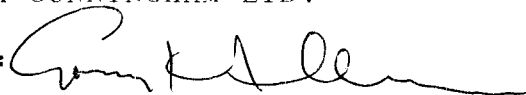
In response to information that the City of Red Deer may be taking over the issuance of electrical permits, inspection services, and plan inspection for projects within the City, we wish to advise that it is our position that the interests of the industry as a whole, and that of the public would best be served if the City of Red Deer Building Inspection Department would administer Electrical Inspections.

Should you wish to discuss this matter further please contact me.

Yours truly

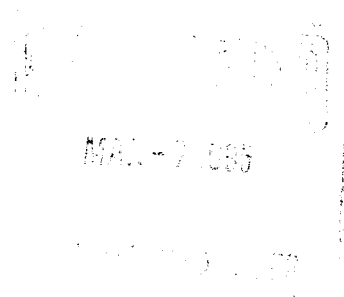
SLIM CUNNINGHAM LTD.

PER:



GARY K. ALLISON

GKA:md



**SLIM
CUNNINGHAM**
LTD.
Electric

#7 - 7880 - 48th AVENUE
RED DEER, ALBERTA
T4P 2B2

PHONE: 342-4111
FAX: 342-4022

January 23, 1995

CITY OF RED DEER
INSPECTION DEPARTMENT

VIA FAX: 347-1138

ATTENTION: PETER HOLLOWAY

Dear Sir:

RE: ELECTRICAL INSPECTION - SAFETY CODE ACT FOR THE CITY OF RED DEER

It is my hope and certainly to the benefit of all Red Deer Electrical Contractors that you do succeed in adding the electrical to the City Inspection Services.

I believe your department will be a definite asset to us. One authority issuing both electrical and building permits will level the playing field for our work in Red Deer. Your ability to be able to cross reference the various trades working in Red Deer will be a bonus for both local businesses and consumers.

We at Cunningham Electric would be pleased to offer any assistance or information to you in this regard.

Your truly

SLIM CUNNINGHAM LTD.


GARY K. ALLISON

GKA:md

Meeres Electrical Cont
92 Noble Ave
Red Deer AB T4P 2H5

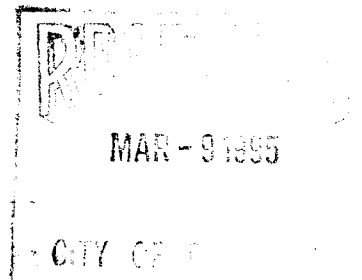
March 2/95

City of Red Deer
Building Inspections

Attention Peter Holloway

In regards to your letter of Feb 28/95 on inspections in the Electrical Industries we are in favour. If the City leaves it to Certified Companies I feel that there would not be any consistency between companies.

Phil Meeres





Head Office

4747 - 78A STREET CLOSE, RED DEER, AB. T4P 2G9 • PHONE 342-6280 • FAX 340-1066

Northern District Office

8507 - 112 STREET, GRANDE PRAIRIE, AB. T8V 6A4 • PHONE 539-7111 • FAX 538-3135

March 6, 1995

The City Red Deer
P.O. Box 5008
RED DEER, AB T4N 3T4

ATTENTION: PETER HOLLOWAY
BYLAWS AND INSPECTIONS ASSISTANT MANAGER

Dear Sir :

RE : ELECTRICAL INSPECTION SERVICES AND PERMITS

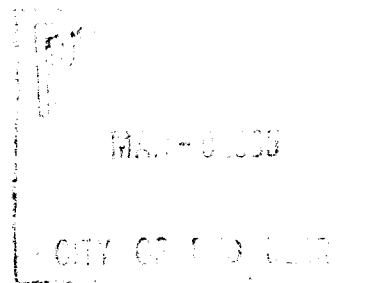
In follow-up to our response to your Survey of January 16, 1995, and our meeting of February 7, 1995, Titan Electric & Controls Ltd. supports the City issuing Electrical Permits and providing the Electrical Inspection Services, under the new Safety Codes Act, within the boundaries of the City. Our support for the City providing this service is based on this department being totally self-supporting and no additional financial burden being passed on to the tax payers.

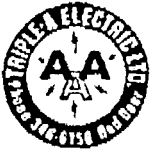
It would seem to make sense from a convenience standpoint for both the public and the contractors that the permits should be issued from City Hall. I believe the City could provide a uniform and non-biased inspection service because there would be no question about a conflict of interest

Regards,

TITAN ELECTRIC & CONTROLS LTD.

ED MUNDAY
President





TRIPLE "A" ELECTRIC LTD.

INDUSTRIAL - RESIDENTIAL - COMMERCIAL

1 - 6879 - 52 AVENUE, RED DEER, ALBERTA T4N 4L2

PHONE (403) 346-8156 FAX (403) 346-1888



January 20, 1995

City of Red Deer
City Inspection Department
P.O. Box 5008
Red Deer, Alberta
T4N 3T4

ATTENTION: Mr. Peter Holloway
Fax - 347-1138

RE: Electrical Inspections - Safety Codes Act

Dear Sir:

Please find our response to your survey as per page two of this transmission.

At the present time we are satisfied with the province issuing electrical permits. Our concern with the present system changing is the potential for interpretations of code rules to vary from area to area. With possible different inspection agencies from one county, town, or city to another there is a distinct possibility of this happening. At the present time we have "one stop shopping" with adequate parking. We are able to apply for all our Central Alberta permits at one location; the possibility of having to apply at various locations is not desirable to us.

We realize that there are going to be changes from the present system. If the changes instituted lead to several accredited agencies we would be more comfortable with the City providing the inspection services.

Yours truly,

Allan S. Hough

PARKLAND ELECTRICAL SYSTEMS

A9 - 2310 - 50 Avenue, Red Deer, Alberta T4R 1C5
Phone 346-6500 Fax 346-6593

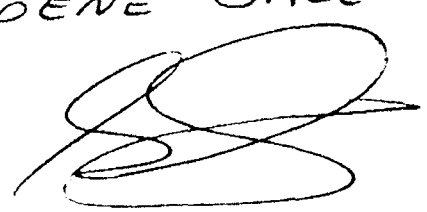
MARCH 6/95

ATT: MR PETER HOLLOWAY

RE: PROTECTIVE INSPECTIONS - ELECTRICAL.

I AM IN COMPLETE AGREEMENT WITH
THE CITY OF RED DEER'S BUILDING INSPECTION
DEPARTMENT & PETER HOLLOWAY, THAT THE
CITY OF RED DEER, SHOULD NOT ONLY ISSUE
PERMITS, BUT DO ELECTRICAL INSPECTIONS.
PLEASE PHONE ME IF YOU HAVE ANY FURTHER
QUESTIONS.

GENE SALE



DATE: MARCH 28, 1995
TO: BYLAWS AND INSPECTIONS MANAGER
FROM: CITY CLERK
RE: QUALITY MANAGEMENT PLAN/PERMIT BYLAW 3132/95

At the Council Meeting of March 27, 1995, consideration was given to your report dated March 22, 1995 concerning the above topic, and at which meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer having considered report from the Bylaws & Inspections Manager dated March 22, 1995, re: Electrical Installations hereby approves the amended "Quality Management Plan" as submitted to Council March 27, 1995."

In addition to the above resolution, first and second readings were given to Permit Bylaw 3132/95, a copy of which is attached hereto. At the April 10, 1995 Council Meeting, consideration will be given to third reading of this Bylaw.

Trusting you will find this satisfactory.



KELLY KLOSS
City Clerk

KK/clr
attchs.

cc: Director of Development Services
E. L. & P. Manager
Bylaws and Inspections Assistant Manager

C O R R E S P O N D E N C ENO. 1

March 13, 1995

Members of City Council,

Re: City Dog Bylaw

As a former student of the law I was taught that the primary purpose of a law and its accompanying penalties is to provide deterrence so that behaviors thought detrimental to the individual or society would be discouraged and compliance to the law encouraged. With this in mind, I find that the present dog bylaw does not accomplish this purpose. I therefore request that you review this bylaw toward the purpose of amending it so that responsible dog ownership would be encouraged rather than the opposite.

The primary flaw that I see in the dog bylaw is that it fails to recognize the difference between a responsible dog owner and an irresponsible dog owner. This is evidenced by the fact that no differentiation is made as far as fines issued to the owner of a stray animal, be it licenced or not. My own experience was that by doing the responsible thing and purchasing a licence for my dog, I did nothing more than create a legal tie through which I exposed myself to increasingly punitive measures for an inability to control the actions of other people acting on their own volition.

Unless I am mistaken, the purpose of Section 8G of the dog bylaw is to deter dog owners from simply "kicking their dog out the door" rather than giving it proper exercise. It would appear that this bylaw would accomplish this purpose, however in reality it is cheaper for the owner of a stray dog to wait a few days to adopt their dog rather than take responsibility for the animal - i.e. \$45 adoption fee vs. \$50 fine for an unlicensed stray.

To correct this situation and to encourage increased dog registration, city council would only have to recognize the fact that impound fees and the inconvenience of having to recover an animal from the pound is sufficient deterrence for the responsible dog owner who evidences this fact through the purchase of a dog licence.

I am in agreement with the bylaw and its structure of fines as it would apply to the owner of an unlicensed animal only. It would provide incentive to purchase a licence as well as properly punish those who would play it fast and loose with the law.

By using the purchase of a dog licence as a baseline between responsible and irresponsible dog ownership, city council would evidence a humane and caring attitude towards animals, even if it would mean giving the benefit of the doubt to some pet owners who may not deserve it. In the end, a hard line towards those who do their best to comply with the law puts those most innocent in the issue at risk. Friday, March 10, 1995, my black labrador, Brutus, paid the price for this bylaw with his life.

I urge you to give this matter serious consideration.

Sincerely,

Jeff M. Hanson

Jeff M. Hanson, B.A.

343-6377. Evening.

THE

DATE	MARCH 13 1995
BY	<i>Handwritten signature</i>

DATE: 16 March 1995
TO: City Clerk
FROM: Bylaws and Inspections Manager
RE: DOG BYLAW - JEFF HANSON

FILE NO. 95-1540

In response to your memo regarding the above referenced matter, we have the following comments for Council's consideration.

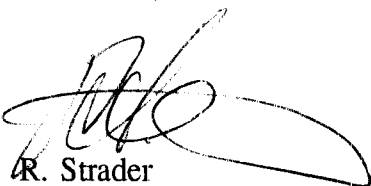
Mr. Hanson makes the argument that a licensed dog owner should not have to pay escalating fines for repeat offenses under the Dog Bylaw. We do not agree with his position as it is our feeling that a dog owner, faced with increased fines, will not commit the same offence. Purchasing a license provides for a means of identifying an animal and provides a source of revenue to offset the expense of operating an animal control program. It is not intended to provide the licensed animal owner with an opportunity to commit bylaw offenses without being penalized.

Mr. Hanson's theory that a dog owner would simply adopt their own animal, rather than pay a fine depends on the contractor releasing a dog without doing a basic check of the circumstances. The contractor, in our case, doesn't adopt out the animal without checking to determine that Mr. Hanson's scenario doesn't happen. The dog owner could ask a friend to adopt the dog, then return it to its original owner, but the adoptee would be the person named on the license and responsible for fines if there were further bylaw violations.

The final paragraph of Mr. Hanson's letter, where he seems to blame the bylaw and The City for the fate of his dog is, in my opinion, completely unwarranted. He could have prevented the entire situation by ensuring that his dog wasn't allowed to run at large. It is not the fault of the bylaw or The City that Mr. Hanson made the choice to let his dog remain in a location where proper restraint of the animal was not exercised and, in the final incident, chose not to redeem the dog even after the it was kept for 10 days instead of the 3 days indicated in the contract. Each time this animal was picked up, he was in a residential district (Northwood Estates) which could have caused problems, especially with younger children.

Recommendation: That Council not amend the Animal Control Bylaw.

Yours truly,



R. Strader
Bylaws and Inspections Manager
BUILDING INSPECTION DEPARTMENT

RS/vs

COMMENTS:

Council took some time to review and establish a revised bylaw and agreed to let the bylaw run for a period of time to determine its effectiveness. For this reason, we concur with the recommendations of the Bylaws & Inspections Manager that the bylaw not be altered at this time. Currently, the primary disincentive for an individual whose unlicensed dog is caught offending the bylaw is the requirement to not only pay the fine, but buy a license and face an increased fine should the offence reoccur.

"G. SURKAN"
Mayor

"M.C. DAY"
City Manager

DATE: March 14, 1995
TO: DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF CORPORATE SERVICES
DIRECTOR OF DEVELOPMENT SERVICES
X BYLAWS & INSPECTIONS MANAGER
CITY ASSESSOR
COMPUTER SERVICES MANAGER
E.L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
FIRE CHIEF
LAND AND ECONOMIC DEVELOPMENT MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR
RECREATION, PARKS & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
PRINCIPAL PLANNER
CITY SOLICITOR

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

FROM: CITY CLERK
RE: JEFF HANSON
DOG BYLAW

Please submit comments on the attached to this office by March 20, 1995, for the Council Agenda of March 27, 1995.

"Kelly Kloss"
City Clerk

**THE CITY OF RED DEER**

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

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

March 14, 1995

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Mr. Jeff M. Hanson
#105 - 5811 - 58 Avenue
Red Deer, Alberta
T4N 4T9

Dear Sir:

I acknowledge receipt of your letter dated March 13, 1995, re: City Dog Bylaw.

This item will be discussed and possibly a decision made at the Meeting of Red Deer City Council on Monday, March 27, 1995. Council meetings begin at 4:30 p.m., and adjourn for the supper hour at 6:00 p.m., reconvening at 7:00 p.m.

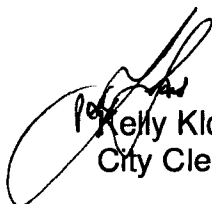
In the event you wish to be present at the Council meeting, would you please telephone our office on Friday, March 24, 1995, and we will advise you of the approximate time that Council will be discussing this item.

Would you please enter City Hall on the park side entrance when arriving, and proceed up to the second floor Council Chambers.

This request has been circulated to City administration for comments, and should you wish to receive a copy of the administrative comments prior to the Council meeting, they may be picked up at our office on the second floor of City Hall on Friday, March 24, 1995.

If you have any questions in the meantime, please do not hesitate to contact the writer.

Yours sincerely,


Kelly Kloss
City Clerk

KK/ds



*a delight
to discover!*



THE CITY OF RED DEER

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

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

March 28, 1995

Mr. Jeff Hanson
105, 5811 - 58 Avenue
Red Deer, Alberta
T4N 4T9

Dear Sir:

RE: ANIMAL CONTROL BYLAW

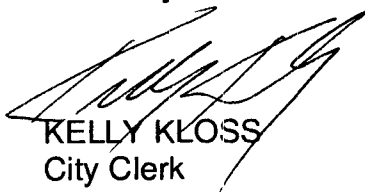
At the City of Red Deer's Council Meeting held on March 27, 1995, consideration was given to your letter dated March 13, 1995 concerning the above topic. At this meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer having considered correspondence from Jeff Hanson dated March 13, 1995, re: City Dog Bylaw hereby agrees that no changes be made to the Animal Control Bylaw of The City of Red Deer, and as presented to Council March 27, 1995."

As you are aware, Council has reviewed the Animal Control Bylaw at length and established a revised bylaw. The intent was to let this bylaw run for a period of time to determine its effectiveness. Although Council did not support your request, I do appreciate you bringing your concerns to Council's attention.

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

Sincerely,



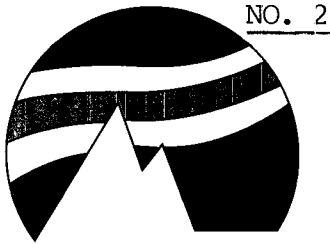
KELLY KLOSS
City Clerk

KK/clr

cc: Bylaws and Inspections Manager



*a delight
to discover!*



Public School Boards' Association of Alberta

Thursday, March 9th, 1995

Ms. Gail Surkan, Mayor
City of Red Deer
P O Box 5008
Red Deer, Alberta T4N 3T4

Dear Ms. Surkan:

The PSBAA wrote to you last summer, asking for financial and moral support from your Council. We were disappointed by the decision that you would not support our challenge. Perhaps the earlier decision reflected the view that the PSBAA would not carry through to trial. The constitutional challenge is going to trial.

We invite you to reconsider your earlier decision. We urgently need your financial and moral support, because we have carried through, at considerable cost to our member public school boards. The outcome will benefit all municipalities, including yours.

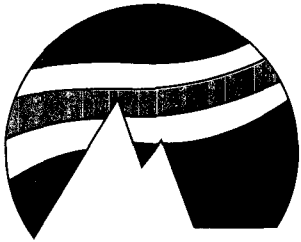
Please ask your Council to adopt a resolution expressing moral support for the challenge. Please ask your Council to provide financial assistance to the Public School Boards Association of Alberta (we suggest the rate of \$.02/resident), in trust for the completion of this challenge. Please let us know of your decision. A small number of towns, villages, M.D.s, and counties have already honoured financial commitments.

Follow the case through the media, to keep abreast of developments. Urge the local media to follow the case. Explain the case in terms of local circumstances. Talk to the people you come in contact with every day. Explain to them how this case will influence their political freedom as represented by effective local government. Bring the case to the attention of media commentators, including talk show hosts.

Because we believe that this case will be argued all the way to the Supreme Court of Canada, we want public attention during the next two weeks to kick off a widespread and lasting public debate about the future of local democracy in Canada. We hope the coverage will cause historians, political scientists, lawyers, and others, to describe our Canadian democracy giving due emphasis to the roles, relationships, and responsibilities of locally elected local government. We hope the public debate will cause provincial politicians to be more aware of the powerful public sentiment, for local democracy which is protected from unwarranted and unwise intrusions.

Yours truly,
the Public School Boards' Association of Alberta

Anita Dent
Mrs. Anita Dent, President



Public School Boards' Association of Alberta

Wednesday, March 8th, 1995

Ms. Gail Surkan, Mayor
City of Red Deer
P O Box 5008
Red Deer, Alberta T4N 3T4

Dear Ms. Surkan:

On Monday, March 13th, many of Alberta's public school boards will be in Edmonton's Court of Queen's Bench, defending local democracy against the provincial government. Two weeks (March 13th - 24th) have been set aside for the trial, which we expect will go all the way to the Supreme Court of Canada.

Our lawyers tell us that the case is the first one in 130 years that focuses directly and exclusively on the relationship between local democracy and provincial governments. While it is Alberta's school boards that have initiated the action, the outcome of the case will have important implications for school boards and local general government across the country. This is the single most important constitutional case since the 1982 federal government reference on the role of provinces in the amendment of the Constitution.

(In a first appearance before the courts last fall, the government's lawyers argued that the province could eliminate one local government, or all local government, and manage local services through provincial departments. The government's reasoning? Local government is listed in section 92 of the Constitution Act as a matter for which the province has exclusive responsibility. Interestingly enough, section 92 also lists property and civil rights as a matter for which the province has exclusive responsibility. Does the government's logic lead them to believe that they have the same unfettered right to eliminate your property and civil rights?)

We are asking the court to confirm to the province that local government has some protection in the Constitution. We are not asking for absolute independence from the province: we agree that the provincial government has the right to structure and regulate, and to give a non-exclusive mandate to, local government, within reasonable limits. This first prayer for relief is as important to local general government as it is to school boards. A positive response to this prayer for relief would benefit all local government all across Canada.

The second thing we are asking is that the court identify some of the essential characteristics of viable local democracy, since the provincial government obviously doesn't recognize them. For example, we are suggesting that local

democracy has at least four essential characteristics:

- leadership by elected representatives;
- the right of elected leaders to choose, direct, and employ at their pleasure their own chief executive officer and other senior staff;
- the right to make and implement some decisions about their mandate -- decisions which would be important in the local community; and,
- the right to some independent sources of revenue which could be used to support local decisions.

(The court will make its own decision about what it conceives to be the essential characteristics of local democracy which must be protected against attacks by any over-reaching provincial government.) This second prayer for relief is as important to local general government as it is to school boards. A positive response to this prayer for relief would benefit all local government all across Canada.

The third thing we are asking the court to do is throw out some, but not all, of the 1994 amendments to the School Act. Basically, these are the provisions that threaten: the future of elected leadership; the relationship of the C.E.O. to the elected leaders; the right to have a sensible and effective local decision-making process which can make and implement decisions that are significant locally; and, the right to have some revenue which is independent of provincial government control. (We are not asking the court to sever all ties between the province and local boards. We are not asking the court to undo regionalization. We are not asking the court to throw out the government's attempt at ensuring greater fiscal equity. We are not asking the court to protect local school boards from legitimate requirements for accountability.) This third prayer for relief is directly and immediately relevant to Alberta's school boards, but a positive response would be a useful precedent for all local government all across Canada.

The Public School Boards' Association of Alberta is gratified that some Alberta municipalities have provided financial and moral support for our challenge. The British Columbia School Trustees' Association, the Saskatchewan School Trustees' Association, and the Ontario Public School Trustees Association have all expressed support: they are following the case closely.

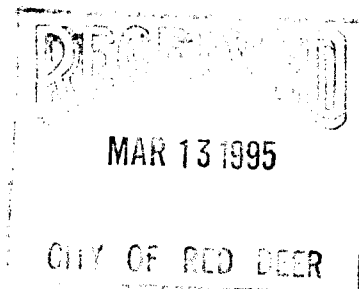
I began by saying that this case represents an effort to defend local democracy. The provincial government says that local democracy, as an integral part of our whole democratic system, is a myth. They invite you and me to rely on the unfailing goodwill of provincial politicians and bureaucrats. If you share their conviction that the provincial government is, and always will be, a completely reliable defender of your democratic rights, then the outcome of this case will not concern you. Perhaps, though, you have reason to be concerned. We invite you to follow the case closely.

Yours truly,

the Public School Boards' Association of Alberta

Anita Dent

Mrs. Anita Dent, President
Public School Boards'
Association of Alberta



IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF EDMONTON

IN THE MATTER OF THE SCHOOL AMENDMENT ACT, 1994, being Bill 19;
AND IN THE MATTER OF THE SCHOOL ACT, S.A. 1988, c. S-3.1, as amended;

BETWEEN:

THE PUBLIC SCHOOL BOARDS' ASSOCIATION OF ALBERTA,
THE BOARD OF TRUSTEES OF THE EDMONTON SCHOOL
DISTRICT NO. 7 and CATHRYN STARING PARRISH

Plaintiffs

- and -

THE ATTORNEY GENERAL OF ALBERTA, THE GOVERNMENT
OF ALBERTA and the MINISTER OF EDUCATION

Defendants

STATEMENT OF CLAIM

1. The Plaintiff, the Public School Boards' Association of Alberta ("Public Schools") is an Alberta society, registered under the Societies Act, R.S.A. 1980, c. S-18, and has been in existence since November, 1989. The Association is composed of school jurisdictions throughout Alberta. Currently, twenty-eight school jurisdictions are members, and they enrol approximately 237,000 students.

2.

2. The Plaintiff, the Board of Trustees of Edmonton School District No. 7 ("Edmonton Public") is a Public School Board formed by the residents of the settlement of Edmonton in 1881 and recognized by Royal Proclamation on February 3, 1885 as the School District of Edmonton Protestant Public School District No. 7 of the Northwest Territories. Edmonton Public has an enrolment of approximately 73,000 students.

3. The Plaintiff, Cathryn Staring Parrish ("Parrish") resides in the City of Edmonton, in the Province of Alberta, and is a ratepayer of Edmonton Public with a child in kindergarten.

4. The Defendants, the Attorney General of Alberta ("Attorney General") represents the Province of Alberta, the Government of Alberta and the Legislative Assembly of Alberta before the courts. The Government of Alberta ("Government") consists of Her Majesty the Queen in Right of Alberta, the Lieutenant-Governor-in-Council for Alberta and all governmental bodies responsible for governing the Province of Alberta and for administering its laws. The Minister of Education ("Minister") is the member of the Government and of the Legislative Assembly of Alberta who is responsible for legislation relating to education and for the administration of education in Alberta.

3.

5. In 1867, the Provinces of Canada, Nova Scotia, and New Brunswick were united into the Dominion of Canada by the written *Constitution Act, 1867*, which incorporated the unwritten constitutional law of the United Kingdom by virtue of the preamble to the *Constitution Act, 1867* which states that the Constitution of Canada is to be "similar in Principle to that of the United Kingdom".

6. In 1870, the *Rupert's Land and North-Western Territory Order* provided for the land which now composes the Province of Alberta, to become a Territory of the Dominion of Canada.

7. Within the North-Western Territory, a settlement was established in the Edmonton area. On or about October 20, 1881, the inhabitants of the settlement of Edmonton began to organize a public school.

8. A Board of Trustees was elected and ten members of the settlement became liable for the costs of operating the public school.

9. School commenced on January 3, 1882.

10. The Board of Trustees of the Edmonton Public School instituted a system of property taxes on all property in the settlement of Edmonton in 1883.

4 .

11. In 1884, the Northwest Territories Council passed the first school legislation, *Ordinance for Providing the Organization of Schools in the North-West Territories*.

12. A Royal Proclamation was published on February 3, 1885 proclaiming the erection of Edmonton Protestant Public School District No. Seven of the North-West Territories.

13. The Board of Trustees of Edmonton Public have taxed property owners on a continuous basis since 1886, in order to fund the operation of Edmonton Public.

14. In 1905, the Province of Alberta was created from this area of the North-Western Territories by the *Alberta Act, 1905*.

15. In 1867, and in 1905, when the *Constitution Act, 1867* and the *Alberta Act, 1905*, were respectively first enacted, local government institutions including municipal institutions and school boards, exercised a high degree of local democratic autonomy on behalf of the voters, rate-payers and others they represented.

16. On or about May 25, 1994, Royal Assent was granted to the *School Amendment Act, 1994*, ("*Amendment Act*"), which made sweeping and far-reaching changes to the *School Act*, S.A. 1988, c. S-3.1.

5.

17. On or about November 10, 1994, Royal Assent was granted to the *Government Organization Act, 1994* ("*Government Organization Act*"), and it was proclaimed in force, excepting section 66, on or about January 1, 1995 by Order-in-Council 784/94.

18. The *Amendment Act*, the *School Act*, the *Government Organization Act*, the regulations related thereto, and other actions taken by the Minister thereunder severely curtail the ability of school boards throughout Alberta to exercise their historic local democratic autonomy, in the following respects, among others:

- (a) Superintendents, who were previously responsible solely to the Boards which employed them, are now made responsible to the Minister as well (*School Act*, s. 94(3); *Amendment Act*, s. 22), and their appointment and re-appointment is made subject to the Minister's approval (*School Act*, s. 94(1) and 94.1; *Amendment Act*, s. 22) under more onerous and restrictive conditions than previously.
- (b) Principals, who were previously answerable only to their Superintendents and Boards, are now made responsible, as well, to carry out (as yet unknown) standards and other requirements set by the Minister (*School Act*, s. 15(c.1) and s. 17(8)(b); *Amendment Act*, s. 7(a) and s. 8), and by School Councils (*School Act*, s. 15(i); *Amendment Act*, s. 7).
- (c) School Councils, previously elected by parents on an optional basis to provide advice to principals and Boards, and to carry out other tasks delegated to them by Boards, are now made compulsory for every school unless exempted by the Minister (*School Act*, s. 17(1) and s. 17(8)(a); *Amendment Act*, s. 8) are to be elected or appointed in a manner chosen by the Minister (*School Act*, s. 17(8)(a); *Amendment Act*, s. 8); are now made responsible for ensuring, along with Superintendents and principals, that the Minister's standards of education are met in the school (*School Act*, s. 17(3)(c); (*Amendment Act*, s. 8); and are given sweeping powers, both

6.

immediate and potential, over virtually all aspects of education at the school level (*School Act*, s. 17(3)(d) and (e), s. 17(4) and s. 17(8)(b); *Amendment Act*, s. 8); and are placed in an uncertain and confusing relationship with School Boards.

- (d) School Board Autonomy has been severely restricted in many other respects, including: subjecting Boards to Ministerial standards, orders and approvals, as well as to further regulations (*School Act*, sections 28(4), 28(6), 44(a),(b) and (c), s. 155(6); *Amendment Act*, sections 13, 18, 42.3), and then providing for delegation of authority, duty and/or function from the Minister to any person (*Government Organization Act*, s. 9).
- (e) Taxation power, historically exercised by School Boards to raise revenue for education programs that met community needs and aspirations, has been removed (*School Act*, s. 157.1(8); *Amendment Act*, [S.A. 1994, c. 29] s. 51), except for the very small and infrequently available Special Plebiscite Levies authorized by the *School Act*, s. 181(1); (*Amendment Act*, [S.A. 1994, c. 29] s. 60), and the ability of Separate Boards, but, not public boards to opt out of regular funding arrangements (*School Act*, s. 157.1(1); *Amendment Act*, [S.A. 1994, c. 29] s. 48).
- (f) "Block" funding, which the *Amendment Act* makes possible, and which provincial authorities are adopting, will remove the ability of Boards to decide, on behalf of the parents/ratepayers they represent and serve, how education funds are to be allocated and spent in each School District and School Division.
- (g) Educational decision-making has been constrained for School Boards, and expanded for Alberta Education, in a way that reduces democratic control at the local level and greatly increases the centralizing influence of the Minister and his Department. Notably, many more issues which were formerly given final determination locally are now appealable to the Department and/or the Minister. Additionally all of these Ministerial actions are now subject to delegation to any person, including persons outside of the Department of Education, and outside of duly elected school boards.
- (h) The roles of the Superintendent and the School Council have been made more ambiguous, in a way that reduces democratic control at the local level and greatly increases the centralizing influence of the Minister and his Department.

7.

- (i) Early Childhood Services programs have been placed in jeopardy as the result of the provincial Government's reducing designated funding on the one hand and on the other hand refusing to assure boards that they can provide supplementary funding by requisitioning against local property or by the discretionary use of all monies received from the provincial government.

19. These and other provisions of the *Amendment Act*, the *Government Organization Act* and other legislation, regulations and Ministerial actions referred to above severely diminish the significance and the relevance of the participation by parents and ratepayers, at the local level, in democratic decision-making affecting the education of children in their communities. This diminution violates a constitutional guarantee of reasonable local democratic autonomy for institutions of municipal or local government implicit in the *Constitution Act, 1867*, the *Alberta Act, 1905*, and s. 2(b) (freedom of expression) of the *Canadian Charter of Rights and Freedoms*.

20. Section 17(2) of the *Alberta Act, 1905*, stipulates that:

In the appropriation by the Legislature or distribution by the Government of the province of any moneys for the support of schools organized and carried on in accordance with the said chapter 29 [Northwest Territories Ordinances, 1901] or any Act passed in amendment thereof, or in substitution therefor, there shall be no discrimination against schools of any class described in the said chapter 29.

8.

21. Public schools are one class of schools described in Chapter 29 of the Ordinances of the Northwest Territories, 1901, and are therefore protected from discrimination in accordance with s. 17(2) of the *Alberta Act, 1905*.

22. The Separate School Boards of Edmonton, Calgary, Lethbridge, Red Deer, Fort Saskatchewan, Sherwood Park and approximately 20 other School Districts, representing about 75% of the Separate School students in Alberta, have opted out of participation in the Alberta School Foundation Fund under Division 4 of the *School Act* in accordance with the procedure set out in s. 157(2) being s. 48 of the Amendment Act.

23. The *Amendment Act* discriminates against public schools, contrary to s. 17(2) of the *Alberta Act, 1905*, in the following respects, among others:

- (a) Public school's inability to opt out of the prohibition on local taxation for education purposes (*School Act*, s. 157.8; *Amendment Act*, [S.A. 1994, c. 29] s. 51), as separate schools are permitted to do (*School Act*, s. 157.1(1); *Amendment Act*, [S.A. 1994, c. 29] s. 51), deprives public schools, and the students, parents and the ratepayers that they serve, of the opportunity which adherents to separate schools have, to determine the level of educational funding appropriate for their District or Division, and the appropriate disposition of funds raised locally;
- (b) "Block" funding provided to School Boards under s. 159.1(1) of the *School Act* (s. 54 of the *Amendment Act*, [S.A. 1994, c. 29] s. 54), as permitted by the *Amendment Act* and announced by provincial authorities, could not be constitutionally applied to funds raised from local taxation on behalf of opted-out separate schools, which means

9.

that opted-out separate schools will have greater autonomy over the expenditure of their funding than public schools;

- (c) Differential school tax assessment rates may be established for different parts of the province by the Lieutenant-Governor-in-Council (*School Act*, s. 158(1); *Amendment Act*, [S.A. 1994, c. 29] s. 52(a));
- (d) Exemption from School Council requirements may be authorized for particular schools or classes of schools by Ministerial regulation (*School Act*, s. 17(8)(b); *Amendment Act*, s. 8);
- (e) Differential access to Ministerial grants have been stated by the Minister for various School Boards (*School Act*, s. 26.1(2)(d) and s. 26.1(3); *Amendment Act*, s. 12).

24. The Plaintiffs propose that the trial of this action be held at the Law Courts, Edmonton, Alberta.

WHEREFORE the Plaintiffs jointly and severally claim as follows:

- (a) A declaration that whereas:
 - (i) Canada was given by the *Constitution Act, 1867* a constitution described in the Preamble as being "similar in principle to that of the United Kingdom,"
 - (ii) the Constitution of the United Kingdom included, since before *Magna Carta*, and certainly by 1867, reasonable autonomy of local government institutions,
 - (iii) such autonomy also existed in British North America in 1867, and
 - (iv) for other reasons;

there is implicit in the *Constitution of Canada* generally; in the term "municipal institutions" as that expression is used in s. 92(8) of the *Constitution Act, 1867*; and in sections 2(b) of the *Canadian Charter of Rights and Freedoms*, a law or convention of the Constitution guaranteeing and requiring preservation of, and respect for, reasonable autonomy of local government institutions, including local school boards, in Canada.

- (b) A declaration that reasonable autonomy of school boards and other local government institutions in Canada includes:
 - (i) democratic election, at the local level, of representatives responsible for each institution, which representatives are not subject to removal from office except by their peers, or by the courts, or by their electors;
 - (ii) the right of each institution to raise revenue, by local taxation or otherwise as it determines, necessary to carry out its responsibilities;
 - (iii) freedom of each institution from constraints by other governments on decisions with primarily local consequences within its mandate; and
 - (iv) freedom of each institution to recruit, select, appoint, direct, evaluate, and discharge its chief executive officer without constraint by other governments.
- (c) A declaration that the following sections and/or portions of sections of the *Amendment Act*, are of no force or effect because they contravene the guarantee of reasonable autonomy of local government institutions implicit in the Constitution of Canada:

11.

- S.A. 1994, c. 29, section 7 (the *School Act*, subsections 15(c.1) and (i));
- S.A. 1994, c. 29, section 8 (repeal of and substitution for the *School Act*, section 17);
- S.A. 1994, c. 29, section 13 (the *School Act*, subsection 28(6));
- S.A. 1994, c. 29, section 18 (the *School Act*, subsections 44(2)(a), (a.1), and (b), and 44(3)(c));
- S.A. 1994, c. 29, section 22 (the *School Act*, subsections 94(1), (3) and (4), and section 94.1);
- S.A. 1994, c. 29, section 51 (the *School Act*, subsection 157.1(8));
- S.A. 1994, c. 29, section 52 (the *School Act*, subsection 158(4));
- S.A. 1994, c. 29, section 54 (the *School Act*, subsection 159.1(4));
- S.A. 1994, c. 29, section 57 (the *School Act*, subsection 165(2));
- S.A. 1994, c. 29, section 58 (the *School Act*, subsections 167(2) (only the words "with the prior approval of the Minister"), and 167(3.1));
- S.A. 1994, c. 29, section 59 (repeal of the *School Act*, sections 168 to 175);
- S.A. 1994, c. 29, section 60 (the *School Act*, heading "Division 7 Special School Tax Levy," and sections 181.1, 181.2, 181.3, and 181.5);
- S.A. 1994, c. 29, section 61 (repeal of the *School Act*, subsections 190(1) and (2)(b));
- S.A. 1994, c. 29, section 62 (repeal of and substitution for the *School Act*, subsection 192(1));

12.

- Bill 19, section 63(1) and (3).
- (d) A declaration that imposition by the Minister of Education, Alberta Education or other authorities of the Government of Alberta, of a "block" scheme of educational funding, whereby conditions are set as to the particular purposes for which, and the amounts in which, particular funds may be expended by school boards; or the imposition of financial or other restrictions on the ability of school boards to provide Early Childhood Services (Kindergarten) for children in their Districts or Divisions, would contravene section 17 of the *Alberta Act, 1905*, as well as the guarantee of reasonable autonomy of local government institutions implicit in the Constitution of Canada.
- (e) A declaration that to the extent that they purport to amend or repeal provisions of the Department of Education Act or the *School Act*, the following provisions of the *Government Organization Act, 1994* are of no force or effect on the ground that they contravene the guarantee of reasonable autonomy of local government institutions, implicit in the Constitution of Canada:
- sections 8, 9, 10, 12, 13(2)(f) and (i), and 13(4);
 - section 19 (in respect of Schedule 4);
 - subsections 68(3), 68(4), and 68(5) (in respect of School Act, sections 25, 25.1, 25.2, 25.3, and 75.1(1)).
- (f) A declaration, in the alternative, that any provision referred to in Paragraphs 5, 6, and 7, that is not of no force or effect, nevertheless contravenes the convention of reasonable autonomy of local government institutions implicit in the Constitution of Canada;
- (g) A declaration that the following sections or portions of sections of the *Amendment Act, 1994*, are of no force and

13.

effect on the ground that they contravene the requirements of subsection 17(2) of the *Alberta Act, 1905*:

- section 8 (the *School Act*, S.A. 1988, c. S-3.1, subsection 17(9)(d);
- section 12 (the *School Act*, subsections 26.1(2) (b), (d) (e) (f) (g) and (h); and 26.1(3));and
- section 49 (the *School Act*, subsection 158(1), 158 (1.1) (c) and (d); and 158(2)).

(h) A declaration that the following words enacted by sections 48 and 51 of the *Amendment Act* are of no force or effect on the ground that they contravene the *Alberta Act, 1905*, section 17(2):

(i) "separate school" and "made up only of separate school districts" in *School Act*, subsection 157.1(2), with the result that the subsection be declared to read:

"(2) The board of a district or a division may, pursuant to a resolution, certify to the Minister under the seal of the district or division that this Division does not apply to it."

(ii) "separate school," "made up only of separate school districts," and "not more than 30 days after the date on which this section comes into force" in *School Act*, subsection 157.1(6), with the result that the subsection be declared to read:

"(6) Notwithstanding subsections (4) and (5), a board of a district or division may make a resolution referred to in subsection (2) and the resolution is deemed to be effective with respect

14.

to the 1994 and subsequent taxation years unless it is rescinded in accordance with this section."

- (iii) "separate school" in *School Act*, subsection 159.1(5), with the result that the subsection be declared to read:

"(5) The receipt of money from the Alberta School Foundation Fund does not make this division apply to a board of a district or division that has a subsisting resolution certifying that this Division does not apply to it."

- (i) Costs of this action;
- (j) Such further and other relief as this Court deems just and proper.

DATED at the City of Edmonton, in the Province of Alberta, this 13th day of February, 1995.

THIS STATEMENT OF CLAIM was taken out by Messrs. Parlee McLaws, Solicitors for the Plaintiffs, whose address for service is in care of the said Solicitors at 1500, 10180 - 101 Street, Edmonton, Alberta, T5J 4K1.

ISSUED OUT OF THE OFFICE OF THE CLERK of the Court of Queen's Bench of Alberta, Judicial District of Edmonton, in the City of Edmonton, in the Province of Alberta this 13th day of February, 1995.

JOHN BACHINSKI

SEAL

CLERK OF THE COURT OF QUEEN'S BENCH

TO THE DEFENDANTS, The Attorney General of Alberta, The Government of Alberta and the Minister of Education:

You have been sued. You are the Defendants. You have only 15 days to file and serve a Statement of Defence or Demand of Notice. You or your lawyer must file your Statement of Defence or Demand of Notice in the office of the Clerk of the Court of Queen's Bench in Edmonton, Alberta. You or your lawyer must also leave a copy of your Statement of Defence or Demand of Notice at the address for service for the Plaintiffs named in this Statement of Claim.

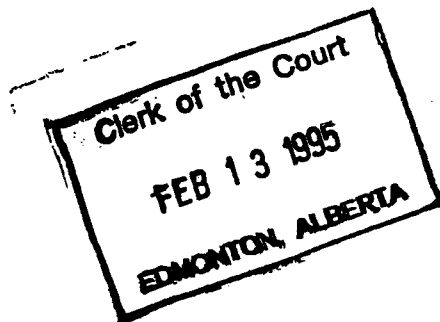
WARNING: If you do not do both things within 15 days, you may automatically lose the law suit. The Plaintiffs may get a Court judgment against you if you do not file, or do not give a copy to the Plaintiffs, or do either thing late.

This Statement of Claim is issued by the solicitors for the Plaintiffs, whose name and address for service is:

Parlee McLaws
Barristers & Solicitors
1500 ManuLife Place
10180 - 101 Street
Edmonton, Alberta
T5J 4K1

The Plaintiffs' place of business and residence is Edmonton, Alberta.

The Defendants' reside and their place of business so far as known to the Plaintiffs is Edmonton, Alberta.



Action No. 9403-12272

IN THE COURT OF QUEEN'S BENCH
OF ALBERTA

JUDICIAL DISTRICT OF EDMONTON

BETWEEN:

The Public School Boards' Association of Alberta, The Board of Trustees of the Edmonton School District No. 7 and Cathryn Staring Parish

PLAINTIFFS

and

The Attorney General of Alberta, The Government of Alberta and the Minister of Education

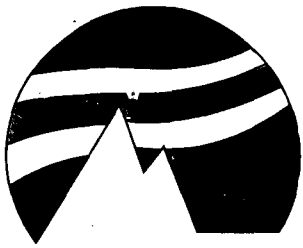
DEFENDANTS

STATEMENT OF CLAIM

PARLEE McLAWS
BARRISTERS & SOLICITORS
1500, MANULIFE PLACE
10180 - 101 STREET
EDMONTON, ALBERTA
T5J 4K1

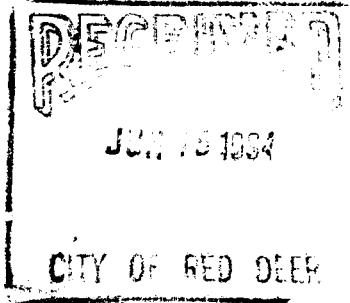
ATTENTION: Priscilla Kennedy
TELEPHONE: (403) 423-8593

File No.: 49305-1



Public School Boards' Association of Alberta

July 4/94 Council
Agreed to File



Thursday, June 9th, 1994

Ms. Gail Surkan, Mayor
City of Red Deer
P O Box 5008
Red Deer, Alberta T4N 3T4

Dear Ms. Surkan:

re: the Local Democracy Defense Fund

The Government of Alberta has just passed a law (Bill #19, the School Amendment Act) that substantially **weakens** local democratic control in **communities** across the province. The law centralizes power with the provincial public service, the Minister, and the Cabinet. The law is based on the notion that local government has no inherent reason for being, and no inherent rights or responsibilities. To-day the issue is education. Tomorrow it may be health, then municipal affairs, then community programs.

We believe that on this issue the government's intentions are dangerous to the well-being of the community. The courts are now our only remedy. Local democratic control of community decisions must be protected.

The Public School Boards' Association of Alberta, representing many local governments across the province, is proceeding to challenge in the courts the constitutionality of some assumptions and provisions of Bill #19. The Association has established the Local Democracy Defense Fund to finance a legal challenge. The Executive Committee has authorized legal action, subject to ratification by the members. The members have ratified the actions to date of the Executive Committee. Subject to the outcome of the vote (underway at this time) on another supportive resolution, we are working to file an Originating Notice of Motion shortly. We may also seek temporary relief, perhaps by way of an injunction.

We have retained the law firm of Parlee McLaws to act on our behalf. Biographies of the principal and our retained consultant -- Ms. Kennedy and Mr. Gibson, respectively -- are attached.

The Public School Boards' Association of Alberta is asking the courts to set out in writing some of the principles of local democracy that are unstated but inherent in the Canadian Constitution, principles that the provincial government(s) must respect when dealing with school boards, municipal governments, etc. We believe that we can persuade the courts to express -- for the first time in writing -- some important principles that every provincial government would in future have to respect when dealing with local government, along the following lines:

- local government must be in the hands of elected, not appointed, representatives;

- the mandate of local government must be interpreted generously rather than narrowly, and it cannot be changed radically by unilateral action of the provincial government;
- local government must have discretionary access to revenue raised locally, and there must be realistic opportunities to raise revenue locally;
- local government must have significant decision-making within the context of its mandate; and,
- the provincial government cannot unilaterally make dramatic changes in the boundaries of local government.

The Association is asking the courts for this direction because of the conviction that the best education for students is based on a strong and effective partnership between the provincial government and a concerned, aware, energetic and capable local community. What we have at the moment is not such a partnership. (Such a partnership is also the best basis for many important local community initiatives.)

The Local Democracy Defense Fund will provide financial support for the PSBAA legal challenge. Will you help us?

We are writing to every municipality in Alberta, asking for two things:

1. a resolution of support for the challenge to Bill #19. Alternately, a resolution affirming the inherent rights and responsibilities of local government. (Examples are attached.)

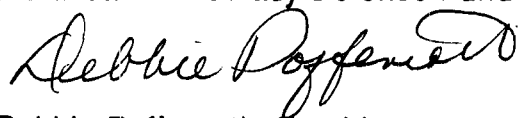
2. a resolution to provide financial support. We suggest a contribution equivalent to \$.02 for each resident of the municipality. We ask you, please make a contribution, to the Local Democracy Defense Fund, in Trust, in care of the Association office. The money will only be used to challenge the government in the courts for its attack on equality and local democracy. We need the moral and financial support of every municipal government in Alberta.

Your contribution will support the preservation and enhancement of local democracy. Albertans value the democracy of local decision making, including local decisions about funding, priorities, and good stewardship.

We enclose for your further information an edited copy of the text of remarks made by our Executive Director in introducing the matter to our membership. If you have any questions or comments, or if you would like a copy of the documentation filed with the court, please do not hesitate to contact the writer or Mr. David King, Executive Director of the Association.

Yours truly,

the Public School Boards' Association of Alberta, for
the Local Democracy Defense Fund



Debbie Poffenroth, President

enclosures (3)

Public School Boards'
Association of Alberta



COMMENTS:

Council may choose to confirm their decision of July 1994 to agree to file or alternatively, two possible avenues of support exist. One is to adopt a resolution expressing moral support for the challenge and particularly affirming the inherent rights and responsibilities of local government. A second possibility is to agree to support the court challenge with a financial contribution. Council's direction is requested.

"G. SURKAN"
Mayor

"M.C. DAY"
City Manager



THE CITY OF RED DEER

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

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

March 28, 1995

Public School Boards' Association
of Alberta
Room 8, 11515-71 Street
Edmonton, Alberta
T5B 1W1

Att: Mrs. Anita Dent, President

Dear Mrs. Dent:

RE: REQUEST FOR FINANCIAL AND MORAL SUPPORT

Further to your letters of March 8, 1995 and March 9, 1995 to Mayor Gail Surkan concerning the above topic, please be advised as follows.

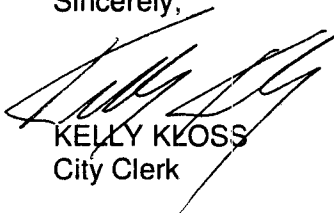
At the City of Red Deer's Council Meeting held March 27, 1995, your letters were presented to Council for consideration. The following resolution was introduced, however, not supported by a majority of Council Members:

"RESOLVED that Council of The City of Red Deer having considered correspondence from the Public School Boards' Association of Alberta dated March 9, 1995, re: Request for Financial and Moral Support/Constitutional Challenge hereby agrees to offer moral support to the Public School Boards' Association of Alberta for their Constitutional Challenge and, in particular, affirming the inherent rights and responsibilities of Local Government, and as presented to Council March 27, 1995."

As indicated above, this resolution was defeated and as such, no further action was taken with regard to your request.

Thank you for presenting your concerns to City Council. If you have any questions or require additional information, please do not hesitate to contact the undersigned.

Sincerely,


KELLY KLOSS
City Clerk

KK/clr



*a delight
to discover!*

NO. 3



TOWN OF GRAND CENTRE

(403) 594-4694

FAX: (403) 594-3400

Box 70
Grand Centre, Alberta
T0A 1T0

YOUR FILE NO.

OUR FILE NO.

March 9, 1995

ATTENTION: Mayor/Reeve/Chairman

Dear Sir/Madam:

RE: Family Day Referendum

The Council of the Town of Grand Centre has passed the following resolution:

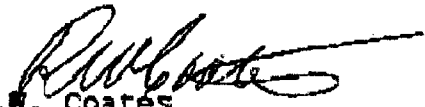
"That the Town of Grand Centre hold a referendum on the continuation of Family Day in conjunction with the October Municipal Elections and that this motion and its intent be forwarded to all municipalities and Members of the Legislative Assembly in Alberta".

The intent of the motion is to inform the provincial government that there is a way to find out the views of a significant number of Albertans in regard to the Family Day issue. Our Council feels that, at very little additional cost, this question could be added to the Municipal Election, and a decision could still be made prior to the next Family Day.

As the government is allowing a free vote in the Legislature on this issue, we feel that they should extend that vote to all citizens of Alberta who are eligible to vote. This would be an easy solution to dealing with an issue that affects every citizen of the province.

Please consider passing a similar resolution and advising the Members of the Legislative Assembly of your position.

Sincerely,


R.W. Coates
Mayor

COMMENTS:

Council's direction is requested.

"G. SURKAN", Mayor

"M.C. DAY", City Manager



**The Canadian
National
Institute
for the Blind**
Alberta-N.W.T.
Division

12010 Jasper Avenue
Edmonton, Alberta T5K 0P3
Tel: (403) 488-4871
Fax: (403) 482-0017

71

Patron: The Honourable
Gordon Towers
Lieutenant-Governor of Alberta



A United Way
Member Agency

NO. 4

February 28, 1995

Mr. Kelly Kloss
City Clerk
The City of Red Deer
P.O. Box 5008
Red Deer, AB T4N 3T4

Dear Mr. Kloss:


The Board of Management of the Alberta-N.W.T. Division of the CNIB held a meeting on Friday, February 24, 1995. At that meeting, a letter from The City of Red Deer dated November 9, 1994 to Ms. Helena Lake, Coordinator of Client Services for Southern Alberta, was reviewed.

While we understand that, from time to time, it is necessary for all levels of government to review their spending, we feel that our organization has been singled out. The reason quoted in the paper for CNIB not receiving a grant could be applied to any of the organizations that did in fact receive grants. We also point out that our services could be potentially needed by all taxpayers in The City of Red Deer. Further, our organization spends, in Red Deer, well in excess of the \$5,000 that we had requested. Because our services are not available through any other organization, if we were to withdraw from, or cut back on services in the Red Deer area because of a lack of funding, it would have a significant impact on the more than 225 blind and visually impaired people currently receiving services in this area.

We are writing to ask that City Council reconsider our request, particularly in light of the fact that all the other organizations that had requested funding were funded after appealing your initial decision.

Please contact me at 403-940-4432 or Bill McKeown at 403-488-4871.

Sincerely,


A.V. (Tony) Thibaudeau
Chairman, Board of Management

AVT/ed

c: Gail Surkan, Mayor, The City of Red Deer
Aldermen, The City of Red Deer
Bill McKeown, Executive Director, CNIB
Helena Lake, Coordinator of Client Services, CNIB

DATE: March 7, 1995

TO: KELLY KLOSS
City Clerk

FROM: LOWELL R. HODGSON, Director of Community Services
ALAN WILCOCK, Director of Corporate Services

RE: CNIB REQUEST FOR FUNDING
Your memo dated March 3, 1995 refers.

City Council considered Policy 420 (Grants to Community Service Organizations) at its meeting on November 7, 1994, passing several resolutions modifying this policy. The resolution related to the CNIB is as follows:

"RESOLVED that Council of The City of Red Deer, having considered a combined report from various departments dated October 31, 1994, regarding City Council Policy 420 (Grants to Community Service Organizations), hereby agrees that the grant to the CNIB be deleted and as presented to Council November 7, 1994."

Attached to this memo is correspondence which Council considered prior to the passing of the above resolution. Also attached is a copy of Policy 420, as revised November 7, 1994.

The Canadian National Institute for the Blind is now writing Council asking for reconsideration of their grant request, stating "that all the other organizations that had requested funding were funded after appealing your initial decision". The writers of this memo are not aware of any organizations appealing or being reconsidered for funding and, in light of the fact that the 1995 budget is already set and the fact that Council Policy 420 was revised, we cannot recommend a reconsideration of this request. We make no judgement on the good work of the CNIB, however, other organizations, such as the Heart & Stroke Foundation, the Canadian Cancer Society and many others, could make similar requests as they all do good work in our community. They do not, however, receive municipal tax support and we believe Council was simply trying to be consistent with this new policy.

RECOMMENDATION:

That Council of The City of Red Deer deny the request of the CNIB for reconsideration of their 1995 grant request.



LOWELL R. HODGSON



ALAN WILCOCK

LRH:dmg

Att.

Policy Section:
Finance

Page:
1 of 2

Policy Subject:
Grants to Community Service Organizations

Policy Reference:
420

Lead Role:
Director of Community Services

Resolution/Bylaw:
December 20, 1982

PURPOSE

To provide a procedure for the submission of grant requests to City Council.

POLICY STATEMENT

1. Grant requests to City Council shall be considered in only the following category:
 - Grants for the Hosting of Provincial, National or International Events
2. Non-profit groups may submit applications for assistance in hosting provincial, national, or international events in the city. Such applications shall include the following additional information:
 - Estimated number of participants
 - Estimated number of spectators
 - Estimated economic benefit to the community

3. Deadline and Application Requirements

Grant applications in both categories shall be submitted to the City Clerk by November 15 of the year prior to the grant being requested.

Grant applications shall be evaluated and recommendations made by the following:

- Recreation, Parks & Culture Board
- Red Deer Visitor & Convention Bureau

Cross Reference

Remarks

Date of Approval:
December 20, 1982

Effective Date:
Dec.20, 1982

Date of Revision:
Aug. 22, 1988
Nov.22, 1993
Nov. 7, 1994

Policy Section:
Finance

Page:
2 of 2

Policy Subject:
Grants to Community Service Organizations

Policy Reference:
420

Lead Role:
Director of Community Services

Resolution/Bylaw:
December 20, 1982

PURPOSE

POLICY STATEMENT

Grant applications shall be considered by City Council during the annual budget deliberations.

Grant applications submitted by organizations shall include:

- The specific purpose of the application
- The amount of funding requested
- Proposed budget for the event
- In the case of an annual event, the previous year's financial statement, certified correct by two directors, shall be submitted, showing all surpluses and invested funds.

Grants must be used within the City of Red Deer, unless otherwise authorized by City Council.

Cross Reference

Remarks

Date of Approval:

Effective Date:

Date of Revision:

July 22, 1991

November 22, 1993

Nov. 7, 1994

DATE: October 31, 1994

TO: KELLY KLOSS
City Clerk

FROM: ALAN WILCOCK, Director of Financial Services
CRAIG CURTIS, Director of Community Services
COLLEEN JENSEN, Social Planning Manager
LOWELL HODGSON, Recreation & Culture Manager
MORRIS FLEWWELLING, Museums Director

RE: CITY COUNCIL POLICY 420:
GRANTS TO COMMUNITY SERVICE ORGANIZATIONS

1. The attached Policy 420 was adopted by City Council in November 1993 for one year. The policy includes the following two categories of grants:

- **Category 1:** General grants to community service organizations.
- **Category 2:** Grants for the hosting of provincial, national or international events.

The policy states that during the year 1994, applications will only be received from the following community service organizations:

- Parkland Humane Society
- St. John Ambulance
- Red Deer Air Show Association
- C.N.I.B.

This restriction was adopted in recognition of The City's budgetary restrictions and the fact that the identified groups have provided services to the community on a long-term basis.

2. Category 1 applications from the specified groups were considered during the 1994 budget deliberations, together with one Category 2 application for the Labatt's Brier. The following grants were approved by City Council:

■ Parkland Humane Society	\$ 12,400
■ St. John Ambulance	\$ 480
■ Red Deer Air Show Association	\$ 12,400
■ C.N.I.B.	<u>\$ 2,100</u>
■ Sub-Total	\$27,380
■ Hosting Grant - Labatt's Brier	<u>\$ 15,000</u>
■ TOTAL	\$42,380

3. In September, the Directors of Community Services and Financial Services recommended that City Council extend Policy 420 to cover the 1995 and 1996 annual budgets. This recommendation was made in view of the major provincial downloading anticipated in 1995 and 1996, and the fact that public advertising could create an expectation in the community, which could not be met at this time.

The recommendation was supported by the City Commissioner and considered by City Council at its meeting on October 11, 1994, when the following motion was introduced and subsequently tabled until November 7.

"RESOLVED that Council of The City of Red Deer, having considered report from the Director of Community Services and the Director of Financial Services dated September 27, 1994, re: City Council Policy #420, Grants to Community Service Organizations, hereby agrees that Council Policy #420 be amended as follows:

- a. By deleting Section 2 and substituting therefore the following Section 2:

'Category 1

For the purpose of the 1995 and 1996 Budgets, applications will be received from any community service organization.'

- b. That the word and number 'During the year 1994' in Section 1, be deleted and the word and numbers 'For the 1995 and 1996 Budgets' be substituted therefore.

Council further agrees that the availability of Category 1 grants be advertised."

4. There are many ways in which the grant issue could be resolved. However, it is considered that City Council should choose among the following five alternatives for Category 1 grants.

Alternative 1:

- ▶ Amend the policy to remove the limitation on applications immediately, as proposed in the tabled resolution.

Alternative 2:

- ▶ Retain the present policy for the 1995 budget, and remove the limitation on applications for 1996.

Alternative 3:

- ▶ Retain the present policy for 1995 and 1996, and reduce funding on a phased basis.

Alternative 4:

- ▶ Eliminate the grants to the specified organizations and accept no applications.

Alternative 5:

- ▶ Delete Category 1.
- ▶ Transfer the Red Deer Air Show Association grant to Category 2 (Grants for hosting of provincial, national or international events).
- ▶ Transfer the remaining three Category 1 grants to the Community Services General Budget.

Kelly Kloss
Page 3
October 31, 1994
City Council Policy 420

5. CONCLUSIONS

Alternative 5 is recommended for the following reasons:

- City budget funds are expected to be limited for the next few years.
- Transferring the grants to a division budget would allow consideration of the requests on a priority basis with other similar purposes. Present procedures do not allow for proper prioritization of grant requests with other City priorities.
- If Category 1 grants are retained and advertised, then the wrong message is communicated to the public - that grant monies are available and requests will be considered, and priorities in departments where similar activities are conducted will be ignored.
- It recognizes that due to budget cutbacks, very little funding is available to consider grant requests in addition to funding allocated to City departments for similar purposes.

Alternative 5 recommends the Red Deer Air Show Association be considered under Category 2. It is proposed this grant request and any other Category 2 requests be reviewed each year by the Recreation, Parks & Culture Board and the Red Deer Visitor & Convention Bureau, with a recommendation made to City Council. This would allow community input into Category 2 grant requests.

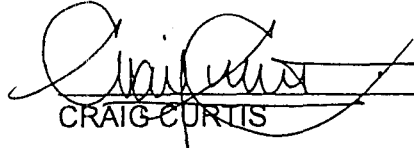
A revised Policy 420 is submitted for City Council's consideration.

6. RECOMMENDATIONS

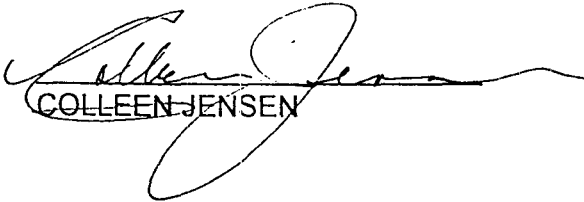
It is recommended that City Council approve Alternative 5 and revised Policy 420, as submitted.



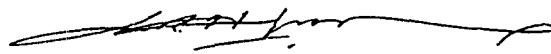
ALAN WILCOCK



CRAIG CURTIS



COLLEEN JENSEN



LOWELL HODGSON

MORRIS FLEWWELLING

AW:dmg

Att.

COMMENTS:

We concur with the comments of the Directors of Community Services and Corporate Services that Council not reconsider the request from CNIB. To do so would require a change to Council Policy 420 that currently provides only for grants to host major events in the community. This policy was revised by Council after considerable debate and any further change would impact a substantial number of organizations, not just the CNIB.

"G. SURKAN"
Mayor

"M.C. DAY"
City Manager

TO:

- ☒ DIRECTOR OF COMMUNITY SERVICES
☒ DIRECTOR OF CORPORATE SERVICES
☐ DIRECTOR OF DEVELOPMENT SERVICES
☐ BYLAWS & INSPECTIONS MANAGER
☐ CITY ASSESSOR
☐ COMPUTER SERVICES MANAGER
☐ E. L. & P. MANAGER
☐ ENGINEERING DEPARTMENT MANAGER
☐ FIRE CHIEF
☐ LAND AND ECONOMIC DEVELOPMENT MANAGER
☐ PERSONNEL MANAGER
☐ PUBLIC WORKS MANAGER
☐ R.C.M.P. INSPECTOR
☐ RECREATION, PARKS & CULTURE MANAGER
☐ SOCIAL PLANNING MANAGER
☐ TRANSIT MANAGER
☐ TREASURY SERVICES MANAGER
☐ PRINCIPAL PLANNER
☐ CITY SOLICITOR
☐ _____

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

FROM:

CITY CLERK

RE: CNIB REQUEST FOR FUNDING

Please submit comments on the attached to this office by MARCH 20, 1995
for the Council Agenda of MARCH 27, 1995.

KELLY KLOSS
City Clerk



THE CITY OF RED DEER

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

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

March 3, 1995

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

The Canadian National Institute
for the Blind
12010 Jasper Avenue
Edmonton, Alberta
T5K 0P3

Att: A. V. (Tony) Thibaudeau

Dear Sir:

RE: REQUEST FOR FUNDING

Receipt of your letter dated February 28, 1995 is hereby acknowledged.

This item will be discussed and possibly a decision made at the meeting of Red Deer City Council on Monday, March 27, 1995. Council Meetings begin at 4:30 p.m. and adjourn for the supper hour at 6:00 p.m., reconvening at 7:00 p.m.

In the event you wish to be present at this Council Meeting, please call our office on Friday, March 24, 1995 and we will advise you of the approximate time that Council will be discussing this item.

Please enter City Hall on the park side entrance upon arrival and proceed up to the second floor Council Chambers.

This request has been circulated to City Administration for comments. Should you wish to receive a copy of the administrative comments prior to the Council Meeting, they may be picked up at our office on the second floor of City Hall on Friday, March 24, 1995, or if it would be more convenient for you, please let us know and we will fax same to you.

If you have any questions please do not hesitate to contact the writer.

Sincerely,

KELLY KLOSS
City Clerk

KK/clr



*a delight
to discover!*



THE CITY OF RED DEER

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

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

March 28, 1995

The Canadian National Institute
for the Blind
12010 Jasper Avenue
Edmonton, Alberta
T5K 0P3

Att: Tony Thibaudeau, Chairman
Board of Management

Dear Sir:

At The City of Red Deer's Council Meeting held March 27, 1995, consideration was given to your correspondence dated February 28, 1995 concerning a request for funding, and at which meeting the following resolution was passed:

"RESOLVED that Council of The City of Red Deer having considered correspondence from the Canadian National Institute for the Blind dated February 28, 1995, re: Request for Funding, hereby agrees that said request be approved in the amount of \$2100 to be charged as an overexpenditure to the 1995 Budget, as presented to Council March 27, 1995."

As outlined in the above resolution, Council has supported your request for funding for 1995. By way of a copy of this letter I will be asking the City's Director of Corporate Services to make the necessary arrangements for payment of this grant to your organization.

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

Sincerely,



KELLY KLOSS
City Clerk

KK/clr

cc: Director of Corporate Services
Director of Community Services



*a delight
to discover!*



THE CITY OF RED DEER

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

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

March 29, 1995

Westerner Exposition Association
Box 176
Red Deer, Alberta
T4N 5E8

FAXED 1995 MAR 29
(403) 341-4699

Att: Larry Johnstone

Dear Larry:

*Original mailed
95-03-29.
CR*

At the City of Red Deer's Council Meeting held March 27, 1995, the following Notice of Motion was submitted by Alderman Pimm concerning a Referendum question during the 1995 General Election, on the ***Advisability of Declaring The Centrium "Smoke Free"***:

"WHEREAS the Board of Directors of the Westerner recently voted not to designate The Centrium a 'smoke free' building; and

WHEREAS the municipality of The City of Red Deer contributed in excess of \$5,000,000 towards the cost of constructing The Centrium complex; and

WHEREAS the people of Red Deer wish to express their opinion on the desirability of declaring The Centrium 'smoke free';

THEREFORE BE IT RESOLVED that a referendum question on the advisability of declaring The Centrium 'smoke free' be held in conjunction with the 1995 Municipal Election."

The above noted motion will be discussed at the Council Meeting of April 10, 1995. Should you wish to be present during this discussion, please call me and we will arrange a time for the item to appear on the Agenda.

Sincerely,


KELLY KLOSS
City Clerk

KK/clr

cc: Director of Community Services



*a delight
to discover!*



THE CITY OF RED DEER
P O BOX 5008, RED DEER, ALBERTA T4N 3T4

City Clerk's Department
(403) 342-8132 FAX (403) 346-6195

March 29, 1995

Westerner Exposition Association
Box 178
Red Deer, Alberta
T4N 5E8

FAXED 1995 MAR 29
(403) 341-4699

Att: Larry Johnstone

Dear Larry:

At the City of Red Deer's Council Meeting held March 27, 1995, the following Notice of Motion was submitted by Alderman Pimm concerning a Referendum question during the 1995 General Election, on the **Advisability of Declaring The Centrum "Smoke Free"**:

"WHEREAS the Board of Directors of the Westerner recently voted not to designate The Centrum a 'smoke free' building; and

WHEREAS the municipality of The City of Red Deer contributed in excess of \$5,000,000 towards the cost of constructing The Centrum complex; and

WHEREAS the people of Red Deer wish to express their opinion on the desirability of declaring The Centrum 'smoke free';

THEREFORE BE IT RESOLVED that a referendum question on the advisability of declaring The Centrum 'smoke free' be held in conjunction with the 1995 Municipal Election."

The above noted motion will be discussed at the Council Meeting of April 10, 1995. Should you wish to be present during this discussion, please call me and we will arrange a time for the item to appear on the Agenda.

Sincerely,



KELLY KLOSS
City Clerk

KK/clr

cc: Director of Community Services



RED DEER

a delight to discover!

TRANSMISSION REPORT

THIS DOCUMENT WAS CONFIRMED
(REDUCED SAMPLE ABOVE - SEE DETAILS BELOW)

** COUNT **

TOTAL PAGES SCANNED : 1
TOTAL PAGES CONFIRMED : 1

*** SEND ***

No.	REMOTE STATION	START TIME	DURATION	#PAGES	MODE	RESULTS
1	THE WESTERNER EXPO.	3-29-95 16:01	0'39"	1/ 1	EC	COMPLETED 9600

TOTAL 0:00'39" 1

NOTE:

No. : OPERATION NUMBER 48 : 4800BPS SELECTED EC : ERROR CORRECT G2 : G2 COMMUNICATION
PD : POLLED BY REMOTE SF : STORE & FORWARD RI : RELAY INITIATE RS : RELAY STATION
MB : SEND TO MAILBOX PG : POLLING A REMOTE MP : MULTI-POLLING RM : RECEIVE TO MEMORY

BYLAW NO. 2672/L-95

Being a Bylaw to amend Bylaw No. 2672/80, the Land Use Bylaw of the City of Red Deer.

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

- 1 The "Use District Map" as referred to in Section 1.4 is hereby amended in accordance with the Use District Map No. 4/95 attached hereto and forming part of the Bylaw.
- 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 A.D. 1995.

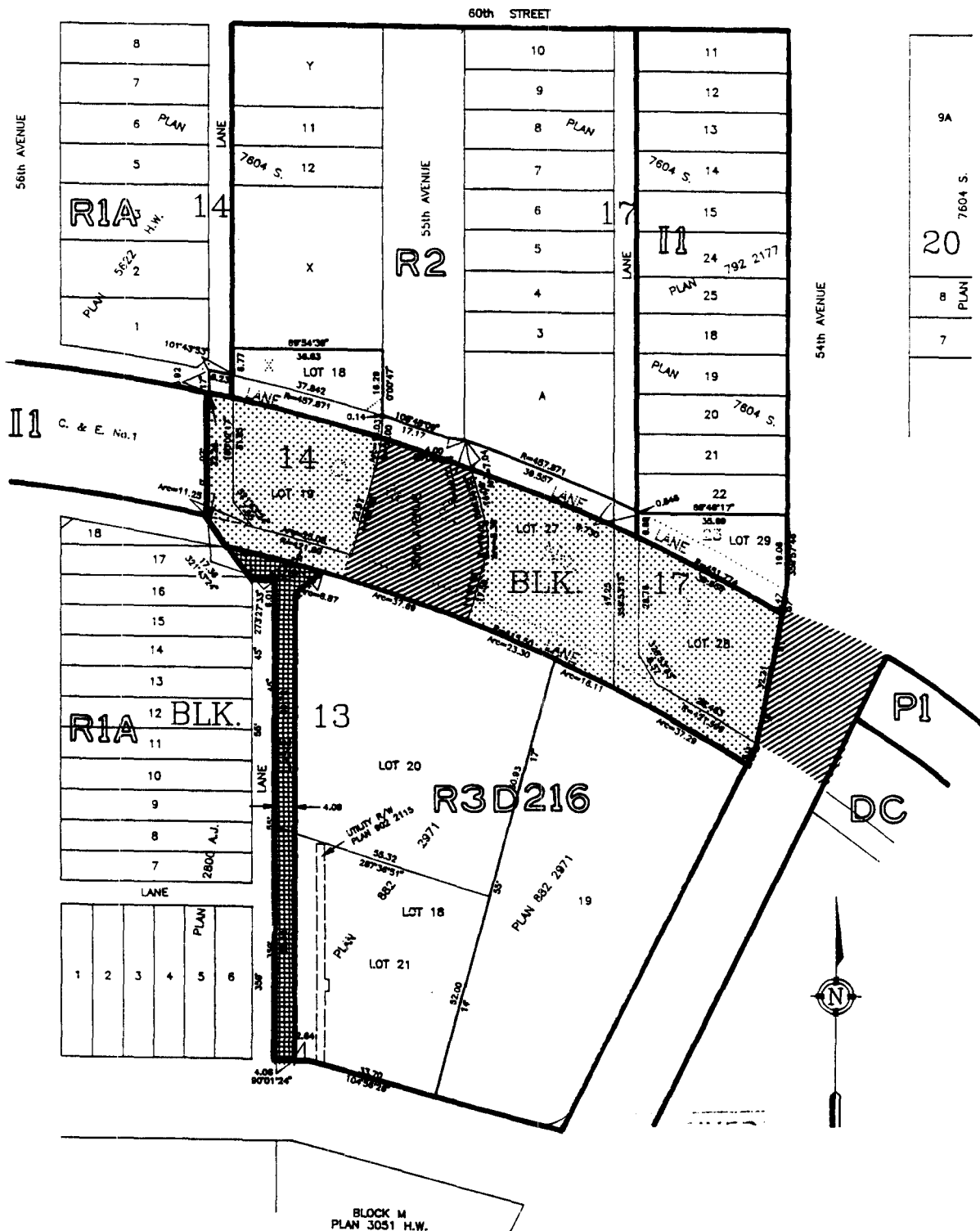
READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1995.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1995.

MAYOR

CITY CLERK

Change from I1 to R2  and ROAD 
from LANE to R3D216 



BYLAW NO. 3068/A-95

Being a Bylaw to amend Bylaw No. 3068/92, The Off-site Levy Bylaw of The City of Red Deer.

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

- 1 Bylaw No. 3068/92 is hereby amended as follows:
 - (a) by deleting from Section 3(1), the figure "3,950" and substituting therefor the figure "4,035".
 - (b) by deleting from Section 3(2), the figure "16,090" and substituting therefor the figure "16,795".
 - (c) by deleting from Section 3(3), the figure "6,710" and substituting therefor the figure "8,300".
- 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 A.D. 1995.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1995.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1995.

MAYOR

CITY CLERK

BYLAW NO. 3130/95

Being a Bylaw of The City of Red Deer to provide for the administrative organization of The City of Red Deer, including provisions to establish the positions of chief elected officer, chief administrative officer and designated officers and to set out their respective powers, duties, and functions.

WHEREAS the Municipal Government Act, R.S.A. 1980, Chapter M-26.1 (1994) (the "Act") came into force on January 1, 1995 and requires Council to establish an organizational bylaw dealing with certain matters specified in the Act;

AND WHEREAS Section 143 of the Act permits Council to establish the number of members of Council;

AND WHEREAS Section 145 of the Act permits Council to establish the procedure to be followed by Council in its meetings;

AND WHEREAS Section 204 of the Act requires a Council to name a place as its municipal office;

AND WHEREAS Section 205 of the Act requires Council to establish by bylaw the position of chief administrative officer and to appoint one or more persons to carry out the powers, duties and functions of a chief administrative officer and Council wishes to appoint an individual as the City's chief administrative officer;

AND WHEREAS Section 210 of the Act permits Council to pass a bylaw to establish one or more positions to carry out the powers, duties, and functions of a designated officer under the Act, or any other enactment or bylaw and Council wishes to make provision for certain designated officers;

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

PART I - GENERAL MATTERS

SHORT TITLE

- 1 This Bylaw may be cited as the "Organizational Bylaw".

INTERPRETATION

- 2 (1) In this Bylaw, unless the context otherwise requires, the following words shall have the following meanings:
- (a) "Act" means the *Municipal Government Act*, R.S.A., 1980, Chapter M-26.1 (1994);
- (b) "Council" means Council for The City of Red Deer;
- (c) "City" means The City of Red Deer;
- (2) The titles for headings used in this Bylaw are inserted for convenience only and shall not affect the interpretation of this Bylaw.
- (3) Where in this bylaw a reference is made to any statutory provision, that reference shall be deemed to include any replacement statutory provision which is enacted subsequent to the passage of this bylaw.

ALDERMEN

- 3 Council shall consist of 9 members, including the Mayor, who, except for the Mayor, shall be known as "Aldermen".

MUNICIPAL OFFICE

- 4 The Municipal Office of the City shall be City Hall located at 4914 - 48th Avenue in Red Deer, Alberta.

PUBLIC NOTICE OF MEETINGS OF COUNCIL

- 5 Where notice of a Council meeting or a Council Committee meeting is required or permitted to be given to members of the public, such notice shall be sufficient if given in one of the following manners:
- (a) in the case of regularly scheduled Council or Council Committee meetings, notice shall be deemed to be sufficient if posted prominently in City Hall or if advertised in a single advertisement in one issue of a newspaper circulating in the City, following the Annual Organizational Meeting of Council;
 - (b) in the case of special Council meetings or Council Committee meetings notice shall be deemed to be sufficient if posted prominently in City Hall or if advertised in one issue of a newspaper circulating in the City not less than 24 hours prior to the holding of the meeting.

BUDGET

- 6 Until such time as Council adopts a final operating or capital budget for a year, the operating or capital budget approved for that year in the previous year's two year operating and capital budgets shall be deemed to be adopted and the City administration is authorized to make expenditures in accordance with that budget unless otherwise directed by Council.

SIGNING AUTHORITIES

- 7 For greater certainty, all agreements to be executed by the City must be signed by the Mayor and the City Clerk or their delegates. All cheques and negotiable instruments must be signed by the Mayor and the Director of Corporate Services or their delegates.
- 8 Any signature required or permitted by statute or by this Bylaw to be affixed to a document may be printed, lithographed or otherwise mechanically reproduced.

PART I I - CHIEF ELECTED OFFICER**CHIEF ELECTED OFFICER - MAYOR**

- 9 The Chief Elected Officer for the City shall be known as the "Mayor" and, in addition to his or her duties as a member of Council, the Mayor shall:
- (a) preside at Council meetings when in attendance, unless otherwise provided;

- (b) review Council agendas and participate with the City Manager in making recommendations to Council;
- (c) represent the City at all public functions and ceremonies which Council or the Mayor determine appropriate;
- (d) communicate Council policy to the media and the public;
- (e) liaise with elected officials from other municipalities and other levels of government in respect of matters of concern to the City;
- (f) be the principal link between Council and the City Administration;
- (g) seek input from the public into City policies;
- (h) initiate corporate policy changes;
- (i) participate in the deliberations of the Senior Management Team;
- (j) sign all bylaws, minutes of meetings of Council or of Council Committees at which the Mayor presided;
- (k) sign all agreements, cheques and other negotiable instruments, unless otherwise provided for by Council.

DEPUTY CHIEF ELECTED OFFICER - DEPUTY MAYOR

- 10 (1) The deputy chief elected official of the City shall be known as the Deputy Mayor and shall fulfill the duties of the Mayor if the Mayor is unable to act.

- (2) Council shall, from time to time, by resolution appoint members of Council to act as Deputy Mayor on a rotational basis.

- 11 Where both the Mayor and the Deputy Mayor are absent or unable to perform the duties of Mayor, Council may by resolution appoint an alternate Deputy Mayor.

PART III - CHIEF ADMINISTRATIVE OFFICER

CHIEF ADMINISTRATIVE OFFICER - CITY MANAGER

- 12 The chief administrative officer of the City shall be known as the "City Manager" and Council shall deal with and control the operations and affairs of the City's administration through the City Manager.
- 13 (1) Council shall from time to time by resolution appoint a person to the position of City Manager who shall:
- (a) act as the administrative head of the City;
 - (b) review Council agendas and participate with the Mayor in making recommendations to Council;
 - (c) implement and supervise the administrative organization and structure of the City;
 - (d) ensure that the policies and programs of the City are implemented;
 - (e) advise and inform Council on the operations and affairs of the City;
and

- (f) perform the duties and exercise the powers and functions assigned to a chief administrative officer by statute, bylaw or resolution of Council.
- (2) Subject to applicable legislation, any direction given by Council, and any contract binding on the City, the City Manager may:
- (a) hire, appoint, transfer or promote any City employee;
 - (b) evaluate, discipline, suspend, demote, dismiss or revoke the appointment of any City employee;
 - (c) determine salaries, benefits, hours of work and other working conditions.
- (3) The City Manager shall be responsible for the negotiation of all collective agreements with unions or associations representing the City employees and shall ensure that all collective agreements are presented to Council for ratification in an expeditious manner.
- (4) The City Manager may transfer funds between departments if he or she considers it advisable to do so to maintain the operations and affairs of the City within approved budget limits and subject to priorities and services approved by Council.

14 The City Manager may authorize:

- (a) the commencement of any legal proceedings where money is not

in issue or where the amount of money claimed does not exceed \$50,000.00;

- (b) the settlement of any legal proceedings, whether by or against the City, where money is not in issue or where the amount of money paid pursuant to the settlement, if any, does not exceed \$10,000.00; and
- (c) the settlement of any claim, whether by or against the City, which does not involve legal proceedings, where the amount of money paid pursuant to the settlement, if any, does not exceed \$10,000.00.

15 The City Manager shall at all times perform his or her duties and functions in accordance with all policies and directions established by Council from time to time.

16 Without limiting the generality of the foregoing, the City Manager shall:

- (a) ensure that all matters referred to the administration are dealt with in an expeditious manner;
- (b) ensure that the operations and affairs of the City are carried out within approved budget limits;
- (c) supervise all City departments, employees;
- (d) when available, chair all meetings of the Senior Management Team; and

- (e) when available, attend all meetings of Council and attend all meetings of Council Committees that he or she is required to attend or considers it advisable to attend.

17 Where the Act requires that a chief administrative officer ensure that a certain duty is performed, and if that duty is delegated to a designated officer by Council under this or any other bylaw or resolution, the City Manager shall perform that obligation by supervising such designated officer in the performance of that duty.

18 The City Manager shall be deemed to be appointed as the designated officer under any statute or bylaw which permits or requires the City to appoint a designated officer, unless Council appoints another person.

ACTING CITY MANAGER

- 19 (1) The City Manager may designate an Acting City Manager to act in his or her place in the event of a scheduled absence.
- (2) Council may, by resolution, appoint an Acting City Manager in the event of an illness, unscheduled absence or other incapacity of the City Manager.

PART IV - SENIOR MANAGEMENT TEAM

SENIOR MANAGEMENT TEAM

- 20 (1) There shall be a Senior Management Team for the City consisting of the Mayor, the City Manager, the Director of Development Services, the Director of Corporate Services and the Director of Community Services.

- (2) The Senior Management Team shall:
- (a) be collectively responsible to develop and make recommendations to Council on new policy directions for the City;
 - (b) provide recommendations to the City Manager on administrative matters, including the corporate planning process;
 - (c) establish guidelines for the preparation of the City budget;
 - (d) make recommendations to Council with respect to the budget;
 - (e) serve as a model for Team management within City departments.

PART V - DESIGNATED OFFICERS

GENERAL PROVISIONS

- 21 The following positions shall be designated officers of the City, namely:

City Manager

City Assessor

City Clerk

Director of Corporate Services

Director of Development Services

- 22 Each designated officer shall appoint a person to act in his or her place in the event of the scheduled absence of the designated officer.

- 23 The City Manager, may appoint a person to act in the place of a designated officer in the event of an illness, unscheduled absence or other incapacity of the designated officer or their delegate
- 24 A designated officer may delegate any of his or her powers, duties or functions to an employee of the City, but such designated officer remains responsible to ensure that any delegated power, duty or function is properly exercised and carried out.
- 25 The designated officers shall report directly to and be supervised by the Director responsible for the Department within which the designated officer is employed or, where there is no Director responsible, to the City Manager.
- 26 In addition to the duties prescribed by the Act or bylaw, a designated officer shall have such duties as may be assigned by Council or the City Manager from time to time.

PART VI - DIRECTOR OF CORPORATE SERVICES

- 27 The Director of Corporate Services shall be the designated officer for purposes of the following sections of the Act:

Section 213 (4)(b) - Signing Cheques and other Negotiable Instruments

Section 270 - Open and close all the accounts of the City that hold money.

Section 278 - Financial information return and auditor's report.

Section 439 (2) - Prepare and issue distress warrants and seize goods.

PART VII - CITY ASSESSOR

- 28 The City Assessor shall be the designated officer for purposes of carrying out the powers, duties and functions of an "assessor" as defined in Section 284 of the Act and as set out in the following Parts of the Act.

Part 9 - Assessment.

Part 10 - Taxation (except Division 9 - Recovery of Taxes Not Relating to Land).

Part 11 - Assessment Review Boards.

- 29 The City Assessor shall be the designated officer for purposes of the following sections of the Act:

Section 336 (1) - Certifying tax notices

Section 350 - Issuing tax notices

Section 525 - Certifying copies of assessment rolls, tax rolls, assessment notices and tax notices

PART VIII - CITY CLERK

- 30 The City Clerk shall be the designated officer for purposes of the following sections of the Act:

Section 213 (1)(b) - Signing Minutes of Council Meetings

Section 213 (2)(b) - Signing Minutes of Council Committee Meetings

Section 213 (3)(b) - Signing Bylaws

Section 213 (4)(b) - Signing Agreements

Section 455(1) - Clerk of Assessment Review Board

Section 612 - Certify copies of Bylaws and records

PART IX - DIRECTOR OF DEVELOPMENT SERVICES

- 31 The Director of Development Services shall be the designated officer for purposes of the following specific sections of the Act:

Section 542 - Entering on land to inspect, remedy, and enforce bylaws thereunder.

Section 544 - Apply to court for an order re. inspection of meters

Section 545 - Issue orders to cease contravention of any bylaw

Section 546 - Take action re. dangerous premises

PART IX - MISCELLANEOUS

- 32 It is the intention of Council that, if any provision of this Bylaw be declared invalid by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

- 33 Bylaws No.3029/90, 2427, 2843/84 and 3099/93 and all amendments thereto are hereby repealed.

- 34 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 , A.D. 19

READ A SECOND TIME IN OPEN COUNCIL this day of , A.D. 19

READ A THIRD TIME IN OPEN COUNCIL this day of , A.D. 19

MAYOR

CITY CLERK

BYLAW NO. 3131/95

Being a Bylaw to close a portion of road in The City of Red Deer as described herein.

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

1 The following portion of roadway in The City of Red Deer is hereby closed.

1. All that portion of lane as shown on Plan 3051 HW, contained within Lot 3 MR, Plan _____, and containing 0.091 ha (0.22 ac.) more or less.
Excepting thereout all mines and minerals.
2. All that portion of lane as shown on Plan 3051 HW, contained within Lot 2, Plan _____, and containing 0.045 ha (0.12 ac.) more or less.
Excepting thereout all mines and minerals.
3. All that portion of street as shown on Plan 3051 HW, and contained within Lot 3 MR, Plan _____, and containing 0.403 ha (1.00 ac.) more or less.
Excepting thereout all mines and minerals.
4. All that portion of street as shown on Plan 3051 HW, and contained within Lot 2, Plan _____, and containing 0.002 ha (0.01 ac.) more or less.
Excepting thereout all mines and minerals.
5. All that portion of addition to street as shown on Plan 802-2781, contained within Lot 3 MR, Plan _____, and containing 0.019 ha (0.05 ac.) more or less.
Excepting thereout all mines and minerals.

- 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 A.D. 1995.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1995.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1995.

MAYOR

CITY CLERK

BYLAW NO. 3132/95

Being a Bylaw of The City of Red Deer respecting Building and other Permits.

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

- 1 This bylaw may be cited as the "Permit Bylaw".
- 2 Words used in this Bylaw shall have the same meaning as ascribed to them in the SAFETY CODES ACT.
- 3 No person shall commence the construction, repair, renovation, or demolition of any building unless that person is authorized to do so by a Permit issued pursuant to this bylaw.
- 4 No person shall commence the installation, repair, or alteration to any electrical system, gas system, plumbing system or heating/Air-conditioning system unless that person is authorized to do so by a permit issued pursuant to this Bylaw.
- 5 Permits may be issued to:
 - (a) licensed contractor;
 - (b) a homeowner to perform work on or within his own owner-occupied single family dwelling.

Notwithstanding the foregoing, a homeowner shall not be issued a permit to perform the following work:

- | | |
|--------------------|---|
| Electrical: | <ul style="list-style-type: none"> - installation of electrical system to main service connection - swimming pools - therapeutic pools or tubs - hot tubs |
| Gas: | <ul style="list-style-type: none"> - installation of gas system |

- 6 For greater certainty, no building permit is required for the construction of a detached garage or for residential basement finishing work.
- 7 The form of permits and applications required pursuant to this Bylaw shall be approved by the Building Inspector.

- 8 The granting of a permit under this Bylaw does not entitle the permittee, his successor or assigns or anyone on his or their behalf, to construct any building that fails to comply with the requirements of any building restriction agreement affecting the site described in the permit.
- 9 The fees which shall be paid for permits issued hereunder are those contained in the Schedule of Fees attached to and forming part of this Bylaw.
- 10 An applicant for a permit hereunder shall complete and file with the Building Inspector an application form prescribed by him together with such plans, site plans and specifications and copies thereof as the Building Inspector requires.
- 11 No person, firm or corporation shall use or occupy all or any portion of a new building, or all or any portion of an existing building where there is a change of occupancy for that portion of the building to be occupied, unless the owner of the building shall have prior thereto obtained from The City an occupancy permit issued pursuant to this Bylaw.
- 12 The Development Officer of the City and Safety Codes officers in his department and Safety Codes officers of the Fire Department shall be authorized to issue occupancy permits.
- 13 Any person convicted of a breach of any provision of this Bylaw shall be liable on conviction to a penalty outlined in the Safety Codes Act.
- 14 Bylaw No. 2439/74 is hereby repealed.
- 15 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 A.D. 1995.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1995.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1995.

MAYOR

CITY CLERK