

THE TOWN OF OKOTOKS
GOVERNANCE AND PRIORITIES COMMITTEE MEETING
AGENDA

Monday, October 21, 2024
4:30 PM
COUNCIL CHAMBER

	Pages
1. CALL TO ORDER	
2. ADOPTION OF AGENDA	
3. APPROVAL OF MINUTES	
3.1 Governance and Priorities Committee - September 16, 2024	3
4. BUSINESS	
4.1 Open Wood Burning Fire Pits	12
Direction from the Governance and Priorities Committee is required in response to a resident's request to ban open wood burning fire pits within Okotoks Town limits.	
4.2 Procedure Bylaw Amendment	31
Discussion regarding potential amendments to Council's Procedure Bylaw are provided for Committee consideration.	
4.3 2025 Election Policy Report	36
Bill 20 requires amendments to the Town's Election Procedures Bylaw prior to December 31, 2024 in preparation for the 2025 General Election.	
5. NEW BUSINESS	
6. CLOSED SESSION ITEMS	
(At the Committee's discretion, this portion of the meeting may be closed to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part I of the <i>Freedom of Information and Protection of Privacy (FOIP) Act</i> .)	
6.1 Old Library Space Naming (FOIP s. 24(1)(a))	
6.2 Human Resources Matter (FOIP s. 24(1)(a)(b))	
7. MOTION(S) ARISING FROM CLOSED SESSION	

8. NEXT MEETING

The next meeting of the Governance and Priorities Committee is to be determined.

9. ADJOURNMENT

**UNADOPTED MINUTES
OF THE GOVERNANCE AND PRIORITIES COMMITTEE
OF THE TOWN OF OKOTOKS
HELD ON MONDAY, SEPTEMBER 16, 2024
AT THE OKOTOKS MUNICIPAL CENTRE COUNCIL CHAMBER**

**COMMITTEE MEMBERS
PRESENT**

Deputy Mayor Heemeryck, Chair
Mayor Thorn
Councillor Hallmark
Councillor Lang
Councillor Robinson
Councillor Swendseid

ADMINISTRATION PRESENT

Chief Administrative Officer Elaine Vincent
Legislative Affairs Officer Janice Storch

1. CALL TO ORDER

Chair Heemeryck called the meeting to order at 3:02 p.m. and provided a traditional land acknowledgement.

2. ADOPTION OF AGENDA

MOTION: By Mayor Thorn that the agenda for the September 16, 2024 Governance and Priorities Committee Meeting be adopted with the addition of item "6.1 Governance and Priorities Committee Meeting Video Recordings"; renumbering the subsequent items; and moving items "4. Closed Session" and "5. Motion(s) Arising from Closed Session" before item "6.3 Budget Ramps for Consideration".

Carried Unanimously

3. APPROVAL OF MINUTES

3.1 Governance and Priorities Committee - June 17, 2024

MOTION: By Councillor Robinson that the minutes of the Governance and Priorities Committee Meeting held June 17, 2024 be adopted as presented.

Carried Unanimously

6. BUSINESS

6.1 Governance and Priorities Committee Meeting Video Recordings

MOTION: By Mayor Thorn that a recommendation be forwarded to Council that a suspension of procedural rules be authorized under section 3.2 of Procedure Bylaw 12-22 to permit posting the recording of the September 16, 2024 Governance and Priorities Committee Budget meeting to the Town's website; and that a recommendation be forwarded to Council to amend section 6.7 of Procedure Bylaw 12-22 to allow publication of the recordings of the Governance and Priorities Budget and Annual Budget meetings in perpetuity on the Town's website by November 12, 2024.

Carried Unanimously

6.2 2025 Annual Budget Check-In Process

Chief Administrative Officer Elaine Vincent reviewed the report containing the issue that the 2025 update to the four (4) year budget is ready for review and Council decisions are required regarding the specific adjustment elements to include in the 2025 Budget.

4. CLOSED SESSION ITEMS

MOTION: By Councillor Lang that the meeting go into Closed Session as the matter to be discussed during this portion of the meeting is within one of the exceptions to disclosure in Division 2 of Part I of the *Freedom of Information and Protection of Privacy (FOIP) Act* at 3:43 p.m.

Carried Unanimously

4.1 Human Resources Matter (*FOIP* s. 24(1)(b))

In Attendance

Chair Heemeryck

Mayor Thorn

Councillors Hallmark, Lang, Robinson, and Swendseid

Chief Administrative Officer Elaine Vincent

People, Policy & Technology Senior Manager Paula Bernat

MOTION: By Councillor Lang that the meeting come out of Closed Session at 4:20 p.m.

Carried Unanimously

Break at 4:21 p.m. Reconvene at 4:27 p.m.

5. MOTION(S) ARISING FROM CLOSED SESSION

None

6. BUSINESS (RESUMED)

6.3 Budget Ramps for Consideration

6.3.1 Okotoks Public Library Board Requisition

Special Projects, Events & Library Liaison Janette Messer introduced Okotoks Public Library Board Chair Kazem Mashkournia and Library Director Sarah Gillie who were in attendance to provide the Library's 2025 Budget requisition and respond to questions from the Committee.

MOTION: By Mayor Thorn that the Okotoks Public Library Board Requisition be received as information.

Councillor Robinson declared a Point of Order stating that if the motion carried it would remove the ability to make further motions regarding this item later in the meeting.

Chief Administrative Officer Elaine Vincent provided procedural advice.

Mayor Thorn requested the motion be withdrawn.

Chair Heemeryck inquired if there were any objections and the motion was withdrawn with unanimous consent of the Committee.

MOTION: By Mayor Thorn that a decision regarding the Okotoks Public Library Board Requisition be tabled until later in the meeting.

Mayor Thorn requested the motion be withdrawn.

Chair Heemeryck inquired if there were any objections and the motion was withdrawn with unanimous consent of the Committee.

6.3.2 Waste Service Levels Recommendation

Waste Solutions Manager Paul Lyons reviewed the report containing the issue that a service level review for Waste Services is being brought forward for discussion and recommendation to Council.

Waste Solutions Manager Paul Lyons and Operations & Utilities Director Jeremy Huet responded to questions from the Committee.

6.3.3 Dog Licensing Service Level Review

Parks & Recreation Director Christa Michailuck reviewed the report containing the issue that a dog licensing service level review is being brought forward for discussion and recommendation to Council.

Parks & Recreation Director Christa Michailuck, Customer Experience Team Leader Marisa Harris, and Okotoks Municipal Enforcement Manager Vikram Kulkarni responded to questions from the Committee.

Break at 5:52 p.m. Reconvene at 6:22 p.m.

6.2 2025 Annual Budget Check-In Process (Resumed)

Members of Administration responded to questions from the Committee regarding agenda items 6.2.1 through 6.2.10.

6.2.1 Business License Bylaw and Process Improvements

MOTION: By Councillor Robinson that a recommendation be forwarded to Council to amend Business License Bylaw 21-23 to reflect the value of business licensing to Okotoks, streamline business licensing processes accordingly, and simplify the associated fee structure by setting the fee for business licenses at \$160.00 in the first reading draft version of Fees, Rates, and Charges Bylaw 09-25.

Carried Unanimously

6.2.2 Priority 3 Snow and Ice Control Pilot

MOTION: By Councillor Hallmark that no recommendation be forwarded to Council at the November 19, 2024 Budget Meeting regarding the Priority 3 Snow and Ice Control Pilot.
Carried Unanimously

6.2.3 Neighbourhood Area Structure Plan - North Point

MOTION: By Mayor Thorn that a recommendation be forwarded to Council for approval at the November 19, 2024 Budget Meeting that \$0.300M for development of the North Point Neighbourhood Area Structure Plan be approved as an on ramp to the 2025 Budget.
Carried Unanimously

6.2.4 Okotoks Fire & Rescue Radios

MOTION: By Councillor Lang that a recommendation be forwarded to Council for approval at the November 19, 2024 Budget Meeting that \$0.100M for Okotoks Fire & Rescue radios be approved as an on ramp to the 2025 Budget.
Carried

6.2.5 Licensed Child Care Services

MOTION: By Councillor Swendseid that the Licensed Child Care Services report be received as information.
Carried Unanimously

6.2.6 Municipal Census and 2025 Municipal Election

MOTION: By Councillor Robinson that a recommendation be forwarded to Council for approval at the November 19, 2024 Budget Meeting that the funds allocated to a 2025 municipal census be transferred to the 2025 municipal election and a municipal census be an on ramp to the 2028 Budget.
Carried Unanimously

6.2.7 Artificial Intelligence and Innovation

MOTION: By Mayor Thorn that a recommendation be forwarded to Council for approval at the November 19, 2024 Budget Meeting that \$0.150M for Artificial Intelligence and Innovation research and initiatives be approved as on ramps to the 2025 Budget and included in the Information Technology 2026, 2027, 2028 and 2029 Operating Budgets.

Carried

6.2.8 Transportation Master Plan

Councillor Robinson requested that item 6.2.8 Transportation Master Plan be tabled until later in the meeting.

Chair Heemeryck inquired if the Committee was in support and the item was tabled with the unanimous consent of the Committee.

6.2.9 Stormwater Maintenance and Monitoring

MOTION: By Councillor Robinson that a recommendation be forwarded to Council for approval at the November 19, 2024 Budget Meeting that \$0.100M for increased Stormwater Maintenance and Monitoring be approved as an on ramp to the 2025 Budget and included in the Water Services 2026, 2027, 2028 and 2029 Operating Budgets.

Carried Unanimously

6.2.10 Salary and Wage Adjustments

MOTION: By Councillor Hallmark that a recommendation be forwarded to Council for approval at the November 19, 2024 Budget Meeting to hire the positions of Business Support Technician, Legislative Affairs Officer, and IT Security Analyst as on ramps to the 2025 Budget.

Carried

6.2.8 Transportation Master Plan (Take from the Table)

MOTION: By Councillor Swendseid that a recommendation be forwarded to Council for approval at the November 19, 2024 Budget Meeting that \$0.150M for development of a Transportation Master Plan be approved as an on ramp to the 2025 Budget.

Carried

6.3 Budget Ramps for Consideration (Resumed)

6.3.1 Okotoks Public Library Board Requisition

MOTION: By Councillor Robinson that a recommendation be forwarded to Council for approval at the November 19, 2024 Budget Meeting that the Okotoks Public Library Board requisition increase of \$24,728 over the previously approved 2025 Budget be approved.

Carried

MOTION: By Mayor Thorn that Administration be directed to request a report from the Okotoks Public Library Board regarding the plan for increasing employee salaries at the Okotoks Public Library be brought to the November 19, 2024 Budget Meeting

Carried Unanimously

6.3.2 Waste Service Levels Recommendation

MAIN

MOTION: By Councillor Swendseid that a recommendation be forwarded to Council that draft Bylaw 09-25 reflect a service level change to every other week garbage pickup, cart size adjustments, fee reductions and other operational changes, and the necessary Waste Bylaw 18-16 amendments be brought to Council for consideration no later than December 31, 2025.

MOTION: By Mayor Thorn that the meeting go into Closed Session as the matter to be discussed during this portion of the meeting is within s. 24(1)(g) in Division 2 of Part I of the *Freedom of Information and Protection of Privacy (FOIP) Act* at 8:15 p.m.
Carried Unanimously

In Attendance

Chair Heemeryck

Mayor Thorn

Councillors Hallmark, Lang, Robinson, and Swendseid

Chief Administrative Officer Elaine Vincent

Chief Financial Officer Ralph Ettenauer

Community Growth & Identity Director Jeff Greene

Operations & Utilities Director Jeremy Huet

Parks & Recreation Director Christa Michailuck

Legislative Affairs Manager Cathy Duplessis

People, Policy & Technology Senior Manager Paula Bernat

Communications, Governmental & Indigenous Senior Strategist and

Acting Senior Manager of Community Safety Ben Morgan

Legislative Affairs Officers Lucy Mundy and Janice Storch

MOTION: By Councillor Lang that the meeting come out of Closed Session at 8:25 p.m.

Carried Unanimously

AMENDING

MOTION: By Councillor Robinson that the date in the Main Motion be changed from December 31, 2025 to December 31, 2024.

Carried Unanimously

MAIN MOTION

AS AMENDED: By Councillor Swendseid that a recommendation be forwarded to Council that draft Bylaw 09-25 reflect a service level change to garbage pickup every other week, cart size adjustments, fee reductions and other operational changes, and the necessary Waste Bylaw 18-16 amendments be brought forward for Council consideration no later than December 31, 2024.

Carried Unanimously

6.3.3 Dog Licensing Service Level Review

MOTION: By Councillor Robinson that a recommendation be forwarded to Council that removal of the fees for dog licensing be reflected in draft Bylaw 09-25, and the necessary Responsible Pet Ownership Bylaw 18-08 amendments be brought forward for Council consideration no later than December 31, 2024.

Carried Unanimously

7. **NEW BUSINESS**

None

8. **NEXT MEETING**

The next meeting of the Governance and Priorities Committee is Monday, October 21, 2024 at 4:30 p.m.

9. **ADJOURNMENT**

MOTION: By Councillor Lang that the Governance and Priorities Committee Meeting of September 16, 2024 adjourn at 8:33 p.m.

Carried Unanimously



OPEN WOOD BURNING FIRE PITS

Council / Governance Issue

Direction from the Governance and Priorities Committee is required in response to a resident's request to ban open wood burning fire pits within Okotoks Town limits.

Recommendation

That a recommendation be forwarded to Council to amend Fire Services Bylaw 10-17 as discussed by November 12, 2024.

Background and Considerations

Administration received a request from a resident for an amendment to Fire Services Bylaw 10-17 in order to completely ban open wood burning fire pits within Town limits.

Fire Services Bylaw 10-17 allows for open wood burning fire pits. Further, there is no permit requirement for any contained fires, recreational fires, or portable cooking appliances. The use of fire pits is not allowed when a fire ban is issued.

Exceptions for contained or recreational fires (fire pits) that are permitted are provided with details of good practice for use of a fire pit. The Bylaw authorizes Okotoks Fire & Rescue or Municipal Enforcement to mandate a fire be relocated, removed, or extinguished for noncompliance, which includes fire, embers, sparks, or smoke emanating from such fire does not endanger any persons or property.

Between 2021 and now, Okotoks Fire & Rescue responded to 17 fire pit complaints:

- nine (9) of these complaints were deemed to be compliant with the Bylaw;
- three (3) were considered neighbour disputes; and
- eight (8) were considered noncompliant for the following reasons:
 - five (5) were regarding burning improper materials;
 - one (1) was an unattended fire;
 - one (1) was misuse of propane; and
 - one (1) was regarding a fire that was too large.

From a greenhouse gas emissions perspective, the use of propane or natural gas pits over open wood burning fire pits is not recommended. Burning biomass (e.g. wood) is generally considered to have less of an overall contribution to climate change than burning fossil fuels. The production of natural gas and propane fuels generates emissions at manufacturing and processing facility locations, before the fuel is transported to Okotoks. The emissions impacts of wood-burning fires are likely more noticeable if causing a localized negative impact to air quality, that is, when the fires are not moderated.

Current Policy or Bylaw Analysis

Fire Services Bylaw 10-17

Municipal Comparisons

The municipal comparisons provided below illustrate that currently there are no municipalities in Alberta that have completely banned the use of wood burning fire pits. The comparison does show good practice of greater specifications including the maximum fire pit size and ensuring a means to extinguish a nearby fire.

The Town's website does provide guidance for the use of fire pits, however, the comparative review identified that the content could be increased to include fire pit safety awareness. Administration will update the website to increase safety awareness messaging and also provide information on the negative health affects of smoke.

Municipality	Comparative Review
St. Albert	<ul style="list-style-type: none"> Permitted with approval from the fire chief: must meet specifications. Greater specifications to the size and material of the fire pit. Greater specifications regarding height of fire.
Calgary	<ul style="list-style-type: none"> Permitted: must meet specifications. Greater specifications regarding size, material, height of fire, putting out the fire. Section regarding control of smoke. Calgary's website education: Fire pit safety: https://www.calgary.ca/safety/fire-pits.html
Airdrie	<ul style="list-style-type: none"> Permitted: must meet specifications. Greater specifications regarding an acceptable fire pit.
Chestermere	<ul style="list-style-type: none"> Permitted: must meet specifications. Greater specifications regarding size, material, and height.

Administration believes the Town's Fire Services Bylaw meets good practice, sets out the requirements for a fire pit to be used safely, and provides the authority to deal with noncompliance issues or those that may endanger people or property.

There are minor amendments Administration recommends be made to the Bylaw however, including:

- Under prohibited debris for burning the addition of treated or painted lumber, lumber products containing glue products, leaves, brush or yard waste, wet or unseasoned wood.
- Under exemptions, the addition of fire pit dimensions.
- Criteria regarding a means to extinguishing a fire, ensuring it is thoroughly extinguished prior to leaving it, and maximum flame height.

CAO Comments

Committee direction is requested. In accordance with policy, only Council has the authority to establish bylaws. Council has an established bylaw however; a member of the community has requested that it be reviewed. The Governance and Priorities Committee acts as an advisor to Council will need to weigh the benefits/risks of advancing this request.

Attachment(s)

1. Resident's Email Request - April 25, 2024
2. Fire Services Bylaw 10-17

Prepared by:
Trevor Brice
Fire Chief
October 16, 2024

Submitted on Thu, 04/25/2024 - 12:52

Submitted to: Mayor

Name: Alan Anderson

Email: [REDACTED]

Telephone: [REDACTED]

Subject: Requesting changes to Fire By law 10-17

Comment or question:

Requesting to completely ban OPEN WOOD BURING FIRE pits within the Okotoks Town Limits.

- To ensure persons living within the Town of Okotoks have access to clean air, free of smoke partials .

Section 8.3 in part states, " so that the fire embers, sparks or SMOKE emanating from the fire do not endanger any person or property or cause any objectionable or nuisance effects to nearby person or property.

- Due to higher person density, ensure personal safety from the higher risk open fire pits pose to urban fires such as Fort McMurry, and Litton Bc experienced.

Banning wood burning pits allows people with Asma to breath clean air. Allowing a propane or natural gas pits still gives people the recreational experience without the air pollution or greater fire danger.

Finalize Change the complaint procedure. I have a neighbor who could care less if my wife can't breath, the only option I have to to call the fire department to come and investigate a fire.

Seems a bit extreme for a bylaw issue.

BYLAW 10-17

A BYLAW OF THE TOWN OF OKOTOKS IN THE PROVINCE OF ALBERTA TO ESTABLISH FIRE SERVICES IN AND FOR THE TOWN OF OKOTOKS

WHEREAS the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26 and any amendments thereto, provides that a council of a municipality may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property and for services provided by or on behalf of the municipality; and

WHEREAS the Council of the Town of Okotoks has been accredited by the Safety Codes Council in its respective municipality; and

WHEREAS the Council of the Town of Okotoks wishes to maintain Fire Services, which includes both fire and medical services, within the Town of Okotoks and to provide for the efficient operation of such Fire Services.

NOW THEREFORE the Council of the Town of Okotoks hereby enacts the following:

1. SHORT TITLE

This Bylaw may be cited as the “Fire Services Bylaw.”

2. DEFINITIONS

- a. **Chief Administrative Officer (CAO)** means the person appointed by Council as the administrative head, or his/her designate, of the Town of Okotoks;
- b. **Contained Fire** means a fire which is totally confined within a fire pit or other non-combustible structure which is ventilated in such a manner so as to prevent the escape of combustible materials, including ash;
- c. **Council** means the duly elected Municipal Council of the Town of Okotoks;
- d. **Dangerous Goods** means any product, substance, or organism specified in the regulations or included by its nature in any of the classes listed in the regulations under the *Transportation of Dangerous Goods Control Act*, R.S.A. 2000, Chapter D-4, and any amendments thereto;
- e. **False Alarm** means an emergency response to a municipal address that is set off needlessly, through wilful or accidental, human or mechanical error to which Fire Services responds, as defined and regulated in Bylaw 11-10;
- f. **Fire** means any combustible material in a state of combustion;

- g. **Fire Ban** means an order issued by the Fire Chief that restricts or prohibits any type of fire;
- h. **Fire Chief** means the individual appointed as the head of Fire Services, or designate;
- i. **Fire Permit** means a document or an electronic record allowing for specific fire related actions as approved by the Fire Chief;
- j. **Fire Pit** means a structure with enclosed sides made from bricks, concrete blocks, heavy gauge metal, or other non-combustible material deemed acceptable for a contained fire or recreational fire by the Fire Chief;
- k. **Fire Protection Agreement** means a contract between the Town of Okotoks and participating municipalities, provincial or federal governments or businesses involved, clearly defining the responsibilities, terms, conditions, and all other aspects of the fire services purchased, provided and/or required;
- l. **Fire Services** means the Fire Services Department established by Council and organized by the Town consisting of, but not limited to, all persons appointed or recruited to various positions within Fire Services, all buildings, equipment, apparatus, materials and supplies used in the operation, maintenance, and administration of Fire Services;
- m. **Fireworks** or **Firecrackers** means the fireworks listed in Class 7, Division 1, and Class 7, Division 2, Subsection 1 and 2 in Section 14 of the *Explosives Act* (Canada) and Section 5.8 of the Alberta Fire Code;
- n. **Fireworks Display** means a display or show of Fireworks whether for recreational, professional or other purposes;
- o. **Incident** means a fire or medical situation where a fire or explosion is imminent or any other situation presenting danger or possible danger to life or property and to which Fire Services has responded;
- p. **Member** means any person who is a member of Fire Services;
- q. **Member in Charge** means the most senior or otherwise qualified Member who is responsible for the coordination of manpower, apparatus and equipment at an Incident, commonly called Incident Commander;
- r. **Nuisance** means any condition on or around a property that is dangerous to the safety or health of individuals, or which interferes with the use or enjoyment of other property;
- s. **Open Burning** means any fire that is not a contained fire or a recreational fire;

t. **Owner** means:

1. a person who is registered under the *Land Titles Act* as the owner of a parcel of land;
2. a person who is recorded as the owner of a property on the tax assessment roll of the Town;
3. a person who has purchased or otherwise acquired a parcel of land, whether he has purchased or otherwise acquired the land directly from the owner or from another purchaser, and has not yet become the registered owner thereof;
4. a person holding himself out as the person having the powers and authority of ownership of a property or premises or who, for the time being, exercises the powers and authority of ownership;
5. a person controlling a property or premises under construction; or
6. a person who is the occupant of a property or premises pursuant to a rental or lease agreement, license, or permit;

u. **Peace Officer** means:

1. a member of the Royal Canadian Mounted Police;
2. a Community Peace Officer as appointed by the Solicitor General of Alberta; or
3. a Bylaw Enforcement Officer as appointed by the Town to enforce bylaws of the Town;

v. **Person** means an individual or any business entity including a firm, partnership, association, corporation, company or society;

w. **Portable Cooking Appliance** means an appliance sold or constructed for the sole purpose of cooking food outdoors normally fired by propane, natural gas, wood pellets, charcoal, briquettes, or other fuel source;

- x. **Prohibited Debris** means any material that when burned will result in the release of dense smoke or toxic air contaminants to the atmosphere as outlined in any statute or bylaw written to protect and enhance the environment and shall include but not be limited to materials described as:
1. straw and stubble;
 2. animal carcasses;
 3. animal manure;
 4. chemicals and chemical containers;
 5. combustible material in automobile bodies;
 6. combustible material in automobiles;
 7. household refuse;
 8. non-wooden material;
 9. paints and painting materials;
 10. pathological waste;
 11. rubber or plastic or anything containing or coated with rubber or plastic or similar substances except rubber or plastic attached to shredded scrap steel;
 12. tires;
 13. toxic substances;
 14. used oil; or
 15. wood or wood products containing substances for the purpose of preserving wood;
- y. **Recreational Fire** means a contained fire for the purposes of obtaining warmth or for viewing pleasure;
- z. **Safety Codes Act** means the *Safety Codes Act*, R.S.A. 2000 Chapter S-1, together with all regulations passed thereunder, as such may be amended and replaced from time to time;
- aa. **Town** means the Town of Okotoks, a municipal corporation in the Province of Alberta, and where the context so requires, means the area of land within the corporate boundaries thereof;
- bb. **Violation Tag** means a notice or tag in the form as approved by the CAO, issued by the Town, allowing a voluntary payment option of a fine established under this Bylaw; and
- cc. **Violation Ticket** means a ticket issued pursuant to Part 2 of the *Provincial Offences Procedures Act*, Revised Statutes of Albert 2000, Chapter P-34 and any amendments or regulations thereto.

3. FIRE SERVICES

- 3.1 Council hereby establishes Fire Services in the Town of Okotoks for the purpose of:
- a. preserving life and property and protecting persons and property from injury or destruction by fire;
 - b. preventing and extinguishing fires;
 - c. investigating the cause of fires in accordance with the Quality Management Plan approved by Council and the Safety Codes Council;
 - d. providing rescue services and medical first response;
 - e. preventing, combatting and controlling Incidents;
 - f. carrying out preventable patrols, pre-fire planning and fire inspections in accordance with the Quality Management Plan approved by Council and the Safety Codes Council;
 - g. enforcing the provisions of the *Safety Codes Act*, the Fire Code and all STANDATAs;
 - h. recommending to Council the entering into agreements with other municipalities or persons for the joint use, control, and management of fire extinguishing apparatus and equipment;
 - i. fulfilling obligations under Fire Protection Agreements;
 - j. purchasing and operating apparatus and equipment for extinguishing fires or preserving life and property;
 - k. enforcing the provisions of the *Safety Codes Act* and its regulations; and
 - l. providing emergency management and disaster services.
- 3.2 Fire Protection Services shall be performed by the Fire Services Department to the Level of Service and in accordance with the Standard Operating Procedures and Standard Operating Guidelines, none of which shall be inconsistent with applicable Federal or Provincial legislation.
- 3.3 The Fire Services Department shall consist of such Members, personnel, Buildings, Apparatus and Equipment as deemed appropriate by Council given the resources available to Council for the protection of persons and property within the Town from Fire and other Emergencies.
- 3.4 The CAO in consultation with the Fire Chief or Deputy Chief may authorize Fire Services Department Responses outside of any written agreement or contracted areas.

4. FIRE CHIEF

- 4.1 The authority of the Fire Chief is granted by this Bylaw, Town policy and the *Safety Codes Act*. The Fire Chief shall ultimately be responsible to the CAO.
- 4.2 The Fire Chief shall perform such functions and have such powers and responsibilities as the CAO may prescribe from time to time. The Fire Chief has complete responsibility and authority over the Fire Services Department, and in particular he shall be required to carry out and coordinate all Fire Protection Service activities, including but not limited to:
- a. pre-fire planning;
 - b. disaster planning;
 - c. fire prevention patrols;
 - d. response to Incidents;
 - e. rescue response;
 - f. firefighting and fire suppression;
 - g. public fire education and information;
 - h. recruitment and retention of members; and
 - i. member training and other staff development.
- 4.3 The Fire Chief is hereby authorized to establish rules, regulations, policies and committees necessary for the proper organization and administration of the Fire Services Department including:
- a. use, care and protection of Fire Services Department Property, which includes buildings, Equipment (trucks, vehicles) and Apparatus;
 - b. conduct, performance and discipline of Members of the Fire Services Department;
 - c. efficient operations of the Fire Department;
 - d. member training and certification;
 - e. establishment, implementation and execution of Standard Operating Procedures and/or Guidelines; and
 - f. physical fitness standards or requirements for medicals for Members; and Qualifications to be appointed as a Member.
- 4.4 In the event that any provision of this Bylaw is inconsistent with any legislation of the Province of Alberta, the legislation of the Province of Alberta shall prevail.
- 4.5 The Fire Chief is the Authority Having Jurisdiction for purposes of this Bylaw. The Fire Chief may delegate all or any of his/her authority under this Bylaw to a Deputy Fire Chief or Fire Captain who also holds qualification as an Authority Having Jurisdiction. Any action or decision made by such delegate may be reviewed, altered or rescinded by the Fire Chief.

- 4.6 Regulations, rules or policies made pursuant to Section 4.3 of this Bylaw shall not be inconsistent with this Bylaw, the Level of Service or any legislation or regulations of the Province of Alberta including the *Safety Codes Act* and the Fire Code.
- 4.7 The Fire Chief or Member in Charge shall have overall control, direction and management of all Fire Department Property and Members assigned to an Incident and he/she shall continue to act until relieved by a Member of the Fire Services Department authorized to do so.
- 4.8 The Fire Chief or Member in Charge may at his/her discretion establish boundaries or limits and keep persons from entering the area within the prescribed boundaries or limits unless authorized to enter.
- 4.9 The Fire Chief or Member in Charge at an Incident is empowered to cause a building, structure or thing to be pulled down, demolished or otherwise removed if he deems it necessary to prevent the spread of fire to other buildings, structures, or things.
- 4.10 The Fire Chief or Member in Charge at an Incident is empowered to cause the Fire Services Department to enter on any land or premises, including adjacent land or premises, to combat, control, or deal with the Incident in whatever manner he deems necessary.
- 4.11 The Fire Chief or Member in Charge is empowered to employ or commandeer privately owned equipment, or to conscript persons to assist at an Incident, which he/she considers necessary to deal with an Incident and, authorize payment for the possession or use of any such equipment necessary for the purpose of mitigating an Incident.
- 4.12 The Fire Chief or Member in Charge is empowered to take all steps he/she deems necessary in order to directly or indirectly combat, control, or deal with an Incident including:
- a. passing through or over buildings or property adjacent to an Incident and causing Members, apparatus or equipment to enter, pass through or over the building or property;
 - b. order the evacuation of any building or area which is directly or indirectly involved in an Incident;
 - c. causing a building, structure or other thing to be pulled down, demolished or otherwise removed; and
 - d. upon extinguishment of a Fire or resolution of an Incident, access, enter, pass through or over buildings or property adjacent to a Fire or Incident and cause a building, structure or thing to be pulled down, demolished or otherwise removed in accordance with the *Safety Codes Act*.

- 4.13 The Fire Chief or Member in Charge may obtain assistance from other officials of the Town as he/she deems necessary, in order to discharge his duties and responsibilities under this Bylaw.
- 4.14 Upon approval of the CAO, the Fire Chief may negotiate on behalf of the CAO with the Government of Alberta, other municipalities, and persons for the purpose of establishing mutual aid agreements and Fire Protection Agreements with recommendations and concerns regarding the establishing or renewing of any mutual aid agreement or Fire Protection Agreement or amendments thereto.
- 4.15 For the purpose of fire investigations and inspections, the Fire Chief or Member in Charge may obtain assistance from other officials of the Town as he deems necessary in order to discharge his duties and responsibilities under this Bylaw.
- 4.16 The Fire Chief or Member in Charge are designated officers of the Town for the purpose of carrying out any inspection, remedy, enforcement or other action required to be undertaken with respect to enforcing this Bylaw.
- 4.17 The limits of the jurisdiction of the Fire Chief, Designates and Members of the Fire Services Department will extend to the area and boundaries of the Town and such further areas beyond the jurisdiction of the Town where provided by the express authorization of a written contract or agreement or the approval of the CAO.
- 4.18 The Fire Chief may develop or implement systems or programs to reduce the risk of wildland - urban interface fires.

5. POWER OF MEMBERS

- 5.1 Each Member, under the direction of the Fire Chief or Member in Charge of the Fire Services Department, shall have the authority and power to:
- a. extinguish or control the Fire or undertake action to preserve life and property and enter onto any property for the purpose of extinguishing or controlling Fire or responding to an Incident; and
 - b. prevent interference with the efforts of persons engaged in the provision of Fire Protection Services by regulating the conduct of the public at or in the vicinity of any Fire or Incident.
- 5.2 Members shall have all the authority, duties and responsibilities as established under this Bylaw, the Standard Operating Guidelines, Standard Operating Procedures and any other applicable Federal, Provincial or municipal legislation, bylaws, policies or procedures.

6. REQUIREMENT TO REPORT

- 6.1 The owner or his authorized agent of any property damaged by fire shall immediately report to the Fire Services Department particulars of the fire in a manner and form that is satisfactory to the Fire Chief.
- 6.2 The owner or his authorized agent of any property containing a Dangerous Good(s) that sustains an accidental or unplanned release of the Dangerous Good(s) shall immediately report to the Fire Chief particulars of the release in a manner and form that is satisfactory to the Fire Chief.

7. OPEN BURNING

- 7.1 No person shall cause or allow open burning of any fire unless they have applied for and been issued a Fire Permit by the Fire Chief.

8. EXEMPTIONS

- 8.1 A Fire Permit is not required for any contained fire, recreational fire, or portable cooking appliance.
- 8.2 Any contained fire or recreational fire permitted by this Bylaw will be positioned on a non-combustible surface and shall not:
- a. be located in a front yard;
 - b. be less than 2 meters away from any structure or property line;
 - c. be located beneath any tree or the branches of any tree;
 - d. continue to burn when the wind is blowing or gusting above 30 km/h;
 - e. be left unattended at any time; or
 - f. be located on a deck, porch, within a covered gazebo.
- 8.3 Any fire permitted by this Bylaw shall be contained to a reasonable size so that the fire, embers, sparks or smoke emanating from such fire do not endanger any person or property, or cause any objectionable or nuisance effects to nearby persons or property.
- 8.4 Any fire permitted by this Bylaw shall only be fueled by clean and dry burning materials and those materials shall not contain any preservatives. Prohibited debris shall not be burned.
- 8.5 Any fire permitted by this Bylaw that does not comply with 8.2, 8.3 or 8.4 may require the property owner or person responsible for the fire to relocate, remove, or extinguish the fire as ordered by the Fire Services Department or a Peace Officer.

9. FIRE BANS

- 9.1 Notwithstanding any provisions of this or any other bylaw, when, in the opinion of the Fire Chief, there is a necessity to do so, the Fire Chief may:
- a. declare a partial fire ban for specified areas of the Town; or
 - b. declare a complete fire ban of any kind of burning for all areas of the Town.
- 9.2 When a fire ban is in effect, all fire permits are suspended unless otherwise directed by the Fire Chief.
- 9.3 Any fire ban issued by the Fire Chief shall be in force until the fire ban is lifted by the Fire Chief.
- 9.4 When determining whether to declare a fire ban, the Fire Chief will take into consideration any or all of the following:
- a. the air quality index;
 - b. recent levels of precipitation;
 - c. any water shortages or restrictions;
 - d. the overall fire danger at the location of the fire;
 - e. the availability of Fire Services to respond to additional calls for service; and
 - f. regional or provincial conditions and resource deployment.
- 9.5 The Fire Chief shall give public notice of any fire bans issued through websites, media announcements or any other methods deemed necessary.
- 9.6 No person shall cause or allow open burning, nor have a contained fire or recreational fire of any size when a fire ban has been declared.

10. FIREWORKS

- 10.1 No person shall sell, possess, or discharge Fireworks in the Town unless they have the appropriate permits, insurance and licensing for high level displays. A Fire Permit is required for the discharge of Fireworks. Fireworks must be purchased from a recognized company that meets all current provincial or federal regulations and standards. The Fire Chief may impose any conditions on a Fire Permit issued for discharge of Fireworks in the Town as deemed necessary.
- 10.2 Fireworks considered low level displays are banned in the Town. Possession, sale, or storage of Fireworks or Firecrackers is prohibited.

11. FIRE PERMITS

- 11.1 Any person wishing to obtain a Fire Permit must apply to the Fire Chief during the normal business hours of Fire Services.
- 11.2 Each application for a Fire Permit must contain the following information:
- a. the name and address of the applicant and the name and address of the owner of the land on which the applicant proposes to set a fire;
 - b. the legal and municipal description of the land on which the applicant proposes to set a fire;
 - c. the period of time for which the Fire Permit is required;
 - d. the precautions that will be taken by the applicant to ensure that the proposed fire remains under his or her control;
 - e. the signature of the applicant; and
 - f. the written consent to the proposed fire by the owner of the land (if different than the applicant).
- 11.3 Upon receipt of an application for a Fire Permit, the Fire Chief shall consider the application, and may pursuant to the provisions of this Bylaw and the Alberta Fire Code:
- a. refuse to grant a Fire Permit;
 - b. grant a Fire Permit with or without terms and conditions as he deems appropriate; or
 - c. determine that a Fire Permit is not required.
- 11.4 The Fire Permit fee shall be set by the Rates and Fees Bylaw and shall be paid upon approval of the Fire Permit application.
- 11.5 A Fire Permit shall not be transferable.
- 11.6 Fire Permits issued pursuant to this Bylaw are valid for such period of time as shall be determined and set by the Fire Chief and shall state the period of time for which the said Fire Permit is valid.
- 11.7 The Fire Chief may extend in writing the period of time that a Fire Permit is valid provided the Fire Permit has not expired.
- 11.8 Fire Permits may be cancelled at any time when in the opinion of the Fire Chief or their designate, there is a necessity to do so.

12. RECOVERY OF COSTS

- 12.1 Where the Fire Services Department has extinguished a fire or responded to a fire call or Incident within or outside the Town for the purpose of preserving life or property from injury or destruction by fire or other Incident, including any such action taken by Fire Services on a False Alarm (Bylaw 11-10), the Fire Chief may, in respect of any costs incurred by the Fire Services Department in taking such action, charge any costs so incurred by Fire Services to:
- a. the person who caused the Incident;
 - b. the owner of the property or the person in possession of the property where the Incident occurred; or
 - c. the owner of the property or the person in possession and control of the property if the location of the Incident is not on privately owned land.
- 12.2 The fees and charges to be levied by the Fire Services Department for services rendered pursuant to this Bylaw shall be as set out in the Rates and Fees Bylaw, and:
- a. the Town may recover such fees or charges as a debt due and owing to the Town; or
 - b. where permitted under the *Municipal Government Act*, such fees or charges may be charged against the land as taxes due and owing in respect of that land.

13. PENALTIES AND ENFORCEMENT

- 13.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine of not more than Ten Thousand (\$10,000.00) Dollars, imprisonment for a term not exceeding one (1) year, or both.
- 13.2 Where there is a specified penalty listed for an offence in Schedule "A" to this Bylaw, that amount is the minimum specified penalty for the offence.
- 13.3 Where a person contravenes the same provision of this Bylaw two (2) or three (3) times within one twelve month (12) period, the specified penalty payable in respect of the second or subsequent contravention shall be the amount stated in Schedule "A" for such offences.
- 13.4 In the case of an offense that is of a continuing nature, a contravention constitutes a separate offence in respect of each day or part of a day on which it continues.

- 13.5 The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs from which that person is liable under the provisions of this Bylaw or any other Bylaw.
- 13.6 Any Peace Officer who has reasonable and probable grounds to believe that any person has contravened any provision of this Bylaw may issue and serve:
- a. a violation tag allowing a payment of the specified penalty to the Town; or
 - b. a violation ticket allowing payment according to the provisions of the *Provincial Offences Procedure Act*, Revised Statutes of Alberta 2000, Chapter P-34 and amendments thereto.
- 13.7 Service of a violation tag will be sufficient if it is:
- a. personally served; or
 - b. served by regular mail to the person's last known mailing address.
- 13.8 If a violation ticket is issued in respect to an offence, the violation ticket may:
- a. specify the fine amount established by this Bylaw for the offence; or
 - b. require a person to appear in Court without the alternative of making a voluntary payment.
- 13.9 A person who commits an offence may:
- a. if a violation ticket is issued in respect of the offence; and
 - b. if the violation ticket specified the fine amount established by this Bylaw for the offence;
- make a voluntary payment equal to the specified fine by delivering the violation ticket and the specified fine to the Provincial Courthouse specified on the violation ticket.

14. SEVERABILITY

- 14.1 It is the intention of Council that each separate provision of this Bylaw shall be deemed independent of all other provisions herein and it is the further intention of Council that if any provision of this Bylaw is declared invalid, all other provisions hereof shall remain valid and enforceable.

15. GENERAL

15.1 Any person who contravenes any provision of this Bylaw by:

- a. doing any act or thing which the person is prohibited from doing; or
- b. failing to do any act or thing the person is required to do

is guilty of an offence and any offence created pursuant to this Bylaw is a strict liability offence for the purposes of prosecution under this Bylaw.

15.2 Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation, other bylaw, or any requirement of any lawful permit, order or license.

15.3 Words in the singular include the plural and words in the plural include the singular.

15.4 This Bylaw is gender-neutral and, accordingly, any reference to one gender includes the other.

15.5 Schedule "A" shall form a part of this Bylaw and may, from time to time, be amended by Council.

15.6 No provision of this Bylaw or any action taken pursuant to any provision of this Bylaw shall restrict, limit, prevent or preclude the Town from pursuing any other remedy in relation to a premises as provided by the *Municipal Government Act*, or any other law of the Province of Alberta.

Bylaws 26-98 and 13-16 of the Town and any amendments thereto are hereby repealed upon this Bylaw coming into effect.

This Bylaw shall come into full force and effect upon third and final reading,

READ A FIRST TIME this 27th day of February, 2017.

READ A SECOND TIME this 13th day of March, 2017.

READ A THIRD TIME AND PASSED this 13th day of March, 2017.

Mayor

Municipal Secretary

Schedule "A"

SECTION	OFFENCE	PENALTY 1st offence	PENALTY 2nd /subsequent offences
7.1	Cause or allow open burning without a permit	\$250.00	\$500.00
8.2 i)	Have fire in front yard	\$250.00	\$500.00
8.2 ii)	Have fire less than 2 m from structure or property line	\$250.00	\$500.00
8.2 iii)	Have fire beneath tree or branches	\$250.00	\$500.00
8.2 iv)	Have fire when wind above 30 km/h	\$250.00	\$500.00
8.3	Have fire of unreasonable size / cause objectionable or nuisance effects	\$250.00	\$500.00
8.4	Have fire using incompatible material	\$250.00	\$500.00
9.6	Have fire during declared fire ban	\$500.00	\$1000.00



PROCEDURE BYLAW AMENDMENT

Council / Governance Issue

Discussion regarding potential amendments to Council's Procedure Bylaw are provided for Committee consideration.

Recommendation

Committee direction is required.

Background and Considerations

At the April 2022 Governance and Priorities Committee (GPC) meeting, discussion took place regarding moving the start times of Council meetings to earlier in the day, such as 9:00 or 10:00 a.m., and potentially rescheduling public hearings. At that meeting, a recommendation was made that the new Procedure Bylaw not include the Chief Administrative Officer's Report on the Regular Council Meeting agenda, along with the following motion:

"That in the last quarter of 2024 consideration be given to earlier Regular Council Meeting start times starting for the new Council in the 2025 - 2029 term."

Earlier start times would potentially better facilitate the attendance of employees and consultants during the regular workday, enhancing work/life balance. However, this needs to be balanced with the need for Council Members to be in attendance during the day. Councillors ran for the current term assuming most of the work was in the evening and a balance of multiple responsibilities during non-Council times could be met. Ensuring any changes to the procedure bylaw regarding Council's commitments well before the 2025 municipal election is necessary for consideration of potential candidates.

Discussion also took place regarding public hearings and how best to balance the frequency and late evening with the public's ability to attend. A set Monday once a month in the evening or afternoon could be scheduled; either at one of the Mondays of a Council meeting day or before the start of a GPC meeting – potentially at 4:00 p.m. with GPC beginning at 6:00 p.m.

Limiting public hearings to one day per month would reduce the flexibility for timing, potentially add more time to the overall process, and may provide challenges managing timeline expectations.

Below is a table outlining the number of public hearings held over the last four years:

	2021	2022	2023	2024 (scheduled)
January	1	2	1	0
February	0	1	1	2
March	1	3	1	1
April	2	0	3	0
May	3	0	0	2
June	1	1	2	1
July	2	0	0	1
August	1	0	0	0
September	0	1	0	3
October	0	0	3	0
November	0	0	0	2
December	0	0	0	0
Total	11	8	9	12

Option 1: Moving back current schedule by one hour with public hearing(s) and invited delegations at the second meeting of the month only:

Scenario 1

First Meeting of Month

1:00 p.m.	Closed Session
2:00 p.m.	Open Session begins with delegations first
5:00 p.m.	Dinner Break (if required)

Second Meeting of Month

1:00 p.m.	Closed Session
2:00 p.m.	Open Session begins with delegations first
4:00 p.m.	Public Hearing(s)
5:30 p.m.	Dinner Break
6:00 p.m.	Invited Delegations

Scenario 2

First Meeting of Month

1:00 p.m.	Closed Session
2:00 p.m.	Open Session begins with delegations first
5:00 p.m.	Dinner Break (if required)

Second Meeting of Month

1:00 p.m.	Closed Session
2:00 p.m.	Open Session begins with delegations first
2:30 p.m.	Public Hearing(s)
4:00 p.m.	Open Session resumes

5:30 p.m.	Dinner Break
6:00 p.m.	Invited Delegations (Awesome Kids)

Option 2: Full day meeting with public hearing(s) and invited delegations held on one day only. No dinner break required potentially. Note: Foothills Regional Services Commission meets on Mondays at 9:30 a.m.

First Meeting of Month

10:00 a.m.	Closed Session
11:00 a.m.	Open Session
12:30 p.m.	Lunch Break
1:00 p.m.	Open Session resumes with delegations first

Second Meeting of Month

10:00 a.m.	Closed Session
11:00 a.m.	Public Hearing(s)
12:30 p.m.	Lunch Break
1:00 p.m.	Open Session begins with delegations first
4:00 p.m.	Invited Delegations (Awesome Kids)

Option 3: Full day meeting with public hearing(s) scheduled once per month on GPC meeting days.

First and Second Meeting of Month

10:00 a.m.	Closed Session
11:00 a.m.	Open Session
12:30 p.m.	Lunch Break
1:00 p.m.	Open Session resumes with delegations first

Third Monday of the Month

4:00 p.m.	Public Hearing(s) – Council Meeting
5:30 p.m.	Dinner Break
6:00 p.m.	GPC Meeting

Current Policy or Bylaw Analysis

Procedure Bylaw

Municipal Comparisons

Information regarding when other Alberta municipalities schedule their meetings and public hearings was undertaken in 2022 and is provided below again with some updates:

Municipality	Council Meeting Time	Public Hearings
Airdrie	1:00 p.m. open to public meeting	1:00 p.m. during a regular Council meeting
Canmore	9:00 a.m.	Fourth Tuesday of the month reserved for public hearings / special meetings 9:00 a.m.
Chestermere	9:00 a.m.	9:00 a.m. during a regular Council meeting
Cochrane	5:30 p.m.	Last 2 Public Hearings at 5:30 p.m. during a regular Council meeting
Foothills County	9:00 a.m.	9:00 a.m. during a regular Council meeting
Fort Saskatchewan	2:00 p.m. open to the public meeting for the first Council meeting of the month and 2:00 p.m. at the second Council meeting of the month	Public Hearings held during the regular meeting
High River	3:00 p.m.	3:00 p.m. during a regular Council meeting
Leduc	5:30 p.m.	5:30 p.m. during a regular Council meeting
Red Deer	10:30 a.m.	5:00 p.m. during the Regular Council meeting
Rockyview County	9:00 a.m.	Mornings at 9:00 a.m., afternoons at 1:00 p.m. on Regular Council meeting days
Spruce Grove	6:00 p.m.	6:00 p.m. during the Regular Council meeting
St. Albert	1:00 p.m.	2:00 p.m. during the Regular Council meeting

CAO Comments

Balancing workload, council availability and public access are essential for successful governance. Options provided for consideration and feedback is requested.

Attachment(s)

n/a

Prepared by:
Cathy Duplessis
Legislative Affairs Manager
October 15, 2024



2025 ELECTION BYLAW POLICY DECISIONS

Council / Governance Issue

Bill 20 requires amendments to the Town's Election Procedures Bylaw prior to December 31, 2024 in preparation for the 2025 General Election.

Recommendation

Committee direction is requested.

Background and Considerations

The majority of election procedures are prescribed under the *Local Authorities Election Act (LAEA)*. Although the majority of the procedures are set out in the LAEA, there are a number of discretionary procedural modifications for elected authorities.

Bill 20 that amends the *LAEA* received Royal Assent on May 30, 2024 but has not yet been proclaimed. Administration is assuming that Bill 20 will be proclaimed before year-end and is recommending a new election bylaw that will incorporate changes in order to be compliant with the new legislation.

Administration is also taking the opportunity to confirm current processes that will remain unchanged and those that will require updating with recommendations. The table below outlines the discretionary election procedures with Administration's recommendations for Committee consideration.

2021 Election Processes	Recommended for 2025
<p>Nominations Deposits</p> <ul style="list-style-type: none"> • Councillor - \$250 • Mayor - \$500 <p>Previously only cash, certified cheque, or money order were accepted.</p>	<p>No changes to nomination deposit amounts</p> <p>Include payment methods of credit card, debit card and electronic fund transfers</p>
<p>Criminal records checks for candidates were not required as part of the filing of nomination papers.</p>	<p>Require nomination papers to be filed with a criminal record check.</p>
<p>During the 2021 general election, nomination papers were accepted by appointment with the Returning Officer or Substitute Returning Officer.</p>	<p>Continue this practice noting that the Returning Office may further establish locations and times during the nomination period for receipt of nomination papers.</p>

Council must appoint the Substitute Returning Officer by resolution or bylaw.	Appointment of the Substitute Returning Officer be delegated to the Returning Officer.
Returning Officer is delegated the authority to determine and designate more than one voting station and the locations of those voting stations for the voting subdivisions.	No change in authority.
The Returning Officer is authorized to enter into a joint agreement to conduct a public or separate school division general election.	No change in authority.
The Returning Officer is authorized to determine the locations, dates, and hours of advance votes.	No change in authority.
Discretionary use of a voters list or permanent electors register - which the Town of Okotoks has never done.	<p>The Returning Officer must prepare a permanent electors register and enter into an information sharing agreement with Elections Alberta.</p> <p>It is proposed that the Returning Officer be delegated the authority on how to compile or revise this list - manually or using a computer based system.</p>
Composite ballots printed alphabetically to be tabulator compliant.	In order to facilitate mandatory hand counting processes, it is recommended separate colour coded ballots be used for each office and printed in alphabetic order.
Special ballots were discretionary and not used in Okotoks.	<ul style="list-style-type: none"> • Special ballots are now mandatory. An elected authority can specify how voters may apply for a special ballot. It is proposed that voters only be allowed to apply by telephone, in person, or by email; and not by fax or regular mail. • It is proposed that a timeline be specified for the application of voters for special ballots between August 1st and cuts-off seven (7) days prior to election day. • It is proposed that the submission completed special ballot return deadline be set at 4 p.m. on election day.

Election day voting stations opened at 6 a.m. and closed at 8 p.m.	It is recommended that election day voting stations open at 10 a.m. and close at 8 p.m. to facilitate the manual counting period after the close of stations for core election workers. Approximately 250 electors voted during the earlier voting station hours.
Institutional voting and incapacitated voting were provided as options in 2021.	It is proposed that institutional voting and incapacitated voting not be offered, as special ballots will replace these processes.
Centralized counting centre used for compilation of election results on election day.	It is proposed to again use a centralized counting centre for manual counting to ensure security and consistency in new processes for counting.

Current Policy or Bylaw Analysis

- LAEA
- Bill 20
- Bylaw 35-20 Election Procedures

Municipal Comparisons

n/a

CAO Comments

Bill 20 fundamentally changes the rules for election and a complete review is required. Committee input is requested.

Attachment(s)

1. Election Procedures Bylaw 35-20

Prepared by:
Cathy Duplessis, CLGM
Legislative Affairs Manager
October 12, 2024

**ADMINISTRATIVE CONSOLIDATION OF BYLAW 35-20
AS OF JANUARY 22, 2024**

BYLAW 35-20

**A BYLAW OF THE TOWN OF OKOTOKS
IN THE PROVINCE OF ALBERTA
TO ESTABLISH THE PROCEDURES FOR
CONDUCTING A MUNICIPAL ELECTION**

(As amended by Bylaw 10-24)

WHEREAS the *Local Authorities Election Act*, Chapter L-21, RSA 2000, as amended, (hereinafter referred to as the “*Act*”), provides for the holding of local elections by municipalities;

NOW THEREFORE the Council of the Town of Okotoks enacts as follows:

1. SHORT TITLE

1.1 This Bylaw may be known as the “Election Procedures Bylaw”.

2. DEFINITIONS

2.1 Except as otherwise provided for in this Bylaw, the terms used in the *Act*, where used or referred to in the Bylaw, shall have the same meaning as defined or provided in the *Act*.

2.2 In this Bylaw, the following terms shall have the following meanings:

- a) “advance vote” means a vote taken before election day;
- b) “automated voting system” means an automated or electronic system designed to automatically count and record votes and process and store the election results;
- c) “ballot” means the paper card containing all offices, questions, bylaws, or any other legislated vote indicating all available selections to the electors and containing spaces to mark their choices;
- d) “ballot account” means an account of ballots prepared in the form required by the *Act*;
- e) “ballot box” means a container, in a form approved by the Returning Officer, intended to contain the voted ballots for the vote tabulators at the voting station;

- f) “by-election” means:
- i. an election to fill a vacancy on a council other than at a general election, or
 - ii. a vote on a bylaw or question;
- g) “election day” means either:
- i. the day fixed for voting at a general election; or
 - ii. the day fixed for voting at a by-election;
- and does not include advance vote;
- h) “election officials” includes the Presiding Deputy Returning Officer(s), staff, appointed election workers, and information technology contractors;
- i) “general election” means an election held for all the members of an elected authority to fill vacancies caused by the passage of time;
- j) “Instructions for Electors” means explicit directions for the elector to follow regarding how to complete the ballots, in the form approved by the Returning Officer;
- k) “marking devices” means the pen marker or other permanent ink instrument, approved by the Returning Officer, for the use in marking ballots by the elector;
- l) “memory pack” means a cartridge or memory unit that plugs into the vote tabulator where all tabulated totals are stored for the voting subdivision;
- m) “Presiding Deputy Returning Officer” means a deputy who has been appointed as a presiding deputy pursuant to the *Act* by the Returning Officer;
- n) “portable ballot box” means a cardboard container in the prescribed form, approved by the Returning Officer and intended for the use in the collection of voted ballots in an institutional vote, advance vote, or incapacitated vote;
- o) “Returning Officer” means a person appointed under the *Act* as a returning officer and includes a person acting in the returning officer’s place;
- p) “secrecy sleeve” means an open ended envelope, in a form approved by the Returning Officer, intended to be used to cover the ballot so as to conceal

the markings made on the ballot by the elector without covering the initials of the election official;

- q) “spoiled ballot” means a ballot which:
- iii. has not been marked, or has not been marked sufficiently for the vote tabulator to discern a vote;
 - iv. has been marked for more candidates than there are offices to be filled, or where there is only one vacancy, for more than one candidate; or in the event of a bylaw or question, has been marked both in the affirmative and negative;
 - v. has been marked outside of the space indicated on the ballot for the placing of a mark;
 - vi. has been torn, defaced, or dealt with in such a way by an elector so that they can thereby be identified;
 - vii. does not bear the initials of the election officials.
- r) “tally register tape” means the printed record generated by a vote tabulator showing the number of accepted ballots, the ballots read, and the results of the ballots read by the vote tabulator;
- s) “vote tabulator” means a unit of the automated voting system designed for use at the voting station to receive ballots and automatically scan a specified area or areas on the ballot and record the results;
- t) “voting station” means an area designated by the Returning Officer in a controlled access building and equipped for the counting of votes and the tabulation of election results.

3. NOMINATION FEES

- 3.1 Every nomination paper filed for the office of Councillor shall be accompanied by \$250.00 in Canadian funds, and every nomination paper filed for the office of Mayor shall be accompanied by \$500.00 in Canadian funds; and said deposit is to be provided in cash, debit card, certified cheque, or money order. **(BYLAW 10-24)**
- 3.2 **(DELETED AS PER BYLAW 10-24)**

4. RETURNING OFFICER

- 4.1 The Returning Officer is authorized to appoint the election officials they deem necessary for the fulfillment of election duties. The Returning Officer and the Presiding Deputy Returning Officer(s) are authorized to further sub-delegate any duties necessary for the fulfillment of responsibilities assigned by this Bylaw or by the *Act*.
- 4.2 The Returning Officer is authorized to determine and designate more than one voting station for the voting subdivision as permitted by the *Act*.
- 4.3 The Returning Officer is authorized to enter into an agreement with the public and separate school divisions for the joint conduct of a general election or any other levels of government under applicable legislation, if required.

5. INCAPACITATED ELECTORS

- 5.1 The Returning Officer may direct that the portable ballot boxes, as defined in this Bylaw, be used for the collection of voted ballots of such incapacitated voters at home, if this type of voting is provided as permitted under the *Act*.
- 5.2 Incapacitated elector at home voting will be provided during the hours an advance voting station is open and at the times fixed by resolution of Council, in order to take the votes of an elector who, because of physical incapacity, is unable to attend a voting station or an advance voting station.
- 5.3 If an incapacitated vote at home is being conducted, the Returning Officer shall take such steps as are necessary to ensure the incapacitated voting at home procedures shall, as nearly as possible, follow the voting procedures at the voting station.

6. ADVANCE VOTES

- 6.1 An advance vote will be held and conducted on the dates and during the hours as determined by the Returning Officer.
- 6.2 The Returning Officer may direct that the voted ballots of advance vote electors are to be collected in portable ballot boxes.

7. INSTITUTIONAL VOTING

- 7.1 For the purpose of conducting institutional voting, the Returning Officer may determine and designate the time or times during which the votes in the designated institutions shall be taken and may appoint the election officials necessary for the taking of the institutional votes. **(BYLAW 10-24)**

- 7.2 Portable ballot boxes, as defined in this Bylaw, shall be provided for the collection of the voted ballots of the electors who vote as part of the institutional vote.
- 7.3 If an institutional vote is being conducted, the Returning Officer shall take such steps as are necessary to ensure the institutional voting procedures shall, as nearly as possible, follow the voting procedures at the voting station.

8. AUTOMATED VOTING SYSTEM

- 8.1 The taking of votes of the electors and the tabulation of election results may be done by means of an automated voting system, as directed by the Returning Officer.
- 8.2 In the event that an automated voting system is used in the election, the Returning Officer:
- a) shall be satisfied prior to the date of the election, that the automated voting system has been pre-tested and is accurate and in good working order; and
 - b) shall take whatever reasonable safeguards may be necessary to secure the automated voting system (including the vote tabulators and the ballot boxes) from unauthorized access, entry, use, tampering, or any unauthorized use of the ballots or tabulated results.
- 8.3 Despite anything in this Bylaw, in the event of:
- a) a malfunction of the automated voting system;
 - b) a defect in the ballots or ballot marking devices, or
 - c) subject to clause 10.10 of this Bylaw, anything related to the operation of the automated voting system or any of its components, the Returning Officer may make any direction that they think is necessary or desirable with respect to:
 - i. the voting procedure to be used;
 - ii. the taking of votes;
 - iii. the counting of votes;
 - iv. where required, for a recount under the *Act*.

9. FORM OF BALLOT

- 9.1 Following nomination day, the Returning Officer shall cause sufficient ballots for the election to be printed.
- 9.2 The ballot shall be assembled in the following order and consist of a composite ballot, where possible, for: **(BYLAW 10-24)**
- a) candidates for the office of the Mayor;
 - b) candidates for the office of Councillor;
 - c) candidates for the office of public school Trustees, or separate school Trustees if elections are held in conjunction with elections for public or separate school board offices;
 - d) questions(s);
 - e) any other offices or votes as may be specified or required by the *Act* or any other applicable legislation.
- 9.3 Ballots for candidates may be in the general form prescribed by the Returning Officer.
- 9.4 In the event the general election is held in conjunction with the election of school board Trustees, or any other offices or votes as may be required by the *Act* or other applicable legislation, the Returning Officer may direct that separate ballots be printed, containing the ballots for the offices of Mayor, Councillors, and other ballots, and either the public school Trustee ballot(s) or the separate school Trustee ballot(s), or other required votes.

10. VOTING PROCEDURES

- 10.1 Voting stations shall be kept open continuously from: **(BYLAW 10-24)**
- a) 6:00 a.m. to 8:00 p.m. on general election election day; and
 - b) 10:00 a.m. to 8:00 p.m. on by-election election day.
- 10.2 A copy of the Instructions for Electors shall be posted at each voting compartment in each voting station and at conspicuous locations within the voting station, and shall remain posted until the close of the voting station.
- 10.3 In the presence of other election officials, agents, and electors, election officials shall cause the vote tabulator to print a copy of all totals in its memory pack one hour or less before the opening of the voting station.

- 10.4 If the totals are zero for all candidates, questions, and bylaws, the election officials shall ensure that the zero printout remains affixed to the vote tabulator until the results are printed by the vote tabulator after the close of the voting station at 8:00 p.m.
- 10.5 Every person who wishes to vote shall:
- a) make the statement of elector eligibility in the prescribed form required by the *Act*; and
 - b) produce identification that validates the person's identity and address as prescribed in the *Act* or an elector vouches for the person's identity and address as prescribed by the *Act*.
- 10.6 Once permitted to vote, the elector shall be given the appropriate ballot(s) that has been initialed by the election official, and a secrecy sleeve.
- 10.7 Upon receiving the ballot(s) and secrecy sleeve(s), the elector shall forthwith proceed to the voting compartment to vote.
- 10.8 While the elector is in the voting compartment, they shall mark the ballot(s) using only the marking device provided by completing an oval in the space designated for a vote adjacent to the candidate's name or, where there is more than one vacancy, the candidates of their choice. Where the ballot includes a bylaw or question, the elector shall mark their vote within the portion of the ballot containing the affirmative or negative.
- 10.9 The elector may not mark their ballot for more candidates than there are offices to be filled, or, where the ballot includes a question or a bylaw, the elector may not mark their ballot both in the affirmative and negative for any one bylaw or question.
- 10.10 After the elector has finished marking the ballot(s) and has completed voting, they shall:
- a) insert the ballot(s) into the secrecy sleeve(s) without showing the markings on the ballot(s) to anyone and without folding the ballot(s); and
 - b) leave the voting compartment and deliver the secrecy sleeve(s) containing the ballot(s), to the election official supervising the ballot box and the vote tabulator; and
 - c) observe the placing of their ballot(s) through the tabulator into the ballot box by the election official; or place their ballot(s) through the tabulator into the ballot box themselves, if desired.

10.11 In the event that the elector has inadvertently dealt with their ballot:

- a) in a manner that it cannot be used as a ballot; or
- b) so that the ballot presented by the elector to the election official has been spoiled, the elector may:
 - i. request another ballot wherein the election official must issue a new ballot to the elector and mark the returned ballot "spoiled". Spoiled ballots must be retained and kept separately from all other ballots.
 - ii. refuse to request another ballot wherein the election official will override the vote tabulator to accept the ballot, if possible, otherwise the spoiled ballot will be retained and kept separately from all other ballots.

10.12 Where a vote tabulator is available in the voting station but fails to operate, the:

- a) ballot(s) shall be inserted into a separate ballot box designed for the storage of marked but untabulated ballots; and
- b) ballot(s) shall be inserted into a vote tabulator following the close of the voting station.

10.13 The voting procedure prescribed herein shall, during an advance vote, an institutional vote, and an incapacitated vote, insofar as is practicable, apply and may be modified as necessary upon the direction of the Returning Officer.

10.14 Each elector shall follow the voting procedures in this Bylaw and as outlined in the Instructions for Electors posted in the voting station, and upon the deposit of their ballot(s) into the ballot box, the elector shall immediately leave the voting station.

10.15 Election officials may request anyone not directly engaged in the voting process to leave the voting station.

11. POST VOTE PROCEDURES

11.1 Immediately after the close of the voting station, the Returning Officer or election officials shall:

- a) secure the vote tabulator(s) from receiving any more ballots;
- b) forthwith deliver the vote tabulator and ballot boxes to the counting centre;

- c) activate the vote tabulator to produce the number of copies of the tally register tape, as directed by the Returning Officer, complete the ballot account, and attach one (1) copy of the tally register tape to the ballot account;
 - d) count the unused ballots and place the unused ballots, the voted ballots, and the spoiled ballots together with the voting register, two (2) copies of the tally register tape, and all oaths, declarations, and statements, if any, in the ballot boxes; and
 - e) seal and initial the ballot boxes and provide the sealed ballot boxes for the delivery to the Municipal Centre for storage or as directed by the Returning Officer.
- 11.2 Ballots which are spoiled shall not be counted in the tabulation of results for the election.
- 11.3 The portable ballot boxes used in the advance vote, the incapacitated vote, and the institutional vote, shall be sealed upon the completion of voting in the vote in which they are used, and shall not be unsealed and opened until the close of voting stations on Election Day.
- 11.4 The Returning Officer may direct that the sealed portable ballot boxes be brought to the voting station where they remain sealed until they are opened for the counting of ballots by the automated voting system, and may make any other direction he/she deems necessary for the storage and disposition of the portable ballot boxes.
- 11.5 If the Returning Officer makes a recount, pursuant to the *Act*, the voted ballots will be recounted by the same automated voting system.
- 11.6 Upon the completion of the tabulation of the election results, the Returning Officer shall retain the programs and the memory packs of the automated system as provided for in the *Act* for the keeping of ballots.
- 11.7 If, at the close of the polls, the Returning Officer is of the opinion that it is impracticable to count the vote with the vote tabulator, the Returning Officer may direct that all the votes cast in the election be counted manually following, as far as practicable, the provisions of the *Act* governing the counting of the votes.

12. GENERAL

- 12.1 The Returning Officer, when necessary, is hereby authorized to make application to the Minister of Municipal Affairs and to the Lieutenant Governor in Council for the requisite directions or regulations pursuant to the *Act*, respectively, for the

approval and implementation of the procedure prescribed by this Bylaw, or any other directions or regulations for conducting an election permitted by the *Act*.

- 12.2 In the event that the election for the offices of Councillors and Mayor are held in conjunction with an election for public or separate school board Trustees or any other legislated votes, provisions of this Bylaw shall apply *mutatis mutandis* to the other election.

This Bylaw shall come into full force and effect upon third and final reading, and Bylaws 46-98, 13-17, and 04-21 (**BYLAW 10-24**) shall be repealed.

Bylaw 35-20 received third and final reading October 26, 2020.

ORIGINAL SIGNED BY
MAYOR AND CHIEF ADMINISTRATIVE OFFICER

Bylaw 10-24 received third and final reading January 22, 2024.

ORIGINAL SIGNED BY
MAYOR AND CHIEF ADMINISTRATIVE OFFICER