

# TOWN OF CLARESHOLM PROVINCE OF ALBERTA REGULAR COUNCIL MEETING **DECEMBER 7, 2020 AGENDA**

Time: 7:00 P.M.

Place: Electronic Only due to COVID-19 Pandemic

Livestream: https://www.youtube.com/channel/UCe3OPyLhTzPajvPVAtNL1KA/live

#### NOTICE OF RECORDING

**CALL TO ORDER** 

**AGENDA: ADOPTION OF AGENDA** 

**MINUTES:** 

1. REGULAR MEETING - NOVEMBER 23, 2020

2. SPECIAL MEETING - NOVEMBER 25, 2020

**CLARESHOLM SKATEPARK ASSOCIATION DELEGATION:** 

**ACTION ITEMS:** 

BYLAW #1667 - Land Use Bylaw Amendment

RE: 1st Reading

BYLAW #1710 - Traffic & Highways Bylaw RE: 1st Reading 2.

3. BYLAW #1711 - Unsightly Premises & Property Standards Bylaw

RE: 1st Reading

BYLAW #1716 - BMO Operational Borrowing Bylaw 4.

RE: 1st Reading

BYLAW #1717 - AMSC Operational Borrowing Bylaw RE: 1st Reading

CORRES: Hon. Tyler Shandro, Minister of Health
RE: Negotiations with the Alberta Medical Association

CORRES: Hon. Tyler Shandro, Minister of Health

RE: Claresholm & District Transportation Society

**CORRES: Rural Development Network** 

**RE:** Call for Proposals

CORRES: Community Foundation of Lethbridge & Southwestern Alberta RE: Funding Grant for the Kidz Zone Building Residing Project

10. CORRES: Claresholm Golf Club

**RE: Request for Letter of Support** 

- 11. REQUEST FOR DECISION: Letter of Understanding
- 12. REQUEST FOR DECISION: Free Public Swim Initiative
- 13. REQUEST FOR DECISION: 2021 Budget
- 14. REQUEST FOR DECISION: 2021 Municipal Election
- 15. REQUEST FOR DECISION: Organizational Meeting Amendments
- 16. FINANCIAL REPORT: Statement of Operations October 31, 2020
- 17. INFORMATION BRIEF: Council Resolution Status
- 18. ADOPTION OF INFORMATION ITEMS
- 19. <u>IN CAMERA</u> a. <u>LAND FOIP Section 16.1</u>

#### **INFORMATION ITEMS:**

- Municipal Planning Commission Meeting Minutes October 30, 2020 1.
- You're Invited Tour of Wonder, MyCityCare December 10, 2020 from 4:00 8:00pm ADJOURNMENT



# **TOWN OF CLARESHOLM**

# PROVINCE OF ALBERTA REGULAR COUNCIL MEETING MINUTES NOVEMBER 23, 2020

Place: Electronic Only Due to COVID-19 Pandemic Livestream: <a href="https://www.youtube.com/channel/UCe30PyLhTzPajvPVAtNL1KA/live">https://www.youtube.com/channel/UCe30PyLhTzPajvPVAtNL1KA/live</a>

COUNCIL PRESENT: Mayor Doug MacPherson; Councillors: Kieth Carlson, Mike Cutler, Gaven

Moore, Brad Schlossberger, Lise Schulze and Craig Zimmer

**ABSENT:** None

STAFF PRESENT: Chief Administrative Officer: Marian Carlson, Finance Assistant: Karine Keys

**NOTICE OF RECORDING:** Mayor MacPherson provided notice that live streaming and recording of the Council meeting would begin immediately at 7:00 p.m. and that recording

would continue until such time as the meeting goes In Camera and/or is adjourned.

**CALL TO ORDER:** The meeting was called to order at 7:00 p.m. by Mayor MacPherson.

**AGENDA:** Moved by Councillor Cutler that the Agenda be accepted as presented.

CARRIED

MINUTES: REGULAR MEETING – NOVEMBER 9, 2020

Moved by Councillor Zimmer that the Regular Meeting Minutes of November 9,

2020 be accepted as presented.

CARRIED

**ACTION ITEMS:** 

## 1. <u>BYLAW #1713 – Mayor & Council Remuneration Bylaw</u> RE: 2<sup>nd</sup> & 3<sup>rd</sup> Readings

Moved by Councillor Schulze to give Bylaw #1713, the Mayor & Council Remuneration Bylaw, 2<sup>nd</sup> Reading.

CARRIED

Moved by Councillor Cutler to give Bylaw #1713, the Mayor & Council Remuneration Bylaw,  $3^{rd}$  & Final Reading.

**CARRIED** 

## 2. <u>BYLAW #1714 – Water & Sewer Utility Amendment Bylaw</u> RE: 2<sup>nd</sup> & 3<sup>rd</sup> Readings

Moved by Councillor Carlson to give Bylaw #1714, a Water & Sewer Utility Amendment Bylaw, 2<sup>nd</sup> Reading.

**CARRIED** 

Moved by Councillor Zimmer to give Bylaw #1714, a Water & Sewer Utility Amendment Bylaw, 3<sup>rd</sup> & Final Reading.

**CARRIED** 

# 3. <u>BYLAW #1715 – Fire Protection Amendment Bylaw</u> RE: 2<sup>nd</sup> & 3<sup>rd</sup> Readings

Moved by Councillor Zimmer to give Bylaw #1715, the Fire Protection Amendment Bylaw, 2<sup>nd</sup> Reading.

**CARRIED** 

Moved by Councillor Moore to give Bylaw #1715, the Fire Protection Amendment Bylaw,  $3^{rd}$  & Final Reading.

**CARRIED** 

# 4. CORRES: Hon. Tracy Allard, Minister of Municipal Affairs RE: 2020/21 Alberta Community Partnership Program

Received for information.

# 5. CORRES: Calgary Region Airshed Zone (CRAZ) RE: Membership Request

Received for information.

# 6. CORRES: Rural Municipalities of Alberta (RMA) RE: Benefits of Membership

Received for information.

## 7. <u>REQUEST FOR DECISION: Zero Emission Vehicle Infrastructure</u> Program

MOTION #20-177

Moved by Councillor Schlossberger to approve the submission of a letter of interest as demonstration of the Town of Claresholm's support of SouthGrow Regional Initiative's application to the Natural Resources Canada, Zero Emission Infrastructure Program.

**CARRIED** 

#### 8. REQUEST FOR DECISION: Christmas Eve Operations

MOTION #20-178

Moved by Councillor Schlossberger to discontinue Town operations at 12 Noon on December 24<sup>th</sup>, 2020 in the spirit of the season and to allow staff to be with their families and loved ones.

#### **CARRIED**

#### 9. INFORMATION BRIEF: ICF Recreation Sub-Committee

Received for information.

### 10. INFORMATION BRIEF: CAO Report

Received for information.

## 11. INFORMATION BRIEF: Council Resolution Status

Received for information.

## 12. ADOPTION OF INFORMATION ITEMS

Moved by Councillor Schlossberger to adopt the information items as presented.

#### **CARRIED**

#### 13. IN CAMERA:

# a. LAND – FOIP Section 16.1

Moved by Councillor Zimmer to go In Camera at 7:28 p.m. for the following items:

a. <u>LAND - FOIP Section 16.1</u>

#### **CARRIED**

**NOTICE OF RECORDING CEASED:** Mayor MacPherson stated that the live stream has ended at 7:28 p.m.

Moved by Councillor Schlossberger to come out of In Camera at 7:31p.m.

#### **CARRIED**

**NOTICE OF RECORDING:** Mayor MacPherson provided notice that live streaming and recording of the Council meeting would begin again at 7:31 p.m.

#### a. <u>LAND – FOIP Section 16.1</u>

MOTION #20-179

Moved by Councillor Cutler to accept the offer to purchase from Southline Real Estate Ltd for the property located at Lot 11, Block 4, Plan 7910032 (1.23 acres) in the amount of \$22,140 plus GST with a deadline of 90 days.

#### CARRIED

**ADJOURNMENT:** Moved by Councillor Carlson that the meeting adjourn at 7:33 p.m.

#### **CARRIED**

**NOTICE OF RECORDING CEASED:** Mayor MacPherson noted that recording ceased at 7:33 p.m.

Mayor – Doug MacPherson

Chief Administrative Officer – Marian Carlson



# **TOWN OF CLARESHOLM**

PROVINCE OF ALBERTA SPECIAL COUNCIL MEETING MINUTES NOVEMBER 25, 2020

Place: Electronic Only Due to COVID-19 Pandemic Livestream: <a href="https://www.youtube.com/channel/UCe3OPyLhTzPajvPVAtNL1KA/live">https://www.youtube.com/channel/UCe3OPyLhTzPajvPVAtNL1KA/live</a>

COUNCIL PRESENT: Mayor Doug MacPherson; Councillors: Kieth Carlson, Mike Cutler, Gaven

Moore, Brad Schlossberger, Lise Schulze and Craig Zimmer

**ABSENT:** None

STAFF PRESENT: Chief Administrative Officer: Marian Carlson, Finance Assistant: Karine Keys

NOTICE OF RECORDING: Mayor MacPherson provided notice that live streaming and recording of

the Council meeting would begin immediately at 8:03 p.m. and that recording would continue until such time as the meeting goes In Camera and/or is adjourned.

**CALL TO ORDER:** The meeting was called to order at 8:03 p.m. by Mayor Doug MacPherson

**AGENDA:** Moved by Councillor Cutler that the Agenda be accepted as presented.

**ACTION ITEMS:** 

CARRIED

1. <u>DISCUSSION: Potential Closure of Recreation Facilities Due to COVID-</u>19 Enhanced Public Measures

Moved by Councillor Carlson that the Town of Claresholm close the Arena and the Aquatic Centre effective immediately due to the current COVID-19 global cituation

situation.

DEFEATED

**ADJOURNMENT:** Moved by Councillor Zimmer that the meeting adjourn at 8:53 p.m.

**CARRIED** 

NOTICE OF RECORDING CEASED: Mayor MacPherson noted that recording ceased at 8:53 p.m.

Mayor – Doug MacPherson

Chief Administrative Officer – Marian Carlson

# **DELEGATIONS**

# **Claresholm Skatepark Association**

Claresholm Skatepark Association PO Box 231 Claresholm, AB TOL 0T0

From: Lisa Darch, Chairperson - Claresholm Skatepark Association

Re: Town Council Meeting Dec 7, 2020

To: Karine Keys

Hi Karine,

I'd like to request that Lisa Darch of the Claresholm Skatepark Association and Jim Barnum and Everett Tetz of Newline Skateparks be included in the December 7, 2020 Town Council meeting as a delegation, to answer any questions council may have in regards to our project and update everyone on our progress.

Contact information for **Jim Barnum** is 604.355.5753 or <a href="mailto:jim@newlineskateparks.com">jim@newlineskateparks.com</a>

Contact information for **Everett Tetz** is 778.840.9902 or <a href="mailto:projects@newlineskateparks.com">projects@newlineskateparks.com</a>

My contact information is listed below, I can be reached in the evenings by phone or email. If I've missed anything that you usually require for these requests, please let me know.

Many thanks,

Lisa Darch

Chairperson - Claresholm Skatepark Association cell (403) 625-6446 <a href="mailto:jlmcdarch@gmail.com">jlmcdarch@gmail.com</a>

CC: Tara VanDellen
Brad Schlossberger, Councillor
Marian Carlson, CLGM
Jim Barnum, Senior Designer and Design Project Manager
Everett Tetz, Manager of Business Development and Community
Outreach

# **ACTION ITEMS**

# REQUEST FOR DECISION



Meeting: December 7, 2020 Agenda Item: 1

# **BYLAW No. 1667 - LAND USE BYLAW No.1525 AMENDMENT**

The Town of Claresholm has been working with ORRSC on an amendment to Schedule 2 within the Land Use Bylaw; signs. The schedule required updating and changes in keeping with current permit practices, requests the Development Department is receiving, the updating of electronic signs, as well as condensing the schedule to reduce restrictions, add additional square footage as we have been seeing many variance applications, and have a more readable schedule.

The Municipal Planning Commission has been reviewing the proposed changes and at the meeting held November 20, 2020 carried a motion to refer the amendment to Council for review and first reading.

In accordance with the Municipal Government Act (MGA) Section 692, the land use bylaw amendment requires a public hearing and advertisement prior to giving second reading and notice given in accordance with MGA Section 606.

# **RECOMMENDED ACTION:**

Moved by Councillor	to give first reading to Bylaw No.	1667, a bylaw to
amend Land Use Bylaw No.1525.		•

#### ATTACHMENTS:

1.) Draft Bylaw #1667

#### APPLICABLE LEGISLATION:

- 1.) LUB No.1525
- 2.) Municipal Government Act, RSA 2000, Chapter M-26, Section 606 Requirements for Advertising.
- 3.) Municipal Government Act, RSA 2000, Chapter M-26, Section 230 Public Hearings.

PREPARED BY: Tara VanDellen, Planner/Development Officer

APPROVED BY: Marian Carlson, CLGM - CAO DATE: December 1, 2020



# TOWN OF CLARESHOLM PROVINCE OF ALBERTA BYLAW # 1667

A Bylaw of the Town of Claresholm to amend Bylaw #1525 being a bylaw setting out land uses for the Town of Claresholm.

**WHEREAS** pursuant to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended, Council of the Town of Claresholm (hereafter called Council) has adopted Land Use Bylaw #1525; and

**WHEREAS** it is deemed expedient and proper pursuant to the provisions of the *Municipal Government Act* that the Council of the Town of Claresholm shall issue a Bylaw to amend its existing Land Use Bylaw.

**AND WHEREAS THE PURPOSE** of amending Bylaw No. 1667 is to update the sign sections of the bylaw as identified in the attached "Schedule A" with the additions shown in red and the deletions shown in strikethrough.

**NOW THEREFORE** under the authority and subject to the provisions of the *Municipal Government Act*, Council duly assembled does hereby enact the following:

- 1. Amendments to Land Use Bylaw # 1525 as per "Schedule A" attached.
- 2. This Bylaw shall take effect on the date of final passage.
- 3. That Bylaw #1667 be consolidated with Bylaw #1525 and the amendment is authorized to include adjustments to formatting, page numbering and section numbering throughout the document.
- 4. Bylaw #1525 is hereby amended.

Read a first time in Council this	day of	2020 A.I	D.		
Read a second time in Council this	day of	2020 A.	D.		
Read a third time in Council and finally	passed in Cou	uncil this	day of	2020 A.D.	
Doug MacPherson, Mayor	_	Marian (	Carlson Chi	ef Administrative (	Officer

#### 1. Revise Schedule 1 Land Use Districts as follows:

Add 'Signs in accordance with Schedule 2' under permitted uses of all districts excepting Direct Control

Add 'Signs in accordance with Schedule 2' under discretionary uses of all districts excepting Direct Control

#### 2. Revise Schedule 2 Signs sections as follows:

Schedule 2 SIGNS

#### 1. PURPOSE AND SCOPE

The purpose of this Schedule is to create the legal framework for a comprehensive and balanced system of sign regulation that will provide an easy and pleasant communication between people and their environment, and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. With these purposes in mind, it is the intent of this Schedule to authorize the use of signs that:

- A. Promote the health, safety and general welfare of visitors and citizens of the town and preserve and enhance property values.
- B. Encourage a positive business atmosphere.
- C. To promote and accomplish the goals, policies and objectives of the Town of Claresholm's Municipal Development Plan.
- D. Promote aesthetically pleasing and compatible signage which implements the land use bylaw of the town.
- E. Provide for consistent and fair application and enforcement of the regulations pertaining to signs.
- F. The regulations of this Schedule shall apply on all public and private lands.
- G. It is not the intent of this Schedule to interfere or conflict with legally existing private restrictions, covenants, agreements or easements unless they are less restrictive than required by this Schedule.

#### 2. DEFINITIONS

For the purpose of the Land Use Bylaw and this Schedule, the following definitions apply:

A-Board means a portable sign which is set on the ground, built of two similar pieces of material and attached at the top by a hinge(s) so as to be self-supporting when the bottom edges are separated from each other and designed and built to be easily carried by one person.

Awning means a fixed, folding or collapsible covering supported by a frame extending outward from a building to provide shelter from sun or rain. (See section 9 of this schedule) See Canopy sign.

Banner means a temporary sign of light weight material intended to be secured to the flat surface of a building, at the top and the bottom on all corners, excluding official flags and emblems.

Billboard means a freestanding sign exceeding 300 sq. ft which is supported by one or more poles, uprights or braces, in the ground that is designed for changeable messages which advertise or direct attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than on the premises upon which the sign is located or to impart a public service message.

Canopy or Awning-Sign means a permanent fixture fitted over windows and doors and used for either shelter advertising or decoration. (See section 9 of this schedule) a projecting sign that is mounted, painted or otherwise attached to an awning, canopy or marquee.

Combination Sign means any sign which combines the characteristics of two or more types of signs including roof projecting and ground projecting signs.

Construction Company Sign means a temporary sign identifying the contractor, architect, designer or other affiliated organization responsible for the construction of a new project.

Council means Council of the Town of Claresholm.

C.S.A. means the Canadian Standards Association.

Display Surface means the entire area within a single continuous perimeter enclosing the extreme limits of a sign and in no case passing through or between any adjacent elements of same. However, such perimeter shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display.

Electronic Display means sign copy displayed utilizing electronic screens, televisions, computer video monitors, liquid crystal displays, light-emitting diode displays, or any other similar electronic technology.

Electrical Sign means any sign which has characters, letters, figures, designs, faces, backgrounds or outlines, illuminated by incandescent or fluorescent lamps or luminous tubes as part of the sign proper. These light sources being either external or internal.

Fascia Sign means a sign attached across the face of the building, located approximately parallel thereto, in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign.

Footing means a sign which is supported by one or more poles, uprights or braces, in or upon the ground, which are not part of a building other than poles or pylon signs.

Freestanding Sign means a sign supported independently of a building, wall, or other structure by way of columns, uprights, braces, masts or poles mounted in or upon grade.

Frontage means the front lot line and the side of a lot abutting a public roadway. Frontage does not include any side of a lot abutting a lane unless the lane is the only means of physical access.

Sandwich Boards and Ground Signs means a sign which is supported by one or more poles, uprights or braces, in or upon the ground, which are not part of a building other than poles or pylon signs. Sandwich board signs shall be no larger than 46" high and 36" wide and will be placed in such a way that it will not impede foot or wheel chair traffic. (See Portable signs Section 5 of this schedule)

Letter sign means a facia type sign whereby individual letters are mounted on the wall or fascia of a building.

Lot Line means the divisional line between any two or more lots or between any lot and a road, street or lane, and shall include any line bounding the lot other than a street line.

Marquee or Canopy means a solid projection extending horizontally from the face of a building between the first and second storey thereof, over a niche or entrance. See Canopy sign.

Monument Sign means a freestanding identification, advertising or business sign which is supported by a pole(s) or base having a combined width(s) greater than two feet (2') which is mounted permanently in the ground.

Multi-Tenant Sign means any sign advertising or otherwise related to an occupation or use that is not the primary use of the premises. any freestanding sign that contains sign content that advertises more than one tenant or business.

Mural Sign means a painting or other decorative work applied to and made integral with an outside wall surface of a building.

Nonconforming Sign means a sign or sign structure which lawfully existed at the time a zoning or land use ordinance became effective but which does not presently conform to all the requirements of the applicable zoning ordinance.

Off Premises Sign means a sign indicating the availability of goods or services at a location other than the location of the sign.

On Premises Sign means a sign located on the property that it serves.

Overhanging means that which projects over any part of any street, lane or other Town property.

Parapet means a low retaining wall at the edge of a roof, porch or terrace.

Portable Sign means a sign that is not permanently affixed to a building, structure or the ground and is supported on a structure allowing it to be readily moved from one location to another.

Primary Sign means a sign advertising the primary use of the premises.

Projection means the distance by which a sign extends over public property or beyond the property line.

Projecting Sign means a sign other than a wall sign suspended from or supported by a building or steel column and projecting out there from.

Pylon or Pole Sign means a free standing sign supported by or suspended from a free standing column or columns of structural steel, pipe or poles.

Roof Sign means a projecting sign erected upon or above a roof or parapet of a building.

Secondary Sign means any sign advertising or otherwise related to an occupation or use that is not the primary use of the premises.

Shingle sign means a small projecting sign, which is either suspended from an overhang, canopy, marquee or awning, or is suspended from a mounting attached directly to the building wall. Shingle signs are generally placed perpendicular to the face of a building.

Sign means every sign, that ground sign, wall sign, roof sign, illuminated sign, projecting sign, temporary sign, pylon or pole sign and clock, and shall includes any announcement, declaration, demonstration, display, illustration or insignia, used to advertise or promote the interests of any person when the same is placed out of doors in view of the general public.

Skeleton Parapet Sign means individual letters mounted on a parapet wall.

Snipe sign means any sign of any size, made of any material, including paper, cardboard, wood and metal, when such sign is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, fences or other objects, and the advertising matter appearing thereon is not applicable to the premises upon which said sign is located.

Street Line means the divisional line between a lot and a street.

Structure means supports, uprights, bracing and framework for the sign or outdoor display.

Structural Trim means the moulding battens, cappings, nailing strips, latticing, platforms and letters, figures, characters or representations in cut out or irregular form, which are attached to a sign structure.

Temporary Sign means any sign permitted, designed or intended to be displayed for a short period of time, including balloon signs, developer marketing signs, land use classification signs, construction signs, political signs, banner signs, feather flags or any other sign that is not permanently attached to a building, structure or the ground.

Wall Sign (Fascia sign) means a fascia sign attached to or erected against the wall of a building with the exposed display surface of the sign in a plane approximately parallel to the plane of the said wall.

Yard means an open space located on the same lot as the building which it serves unoccupied from the ground to the sky or from an intermediate floor to the sky and which extends along the entire length of the lot line or street line.

#### 3. PROHIBITED SIGNS

- (a) Signs which employ revolving, flashing or intermittent lights, or lights resembling emergency services, traffic signals, railway crossing signals, hazard warning devices or other similar lighting, but does not include changeable content, sign projection styles or animation.
- (b) In any residential district, signs that employ animation or changeable content as the projection style are prohibited.
- (c) Any signs located within the public right-of-way or on public property, except for signs approved by the Town of Claresholm, which may include: electoral signs, canopy signs, shingle signs, fascia signs and temporary signs or signs approved by the Province of Alberta or Federal Government.

- (d) Signs that are attached to or appearing on any vehicle or trailer which is parked on a public right of way or any other public lands or on private land that is located adjacent to a public right of way with the intent/purpose of displaying the sign to motorists and the public for any period of time excepting signs for special events organized by a non-profit association, group or organization for a display time period not to exceed twenty-four (24) hours.
- (e) Any sign which has not obtained a development permit or any sign which has not been deemed exempt from the requirement of obtaining a development permit as per this sign schedule (see Section 4 Signs Not Requiring a Permit).
- (f) No sign shall be located or placed in such a manner that, in the opinion of the Development Authority, will create a potential hazard or conflict with rights-of-way, easements or the routing of any public utility, and will not create a traffic hazard or obstruct the public's view of any other signage.
- (g) Billboard signs are not permitted in the Town of Claresholm.

#### 4. SIGNS NOT REQUIRING A PERMIT

No Development – Sign Permit is required for the following types of signs:

- (a) construction company signs, provided such signs are removed within 14 days of the completion of construction; and
- (b) signs of public on municipal buildings or structures; and
- (c) Canadian federal, provincial, and municipal political posters, provided all such signage is removed within 14 days after the completion of the relevant election or plebiscite; and
- (d) a single temporary real estate sign located on the subject property, provided all such signage is removed within 30 days after the sale or lease of the premises; and
- (e) residency identification signs, provided the sign is no greater than 0.2 m² (2 sq. ft.) in area; and
- (f) garage sale signs, provided the owner of the property upon which the sign is located has approved its placement and that the sign is removed immediately upon the conclusion of the sale. These signs shall not be displayed for more than 48 hours in a given week; and
- (g) on-premises directional and informational signage and incidental signs, 0.2 m<sup>2</sup> (2 sq. ft.) or less in display surface; and
- (h) any traffic or directional and informational signage erected by the Town of Claresholm, or the Alberta Government or the Federal Government; and
- (i) any community service bulletin board erected by the Town of Claresholm and any notices posted on the bulletin board; and

- (j) any window sign posted on the interior of the premises provided that no more than fifty percent (50%) of the window area is covered;
- (k) home occupation signs as provided in Schedule 10;
- (I) neon or placard signs which indicate 'Open' or 'Closed' within commercial, public or industrial districts;
- (m) shingle signs that meet the provisions of this schedule and are part of the Town's Shingle Signage Program;
- (n) the alteration of a sign which only includes routine maintenance, painting or change in face, content or lettering and does not include modification to the sign structure or projection style
- (o) one A-board sign per business is permitted subject to the following requirements:
  - (i) shall not exceed 0.6 m (2 ft) in width and 1 m (3.3 ft) in sign height;
  - (ii) shall not impede the safe movement of pedestrian traffic or block a fire exit or doorways;
  - (iii) shall be removed at the end of the business day;
  - (iv) shall not be illuminated;
  - (v) shall be located immediately in front of the business; except where the business has no street frontage and the primary entrance is in a rear lane, then the sign may be placed on the nearest street frontage, and
  - (vi) real estate A-board signs provided they are removed within 24 hours of the open house.



(p) banner signs which are displayed for a period on time not exceeding 90 days and are do not exceed 4.64 m<sup>2</sup> (50 sq. ft) of display surface.

provided all such signage is suitably maintained to the satisfaction of the Development Authority.

#### **3** 5. SIGN PERMIT REQUIREMENTS

A sign permit shall be required prior to the construction, reconstruction, location, relocation, alteration, modification or use of any sign except signs as described in below under Section 4 'Signs not requiring a Permit' in this schedule. Sign permits must be submitted to the administration department. The Development Officer will conduct a concurrent review of the permit request for compliance with this schedule. Should the sign permit request also require a

building permit for structural, electrical or footing components, the construction related details necessary for a building permit application must also be submitted.

- (1) Unless otherwise specified, a Development Permit application is required for all signs. Application is made using Appendix A: Development Sign Permit, unless specifically exempt under Section 4, Signs Not Requiring a Permit of this schedule.
- (2) Should the sign permit request also require a building permit for structural, electrical or footing components, the construction related details necessary for a building permit application must be submitted.
- (1) New Permanent sign applications including sign criteria shall be submitted for review by the Development Officer for proposed developments at the time of the development permit review. Sign permits will not be issued for proposed developments until the sign plan or criteria are approved. Sign requests made subsequent to development permit approval shall be reviewed and approved by the Development Officer for compliance with the approved plan.
- (2) Changes to Existing sign permit applications for new or replacement signage which alters an existing sign shall be reviewed by the Development Officer:
  - i. for compliance with this schedule; and
  - ii. in compliance with the original sign plan and criteria for the development as approved by the Development Authority. If no sign plan or sign criteria were approved for the development, the proposed signage must comply with this schedule.
- (3) Temporary Sign Permits for temporary signs shall be submitted to and reviewed by the Development Officer for compliance with this schedule.

#### **Application Review Criteria**

An application for a permanent sign shall be made by submitting the following information and other exhibits or details as the applicant may deem appropriate or as needed in order to properly evaluate the sign proposal:

- (1) A Development Sign Permit Application on a form supplied by the administration department, including sign display surface and structure details if the sign includes structural, electrical or civil improvements requiring a building permit;
- (2) A site plan, drawn to scale, showing location of proposed signage, existing and future buildings, property lines, streets, sidewalks, landscaped areas, parking areas, driveways, setbacks, utility poles and lines, building and sign separations or other features of the property;
- (3) Elevation plans showing height, clearance, dimensions, copy, graphics, colors, materials, exposed or internal lighting, assembly, attachment, installation and other detail; and
- (4) Structural design criteria and calculations and other construction specifications that the building official may deem necessary for the issuance of the development sign permit.

#### Additional Application Review Criteria

The Development Authority may also request that an application for a permanent sign be accompanied by visual or written proof addressing the following:

- (5) The proposed sign will comply with all provisions of this chapter and of the municipal development plan goals and policies;
- (6) That the location and placement of the sign will not endanger motorists;
- (7) That the sign will not cover or blanket any prominent view of a structure or facade of historical or architectural significance:
- (8) That the sign will not obstruct views of users of adjacent buildings to side yards, front yards or to open space;
- (9) That the sign will not negatively impact the visual quality of a public open space such as a public recreation facility, square, plaza, or courtyard;
- (10) That the sign is compatible with building heights of the existing neighbourhood and does not impose a foreign or inharmonious element to an existing skyline; and
- (11) That the sign's lighting will not cause hazardous or unsafe driving conditions for motorists.

#### Procedure

A complete sign permit application must be approved, approved with conditions, or denied with a written decision issued stating the reasons for the denial in accordance with the Act.

Signs shall only be allowed in land use districts where listed as a permitted or discretionary use and are limited to the following sign types:

- "P" indicates that the sign type is classified as a permitted use within the respective land use district.
- "D" indicates that the use is classified as a discretionary use within the respective land use district.

  A blank cell indicates that the sign type is prohibited within the respective land use district.

Sign Type	Land Use District					Use Specific Standards	
- Subtype	R1 thru R6	C1-C3	l1- l2	P	A/T		
Freestanding sign	D <sup>Note1</sup>	Р	Р	Р		Section 10	
-Monument sign	DNote1	Р	Р	Р		Section 10	
-Multi-tenant		D	D	D		Section 10.1	
Fascia & wall sign	D Note1	Р	Р	Р	D	Section 11	
-Mural sign	D Note1	D	D	D		Section 11.2	
-window sign	P Note1	Р	Р	Р	Р	Section 4 & 11.1	
Projecting sign	D Note1	D	D	D	D	Section 9	
-Shingle sign	P Note1	Р	Р	Р	Р	Section 9.3	

-Roof sign		D	D	D	Section 9.2
-Canopy	D Note1	Р	Р	Р	Section 9.1
Portable Sign		Р	Р	Р	Section 4 & 8.1
Directional, Informational, Identification Sign	P Note1	Р	Р	D	Section 4
Electronic Display	Any sign type utilizing electronic display is prohibited, except in the C1, C2, C3, I1, I2 and P districts where they will be processed as discretionary uses. The luminosity, transition time, proximity to residential uses, operational times, etc. are at the discretion of the Municipal Planning Commission and may be regulated as a condition of approval per Section 14.				
Off-premise Sign	Off-premise signs are in accordance with the sign type above and Section 7.				
Temporary Signs	For temporary signs which comply with Section 8, the Development Officer may issue a temporary development permit as a permitted use.				
Home Occupation Sign	Home occupation signs are regulated under Schedule 10 of this bylaw and section 4 of this schedule.				
Master Sign Plan	When an applicant exceeds the number of allowable signs per frontage in Section 6, they may apply for a master sign plan permit as a discretionary use under Section 13.				
Note 1	Restricted to signage associated with approved community facilities, nursing homes, places of workshop, senior citizen housing, manufactured home parks, market gardens, group home, assisted living, and the following residential uses: boarding houses, multi-unit dwellings, townhouse/row housing, apartment where classified as a permitted or discretionary use in the respective district.				

#### **5 6. GENERAL STANDARDS FOR SIGNS**

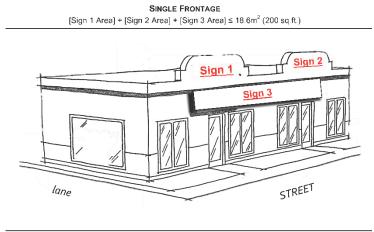
The following regulations shall be applied to all signs:

- (a) All signs shall, in the opinion of the Development Authority, be of quality construction and of a design suitable for public display.
- (b) All signs shall be maintained in good repair and a safe and tidy manner to the satisfaction of the Development Authority.
- (c) No sign shall be placed in a public road or laneway or sited in such a manner that, in the opinion of the Development Authority, causes confusion with or obstructs the vision of any information sign or a traffic control sign, signal, light or other traffic device.
- (d) The source of light for any illuminated sign shall be steady and suitably shielded to the satisfaction of the Development Authority.
- (e) No sign shall be located or placed in such a manner that, in the opinion of the Development Authority, will create a potential hazard or conflict with rights of way, easements or the routing of any public utility, and will not create a traffic hazard or obstruct the public's view of any other signage.

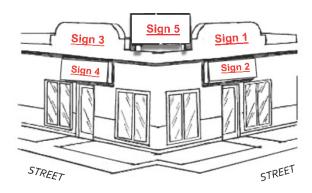
- (f) Signs may locate within the setback requirement of a Land Use District if it does not interfere with visibility at an intersection (See Schedule 4) and complies with other requirements of this sign schedule.
- (g) Unless otherwise specified in this schedule, the maximum number of primary signs Permitted on a non-residential lot with single frontage is three and with two (2) or more frontages, five. These primary signs may consist of the following types of signage or a combination thereof:
  - i. freestanding,
  - ii. existing projecting and overhanging,
  - iii. fascia and wall,
  - iv. canopy or awning,
  - v. roof.
  - <del>/i. shingle,</del>

except as provided under Section 10.1, Multi-Tenant Signs or Section 13, Master Sign Plans.

(h) As depicted below, the maximum display surface of all signs not including portable signs or signs exempted under Section 4 that may be located on a lot with a single frontage is 13.9 18.6 m² (150 200 sq. ft.) and with two (2) or more frontages is 18.6 27.9 m² (200 300 sq. ft.) except as provided under Section 10.1, Multi-Tenant Signs or Section 13, Master Sign Plans.



Two (or More) Frontages [Sign 1 Area] + [Sign 2 Area] + [Sign 3 Area] + [Sign 4 Area] + [Sign 5 Area]  $\leq$  27.87m<sup>2</sup> (300 sq ft.)



Bylaw #1667 – Land Use Bylaw Amendment

- (i) Unless otherwise specified, a Development Permit application is required for all signs. Application is made using Appendix A: Development Sign Permit, unless specifically exempt under Section 4, Signs Not Requiring a Permit of this schedule.
- (j) Except for shingle, fascia, canopy or awning signs as provided for in this Bylaw, no signs projecting or overhanging public property shall be permitted.
- (j) All signage wording shall be submitted and approved by the Development Authority and a design suitable for public display.
- (k) The designated officer is satisfied that any political posters, real estate signs, thirdparty signs or other signage located on a boulevard have not been objected to by any residents or landowners adjacent to said boulevard.

#### 7. OFF-PREMISES SIGNS

- (a) The display surface of any third party and off-premises signage visible from a roadway shall not exceed:
  - i. 2.3 m² (25.0 sq. ft.) where the speed limit is no greater than 50 km per hour; and
  - ii. 4.6 m² (50.0 sq. ft.) where the speed limit is greater than 50 km per hour but not greater than 70 km per hour.
- (b) Off-premises signs shall only identify businesses or services licensed to operate in the Town of Claresholm, charitable organizations or service clubs.
- (c) All third-party and off-premises signage shall comply with all other provisions of this Bylaw unless specifically exempted.
- (d) A separation distance of 46.5 152.4 m (500.0 ft.) shall be maintained between off-premises freestanding signs of any type.
- (e) Any sign appearing on street furniture, such as benches or garbage containers, that are located on public land must obtain an agreement with Council and then obtain a Development Sign Permit from the Development Authority.

#### 8. TEMPORARY SIGNS

- (a) A Development Sign Permit for a temporary sign will be valid for a period of no longer than 60 90 days unless specified differently in Section 4.
- (b) No temporary signs shall be suspended on or between support columns of any freestanding sign.
- (c) No posters or snipe signs shall be placed on any public utility structure, on town street signs or equipment such as a power pole.
- (d) No posters or snipe signs shall be placed on town street signs.

#### 8.1 PORTABLE SIGNS

- (a) Portable signs shall only be allowed in Public, Commercial and Industrial designated areas within the Town of Claresholm.
- (b) The display surface of a portable sign shall not exceed 3.7 4.6 m<sup>2</sup> (40 50.0 sq. ft.).
- (c) No more than one portable sign per frontage or where there are two (2) or more frontages, a total of two (2) portable signs may be located on a single lot or premises, except in a designated tourism signage area where more than two (2) portable signs may be located at the discretion of the designated officer or the Development Authority.
- (d) Any sign appearing on street furniture, such as benches or garbage containers, that are located on private property shall require a Development Sign permit.
- (e) No portable sign shall extend or project into any public place or beyond the boundaries of the lot or premises upon which it is sited without the approval of the designated officer or the Development Authority.
- (f) A Development Permit for a temporary portable sign will be valid for a period of no longer than 120 90 days.
- (g) Portable signs may be off-premises signs under Section 7, Off-Premises Signs.
- (h) The designated officer or Development Authority must approve the location of the portable sign on the premises having regard for location of power supply, parking pattern on the site or other site constraints.



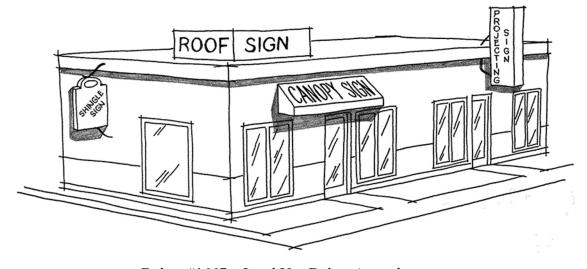
#### 9. PROJECTING SIGNS

- (a) Approval of any projecting sign or canopy signage overhanging public land under the sign schedule is conditional upon the owners and/or occupiers of the premises upon which said sign is located providing to the Town of Claresholm a written waiver of liability as authorized by Council or an indemnification agreement for any injury or damage resulting from said sign.
- (b) Projecting or canopy signs shall have a minimum vertical clearance of 2.4 m (8 ft.) measured between the lower sign edge and grade.

- (c) A projecting sign shall not extend horizontally more than 2.0 m (6.5 ft.) from a structure or building face or extend within 0.9 m (3 ft.) of the edge of a curb or a roadway.
- (d) The maximum allowable height for a projecting sign excluding roof signs, measured from the top of the sign to grade, shall not exceed the lesser of:
  - (i) the height of the eave line or roof line,
  - (ii) 6.0 m (20 ft.),
  - (iii) or to the satisfaction of the Municipal Planning Commission.
- (e) One projecting sign per business area may be allowed provided the maximum sign content area does not exceed that required under section 6 or as exempted in section 4.

#### 9.1 CANOPY / AWNING SIGNS

- (a) Canopy or awning signs shall only be allowed in Public, Commercial and Industrial designated areas within the Town of Claresholm.
  - (b) The display surface of a canopy <del>or awning</del> sign shall not exceed 9.3 m² (100.0 sq. ft.).
  - (c) No more than one canopy or awning sign per frontage or, where there are two (2) or more frontages, a total of two (2) such signs may be located on a single lot or premises, where more than one tenant occupies the premises (see Section 10.1 9, Multi-Tenant Signs).
- (d) Approval of any canopy or awning signage overhanging public land under the sign schedule is conditional upon the owners and/or occupiers of the premises upon which said sign is located providing to the Town of Claresholm a written waiver of liability as authorized by Council or an indemnification agreement for any injury or damage resulting from said sign.
- (e) No part of a canopy or awning sign, exclusive of any supports, shall be less than 2.4 m (98.0 ft.) above ground or sidewalk grade.
- (f) No part of a canopy or awning sign shall project more than 1.5 m (5.0 ft.) over any public place or extend within 0.9 m (3 ft.) of the edge of a curb or a roadway.



Bylaw #1667 – Land Use Bylaw Amendment

#### 9.2 ROOF SIGNS

The Development Authority may approve the erection of a roof sign subject to the following:

- (a) Roof signs shall only be allowed in Commercial and Industrial designated areas within the Town of Claresholm.
- (b) All roof signs are a Discretionary Use and shall require a Development Permit.
- (c) Where the roof sign display surfaces are back-to-back in a common structure, it shall be construed to be a single sign.
- (d) Every roof sign shall be erected in such a manner that the support structure, guy wires, braces, and all other secondary supports are not visible, so that the roof sign appears to be an architectural component of the building, unless otherwise directed by the Development Authority.
- (e) No roof sign shall extend beyond the ends or sides of the building.
- (f) The maximum height shall be 7.5 m above the roof or parapet.

#### 9.3 SHINGLE SIGNS

- (a) Policy. In general, all forms of projecting signs are discouraged and most are prohibited. However, there is a narrow class of projecting graphic signs, called the shingle sign, which is deemed to be a desirable balance of sign function and high aesthetic standards.
- (b) Criteria. The use of aluminum, metal, painted wood or material closely simulating painted wood with a black support frame is preferred for shingle signs. Letters may be used only to announce the name of the business conducted and the principal classification and brand of goods sold or service offered on the premises.
- (c) <u>Limitations</u>. A shingle sign is subject to the following limitations:
  - 1. It may not be attached to a structure other than a building;
  - 2. It may not project more than 36 inches from the surface of the building to which it is attached;
  - 3. It may not contain more than a total of five square feet of display surface, excluding the supporting structure;
  - 4. It may be only as high as the eave line of the building surface to which it is attached or 11 feet above grade, whichever is lower;
  - 5. It may not be lower than seven and one-half feet;
  - 6. It may not be internally illuminated;
  - 7. It may not be more than four inches or less than one-half inch thick, except as reasonably required in connection with some graphic element of the sign:
  - 8. The total wall sign display area otherwise permitted shall be reduced by the display area, excluding the supporting structure, of the shingle sign approved;
  - 9. Only one shingle sign may be approved for installation on a single frontage of a premises;
  - 10. No shingle sign may be approved for a premises for which a freestanding sign permit is outstanding.
- (d) Required Findings. An application for a shingle sign may not be approved except

upon the following written findings;

- 1. The sign is reasonably required for and assists in the identification of the premises by persons in motor vehicles or by pedestrians approaching along public streets or open spaces; and
- 2. The sign will have no garish or obtrusive qualities, and embodies strong elements of quality graphic design; and
- 3. Neither the supporting structure nor the proposed external lighting will materially detract from the design qualities of the sign or building; and
- 4. The sign will comply with the specific criteria of subsection (b) of this section and the limitations of subsection (c) of this section.

#### 11. DIRECTIONAL AND INFORMATIONAL SIGNS

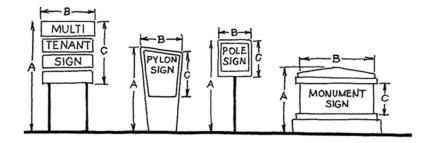
Directional and informational signage up to a maximum of 0.2 m<sup>2</sup> (2 sq. ft.) is not included in the calculations contained in Section 5, General Standards for Signs. (See Section 4, Signs Not Requiring a Permit)

#### 10. FREESTANDING or MONUMENT SIGNS

(a) Freestanding signs shall only be allowed in Public, Commercial and Industrial designated areas within the Town of Claresholm.

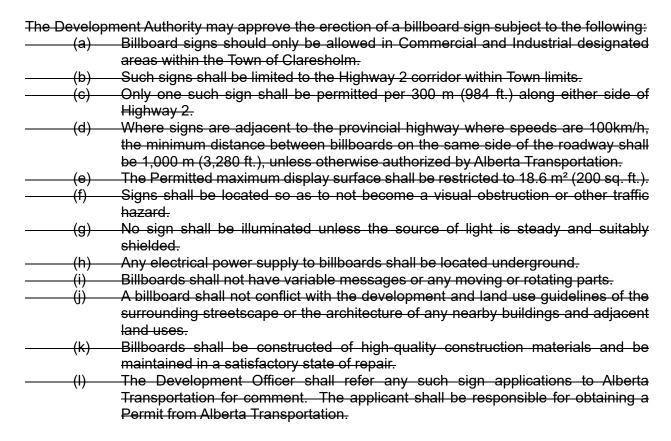
Monument signs shall only be allowed in Public, Commercial and Industrial designated areas within the Town of Claresholm. Monument signs may be allowed in residential districts as a discretionary use.

- (b) No more than one freestanding or monument sign per frontage or a total of two (2) freestanding signs shall be located on a single lot or premises with two (2) or more frontages.
- (c) No freestanding or monument sign shall exceed 9.1m (30 ft.) in height. No monument sign shall exceed 1.2m (4ft.) in height.
- (d) All freestanding or monument signs shall be completely located on the same lot as the use being advertised, with the exception of off-premises signage approved in accordance with the provisions of this sign schedule.
- (e) With the exception of directional and informational signage, any part of a freestanding sign that extends beyond the support column or between two (2) support columns shall be 2.7 m (9 ft.) above ground or sidewalk grade.
- (f) No temporary signs shall be suspended on or between support columns of any freestanding sign.



Bylaw #1667 – Land Use Bylaw Amendment

#### 10.1 BILLBOARD SIGNS

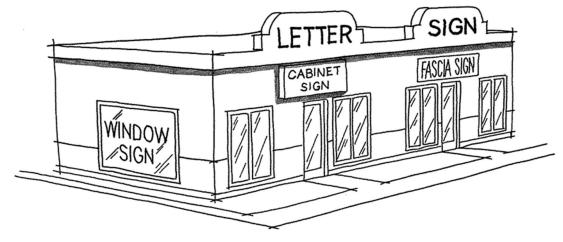


#### 10.1 MULTI-TENANT SIGNS

- (a) Multi-tenant signs shall only be allowed in Public, Commercial and Industrial designated areas within the Town of Claresholm.
- (b) A maximum of one secondary sign per business or service is permitted.
- (c) The display surface of all secondary signs shall not exceed 20 percent of the maximum allowable display surface for the principal signage.
- (d) For the purpose of calculations contained in Section 6, General Standards for Signs, secondary signs shall not be included.

#### 11. FASCIA AND WALL SIGNS

- (a) Fascia and wall signs should only be allowed in Public, Commercial and Industrial designated areas within the Town of Claresholm.
  - (b) No more than one fascia or wall sign per frontage or where there are two (2) or more frontages, a total of two (2) such signs may be permitted.
  - (c) The display surface of a fascia or wall sign for a commercial or industrial use shall not exceed 9.3 m² (100 sq. ft.).
  - (d) Whenever there is a band of several fascia or wall signs, they should be of a consistent size and located near the same level as other similar signage on the premises and adjacent buildings.

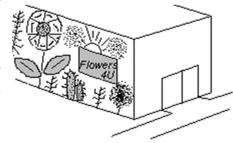


#### 11.1 WINDOW SIGNS

Window signs are not included in the calculations contained in Section 6, General Standards for Signs (see Section 4, Signs Not Requiring a Permit).

#### 11.2 MURAL SIGNS

- (a) Mural signs shall only be allowed in Public, Commercial and Industrial designated areas within the Town of Claresholm.
- (b) No more than one mural sign shall be allowed per commercial building unless specifically authorized by the Development Authority.
- (c) The location, theme, construction materials and size associated with the mural shall be to the satisfaction of the Development Authority.
- (d) The mural must be a painting or other decorative work (artistic rendering/scene) and no mural shall be created to solely display a commercial message or depiction.
- (e) Display of text, including a business name or commercial message, within a mural shall not exceed 10 percent coverage of the wall surface area, up to a maximum coverage size of 100 sq. ft.



(f) All mural signs are a Discretionary Use and shall require a Development Permit.

#### 12. OTHER SIGNS

When a sign cannot be clearly categorized as one of the sign types as defined in this bylaw, the Development Authority shall determine the sign type and any and all applicable controls.

#### 13. MASTER SIGN PLANS

(a) A Master Sign Plan is intended to promote consistency among signs within a development and enhance the compatibility of signs with the architectural and site design features.

- (b) A Master Sign Plan shall be required for all multi-tenant developments in the commercial or industrial districts. A Master Sign Plan shall be filed and approved prior to the erection, location or placement of any sign for such project or development.
- (c) A Master Sign Plan shall be required for any proposal requesting additional signage in all commercial, public and industrial districts. Upon reviewing applications in the Retail Commercial C1 district.
- (d) A Master Sign Plan is encouraged to be submitted by an owner for any other project or development not listed in subsection 2, above, but which will include multiple signs.
- (e) An approved Master Sign Plan shall be retained in the town office as part of the file for the development.
- (f) A Master Sign Plan, which accurately depicts and provides valid reasons to support the suitability of the proposed signs, shall include:
  - (i) the proposed locations for freestanding signs on a lot as well as the proposed location(s) for building signs on a building façade;
  - (ii) an indication of the types of all signs proposed;
  - (iii) a listing of the materials and finishes proposed for all sign structures and sign surfaces:
  - (iv) the maximum number and maximum size of proposed signs using calculations consistent with the requirements of this schedule;
  - (v) the proposed style and color pallet for all signs including letter colors, background colors, and text font;
  - (vi) the type of illumination, if any, proposed for all signs;
  - (vii) a description and drawing of any structure other than a building upon which a sign is proposed to be placed;
  - (viii) a typical landscape plan for any proposed freestanding signs; and
  - (iv) any such other information as may be required by the Development Officer or Municipal Planning Commission to evaluate an application including but not limited to: conceptual design schemes, landscaping plans or Real Property Report.
- (g) Prior to the issuance of a development permit for the placement of a sign, all proposed sign plans shall be reviewed for conformity with the Master Sign Plan and all applicable provisions of this schedule. If a proposed sign conforms to the regulations of the schedule and the guidelines of the approved Master Sign Plan, such sign shall be authorized. No sign which does not conform to the guidelines of a Master Sign Plan and this schedule shall be erected, located or placed on a property.
- (h) A Master Sign Plan may be amended by submitting a Revised Master Sign Plan for consideration. Upon approval of a Revised Master Sign Plan, the Revised Master Sign Plan shall have the same force and effect as an approved Master Sign Plan.

(i) For multi-tenant developments which were approved or developed prior to the effective date of this bylaw, the development authority may review new applications for individual freestanding signs or building signs for consistency with other signs within the project.

#### 14. ELECTRONIC DISPLAY SPECIFICATIONS

All electronic display signs adjacent to Highway 2 and 520 require a permit from Alberta Transportation and the Town of Claresholm. The following are provided as Town preferred specifications which may be overridden by Alberta Transportation requirements.

- (a) Electronic Display content must remain in place unchanged for a minimum of 6.0 seconds before switching to new content. If the sign is visible in a residential district or adjacent to Highway 2 and 520 a minimum of 60.0 seconds will be required.
- (b) The maximum transition time between each different Electronic Display on a sign is 0.1 seconds.
- (c) The transition between each Electronic Display must not involve any visible effects, including but not limited to action, motion, fading in or out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects.
- (d) Electronic Display content must not include full motion video, movies, Moving Picture Experts Group (MPEG) or any other non-static digital format and the content must not be displayed using any visible effects, including but not limited to: action, motion, fading in or out, dissolving, blinking, intermittent or flashing light, or the illusion of such effects.
- (e) A sign featuring Electronic Display must be equipped with a functioning ambient light sensor and must be set to operate so as not to exceed the following limits at all times when the Electronic Display feature is functioning, as measured from the sign face at its maximum brightness:
  - (i) A maximum of 5,000 nits from sunrise to sunset, as those times are established by the sunrise/sunset calculator of the National Research Council of Canada;
  - (ii) A maximum of 300 nits from sunset to sunrise as those times are established determined by the sunrise/sunset calculator of the National Research Council of Canada;
  - (iii) the light levels around the Electronic Display must not at any time exceed the ambient light level by more than 5.0 LUX.
- (f) If a Development Authority determines that the brightness or light level of an Electronic Display exceeds the limits set out in subsection (e) of this Section, the Development Authority may direct the Development Permit holder to change the settings in order to bring the Electronic Display into compliance with this Bylaw.
- (g) If any component of an Electronic Display fails or malfunctions such that the Electronic Display is no longer operating in compliance with this Bylaw or with the conditions of a Development Permit, the Development Permit holder must ensure that the Electronic Display is turned off until all components are fixed and operating in compliance.
- (h) The Development Permit holder for a sign featuring an Electronic Display must ensure that a Development Authority is at all times in possession of the name and telephone

contact information of a person(s) having access to the technology controls for the sign, who can be contacted 24 hours a day if the sign malfunctions.

#### 15. FEES

The fee payable for a Development – Sign Application Permit shall be per the Town of Claresholm Fees Policy.

#### 16. ENFORCEMENT

The Development Officer or his designate or any other person appointed by Council shall be authorized to enforce all provisions of this Schedule. See the Enforcement section of this Bylaw.

#### Sign Permit Validity

Unless a development – sign permit is suspended or cancelled, the application must be commenced or carried out with reasonable diligence in the opinion of the Development Authority within 12 months from the date of issuance of the permit, otherwise the permit is no longer valid.

#### Appeal

Denied applications may be appealed to the Subdivision and Development Appeal Board in accordance with section 56 of this bylaw.



# REQUEST FOR DECISION

Meeting: December 7, 2020 Agenda Item: 2

## DRAFT BYLAW No. 1710 - TRAFFIC & HIGHWAYS BYLAW

#### **BACKGROUND:**

Administration received direction to review the unsightly bylaw which included snow removal as part of the bylaw as well. The snow removal portion of the unsightly bylaw was different in nature, notice period, and fee structure than the majority of the rest of the bylaw. With the exception of grass and weeds on boulevards the unsightly bylaw also dealt almost exclusively with issues on private property. As such Administration determined that the snow removal portion of the unsightly bylaw was best to be removed from the unsightly bylaw and moved to a different bylaw.

The current traffic bylaw on the other hand deals with public roadways, which includes public sidewalks and boulevards. It already regulates the removal or clearing away of debris or obstructions from public sidewalks adjacent to an owner's or occupant's property. The clearing of snow and ice from sidewalks is the same issue in principal with the same timeframe already stated in the traffic bylaw. Moving snow and ice removal to this bylaw was therefore a good fit.

#### **DISCUSSION:**

Bylaw #1550, the current Traffic Bylaw, was passed in October, 2011, and with the exception of an amendment to adjust the School Zone Times that was passed in 2015, the bylaw has not been updated since that date. Administration therefore took this opportunity to review the bylaw for other updates that may be needed.

During this review it was noted also that Bylaw #1370, Curb Drainage, passed in 1996, was also addressing an issue already addressed in the current Traffic Bylaw, Bylaw #1550, so this update also picked up any small changes needed to fully address the current Bylaw #1370 to simplify and clean up any duplication here. Bylaw #1370 in essence just regulated and required the removal of debris and obstructions from curbs and gutters, which are also a part of the public roadway along with sidewalks. The main difference here was a clause added by an amendment bylaw the Bylaw #1370, Bylaw 1472 passed in 2006, allowing some specified properties to have curb ramps.

#### Updates include:

- To move snow and ice removal from Bylaw #1534 Unsightly and Snow Removal Bylaw into this bylaw, including the fee/fine structure related to it, the following additions were made:
  - o "Administration Fee" definition was added from Bylaw #1534 in section 2
  - Section 57 was amended to address snow and ice in addition to other debris or obstruction
  - Section 58 was added
  - Section 59 was moved up from the "Miscellaneous" section of Bylaw #1534 and snow and ice was added to the clause.
  - Section 81 was added regarding enforcement and remedial actions with regards to snow and ice and other obstruction or debris on sidewalks or curbs.
- To pick up any items from Bylaw 1330 and amendments, Section 57 was also amended to explicitly apply to curbs and gutters as well.
  - Section 57 (c) was also added, along with Appendix "B" to carry forward the exemption for curb ramps for specified properties with existing curb ramps in the gutter.
- Reference to "Highway Traffic Act" was updated to the current "Traffic Safety Act" in section 8

- Section 29 was updated to include more than just Highway 2 as approved parking area for of vehicles in excess of 4,500 kg to include Hwy 520, 2<sup>nd</sup> St E between 43<sup>rd</sup> and 50<sup>th</sup>, 3<sup>rd</sup> St E between 39 and 43<sup>rd</sup>, Alberta Rd, Saskatchewan Crescent, and Columbia Drive.
- Section 60 was simplified by removing restrictions on "undesignated" sidewalks, footpath, walkways, or boulevard to be used by bicycles. With all the new pathways in Town, and sidewalks used to connect different "pathways" it would become an administrative nightmare to designate and mark which sidewalks, pathways, footpaths and boulevards can and cannot be used by a bicycle. It still requires anyone on a bicycle to defer to pedestrians.
- Numerous alignment, numbering, and other layout changes were also made to clean up the bylaw.

#### **RECOMMENDED ACTION:**

To avoid any lapse of regulation around the clearing of public sidewalks, this bylaw is being presented to council concurrently with the new draft unsightly bylaw, Bylaw 1711, which is presented next. Administration recommends Bylaw 1710, Traffic and Highways Bylaw, be given first Reading

#### **RECOMMENDED MOTION:**

Moved by Councillor	_ to give first reading to Bylaw No.	1710, a Traffic and Highways Bylaw.

#### ATTACHMENTS:

- 1.) Draft Bylaw No. 1710
- 2.) Bylaw No. 1550 with amendments (current Traffic Bylaw)
- 3.) Bylaw No. 1370 with amendments (current Curb Drainage Bylaw)

#### APPLICABLE LEGISLATION:

1.) Section 7 (a) & (d) of the Municipal Government Act, R.S.A. 2000, c.M-26

PREPARED BY: Blair Bullock, CPA, CA - Director of Corporate Services

APPROVED BY: Marian Carlson, CLGM - CAO DATE: December 2, 2020



# TOWN OF CLARESHOLM PROVINCE OF ALBERTA BYLAW #1710

A Bylaw of the Town of Claresholm to control and regulate the use of roadways and highways within the Town and the traffic and pedestrians moving thereon and the parking of vehicles on streets and alleyways.

**WHEREAS** the *Traffic Safety Act*, authorizes that the Council of the Town of Claresholm shall issue a bylaw for the regulation and control of vehicles, animals and pedestrian traffic;

**AND WHEREAS** the Council deems it necessary to require the timely removal of ice, snow, debris, and other foreign objects from sidewalks, curbs and gutters within the Town of Claresholm;

**AND WHEREAS** the Council deems it necessary and appropriate to repeal and replace the existing Traffic Bylaw No. 1550;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF CLARESHOLM, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

# PART I TITLE OF BYLAW

1 This Bylaw may be cited as the "TRAFFIC & HIGHWAYS BYLAW."

## PART II DEFINITIONS

- In this Bylaw, unless the context otherwise requires, the following definitions shall apply:
  - a. "Administration Fee" means a fee added to actual expenses incurred by the Town for measures taken pursuant to this Bylaw to remedy any contravention contained within this bylaw. Administration fees can be transferred to tax roll. Administration fees shall be enacted as follows:
    - i. First Offence: fee is equal to the greater of \$40.00 or 15% of the actual expenses incurred by the Town;
    - ii. Second Offence (including subsequent and ongoing enforcement): fee is equal to the greater of \$120.00 or 20% of actual expenses incurred by the Town.
  - b. "Act" means the *Traffic Safety Act*, RSA 2000, Chapter T-6 and amendments thereto.
  - c. "Alley" means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land.
  - d. **"Bicycle"** means a cycle propelled by human power on which a person can ride, regardless of the number of wheels it has, and includes a vehicle that:
    - i. may be propelled by muscular or mechanical power,
    - ii. is fitted with pedals that are continually operable to propel it,
    - iii. weighs not more than 35 kilograms,
    - iv. has a motor that produces not more than 750 watts and that is driven by electricity or has an engine displacement of not more than 50 cubic centimetres,
    - v. has no hand-operated or foot-operated clutch or gearbox driven by the motor that transfers power to the driven wheel, and
    - vi. does not have sufficient power to enable it to attain a speed greater than 35 kilometres per hour on level ground within a distance of 2 kilometres from a standing start.
  - e. "Boulevard" means, in an urban area, that part of a highway that
    - i. is not roadway; and
    - ii. is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians.
  - f. "CAO" means the Chief Administrative Officer of the Town of Claresholm.

- g. "Centre Line" means, in an urban area, that part of a highway that:
  - i. the centre of a roadway measured from the curbs or, in the absence of curbs, from the edges of the roadway;
  - ii. in the case of a highway designated by traffic control devices,
    - 1. as an offset centre highway; or
    - 2. as a highway having a certain number of traffic lanes for traffic moving in a certain direction at all times or at specified times, the line dividing the lanes for traffic moving in opposite directions; or
  - iii. in the case of a divided highway, that portion of the highway separating the roadways for traffic moving in opposite directions.
- h. **"Commercial Vehicle"** means a vehicle operated on a highway by or on behalf of a person for the purpose of providing transportation, but does not include a private passenger vehicle. May include a truck, trailer or semi-trailer, except:
  - i. a truck, trailer or semi-trailer that is a public service vehicle, or
  - ii. a truck, trailer, semi-trailer, or any class of vehicle that by the regulations or by an order of the Alberta Motor Transport Board is exempted from being classified as a commercial vehicle, and includes:
    - 1. a motor vehicle from which sales are made of goods, wares, merchandise or commodity, and
    - 2. a motor vehicle by means of which delivery is made of goods, wares, merchandise or commodity to a purchaser or consignee thereof.

#### i. "Crosswalk" means

- i. that part of a roadway at an intersection included within the connection of the lateral line of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway; or
- ii. any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or by other markings on the road surface.
- j. "Curb" means a stone or concrete edging to the street which provides a barrier for safety of pedestrian and vehicular traffic. If there is no actual Curb in existence then it shall mean the division of a Highway between that part thereof intended for the use of Vehicles, and that part thereof intended for the use of Pedestrians.
- k. **"Dealer"** means any person who buys or sells motor vehicles as a business, either as principal or agent.
- 1. "Designated Officer" means a person authorized by Council to act pursuant
- m. "Driver" or "Operator" means a person who drives or is in actual physical control of a vehicle.

# n. "Emergency vehicle" means

- i. a vehicle operated by a police force;
- ii. a fire fighting or other type of vehicle operated by the fire protection service of a municipality;
- iii. an ambulance operated by a person or organization providing ambulance services;
- iv. a vehicle operated by a public utility;
- v. a vehicle designated as an emergency response unit;
- vi. a vehicle operated by a Peace Officer, Community Peace Officer or Municipal Enforcement Officer.
- o. "Gutter" means the area between the roadway and sidewalk or boulevard designed for water runoff, generally adjacent to or formed by the Curb.
- p. **"Highway"** means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes:
  - i. a sidewalk (including the boulevard portion of the pavement), and
  - ii. if a ditch lies adjacent to and parallel with the roadway, the ditch, and
  - iii. if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be;

but does not include a place declared by the Lieutenant Governor in Council not to be a highway.

- q. "Intersection" means the area embraced within the prolongation or connection of:
  - i. the lateral curb lines, or, if none,
  - ii. the exterior edges of the roadways, or
  - iii. two (2) or more highways which join one another at an angle whether or not one highway crosses the other.
- r. "Maximum Allowable Weight" shall mean the aggregate weight that may be borne by a vehicle (weight of the vehicle, weight of cargo and passengers and weight put on the tongue (hitch) of the vehicle by a trailer); for the purposes of this bylaw the maximum allowable weight may also be referred to as maximum gross vehicle weight.
- s. "Meridian" means a physical barrier or area that separates traffic travelling in one direction from traffic travelling in the opposite direction on a highway.
- t. "Moped" means a vehicle, regardless of the number of wheels it has, that
  - i. weighs more than 35 kilograms but less than 55 kilograms;
  - ii. has a motor that is driven by electricity or has an engine displacement of not more than 50 cubic centimetres;
  - iii. has no hand-operated or foot-operated clutch or gearbox driven by the motor transferring power to the driven wheel; and
  - iv. does not have sufficient power to attain a speed greater than 50 kilometres per hour on level ground within a distance of two (2) kilometres from a standing start.
- u. **"Motor Cycle"** means a motor vehicle mounted on two (2) or three (3) wheels and includes those motor vehicles known to the trade as motor cycles and scooters but does not include an off-highway vehicle as defined in the *Off-Highway Vehicle Act*.
- v. "Motor Home" means a Recreational Vehicle.
- w. "Motor Vehicle" means
  - i. a vehicle propelled by any power other than muscular power; or
  - ii. a moped;

but does not include a bicycle, an aircraft, a tractor, whether equipped with rubber tires or not, an implement of husbandry or a motor vehicle that runs only on rails.

- x. "Multi-purpose Passenger Vehicle" means a vehicle that has a seating capacity of ten (10) or less and is constructed on a truck chassis or with special features for off-highway operation, but does not include an air cushion vehicle, an all terrain vehicle as defined in the *Off-Highway Vehicle Act*, a passenger car or a truck.
- y. "Municipality" means the Town of Claresholm.
- z. **"Owner"** includes any person renting a motor vehicle or having the exclusive use of it under a lease or otherwise for a period of more than thirty (30) days.
- aa. "Park", when prohibited, means allowing a vehicle (whether occupied or not) to remain standing in one place, except
  - i. when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers, or
  - ii. when standing in obedience to a peace officer or traffic control device.
- bb. "Parking Lane" means that portion of a primary highway between:
  - i. the edge of the roadway to the right of the direction of traffic, and
  - ii. the nearest solid white line (not being the centre line) marked on the roadway.
- cc. **"Passenger Car"** means a motor vehicle that has a seating capacity of ten (10) or less but does not include an off-highway vehicle as defined in the *Off-highway Vehicle Act*, a truck, a multi-purpose passenger vehicle, a chassis cab, a moped or a motor cycle.
- dd. "Peace Officer" means:
  - i. a member of the Royal Canadian Mounted Police (RCMP);
  - ii. a member of a municipal police service;
  - iii. an Alberta Peace Officer
  - iv. a park warden appointed pursuant to the *National Parks Act* (Canada), while he is in the exercise or discharge of his powers or duties in a national park established under that Act.

- ee. **"Pedestrian"** means a person afoot or a person in a wheel chair or motorized power scooter.
- ff. **"Primary Highway"** means a highway designated as a primary highway pursuant to the *Public Highways Development Act*.

# gg. "Public Service Vehicle"

- i. means a motor vehicle, trailer or semi-trailer operated on a highway by or on behalf of a person for compensation, whether that operation is regular or only occasional or for a single trip, and
- ii. includes a motor vehicle kept by a person for the purpose, subject to regulations, of being rented without a driver, but
- iii. does not include a motor vehicle used solely as an ambulance or hearse or for the transportation of the Royal Mail.
- hh. "Recreational Vehicle" means a vehicle or trailer or enclosure attached to a motor vehicle that is designed, constructed and equipped, either temporarily or permanently, as a dwelling place, living abode or sleeping place.
- ii. **"Red Light Traffic Enforcement Device"** means a device installed or erected at an intersection with a traffic control signal that is capable of photographing a vehicle and recording data related to the vehicle and the traffic control signal.
- jj. "Roadway" means that part of a highway intended for use by vehicular traffic.
- kk. "Sidewalk" means that part of a highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of a highway between the curb line (or the edge of the roadway, where there is no curb line) and the adjacent property line, whether or not paved or improved.

## 11. "Stop" means

- i. when required, a complete cessation from vehicular movement, and
- ii. when prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control device.
- mm. "Street Furniture" includes items such as poles, traffic control devices, waste receptacles, benches, trees, plants, grass, utilities, planters, bicycle racks or any other similar property placed on a highway.
- nn. "Traffic Control Device" means any sign, signal, marking or device placed, marked or erected under the authority of this Act for the purpose of regulating, warning or guiding traffic.
- oo. **"Traffic Control Signal"** means a traffic control device, whether manually, electrically or mechanically operated, by which traffic is directed to stop and to proceed.

# pp. "Traffic Lane" means

- i. outside an urban area, a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles but does not mean a parking lane, and
- ii. inside an urban area, a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles, whether or not the division is indicated by lines on the road surface.
- qq. "Trailer" means a vehicle so designed that it may be attached to or drawn by a motor vehicle and intended to transport property or persons and includes any trailer that is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily, but does not include machinery or equipment used in the construction or maintenance of highways.
- rr. **"Truck"** means a vehicle designed primarily for the transportation of property or equipment but does not include a chassis-cab, crawler mounted vehicle, trailer, machinery or equipment used in the construction or maintenance of highways or an off-highway vehicle as defined in the *Off-highway Vehicle Act*.
- ss. **"Truck Tractor"** means a truck that is designed primarily for drawing another vehicle and that is not designed to carry any load other than part of the weight of a vehicle drawn, and includes a vehicle that is designed to accommodate a 5<sup>th</sup> wheel coupling, but does not include a crane equipment breakdown vehicle.
- tt. "Urban Area" means a city, town or village.
- uu. "Vehicle" means a device in, on or by which a person or thing may be transported or drawn on a highway.

# PART III TRAFFIC CONTROL DEVICE

- The CAO or designate is hereby authorized to place, erect or mark traffic control devices at such locations as he/she may determine and shall place traffic control devices at such locations as Council may by resolution direct and may from time to time alter the location of such traffic control devices for the following purposes:
  - a. to divide the surface of a roadway into traffic lanes marked by solid or broken lines;
  - b. to prohibit U turns at any intersection;
  - c. to designate any intersection or other place on the highway as an intersection or place at which no left hand turn or right hand turn shall be made;
  - d. to designate as a one way street any roadway or portion thereof;
  - e. to designate school zones and playground zones;
  - f. to designate truck routes;
  - g. to set apart as through streets any highway or part of a highway and to control entry to any highway by means of a stop sign or yield sign.
  - h. to designate a crosswalk upon any highway;
  - i. to designate parking stands for use of any particular class of vehicle;
  - j. to close or restrict the use of any highway, subway, bridge or overpass or any part of any highway, subway, bridge or overpass either as to the full width thereof or as to part of the width thereof with respect to any class or classes of vehicles or with respect to any class or classes of pedestrians;
  - k. to prohibit, restrict or regulate the parking of vehicles or any particular class of vehicles on any highway or other public street or any portion thereof during such hours as he/she may determine;
  - l. to designate and mark guidelines for angle and parallel parking on any highway or other public place or any portion thereof.
- The CAO shall keep record of all such locations which shall be open to public inspection during normal business hours.
- No person shall post or exhibit or cause to be posted or exhibited any notice, placard, bill or printed material or other type of notice whatsoever upon any traffic control device.
- Notwithstanding any provision of this Bylaw, all traffic control devices placed, erected or marked in the Town of Claresholm prior to the passing of this Bylaw shall be deemed to be duly authorized traffic control devices until altered pursuant by the provision of this Bylaw.

# PART IV INFLAMMABLE AND EXPLOSIVE MATERIALS

No person shall park any vehicle used primarily for the conveying of fuel, oil, gasoline or other explosive or toxic materials upon any highway or upon any property having a building or buildings thereon unless the vehicle is parked upon the property at least fifteen (15) metres from the nearest building likely to contain persons or valuable goods. Provided that this prohibition shall not apply to the time during which any such vehicle is necessarily motionless while delivering gasoline or oil to garages or retail dealers in gas and oil.

# PART V PARKING - General

- 8 Unless required or permitted by this bylaw or the *Traffic Safety Act* or by a traffic control device or in compliance with the directions of a Peace Officer or to avoid conflict with other traffic, a driver shall not stop or park his vehicle:
  - a. on a sidewalk or boulevard,
  - b. on a crosswalk or any part of a crosswalk,
  - c. within an intersection,
  - d. at an intersection nearer than five (5) metres to the projection of the corner property line immediately ahead or immediately to the rear except when a vehicle is parked in a space where another traffic control device indicates parking is permitted,

- e. within five (5) metres upon the approach to any stop sign or yield sign,
- f. within five (5) metres of any fire hydrant, or when the hydrant is not located at the curb, within five (5) metres of the point on the curb nearest the hydrant,
- g. within one and a half (1½) metres of an access to a garage, private road or driveway or vehicle crossing over a sidewalk,
- h. within five (5) metres of the near side of a marked crossway,
- i. along or opposite any street excavation or construction when stopping or parking would obstruct traffic,
- j. in the direction against the flow of traffic.
- Except as otherwise provided in this bylaw where parking spaces have been marked on any roadway unless the act, another provision of this bylaw or a traffic control device otherwise permits, the driver of any vehicle shall stop or park such vehicle only between the lines or markings indicating the limits of a single parking space.
- When a vehicle exceeds the length of a single parking space, the operator may park such a vehicle so that it occupies two (2) but not more than two (2) parking spaces.
- Except in the case of an emergency not allowing the vehicle to be moved, a person shall not stand or park any vehicle on the street for the purpose of:
  - a. washing or,
  - b. changing oil, or fluids or
  - c. repair.
- 12 A vehicle shall not be parked and left unattended on a highway if;
  - a. the vehicle is on a jack or similar device, and
  - b. one or more wheels have been removed from the vehicle or part of the vehicle raised.
- 13 A vehicle shall not be abandoned on a highway.
  - a. without restricting the generality of this section, a vehicle that is left standing in one location on a highway for more than 48 consecutive hours is deemed to have been abandoned at that location.
- No person shall leave parked on any street any self propelled type of vehicle incapable of being moved under its own power.
  - a. This section does not apply to a vehicle which has been left parked because of a breakdown or other emergency if the person in charge or control of the vehicle can establish that he has taken action to arrange for the removal of the vehicle forthwith.
- No person shall allow any vehicle to remain parked for a period of time in excess of the maximum permitted time indicated on the parking signs pertaining to that space. A further offense shall be deemed to have occurred for each subsequent period of time in excess of that permitted by the parking signs that the vehicle remains so parked.
- The CAO may designate and cause to be properly marked, portions of a highway for 10, 15, 20 or 30 minutes, 1, 2, 3 or 4 hours parking or loading/unloading of vehicles. No person shall park or load/unload a vehicle for any period of time exceeding the time limit so designated.
- No person shall park a vehicle in a lane. Lanes, however, may be used for such a period of time as may be reasonably necessary for the loading or unloading of passengers or goods from a vehicle provided that the vehicle concerned in such loading or unloading of passengers or goods does not obstruct the lane as to prevent other vehicles or persons from passing along such lanes while the loading and unloading of passengers or goods is taking place.
- When actually taking on or discharging passengers, no person shall park or stand a vehicle for a period of time at a passenger loading zone, at a NO PARKING area, or in front of the main entrance or doorway of a public building.

- A vehicle shall not be parked on a highway in any location as being for the use of a person with disabilities unless the vehicle:
  - a. displays a valid disabled placard or license plate issued or recognized by the Registrar; and
  - b. is being used for the transportation of a person with a disability.
- No person shall park his vehicle with the sides thereof parallel to the curb or edge of the roadway when angle parking is permitted or required.
- Where a sign indicates that angle parking is permitted or required and parking guidelines are visible on the roadway, a driver shall park his vehicle:
  - a. with the sides thereof between and parallel to any two such lines, and
  - b. with one front wheel thereof not more than five hundred (500) millimetres from the curb or edge of the roadway.
- Where a sign indicates that angle parking is permitted or required but no parking guidelines are visible on the roadway, a driver shall park his vehicle:
  - a. with the sides thereof at an angle between thirty (30) and sixty (60) degrees to the curb or edge of the roadway, and
  - b. with one front wheel thereof not more than five hundred (500) millimetres from the curb or edge of the roadway.
- No person shall angle park any vehicle which exceeds six (6) metres in overall length upon any highway of the Town except at such locations as have been designated by the CAO and have been marked. The CAO may designate the period(s) of time such locations may be used.
- When parking on a roadway, a driver shall park his vehicle with the side thereof parallel to the curb or edge of the roadway, and:
  - a. with the right hand wheel thereof not more than five hundred (500) millimetres from the right hand curb or edge of the roadway, or
  - b. in the case of a one way highway, where parking on either side is permitted, with the wheels closest to the curb or edge of the roadway not to be more than five hundred (500) millimetres from that curb or edge and with the vehicle facing the direction of travel authorized for that highway.
- No person shall park any vehicle on any land owned by the Town of Claresholm which the Town uses or permits to be used as a playground, recreation area, public park or public lands except on such part thereof as may be designated by the CAO with a sign or signs for vehicle parking.
- No person shall park any vehicle in that part of a driveway which lies between the curb or the travelled portion of the road and the property or lot boundary line which runs parallel to the said curb or travelled portion of roadway.
- No person shall park or leave any vehicle on private land or property that has been clearly marked as such by a sign or signs erected by the owner or his agent unless such person has obtained the permission of the owner, tenant, occupant or person in charge or control of the said land or property.
  - a. Any Peace Officer may cause a vehicle improperly parked on private property to be removed and taken to and stored in a suitable place and all cost for removal and storage are liened upon the vehicle which may be enforced in the manner provided by the *Possessory Liens Act* R.S.A. 1970 Chapter 279.
- A vehicle, or a vehicle with a trailer attached, with a maximum allowable weight exceeding 4,500 kilograms, shall not be parked on a highway any time after 10:00 pm and before 7:00 am, unless it is parked in a location completely adjoining the vehicle owner's residence as shown in the records of the Motor Vehicle Registry.
- 29 Section 28 does not apply if the vehicle:
  - a. is a recreation vehicle; or
  - b. is a commercial vehicle with the hazard warning lamps alight and in the process

- of loading or unloading goods; or
- is parked on the below, unless signage states otherwise: c.
  - i. Provincial Highway #2 (1st STREET WEST).
    ii. Provincial Highway #520 (43rd AVENUE)

  - iii. 2<sup>nd</sup> Street E between 43<sup>rd</sup> and 50<sup>th</sup> AVENUE iv. 3<sup>rd</sup> Street E between 39<sup>th</sup> and 43<sup>rd</sup> AVENUE

  - v. Alberta Road
  - vi. Saskatchewan Crescent
  - vii. Columbia Drive
- 30 A vehicle, or a vehicle with a trailer attached, with a maximum allowable weight exceeding 9,500 kilograms, shall not be parked on a highway.
- 31 Notwithstanding any other provision of this bylaw, a trailer shall not be parked on a highway unless the trailer is attached to a vehicle by which it may be drawn.
- 32 A person being in charge or control of a garage or service station or other premises where repairs or installations are made to vehicles for compensation shall not leave or cause or suffer or permit to be left on any street or alley a vehicle which has been left in his possession for carrying out repairs or making installation or for any other purpose whatsoever.
- 33 Any person who is empowered to enforce the provisions of this bylaw is hereby authorized to place an erasable chalk mark on the read face of the tire of a parked or stopped vehicle without that person or the municipality incurring liability for doing so.

### Parking - Emergency & Maintenance

- 34 A vehicle shall not be parked on a highway in any location identified as a fire lane, an emergency access zone or otherwise being for the use of emergency vehicles.
- 35 A person shall not park or stand a vehicle or permit such vehicle to remain parked in such a manner as to interfere with the proper operation of any vehicle used by the Fire Department of the Town or any other emergency vehicle.
- 36 In any case where by reason of an emergency or of any special circumstances which in the opinion of the CAO makes it desirable and in the public interest to do so, the CAO may:
  - a. temporarily close, in any area of the Town, any highway in whole or in part to traffic; or
  - temporarily suspend in any area of the Town parking privileges granted by the b. provisions of this or any other bylaw and the CAO may for such period of time as he/she deems necessary to meet such emergency or special circumstances take such measure for the temporary closing of such highway or suspension of parking privileges and place barricades or post appropriate notices on or near the highway concerned as he/she may consider it to be necessary in the circumstances.

#### <u>Parking – Recreational Vehicles</u>

- 37 A recreation vehicle shall not be parked on a highway unless it is parked in a location completely adjoining the recreational vehicle owner's residence as shown in the records of the Motor Vehicle Registry.
- 38 A recreational vehicle parked pursuant to Section 33:
  - shall not be parked for more than 48 consecutive hours; and a.
  - b. shall be removed to an off-highway location for at least 72 consecutive hours before it may be parked again on a highway
- Regulations set out under Section 33 & 34 shall not apply to Provincial Highway #2 (1st 39 STREET WEST). All other regulations are still in effect.
- 40 No owner or operator of a recreational vehicle shall park the recreational vehicle on any

- highway in the Town in such a manner as to constitute a hazard to other persons using the highway.
- Where any type of motor vehicle has removable camping accommodations installed on it, the operator or owner of the vehicle or any person in charge of the vehicle either permanently or temporarily shall not leave the camping accommodation or other removable portion of the motor vehicle used for this purpose on any portion of a street after the same has been removed from the motor vehicle.

### <u>Parking – Commercial Vehicles</u>

- Any commercial vehicle, bus, truck or truck tractor may be parked on private property as long as that vehicle does not block any sidewalk, laneway or alley. Said vehicle must not obstruct or hinder the normal flow of traffic; pedestrian or vehicular.
- A commercial vehicle shall not be parked on a highway unless it is parked in a location completely adjoining the commercial vehicle operator's place of residence.
  - a. A commercial vehicle parked pursuant to this section:
    - i. shall not be parked for more than 72 consecutive hours; and
    - ii. shall be removed to an off-highway location for at least 72 consecutive hours before it may be parked again on a highway

#### PART VI SCHOOL ZONES

All school zones shall have a speed limit of 30 km/h and the effective time is 7:30 – 16:30 (school days)

### PART VII ACTIVITIES ON HIGHWAYS AND VEHICLE OPERATION

- No person shall stand or be in any other position on a highway so as to obstruct the entrance to a building or to obstruct pedestrians or vehicles using the highway.
  - a. This section does not apply to persons participating in or assembled to watch a parade for which has been approved by CAO or designate.
  - b. A person shall not crowd, jostle or harass and pedestrian on a highway.
- No person shall place, cause or permit to be placed a sign of any type on a highway unless it has been approved by CAO or designate.
  - a. A person may place, cause or permit to be placed a free standing sign on a highway only if all terms and conditions for placement of such signs prescribed by the CAO are complied with.
  - b. For the purpose of this section any individual or corporation referred to on a sign, whether directly or indirectly, is presumed to have placed the sign or caused or permitted the sign to be placed.
- No person shall place, cause or permit to be placed an obstruction of any kind on a highway unless it has been approved by CAO or designate.
- No person shall operate a motor vehicle on any part of a highway other than a roadway.
- No person shall operate a vehicle on a highway so as to track any earth, sand, gravel or other material on the highway.
- No person shall drive, propel or move on any highway any vehicle having metal spikes, lugs, cleats or bands projecting from the surface of the wheel or tire of such vehicle, or any vehicle having a caterpillar tread, unless and until he or she has special permission, in writing, from the CAO.
- No person shall operate a vehicle on a highway with any loose materials on the exterior of the vehicle.
- No person shall operate a vehicle containing any load on a highway unless the load has

been secured to prevent any part of it from falling onto the highway.

- Without limiting the generality of section 52, no person shall operate a vehicle containing a load of earth, sand, gravel or other loose materials on a highway unless:
  - a. all parts of the load are at least 75 millimetres below the top of the container; and
  - b. the container and load are completely covered at all times.
- In the event any part of a load falls onto the a highway from a vehicle the person operating the vehicle shall forthwith:
  - a. take all reasonable steps to safely remove any materials from the highway.
- No person shall drive a vehicle on or over newly painted lines on any roadway when the same is indicated by signs, flags or other warning devices.
- No person shall drive a vehicle on a roadway with more than one vehicle in tow.

#### PART VIII SIDEWALKS, BOULEVARDS, CURBS & GUTTERS

- An owner of a premises shall ensure:
  - a. The removal from any public sidewalk located adjacent to the premises, including private driveway crossings, all snow and ice deposited thereon, whether from natural or unnatural means, within 24 hours of such deposit, or within 24 hours of the issuance of a Snow Removal Notice in respect of the premises; and
  - b. The removal from any public sidewalk, curb, or gutter located adjacent to the premises, including private driveway crossings, any debris or obstruction deposited thereon whether from natural or unnatural means, within 24 hours of such deposit, or within 24 hours of the issuance of a Debris or Obstruction Removal Notice in respect of the premises;
  - c. The properties listed in Appendix "B" have existing approaches located along the Curb that have been installed with Town approval. Only listed properties are authorized to install an approach along the curb. Without this approval any installation of an approach in, or on, the curb and gutter is considered an obstruction and will be required to be removed pursuant to section 48 (b).
    - i. As roadways are replaced, existing authorizations may be removed.
- For the purpose of Section 57(a)
  - a. Snow and ice will be considered removed when the sidewalk is cleaned for the entire width of the sidewalk and down to the sidewalk surface as completely as reasonably possible.
  - b. In the case of a sidewalk being below grade resulting in repeated coverage by ice or water through drainage or melted snow or rain, the sidewalk must be cleaned as completely as reasonably possible and a non-slip, non-corrosive and salt-free material such as sand or similar material must be scattered on the surface of the sidewalk as frequently as required to maximize traction for pedestrians. The sidewalk condition must be communicated to the CAO so it can be added to the list of sidewalk improvements and dealt with accordingly.
  - c. Where an owner or occupant of a premises reasonably anticipates being absent, the owner or occupant must make arrangements to ensure the sidewalks are maintained in accordance with this Bylaw.
- No person shall remove snow, ice, dirt, materials from Town and/or private property onto Town property.
- Regarding use of public sidewalks:
  - a. A person riding a bicycle on any sidewalk, footpath or walkway where pedestrians are also allowed shall ride the bicycle in a manner which does not interfere with any pedestrian lawfully on or alighting from or entering onto a means of transportation who is lawfully using the sidewalk, footpath or walkway.

#### PART IX FUNERALS

- If any funeral procession is in process of formation or proceeding along any highway, any Peace Officer may regulate all traffic in the vicinity and all persons whether on foot or in vehicles shall obey the order and direction of the Peace Officer so regulating the traffic.
- Before a funeral procession enters upon, crosses or turns into a highway designated and marked as a through traffic street by a stop sign the first vehicle in the funeral procession shall come to a complete stop in the manner required by this bylaw and shall not drive the vehicle in to the intersection until it is safe to do so. A vehicle that follows in the funeral procession may then enter into the intersection without stopping provided the headlamps are alight. The provisions of this section shall not apply at intersections where traffic is controlled by a Peace Officer or by a traffic control signal.
- No person driving any vehicle or riding a horse shall drive or ride through, nor shall any pedestrian walk through the ranks of any military or funeral procession (the vehicles of which have their lights on), nor through the ranks of any other authorized parade or procession, or in any way obstruct, impede or interfere with the same.

#### PART X FIRES

- In case of a fire within the Town, any Peace Officer or member of the Fire Department of the Town of Claresholm may designate in any manner a line or lines near the location of the fire beyond which no member of the public shall pass, and no unauthorized person, whether on foot, on horse or in a vehicle shall cross such line or lines.
- The Chief Officer of the Fire Department of the Town of Claresholm or any person acting under his instructions shall have the right to move or cause to be moved any vehicle which he may deem necessary to move or have moved for the purpose of carrying out any duty, work or undertaking of the Fire Department of the Town of Claresholm.
- Where an unprotected hose of the Fire department has been laid down on a roadway or driveway no person shall drive a vehicle over such hose unless the official of the Fire Department in charge at the scene has specifically allowed him to do so.

### PART XI ENGINE RETARDER BRAKES

No person shall operate a tractor trailer unit so as to cause noise by using engine retarder brakes within the limits of the Town of Claresholm. Engine retarder brakes shall not be used for either slowing or stopping their vehicle.

#### PART XII MISCELLANEOUS

- A person must not make, continue, or allow to be made or continued any objectionable noise from a motor vehicle.
- No person shall place any type of material on a highway.
- No person shall damage, climb or interfere with any:
  - a. traffic control device; or
  - b. item of street furniture.
- No person shall break, tear up or remove any planking, pavement, sidewalk, curbing, macadamizing or other road surface or make excavation in or under any sidewalk or street for the purpose of building or otherwise, without first having obtained permission from the CAO or his designate to do so and such permit being granted, the work shall be carried out under the direction of the CAO or any person appointed by him. CAO or his delegate shall inspect all such work being done and, upon termination of the work, all materials shall be replaced and any damages made good

by the parties concerned. Such work shall be carried out as expediently as possible and without unnecessary delay. Furthermore, any person or party to whom permission has been granted to carry out any work of the foregoing nature, shall be liable for any or all accidents or damages that may occur to any person or property by reason thereof, and shall keep and maintain such lights, barricades or watchman or other precautions to safeguard and protect the public from injury or loss, and shall be responsible for costs incidental to the same.

- Every person shall be guilty of an offense who:
  - a. coasts on any highway on a sled, toboggan, or skis,
  - b. washes a vehicle, drains the radiator of any vehicle upon a highway or washes a vehicle near a highway, or otherwise causes water, slush or ice to form upon a highway or public sidewalk.
- No owner or occupant of private property in the Town shall allow anything to be erected, placed, planted or grown, whether planted or erected before or after the date of the passing of this bylaw, to grow or to remain at a greater height than 0.8 metres above the centre line grades of the intersecting streets in the area bounded by the property lines of such corner lots and a line joining points along the said property line 11.6 metres (or such other distance as required by the Municipal Planning Commission) from the point of intersections.

#### PART XIII ENFORCEMENT

- Any person violating any of the provisions of this bylaw or any other person responsible for such violation shall be liable on a summary conviction before a Provincial Judge or any Justice of the Peace having jurisdiction therein, to a fine in an amount not less than that established in this bylaw, and not to exceeding \$10,000.00 and to imprisonment for not more than six months for non-payment of a fine.
- Where any Peace Officer believes that any person has committed a breach of any of the provisions of this bylaw as set out in Schedule "A" hereto he/she may serve upon such person a notice or tag as provided herein.
  - a. Where payment of the penalty for municipal tag issued for breach of any of the sections described in Schedule "A" of this by-law is received within 14 days from the date of issued, may be reduced by twenty five dollars (\$25) and such reduced payment shall be accepted in lieu of prosecution.
- Any Peace Officer may impound and remove from a highway, street, alley, parking lot or other public place, a vehicle in respect of which charges have not been paid or of a vehicle parked in violation of a provision of this bylaw and all costs of removal which may be enforced in the manner provided by the *Possessory Liens Act*.
- If a vehicle is driven, used, parked or left in contravention of any provision of this bylaw the owner of the vehicle is guilty of an offense and liable for the contravention and the penalty provided herein unless he proves to the satisfaction of the Magistrate trying the case that at the time of the contravention the vehicle was not driven, used, parked or left by him or by any other person with his consent, expressed or implied.
- 78 Service of any such notice or tag shall be sufficient if it is:
  - a. personally served,
  - b. served by double registered mail, or
  - c. attached to the vehicle in respect of which the offense is alleged to have been committed.
- Upon production of any such notice or tag within seven (7) days from the date of service of such notice, together with the payment of the sum specified in Schedule "A" hereto to a person authorized by the CAO to receive such payment, an official receipt for such payment shall be issued, and subject to the provisions of this bylaw, such payment shall be accepted in lieu of prosecution.

- If the person upon whom any such notice or tag is served fails to pay the said sum within the time allotted, the provisions of this bylaw shall no longer apply.
- Where the owner or occupant of a premises fails to comply with provision 57 to 59 of this Bylaw, an Enforcement Officer may issue and serve the owner with a Snow, Ice, Obstruction or Debris Removal Notice in accordance with the provisions of this Section. If the required remedial action (Removal of snow, ice, obstruction, or debris from Sidewalks or Curbs) is not completed within 24 hours from the date of service of the Notice, the Town may take all reasonable measures to complete the remdial action for the subject sidewalk(s) or curb(s) at the property owner's expense, plus an administration fee. The subject costs and expenses, if unpaid by the owner upon demand, shall be added to the Tax Roll of the subject property in accordance with Section 553(1)(g.1) of the Municipal Government Act, RSA 2000, c.M-26.

#### PART XIV GENERAL

- Nothing in this bylaw shall prevent any person:
  - a. From exercising his right to defend any charge of committing a breach of any of the sections in Schedule "A" hereto,
  - b. From laying any information or complaint against any other person for committing a breach of any of the sections in Schedule "A" hereto, or
  - c. from exercising any legal right such person may have to lay an information or complaint against any other person (whether such person has made a payment under the provisions of this bylaw or not), for breach of any of the sections in Schedule "A" hereto).
- Where any person has made a payment pursuant to the provisions of this bylaw and is prosecuted for the offense in respect of which such payment has been made, such payment shall be refunded.
- No person other than the owner or driver of a vehicle shall remove any notice placed or fixed to such vehicle by a peace officer in the course of his duties.
- If by reason of any contravention of any provision of this bylaw, the Town is authorized or required to move the motor vehicle from a place where it is parked in contravention of the bylaw and to impound the same, the amount of the expense so incurred shall be added to the amount of any fine or penalty which may be imposed by reason of the contravention or to the amount of payment to be made in lieu of prosecution as provided in Section 63 and the person concerned shall be required to pay the amount of such expense in addition to any fine, penalty or penalty in lieu of prosecution as the case may be.

### PART XV SEVERABILITY PROVISION

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 further the intention of Council that if any provisions of this bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

### PART XVI PASSAGE OF BYLAW

- Bylaw #1370 and Bylaw #1550, and all amendments thereto, are hereby repealed.
- This Bylaw shall come into effect upon passage of Third Reading.

Read a first time in Council this day of 2020 A.D.

Read a second time in Council this day of 2020 A.D.

Read a third time in Council and finally passed in Council this	s day of	2020 A.D.
Doug MacPherson, Mayor	Marian Carlso	n, CAO

# SCHEDULE "A"

SECTION	OFFENCE	PENALTY
7	Park gas trucks in a prohibited area	\$250
8(a)	Parking on sidewalk or boulevard	\$75
8(b)	Parking on crosswalk or part of	\$75
8(c)	Parking within intersection	\$75
8(d)	Parking too close to intersection	\$75
8(e)	Parking too close to stop or yield sign	\$75
8(f)	Parking too close to fire hydrant	\$75
8(g)	Parking too close to garage access, private road, driveway or vehicle crossway	\$75
8(h)	Parking too close to marked crosswalk	\$75
8(i)	Parking too close to street obstruction	\$75
8(j)	Parking on the wrong direction of traffic	\$75
9	Parking outside of lines	\$75
10	Parking of unauthorized vehicles	\$75
11(a)	Washing vehicle on a highway	\$75
11(b)	Change oil or fluids on a highway	\$100
11(c)	Repairing vehicle on a highway	\$100
12	Unattended vehicle on a jack or with wheels removed	\$100
13	Abandoned vehicle	\$100
14	Parking of derelict vehicle	\$100
15	Park longer than indicated on parking sign	\$75
16	Park in loading or unloading zone longer than permitted	\$75
17	Park in a lane	\$75
18	Park in NO Parking area	\$75
19	Park in disabled parking	\$100
20	Failing to park in a proper manner	\$75
21	Improper angle parking (lines)	\$75
22	Improper angle parking (no lines)	\$75
23	Improper angle parking (exceeds length)	\$75
24	Improper parallel parking	\$75
25	Park on Town Property	\$100
27	Parking on private property	\$75
28	Improper parking of vehicle exceeding 4500 kg	\$250
30	Improper parking of vehicle exceeding 9500 kg	\$250
31	Unattached trailer	\$75
32	Commercial business parking vehicles on highway	\$100
34	Park in emergency access	\$100
35	Parking as to obstruct emergency vehicle	\$250
37	Recreation vehicle not parked adjacent to owner's property.	\$75
38(a)	Recreation vehicle park longer than 48 Hrs.	\$75
38(b)	Recreation vehicle park at same location within 72 Hrs.	\$75
40	Recreation vehicle Causing a hazard on highway	\$100
40	Recreation vehicle Causing a nazara on inghway	ΨΙΟΟ

42	Commercial vehicle Causing a hazard on highway	\$250
43	Commercial vehicle not parked adjacent to operator's property.	\$100
43(a)(i)	Commercial vehicle park longer than 48 Hrs.	\$100
43(a)(ii)	Commercial vehicle park at same location within 72 Hrs.	\$100
45	Person obstructing highway	\$100
45(b)	Harassing	\$100
46	Illegal sign on highway	\$100
47	Obstruction on highway	\$100
48	Operate a motor vehicle off highway	\$100
49	Tracking	\$100
50	Driving with spikes or lugs without permission	\$250
51-54	Unsecure load	\$100
55	Driving on painted lines	\$100
56	Driving with more than one vehicle in tow	\$100
57(a)	Failure to clear snow and/or ice from sidewalks	\$100
57(b)	Failure to clear or clean sidewalks and gutters	\$100
58	Placing obstruction on a highway	\$250
60	Riding a bike on a sidewalk	\$50
63	Driving through funeral procession	\$75
66	Driving over fire hose	\$250
67	Use engine retarder brakes	\$250
68	Objectionable noise from motor vehicle	\$100
69	Littering	\$100
70	Damage, climbing or interfering with traffic control devise or street furniture	\$100
71	Unlawful construction / damage highway	\$500
72(a)	Coast on highway with sled, etc.	\$75
72(b)	Wash or otherwise drain or cause water, slush or ice to form upon a highway or sidewalk	\$100
73	Vegetation or structure obstructing intersection.	\$75
	All other section not listed above	\$50

# SCHEDULE "B" EXISTING APPROACHES

134 – 44 Avenue W	5025 – 5 Street W
526 – 48 Avenue W	5029 – 5 Street W
#16 – Willow Road	5033 – 5 Street W
328 – 50 Avenue W	5037 – 5 Street W
538 – 50A Avenue W	5022 – 6 Street W
671 – 50A Avenue W	5038 – 6 Street W
509 – 53 Avenue W	5042 – 6 Street W
311 – 55 Avenue W	5046 – 6 Street W
418 – 56 Avenue W	5025 – 7 Street W
412 – 57 Avenue W	4920 – 8 Street W
428 – 57 Avenue W	5048 – 8 Street W





# TOWN OF CLARESHOLM PROVINCE OF ALBERTA BYLAW #1550

A Bylaw of the Town of Claresholm to control and regulate the use of streets and highways within the Town and the traffic and pedestrians moving thereon and the parking of vehicles on streets and alleyways.

WHEREAS the *Traffic Safety Act*, authorizes that the Council of the Town of Claresholm shall issue a bylaw for the regulation and control of vehicles, animals and pedestrian traffic;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF CLARESHOLM, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

# PARTI PURPOSE

The purpose of this bylaw is to regulate the use of highways under the direction, control and management of the Town of Claresholm and to regulate the parking of vehicles on such highways as well as on privately owned property. This Bylaw may be cited as the "TRAFFIC BYLAW."

# PART II DEFINITIONS

- In this Bylaw, unless the context otherwise requires, the following definitions shall apply:
  - a) "Act" means the Traffic Safety Act, RSA 2000, Chapter T-6 and amendments thereto.
  - b) "Alley" means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land.
  - c) "Bicycle" means a cycle propelled by human power on which a person can ride, regardless of the number of wheels it has, and includes a vehicle that:
    - i) may be propelled by muscular or mechanical power,
    - ii) is fitted with pedals that are continually operable to propel it,
    - iii) weighs not more than 35 kilograms,
    - iv) has a motor that produces not more than 750 watts and that is driven by electricity or has an engine displacement of not more than 50 cubic centimetres.
    - v) has no hand-operated or foot-operated clutch or gearbox driven by the motor that transfers power to the driven wheel, and
    - vi) does not have sufficient power to enable it to attain a speed greater than 35 kilometres per hour on level ground within a distance of 2 kilometres from a standing start.
  - d) "Boulevard" means, in an urban area, that part of a highway that
    - i) is not roadway; and
    - ii) is that part of the sidewalk that is not especially adapted to the use of or ordinarily used by pedestrians.
  - e) "CAO" means the Chief Administrative Officer of the Town of Claresholm.
  - f) "Centre Line" means, in an urban area, that part of a highway that:
    - i) the centre of a roadway measured from the curbs or, in the absence of curbs, from the edges of the roadway;
    - ii) in the case of a highway designated by traffic control devices,
      - (A) as an offset centre highway; or
      - (B) as a highway having a certain number of traffic lanes for traffic moving in a certain direction at all times or at specified times, the line dividing the lanes for traffic moving in opposite directions; or
    - iii) in the case of a divided highway, that portion of the highway separating the roadways for traffic moving in opposite directions.



g) "Commercial Vehicle" means a vehicle operated on a highway by or on behalf of a person for the purpose of providing transportation, but does not include a private passenger vehicle. May include a truck, trailer or semi-trailer, except:

i) a truck, trailer or semi-trailer that is a public service vehicle, or

ii) a truck, trailer, semi-trailer, or any class of vehicle that by the regulations or by an order of the Alberta Motor Transport Board is exempted from being classified as a commercial vehicle, and includes:

(A) a motor vehicle from which sales are made of goods, wares, merchandise or commodity, and

(B) a motor vehicle by means of which delivery is made of goods, wares, merchandise or commodity to a purchaser or consignee thereof.

h) "Crosswalk" means

- i) that part of a roadway at an intersection included within the connection of the lateral line of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the roadway; or
- ii) any part of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by signs or by lines or by other markings on the road surface.
- i) "Dealer" means any person who buys or sells motor vehicles as a business, either as principal or agent.

j) "Driver" or "Operator" means a person who drives or is in actual physical control of a vehicle.

k) "Emergency vehicle" means

i) a vehicle operated by a police force;

ii) a fire fighting or other type of vehicle operated by the fire protection service of a municipality;

iii) an ambulance operated by a person or organization providing ambulance services:

iv) a vehicle operated by a public utility;

v) a vehicle designated as an emergency response unit;

vi) a vehicle operated by a Peace Officer, Community Peace Officer or

Municipal Enforcement Officer.

1) "Highway" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes:

i) a sidewalk (including the boulevard portion of the pavement), and

ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and iii) if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be;

but does not include a place declared by the Lieutenant Governor in Council not to be

a highway.

m) "Intersection" means the area embraced within the prolongation or connection of:

i) the lateral curb lines, or, if none,ii) the exterior edges of the roadways, or

iii) two (2) or more highways which join one another at an angle whether or

not one highway crosses the other.

n) "Maximum Allowable Weight" shall mean the aggregate weight that may be borne by a vehicle (weight of the vehicle, weight of cargo and passengers and weight put on the tongue (hitch) of the vehicle by a trailer); for the purposes of this bylaw the maximum allowable weight may also be referred to as maximum gross vehicle weight.

o) "Meridian" means a physical barrier or area that separates traffic travelling in one direction from traffic travelling in the opposite direction on a highway.

p) "Moped" means a vehicle, regardless of the number of wheels it has, that

i) weighs more than 35 kilograms but less than 55 kilograms;

- ii) has a motor that is driven by electricity or has an engine displacement of not more than 50 cubic centimetres;
- iii) has no hand-operated or foot-operated clutch or gearbox driven by the motor transferring power to the driven wheel; and
- iv) does not have sufficient power to attain a speed greater than 50 kilometres



per hour on level ground within a distance of two (2) kilometres from a standing start.

q) "Motor Cycle" means a motor vehicle mounted on two (2) or three (3) wheels and includes those motor vehicles known to the trade as motor cycles and scooters but does not include an off-highway vehicle as defined in the Off-Highway Vehicle Act.

r) "Motor Home" means a Recreational Vehicle.

- s) "Motor Vehicle" means
  - i) a vehicle propelled by any power other than muscular power; or

ii) a moped;

but does not include a bicycle, an aircraft, a tractor, whether equipped with rubber tires or not, an implement of husbandry or a motor vehicle that runs only on rails.

t) "Multi-purpose Passenger Vehicle" means a vehicle that has a seating capacity of ten (10) or less and is constructed on a truck chassis or with special features for off-highway operation, but does not include an air cushion vehicle, an all terrain vehicle as defined in the Off-Highway Vehicle Act, a passenger car or a truck.

u) "Municipality" means the Town of Claresholm.

- v) "Owner" includes any person renting a motor vehicle or having the exclusive use of it under a lease or otherwise for a period of more than thirty (30) days.
- w) "Park", when prohibited, means allowing a vehicle (whether occupied or not) to remain standing in one place, except

i) when standing temporarily for the purpose of and while actually engaged in loading or unloading passengers, or

ii) when standing in obedience to a peace officer or traffic control device.

x) "Parking Lane" means that portion of a primary highway between:

i) the edge of the roadway to the right of the direction of traffic, and

ii) the nearest solid white line (not being the centre line) marked on the roadway.

y) "Passenger Car" means a motor vehicle that has a seating capacity of ten (10) or less but does not include an off-highway vehicle as defined in the *Off-highway Vehicle Act*, a truck, a multi-purpose passenger vehicle, a chassis cab, a moped or a motor cycle.

z) "Peace Officer" means:

- i) a member of the Royal Canadian Mounted Police (RCMP);
- ii) a member of a municipal police service;

iii) a Special Constable; or

iv) a park warden appointed pursuant to the *National Parks Act* (Canada), while he is in the exercise or discharge of his powers or duties in a national park established under that Act.

aa) "Pedestrian" means a person afoot or a person in a wheel chair or motorized

power scooter.

bb) "Primary Highway" means a highway designated as a primary highway pursuant to the *Public Highways Development Act*.

cc) "Public Service Vehicle"

i) means a motor vehicle, trailer or semi-trailer operated on a highway by or on behalf of a person for compensation, whether that operation is regular or only occasional or for a single trip, and

ii) includes a motor vehicle kept by a person for the purpose, subject to regulations, of being rented without a driver, but

iii) does not include a motor vehicle used solely as an ambulance or hearse or for the transportation of the Royal Mail.

dd) "Recreational Vehicle" means a vehicle or trailer or enclosure attached to a motor vehicle that is designed, constructed and equipped, either temporarily or permanently, as a dwelling place, living abode or sleeping place.

ee) "Red Light Traffic Enforcement Device" means a device installed or erected at an intersection with a traffic control signal that is capable of photographing a vehicle and recording data related to the vehicle and the traffic control signal.

ff) "Roadway" means that part of a highway intended for use by vehicular traffic.

gg) "Sidewalk" means that part of a highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of a highway between the curb line (or the edge of the roadway, where there is no curb line) and the adjacent property line, whether or not paved or improved.

hh) "Stop" means



i) when required, a complete cessation from vehicular movement, and

ii) when prohibited, any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or traffic control device.

ii) "Street Furniture" includes items such as poles, traffic control devices, waste receptacles, benches, trees, plants, grass, utilities, planters, bicycle racks or any other similar property placed on a highway.

jj) "Traffic Control Device" means any sign, signal, marking or device placed, marked or erected under the authority of this Act for the purpose of regulating,

warning or guiding traffic.

kk) "Traffic Control Signal" means a traffic control device, whether manually, electrically or mechanically operated, by which traffic is directed to stop and to proceed.

ll) "Traffic Lane" means

i) outside an urban area, a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles but does not mean a parking lane, and

ii) inside an urban area, a longitudinal division of a roadway into a strip of sufficient width to accommodate the passage of a single line of vehicles,

whether or not the division is indicated by lines on the road surface.

mm) "Trailer" means a vehicle so designed that it may be attached to or drawn by a motor vehicle and intended to transport property or persons and includes any trailer that is designed, constructed and equipped as a dwelling place, living abode or sleeping place, either permanently or temporarily, but does not include machinery or equipment used in the construction or maintenance of highways.

nn) "Truck" means a vehicle designed primarily for the transportation of property or equipment but does not include a chassis-cab, crawler mounted vehicle, trailer, machinery or equipment used in the construction or maintenance of highways or an

off-highway vehicle as defined in the Off-highway Vehicle Act.

oo) "Truck Tractor" means a truck that is designed primarily for drawing another vehicle and that is not designed to carry any load other than part of the weight of a vehicle drawn, and includes a vehicle that is designed to accommodate a 5<sup>th</sup> wheel coupling, but does not include a crane equipment breakdown vehicle.

pp) "Urban Area" means a city, town or village.

qq) "Vehicle" means a device in, on or by which a person or thing may be transported or drawn on a highway.

### PART III TRAFFIC CONTROL DEVICE

- The CAO or designate is hereby authorized to place, erect or mark traffic control devices at such locations as he/she may determine and shall place traffic control devices at such locations as Council may by resolution direct and may from time to time alter the location of such traffic control devices for the following purposes:
  - a) to divide the surface of a roadway into traffic lanes marked by solid or broken lines;

b) to prohibit U turns at any intersection;

- c) to designate any intersection or other place on the highway as an intersection or place at which no left hand turn or right hand turn shall be made:
- d) to designate as a one way street any roadway or portion thereof;

e) to designate school zones and playground zones;

f) to designate truck routes;

g) to set apart as through streets any highway or part of a highway and to control entry to any highway by means of a stop sign or yield sign.

h) to designate a crosswalk upon any highway;

i) to designate parking stands for use of any particular class of vehicle;

j) to close or restrict the use of any highway, subway, bridge or overpass or any part of any highway, subway, bridge or overpass either as to the full width thereof or as to part of the width thereof with respect to any class or classes of vehicles or with respect to any class or classes of pedestrians;



- k) to prohibit, restrict or regulate the parking of vehicles or any particular class of vehicles on any highway or other public street or any portion thereof during such hours as he/she may determine;
- l) to designate and mark guidelines for angle and parallel parking on any highway or other public place or any portion thereof.
- The CAO shall keep record of all such locations which shall be open to public inspection during normal business hours.
- No person shall post or exhibit or cause to be posted or exhibited any notice, placard, bill or printed material or other type of notice whatsoever upon any traffic control device.
- Notwithstanding any provision of this Bylaw, all traffic control devices placed, erected or marked in the Town of Claresholm prior to the passing of this Bylaw shall be deemed to be duly authorized traffic control devices until altered pursuant by the provision of this Bylaw.

# PART IV INFLAMMABLE AND EXPLOSIVE MATERIALS

No person shall park any vehicle used primarily for the conveying of fuel, oil, gasoline or other explosive or toxic materials upon any highway or upon any property having a building or buildings thereon unless the vehicle is parked upon the property at least fifteen (15) metres from the nearest building likely to contain persons or valuable goods. Provided that this prohibition shall not apply to the time during which any such vehicle is necessarily motionless while delivering gasoline or oil to garages or retail dealers in gas and oil.

# PART V PARKING - General

- Unless required or permitted by this bylaw or the *Highway Traffic Act* or by a traffic control device or in compliance with the directions of a Peace Officer or to avoid conflict with other traffic, a driver shall not stop or park his vehicle:
  - a) on a sidewalk or boulevard,
  - b) on a crosswalk or any part of a crosswalk,
  - c) within an intersection,
  - d) at an intersection nearer than five (5) metres to the projection of the corner property line immediately ahead or immediately to the rear except when a vehicle is parked in a space where another traffic control device indicates parking is permitted,
  - e) within five (5) metres upon the approach to any stop sign or yield sign,
  - f) within five (5) metres of any fire hydrant, or when the hydrant is not located at the curb, within five (5) metres of the point on the curb nearest the hydrant,
  - g) within one and a half  $(1\frac{1}{2})$  metres of an access to a garage, private road or driveway or vehicle crossing over a sidewalk,
  - h) within five (5) metres of the near side of a marked crossway,
  - i) along or opposite any street excavation or construction when stopping or parking would obstruct traffic,
  - j) in the direction against the flow of traffic.
- Except as otherwise provided in this bylaw where parking spaces have been marked on any roadway unless the act, another provision of this bylaw or a traffic control device otherwise permits, the driver of any vehicle shall stop or park such vehicle only between the lines or markings indicating the limits of a single parking space.
- When a vehicle exceeds the length of a single parking space, the operator may park such a vehicle so that it occupies two (2) but not more than two (2) parking spaces.
- 1) Except in the case of an emergency not allowing the vehicle to be moved, a person shall not stand or park any vehicle on the street for the purpose of:
  - a) washing or,
  - b) changing oil, or fluids or
  - c) repair.



- 2) A vehicle shall not be parked and left unattended on a highway if;
  - a) the vehicle is on a jack or similar device, and
  - b) one or more wheels have been removed from the vehicle or part of the vehicle raised.
- 3) A vehicle shall not be abandoned on a highway.
  - a) without restricting the generality of subsection 11(3) a vehicle that is left standing in one location on a highway for more than 48 consecutive hours is deemed to have been abandoned at that location.
- 1) No person shall leave parked on any street any self propelled type of vehicle incapable of being moved under its own power.
  - 2) This section does not apply to a vehicle which has been left parked because of a breakdown or other emergency if the person in charge or control of the vehicle can establish that he has taken action to arrange for the removal of the vehicle forthwith.
- No person shall allow any vehicle to remain parked for a period of time in excess of the maximum permitted time indicated on the parking signs pertaining to that space. A further offense shall be deemed to have occurred for each subsequent period of time in excess of that permitted by the parking signs that the vehicle remains so parked.
- The CAO may designate and cause to be properly marked, portions of a highway for 10, 15, 20 or 30 minutes, 1, 2, 3 or 4 hours parking or loading/unloading of vehicles. No person shall park or load/unload a vehicle for any period of time exceeding the time limit so designated.
- No person shall park a vehicle in a lane. Lanes, however, may be used for such a period of time as may be reasonably necessary for the loading or unloading of passengers or goods from a vehicle provided that the vehicle concerned in such loading or unloading of passengers or goods does not obstruct the lane as to prevent other vehicles or persons from passing along such lanes while the loading and unloading of passengers or goods is taking place.
- When actually taking on or discharging passengers, no person shall park or stand a vehicle for a period of time at a passenger loading zone, at a NO PARKING area, or in front of the main entrance or doorway of a public building.
- A vehicle shall not be parked on a highway in any location as being for the use of a person with disabilities unless the vehicle:
  - a) displays a valid disabled placard or license plate issued or recognized by the Registrar; and
  - b) is being used for the transportation of a person with a disability.
- No person shall park his vehicle with the sides thereof parallel to the curb or edge of the roadway when angle parking is permitted or required.
- Where a sign indicates that angle parking is permitted or required but no parking guidelines are visible on the roadway, a driver shall park his vehicle:
  - a) with the sides thereof at an angle between thirty (30) and sixty (60) degrees to the curb or edge of the roadway, and
  - b) with one front wheel thereof not more than five hundred (500) millimetres from the curb or edge of the roadway.
- No person shall angle park any vehicle which exceeds six (6) metres in overall length upon any highway of the Town except at such locations as have been designated by the CAO and have been marked. The CAO may designate the period(s) of time such locations may be used.



- When parking on a roadway, a driver shall park his vehicle with the side thereof parallel to the curb or edge of the roadway, and:
  - a) with the right hand wheel thereof not more than five hundred (500) millimetres from the right hand curb or edge of the roadway, or
  - b) in the case of a one way highway, where parking on either side is permitted, with the wheels closest to the curb or edge of the roadway not to be more than five hundred (500) millimetres from that curb or edge and with the vehicle facing the direction of travel authorized for that highway.
- Where a sign indicates that angle parking is permitted or required and parking guidelines are visible on the roadway, a driver shall park his vehicle:
  - a) with the sides thereof between and parallel to any two such lines, and
  - b) with one front wheel thereof not more than five hundred (500) millimetres from the curb or edge of the roadway.
- No person shall park any vehicle on any land owned by the Town of Claresholm which the Town uses or permits to be used as a playground, recreation area, public park or public lands except on such part thereof as may be designated by the CAO with a sign or signs for vehicle parking.
- No person shall park any vehicle in that part of a driveway which lies between the curb or the travelled portion of the road and the property or lot boundary line which runs parallel to the said curb or travelled portion of roadway.
- 25 1) No person shall park or leave any vehicle on private land or property that has been clearly marked as such by a sign or signs erected by the owner or his agent unless such person has obtained the permission of the owner, tenant, occupant or person in charge or control of the said land or property.
  - 2) Any Peace Officer may cause a vehicle improperly parked on private property to be removed and taken to and stored in a suitable place and all cost for removal and storage are liened upon the vehicle which may be enforced in the manner provided by the *Possessory Liens Act* R.S.A. 1970 Chapter 279.
- 26 1) A vehicle, or a vehicle with a trailer attached, with a maximum allowable weight exceeding 4,500 kilograms, shall not be parked on a highway any time after 10:00 pm and before 7:00 am, unless it is parked in a location completely adjoining the vehicle owner's residence as shown in the records of the Motor Vehicle Registry.
  - 2) This section does not apply if the vehicle:
    - a) is a recreation vehicle; or
    - b) is a commercial vehicle with the hazard warning lamps alight and in the process of loading or unloading goods; or
    - c) is parked on Provincial Highway #2 (1st STREET WEST).
  - 3) A vehicle, or a vehicle with a trailer attached, with a maximum allowable weight exceeding 9,500 kilograms, shall not be parked on a highway.
- Notwithstanding any other provision of this bylaw, a trailer shall not be parked on a highway unless the trailer is attached to a vehicle by which it may be drawn.
- A person being in charge or control of a garage or service station or other premises where repairs or installations are made to vehicles for compensation shall not leave or cause or suffer or permit to be left on any street or alley a vehicle which has been left in his possession for carrying out repairs or making installation or for any other purpose whatsoever.
- Any person who is empowered to enforce the provisions of this bylaw is hereby authorized to place an erasable chalk mark on the read face of the tire of a parked or stopped vehicle without that person or the municipality incurring liability for doing so.



### Parking - Emergency & Maintenance

- A vehicle shall not be parked on a highway in any location identified as a fire lane, an emergency access zone or otherwise being for the use of emergency vehicles.
- A person shall not park or stand a vehicle or permit such vehicle to remain parked in such a manner as to interfere with the proper operation of any vehicle used by the Fire Department of the Town or any other emergency vehicle.
- In any case where by reason of an emergency or of any special circumstances which in the opinion of the CAO makes it desirable and in the public interest to do so, the CAO may:
  - a) temporarily close, in any area of the Town, any highway in whole or in part to traffic; or
  - b) temporarily suspend in any area of the Town parking privileges granted by the provisions of this or any other bylaw and the CAO may for such period of time as he/she deems necessary to meet such emergency or special circumstances take such measure for the temporary closing of such highway or suspension of parking privileges and place barricades or post appropriate notices on or near the highway concerned as he/she may consider it to be necessary in the circumstances.

# Parking - Recreational Vehicles

- 1) A recreation vehicle shall not be parked on a highway unless it is parked in a location completely adjoining the recreational vehicle owner's residence as shown in the records of the Motor Vehicle Registry.
  - 2) A recreational vehicle parked pursuant to this section:
    - a) shall not be parked for more than 48 consecutive hours; and
    - b) shall be removed to an off-highway location for at least 72 consecutive hours before it may be parked again on a highway
  - 3) Regulations set out under Section 33(1) & 33(2) shall not apply to Provincial Highway #2 (1<sup>st</sup> STREET WEST). All other regulations are still in effect.
- No owner or operator of a recreational vehicle shall park the recreational vehicle on any highway in the Town in such a manner as to constitute a hazard to other persons using the highway.
- Where any type of motor vehicle has removable camping accommodations installed on it, the operator or owner of the vehicle or any person in charge of the vehicle either permanently or temporarily shall not leave the camping accommodation or other removable portion of the motor vehicle used for this purpose on any portion of a street after the same has been removed from the motor vehicle.

# Parking - Commercial Vehicles

- Any commercial vehicle, bus, truck or truck tractor may be parked on private property as long as that vehicle does not block any sidewalk, laneway or alley. Said vehicle must not obstruct or hinder the normal flow of traffic; pedestrian or vehicular.
- 1) A commercial vehicle shall not be parked on a highway unless it is parked in a location completely adjoining the commercial vehicle operator's place of residence.
  - 2) A commercial vehicle parked pursuant to this section:

Traffic Bylaw

- a) shall not be parked for more than 48 consecutive hours; and
- b) shall be removed to an off-highway location for at least 72 consecutive hours before it may be parked again on a highway

Bylaw #1550



### PART VI ACTIVITIES ON HIGHWAYS AND VEHICLE OPERATION

- No person shall stand or be in any other position on a highway so as to obstruct the entrance to a building or to obstruct pedestrians or vehicles using the highway.
  - a) This section does not apply to persons participating in or assembled to watch a parade for which has been approved by CAO or designate.
  - b) A person shall not crowd, jostle or harass and pedestrian on a highway.
- No person shall place, cause or permit to be placed a sign of any type on a highway unless it has been approved by CAO or designate.
  - a) A person may place, cause or permit to be placed a free standing sign on a highway only if all terms and conditions for placement of such signs prescribed by the CAO are complied with.
  - b) For the purpose of this section any individual or corporation referred to on a sign, whether directly or indirectly, is presumed to have placed the sign or caused or permitted the sign to be placed.
- No person shall place, cause or permit to be placed an obstruction of any kind on a highway unless it has been approved by CAO or designate.
- No person shall operate a motor vehicle on any part of a highway other than a roadway.
- No person shall operate a vehicle on a highway so as to track any earth, sand, gravel or other material on the highway.
- No person shall drive, propel or move on any highway any vehicle having metal spikes, lugs, cleats or bands projecting from the surface of the wheel or tire of such vehicle, or any vehicle having a caterpillar tread, unless and until he or she has special permission, in writing, from the CAO.
- 1) No person shall operate a vehicle on a highway with any loose materials on the exterior of the vehicle.
  - 2) No person shall operate a vehicle containing any load on a highway unless the load has been secured to prevent any part of it from falling onto the highway.
  - 3) Without limiting the generality of section 44(2), no person shall operate a vehicle containing a load of earth, sand, gravel or other loose materials on a highway unless:
    - a) all parts of the load are at least 75 millimetres below the top of the container; and
    - b) the container and load are completely covered at all times.
  - 4) In the event any part of a load falls onto the a highway from a vehicle the person operating the vehicle shall forthwith:
    - a) take all reasonable steps to safely remove any materials from the highway.
- No person shall drive a vehicle on or over newly painted lines on any roadway when the same is indicated by signs, flags or other warning devices.
- No person shall drive a vehicle on a roadway with more than one vehicle in tow.

### PART VII SIDEWALKS AND BOULEVARDS

- All persons within the Town of Claresholm shall remove and clean away, as soon as possible and in any case within 24 hours, any debris or obstructions from the sidewalk adjacent to the premises owned or occupied by them.
- 1) A carrier of a newspaper, magazine or flyer may ride a bicycle on a sidewalk, footpath, walkway or boulevard if he is delivering copies of a newspaper, magazine or flyer at the time.



- 2) Subject to the other provisions of this section, no person shall ride a bicycle on a sidewalk, footpath, walkway or boulevard.
- 3) Notwithstanding the provisions of section 48(1), the Council may designate those portions of sidewalks, footpaths, walkways or boulevards where bicycles may be ridden by other persons who are not carriers of newspapers delivering copies thereof.
- 4) A person riding a bicycle subject to sections 48(1) and 48(3) on any sidewalk, footpath or walkway where pedestrians are also allowed shall ride the bicycle in a manner which does not interfere with any pedestrian lawfully on or alighting from or entering onto a means of transportation who is lawfully using the sidewalk, footpath or walkway.

# PART VIII FUNERALS

- If any funeral procession is in process of formation or proceeding along any highway, any Peace Officer may regulate all traffic in the vicinity and all persons whether on foot or in vehicles shall obey the order and direction of the Peace Officer so regulating the traffic.
- Before a funeral procession enters upon, crosses or turns into a highway designated and marked as a through traffic street by a stop sign the first vehicle in the funeral procession shall come to a complete stop in the manner required by this bylaw and shall not drive the vehicle in to the intersection until it is safe to do so. A vehicle that follows in the funeral procession may then enter into the intersection without stopping provided the headlamps are alight. The provisions of this section shall not apply at intersections where traffic is controlled by a Peace Officer or by a traffic control signal.
- No person driving any vehicle or riding a horse shall drive or ride through, nor shall any pedestrian walk through the ranks of any military or funeral procession (the vehicles of which have their lights on), nor through the ranks of any other authorized parade or procession, or in any way obstruct, impede or interfere with the same.

#### PART IX FIRES

- In case of a fire within the Town, any Peace Officer or member of the Fire Department of the Town of Claresholm may designate in any manner a line or lines near the location of the fire beyond which no member of the public shall pass, and no unauthorized person, whether on foot, on horse or in a vehicle shall cross such line or lines.
- The Chief Officer of the Fire Department of the Town of Claresholm or any person acting under his instructions shall have the right to move or cause to be moved any vehicle which he may deem necessary to move or have moved for the purpose of carrying out any duty, work or undertaking of the Fire Department of the Town of Claresholm.
- Where an unprotected hose of the Fire department has been laid down on a roadway or driveway no person shall drive a vehicle over such hose unless the official of the Fire Department in charge at the scene has specifically allowed him to do so.

### PART X ENGINE RETARDER BRAKES

No person shall operate a tractor trailer unit so as to cause noise by using engine retarder brakes within the limits of the Town of Claresholm. Engine retarder brakes shall not be used for either slowing or stopping their vehicle.



#### PART XI MISCELLANEOUS

- A person must not make, continue, or allow to be made or continued any objectionable noise from a motor vehicle.
- No person shall remove snow, ice, dirt, materials from town and/or private property onto town property.
- No person shall place any type of material on a highway.
- No person shall damage, climb or interfere with any:
  - a) traffic control device; or
  - b) item of street furniture.
- No person shall break, tear up or remove any planking, pavement, sidewalk, curbing, macadamizing or other road surface or make excavation in or under any sidewalk or street for the purpose of building or otherwise, without first having obtained permission from the CAO or his designate to do so and such permit being granted, the work shall be carried out under the direction of the CAO or any person appointed by him. CAO or his delegate shall inspect all such work being done and, upon termination of the work, all materials shall be replaced and any damages made good by the parties concerned. Such work shall be carried out as expediently as possible and without unnecessary delay. Furthermore, any person or party to whom permission has been granted to carry out any work of the foregoing nature, shall be liable for any or all accidents or damages that may occur to any person or property by reason thereof, and shall keep and maintain such lights, barricades or watchman or other precautions to safeguard and protect the public from injury or loss, and shall be responsible for costs incidental to the same.
- Every person shall be guilty of an offense who:
  - a) coasts on any highway on a sled, toboggan, or skis,
  - b) washes a vehicle, drains the radiator of any vehicle upon a highway or washes a vehicle near a highway, or otherwise causes water, slush or ice to form upon a highway or public sidewalk.
- No owner or occupant of private property in the Town shall allow anything to be erected, placed, planted or grown, whether planted or erected before or after the date of the passing of this bylaw, to grow or to remain at a greater height than 0.8 metres above the centre line grades of the intersecting streets in the area bounded by the property lines of such corner lots and a line joining points along the said property line 11.6 metres (or such other distance as required by the Municipal Planning Commission) from the point of intersections.

### PART XII FINES AND PENALTIES

- Any person violating any of the provisions of this bylaw or any other person responsible for such violation shall be liable on a summary conviction before a Provincial Judge or any Justice of the Peace having jurisdiction therein, to a fine in an amount not less than that established in this bylaw, and not to exceeding \$10,000.00 and to imprisonment for not more than six months for non-payment of a fine.
- 1) Where any Peace Officer believes that any person has committed a breach of any of the provisions of this bylaw as set out in Schedule "A" hereto he/she may serve upon such person a notice or tag as provided herein.
  - 2) Where payment of the penalty for municipal tag issued for breach of any of the sections described in Schedule "A" of this by-law is received within 14 days from the date of issued, may be reduced by twenty five dollars (\$25) and such reduced payment shall be accepted in lieu of prosecution.



- Any Peace Officer may impound and remove from a highway, street, alley, parking lot or other public place, a vehicle in respect of which charges have not been paid or of a vehicle parked in violation of a provision of this bylaw and all costs of removal which may be enforced in the manner provided by the *Possessory Liens Act*.
- If a vehicle is driven, used, parked or left in contravention of any provision of this bylaw the owner of the vehicle is guilty of an offense and liable for the contravention and the penalty provided herein unless he proves to the satisfaction of the Magistrate trying the case that at the time of the contravention the vehicle was not driven, used, parked or left by him or by any other person with his consent, expressed or implied.
- 67 Service of any such notice or tag shall be sufficient if it is:
  - a) personally served,
  - b) served by double registered mail, or
  - c) attached to the vehicle in respect of which the offense is alleged to have been committed.
- Upon production of any such notice or tag within seven (7) days from the date of service of such notice, together with the payment of the sum specified in Schedule "A" hereto to a person authorized by the CAO to receive such payment, an official receipt for such payment shall be issued, and subject to the provisions of this bylaw, such payment shall be accepted in lieu of prosecution.
- If the person upon whom any such notice or tag is served fails to pay the said sum within the time allotted, the provisions of this bylaw shall no longer apply.

### PART XIII GENERAL

- Nothing in this bylaw shall prevent any person:
  - a) From exercising his right to defend any charge of committing a breach of any of the sections in Schedule "A" hereto,
  - b) From laying any information or complaint against any other person for committing a breach of any of the sections in Schedule "A" hereto, or
  - c) from exercising any legal right such person may have to lay an information or complaint against any other person (whether such person has made a payment under the provisions of this bylaw or not), for breach of any of the sections in Schedule "A" hereto).
- Where any person has made a payment pursuant to the provisions of this bylaw and is prosecuted for the offense in respect of which such payment has been made, such payment shall be refunded.
- No person other than the owner or driver of a vehicle shall remove any notice placed or fixed to such vehicle by a peace officer in the course of his duties.
- If by reason of any contravention of any provision of this bylaw, the Town is authorized or required to move the motor vehicle from a place where it is parked in contravention of the bylaw and to impound the same, the amount of the expense so incurred shall be added to the amount of any fine or penalty which may be imposed by reason of the contravention or to the amount of payment to be made in lieu of prosecution as provided in Section 63 and the person concerned shall be required to pay the amount of such expense in addition to any fine, penalty or penalty in lieu of prosecution as the case may be.

### PART XIV SEVERABILITY PROVISION

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 further the intention of Council that if any provisions of this bylaw be declared invalid, all other provisions thereof shall remain valid and enforceable.

# PART XV PASSAGE OF BYLAW

- 75 Bylaw #1429 and all amendments thereto are hereby repealed.
- 76 This Bylaw shall come into effect upon passage of Third Reading.

Read a first time in Council this 26<sup>th</sup> day of September 2011 A.D.

Read a second time in Council this 24<sup>th</sup> day of October 2011 A.D.

Read a third time in Council and finally passed in Council this 24<sup>th</sup> day of October 2011 A.D.

David Moore, Mayor

Kris Holbeck, CAO



# SCHEDULE "A"

SECTION	OFFENCE	PENALTY
7	Park gas trucks in a prohibited area	\$250
8(a)	Parking on sidewalk or boulevard	\$75
8(b)	Parking on crosswalk or part of	\$75
8(c)	Parking within intersection	\$75
8(d)	Parking too close to intersection	\$75
8(e)	Parking too close to stop or yield sign	\$75
8(f)	Parking too close to fire hydrant	\$75
8(g)	Parking too close to garage access, private road, driveway or vehicle crossway	\$75
8(h)	Parking too close to marked crosswalk	\$75
8(i)	Parking too close to street obstruction	\$75
8(j)	Parking on the wrong direction of traffic	\$75
9	Parking outside of lines	\$75
10	Parking of unauthorized vehicles	\$75
11(1)(a)	Washing vehicle on a highway	\$75
11(1)(b)	Change oil or fluids on a highway	\$100
11(1)(c)	Repairing vehicle on a highway	\$100
11(2)	Vehicle on jack	\$100
11(3)	Abandoned vehicle	\$100
12	Parking of derelict vehicle	\$100
13	Park longer than indicated on parking sign	\$75
14	Park in loading or unloading zone longer than permitted	\$75
15	Park in a lane	\$75
16	Park in NO Parking area	\$75
17	Park in disabled parking	\$100
18	Failing to park in a proper manner	\$75
19	Improper angle parking (no lines)	\$75
20	Improper parking	\$75
21	Improper parallel parking	\$75
22	Improper angle parking	\$75
23	Park on Town Property	\$100
25(1)	Parking on private property	\$75
25(2)	Improperly park vehicle on private property	\$75
26(1)	Improper parking of vehicle exceeding 4500 kg	\$250
26(2)	Improper parking of vehicle exceeding 9500 kg	\$250
27	Unattached trailer	\$75
28	Commercial business parking vehicles on highway	\$100
30	Park in emergency access	\$100
31	Parking as to obstruct emergency vehicle	\$250
33(1)	Recreation vehicle not parked adjacent to owner's property.	\$75
33(2)(a)	Recreation vehicle park longer than 48 Hrs.	\$75
33(2)(b)	Recreation vehicle park at same location within 72 Hrs.	\$75



34	Recreation vehicle Causing a hazard on highway	\$100
35	Parking of recreation vehicle	\$75
36	Commercial vehicle Causing a hazard on highway	\$250
37(1)	Commercial vehicle not parked adjacent to operator's property.	\$100
37(2)(a)	Commercial vehicle park longer than 48 Hrs.	\$100
37(2)(b)	Commercial vehicle park at same location within 72 Hrs.	\$100
38	Person obstructing highway	\$100
38(b)	Harassing	\$100
39	Illegal sign on highway	\$100
40	Obstruction on highway	\$100
41	Operate a motor vehicle off highway	\$100
42	Tracking	\$100
43	Driving with spikes or lugs without permission	\$250
44	Unsecure load	\$100
45	Driving on painted lines	\$100
46	Driving with more than one vehicle in tow	\$100
47	Failure to clean sidewalks	\$100
48	Riding a bike on a sidewalk	\$50
51	Driving through funeral procession	\$75
54	Driving over fire hose	\$250
55	Use engine retarder brakes	\$250
56	Objectionable noise from motor vehicle	\$100
57	Placing obstruction on a highway	\$250
58	Littering	\$100
59	Damage, climbing or interfering with traffic control devise or street furniture	\$100
60	Unlawful construction / damage highway	\$500
61	Coast on highway with sled, etc.	\$75
62	Vegetation or structure obstructing intersection.	\$75
	All other section not listed above	\$50



# TOWN OF CLARESHOLM PROVINCE OF ALBERTA BYLAW # 1601

A Bylaw of the Town of Claresholm to amend Bylaw #1550 being a bylaw to control and regulate the use of streets and highways within the Town of Claresholm and the traffic and pedestrians moving thereon and the parking of vehicles on streets and alleyways.

**WHEREAS** the *Traffic Safety Act*, authorizes that the Council of the Town of Claresholm shall issue a bylaw for the regulation and control of vehicles, animals and pedestrian traffic:

**NOW THEREFORE** under the authority and subject to provisions of *The Traffic Safety Act* and *The Municipal Government Act*, the Municipal Council of the Town of Claresholm duly assembled does hereby enact;

1. The Town of Claresholm Traffic Bylaw #1550 shall be amended as follows:

Add: Section XVI "School Zone Times"

All school zones shall have a speed limit of 30 km/h and the effective time is 7:30-16:30 (school days).

- 2. This Bylaw shall take effect on the date of final passage.
- 3. Bylaw #1550 is hereby amended.

Read a first time in Council this 9th day of March 2015 A.D.

Read a second time in Council this 23<sup>rd</sup> day of March 2015 A.D.

Read a third time in Council and finally passed in Council this 23<sup>rd</sup> day of March 2015 A.D.

Rob Steel, Mayor

Marian Carlson, Chief Administrative Officer

Amended by Bylaw + 1472 100

#### TOWN OF CLARESHOLM PROVINCE OF ALBERTA BYLAW # 1370

A Bylaw of the Town of Claresholm to prohibit the placement of any foreign material which may impede drainage in curb lines on streets and roads.

WHEREAS Section 7 of the Municipal Government Act Chapter M 26-1 authorizes Council to pass Bylaws respecting services provided by the Town; and

WHEREAS the Town of Claresholm provides for drainage of storm water on streets and roads by the provision of curbs adjacent to the roadways;

NOW THEREFORE, under the authority and subject to the provisions of the Municipal Government Act, the Municipal Corporation of the Town of Claresholm, duly assembled, does hereby enact:

- 1) That all curb lines shall be kept free of any foreign material which may impede the flow of storm waters along curb lines of streets and roads.
- That any foreign material placed in curb lines shall be immediately removed upon notice being served by the Town of Claresholm, and failure to do so will result in the Town of Claresholm removing the foreign material and charging the costs back to the homeowner. Such costs can and will, upon remaining unpaid, be added to the taxes of the property and be collected in a like manner as outstanding taxes.
- 3) Bylaw #1370 shall be in force and effect on the date of final passage.

Read a first time in Council this <u>23</u> day of <u>September</u> 1996 A.D.

Read a third time in Council and finally passed in Council this

23 day of September 1996 A.D.

Larry Flexhaug, Town Coordinator

E. R. Patterson, Mayor

# TOWN OF CLARESHOLM PROVINCE OF ALBERTA BYLAW # 1472

A Bylaw of the Town of Claresholm to amend Bylaw #1370 being a bylaw to prohibit the placement of any foreign material which may impede drainage in curb lines on streets and roads; and

WHEREAS it is deemed necessary from time to time to make additions and amendments to existing bylaws;

**NOW THEREFORE**, under the authority and subject to the provisions of the Municipal Government Act the Council of the Town of Claresholm enacts as follows:

Act th	e Counc	cil of th	e Town of Claresholm enacts as follows:	
1.	Add:			
	4)		January 1, 2006 the attached schedule of permanent (concrete vay approach modifications are grand fathered into Bylaw 1370.	or asphalt)
		modif	rther driveway approach modifications will be allowed. If any ications do occur they will have to be immediately removed upon Town of Claresholm or its agent.	
2.	Add:			
	Sched	ule "A"	Existing Driveway Approaches	
3.	This B	sylaw sł	nall take effect on the date of final passage.	
4.	Bylaw	#1370	is hereby amended	
Read a	ı first tii	me in C	ouncil this 10th day of Apric	2006 A.D.
Read a	second	l time ir	Council this 10th day of April	2006 A.D.
Read a	third ti	me and	finally passed in Council this 24 th day of April	_2006 A.D.
(	<i>)</i>			

Larry Flexhaug, CAO



# Schedule "A"

# BYLAW #1472 EXISTING APPROACHES

December 31st, 2005

134 - 44 Avenue W	
347 - 47 Avenue W	
367 - 47 Avenue W	
353 - 47 Avenue W	
526 - 48 Avenue W	
415 - 49 Avenue W	
431 - 49 Avenue W	
539 - 49 Avenue W	
650 - 49 Avenue W	
654 - 49 Avenue W	
664 - 49 Avenue W	
669 - 49 Avenue W	
670 - 49 Avenue W	
# 16 Willow Road	
# 20 Willow Road	
# 26 Willow Road	
328 - 50 Avenue W	
335 - 50 Avenue W	
526 - 50 A Avenue	W
534 - 50 A Avenue	
538 - 50 A Avenue	W
671 - 50 A Avenue	W
509 - 53 Avenue W	
521 - 53 Avenue W	
311 - 55 Avenue W	
414 - 56 Avenue W	

418 - 56 Avenue W

412 - 57 Avenue W 419 - 57 Avenue W 428 - 57 Avenue W

405 - 57 Avenue W (2 Driveways)

4948 - 5 Street W
5025 - 5 Street W
5029 - 5 Street W
5033 - 5 Street W
5037 - 5 Street W
5022 - 6 Street W
5034 - 6 Street W
5038 - 6 Street W
5042 - 6 Street W
5042 - 6 Street W
4892 - 7 Street W
4893 - 7 Street W
5025 - 7 Street W
5037 - 7 Street W
5045 - 7 Street W
5049 - 7 Street W
5053 - 7 Street W
4920 - 8 Street W
5048 - 8 Street W



# REQUEST FOR DECISION

Meeting: December 7, 2020 Agenda Item: 3

#### **DRAFT BYLAW No. 1711**

Bylaw #1534 was put into effect on November 23<sup>rd</sup> 2009, which includes both Unsightly Premises and Snow Removal. Bylaw #1534 has been reviewed by the Municipal Planning Commission and suggestions as to the Unsightly Premises portion of that Bylaw has now been included, with additions and changes, in the attached draft Bylaw No. 1711, "Unsightly Premises and Property Standards Bylaw."

With this bylaw the changes proposed define less subjective criteria as to what does and does not constitute "unsightly" both for consistency and ease of enforcement and to strengthen our case should any unsightly order go before the courts. Administration reviewed various bylaws throughout Alberta and neighboring municipalities and tailored the attached draft based on MPC direction. Administration also reviewed bylaws provided by Legal Counsel, who has additionally reviewed the draft Bylaw No. 1711. Legal has commented that the attached draft Bylaw is consistent, clear, reasonable, and enforceable.

#### Notable changes include:

- 1. Restriction of recreational vehicles parked on front lawns or gravel pads, and parked in the front on a pad only for the months of May-Sept.
- 2. Changes to definitions for clarity. Ex: Damaged, Dismantled, or Derelict vehicles no longer refers to an accumulation, unsightly can be one vehicle that is damaged and/or not registered or drivable on its own.
- 3. Updated list of what constitutes a nuisance/unsightly property so it is clear to residents and can be dealt with separate from damaged, dismantled, or derelict vehicles.
- 4. Alley's and Boulevards section changed so both areas are the same and the responsibility of the owner to maintain.
- 5. Clarity added for the sections regarding maintenance of buildings, construction sites, and repair of motor vehicles.

On November 20, 2020 MPC carried a motion to refer draft Bylaw No. 1711 to Council for review and first reading. Please note, since some of the changes will affect properties, specifically the parking of recreational vehicles in front yards, Administration is recommending this portion of the bylaw not take effect immediately upon third reading. This will allow education to take place for the public and arrangements to be made for storage of these vehicles.

#### **POSSIBLE MOTION:**

APPROVED BY: Marian Carlson, CLGM - CAO

Moved by Councillor Property Standards Bylaw.	to give first reading to Bylaw No. 1711, an Unsightly Premises and
ATTACHMENTS: 1.) Draft Bylaw No. 1711 & Bylaw No. 1534	(current bylaw)
APPLICABLE LEGISLATION: 1.) Section 546 of the Municipal Governmen	nt Act, R.S.A. 2000 , c.M-26, Section 546 (1) , Section 546 (0.1)
PREPARED BY: Tara VanDellen, Planner/Develo	ppment Officer

DATE: December 1, 2020



# TOWN OF CLARESHOLM PROVINCE OF ALBERTA BYLAW #1711

A Bylaw of the **Town of Claresholm** to **regulate and abate Nuisances and Unsightly Premises** and **regulate Property standards in the community.** 

WHEREAS, the Municipal Government of Alberta, being Chapter M-26 of the Revised Statutes of Alberta, R.S.A. 2000 and amendments thereto, authorizes a Council to pass bylaws for the preventing of Nuisances generally, and regulating untidy and Unsightly private and public Premises;

**AND WHEREAS**, the Municipal Government of Alberta, being Chapter M-26 of the Revised Statutes of Alberta, R.S.A. 2000 and amendments thereto, authorizes a Council to pass bylaws for municipal purposes respecting people, activities and things in, on or near a public place or a place that is open to the public;

**AND WHEREAS** the Council deems it necessary to provide for an efficient means of regulating and encouraging the abatement of Unsightly Premises within the Town of Claresholm;

**AND WHEREAS** the Council believes the regulation of Nuisances through a Property Standards Bylaw would benefit the community as a whole;

**AND WHEREAS**, section 66(2) of the Safety Codes Act, R.S.A. 2000, c. S-1, authorizes a Council to pass bylaws respecting minimum maintenance standards for buildings and structures and Unsightly or derelict buildings or structures;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF CLARESHOLM, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

### SECTION 1 TITLE OF BYLAW

1.1 This Bylaw may be cited as the "Unsightly Premises and Property Standards Bylaw."

### **SECTION 2 DEFINITIONS**

- 2.1 In this Bylaw, unless the context otherwise requires:
  - a) "Administration Fee" means a fee added to actual expenses incurred by the Town for measures taken pursuant to this Bylaw and such fee is equal to the greater of \$25.00 or 15% of actual expenses incurred by the Town;
  - b) "Alley" means a narrow Highway or public thoroughfare, which provides a secondary means of access to a lot or lots intended chiefly to provide access to the rear of buildings and parcels of land.
  - c) "Animal Material" means any animal excrement and Includes all material accumulated on a Premises from pet pens or pet Yards, stables, veterinary clinics, animal hospitals, kennels or feed lots;
  - d) "Building" includes anything constructed or placed on, in over or under land.
  - e)"Building Material" means material or debris which may result from the construction, renovation or demolition of any building or other structure and Includes, but is not limited to, wood, gypsum board, roofing, vinyl siding, metal, packaging material and containers of Building Material, gravel, concrete and asphalt and any earth, rocks and vegetation displaced during such construction, renovation or demolition of any building or other structure;
  - f) "Chief Administrative Officer (CAO)" means a municipal official employed by the Town of Claresholm in the position of Chief Administrative Officer or, in his/her absence, the Person appointed as Acting Chief Administrative Officer;

- g) "Control" in reference to Weeds means:
  - i) Cut, mow or carry out measures designed to inhibit propagation of the weed, or
  - ii)Destroy the weed if specified by a Community Peace Officer, Bylaw Enforcement Officer or Weed Inspector employed by the Town of Claresholm;
- h) "Council" means the Council of the Town of Claresholm;
- i) "Court" means the Provincial Court of Alberta;
- j) "Damaged, Dismantled or Derelict Vehicle" means:
  - i) The whole or any part of any Vehicle which is not currently registered or licensed in accordance with Alberta Motor Vehicle Registries for the current year;
  - ii) Any Vehicle which is inoperative or incapable of movement under its own power by reason of disrepair, removed parts or missing equipment; or,
  - iii) And that is not located in an enclosed structure such that the whole or any part of the Vehicle is visible from the Highway.
- k) "Designated Officer" means a Person authorized by Council to act as Designated Officer pursuant to Section 210 of the Municipal Government Act, including but not limited to performing inspections and any other action required to enforce the provisions of this Bylaw. For the purpose of this Bylaw, the Designated Officer shall be the Enforcement Officer.
- l) "Enforcement Officer" means a Community Peace Officer, Bylaw Enforcement Officer, RCMP Constable or other Person appointed by the Town who is authorized to enforce Bylaws of the Town of Claresholm;
- m) "Front Yard" means the same as defined in the Town of Claresholm's Land Use Bylaw;
- n) "Garbage" means any household or commercial rubbish Including, but not limited to, boxes, cartons, bottles, cans, containers, packaging, wrapping material, waste paper, cardboard, food, discarded clothing or fabric and discarded household items;
- o) "Graffiti" means words, figures, letters or drawings scribbled, scratched, painted or sprayed upon any surface without the consent of the Owner of the building or Property on which such Graffiti is placed;
- p) "**Highway**" is as defined in the *Traffic Safety Act*;
- q) "Including" or "Includes" when introducing a list of items, does not limit the meaning of the words to those items or to items of a similar kind;
- r) "Municipal Government Act" means the <u>Municipal Government Act</u>, RSA 2000, Chapter M-26, as amended;
- s) "Notice" means a Notice issued pursuant to this Bylaw directing an Owner or Occupant of a Property to remedy a condition that is not in compliance with a provision of this Bylaw;
- t) "Nuisance" means any use of or activity on land which demonstrates a disregard for the general maintenance and upkeep of Property so as to produce a material annoyance, inconvenience or discomfort to other Persons, whether or not it is detrimental to the surrounding area, some examples of which include, but are not limited to, the following:
  - i) excessive accumulation of material including but not limited to Building Materials, appliances, household goods, boxes, tires, Vehicle parts, Garbage or refuse, or Animal Material, whether of any apparent value or not;
  - ii) loose litter, Garbage, construction debris, Yard Material or refuse whether located in a storage area, collection area or elsewhere on the land;
  - iii) Damaged, Dismantled or Derelict Vehicles;
  - iv) smelly or messy compost heaps;
  - v) grass or Weeds higher than 15 centimeters (approximately 6 inches);
  - vi) production of excessive dust, dirt or smoke;
  - vii) production of any generally offensive odours;
  - viii) open or exposed storage of industrial fluids, including engine oil, brake fluid or anti-freeze;

- ix) use of any pesticide or herbicide which has significant detrimental or environmental effects on surrounding areas;
- x) any trees, shrub, other type of vegetation or any structure:
  - (1) that obstructs any Sidewalk adjacent to the land;
  - (2) that impairs the visibility required for safe traffic flow at any intersection adjacent to the land; or
  - (3) that has any rot, disease or other deterioration;
- xi) the failure to destroy prohibited Weeds or Control noxious or Nuisance Weeds;
- xii) any accessible excavation, ditch, drain or standing water that could pose a danger to the public;
- xiii) any construction project or activity not completed within 3 years of the date the building permit for the project or activity was issued by the Town or, if no permit was issued or required, within 3 years of starting construction; and
- xiv) any conditions likely to attract Nuisance animals, pests or other vermin
- u) "Occupy" or "Occupies" means residing on or to be in apparent possession or Control of Property;
- v) "Owner" of a Property means:
  - i) a Person who is registered under the *Land Titles Act* as the Owner of the land;
  - ii) a Person who is recorded as the Owner of the Property on the tax assessment of the Town;
  - iii) a Person who has purchased or otherwise acquired the 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;
  - iv) a Person holding himself out as the Person having the powers and authority of Ownership of the Property or who for the time being exercises the powers and authority of Ownership; or
  - v) a Person Controlling the Property under construction, or a Person who is the occupant of the Property pursuant to a rental or lease agreement, license or permit;
- w) "Person" means an individual or any business entity Including a firm, partnership, association, corporation, company, or society;
- x) "**Property**" means any land situated in whole or in part within the Town Including the external surfaces of all buildings and land immediately adjacent to any buildings and Includes any land or buildings owned or leased by the Town;
- y) "**Provincial Offences Procedures Act**" means the <u>Provincial Offences Procedure Act</u>, RSA 200, Chapter P-34, and the regulations thereof, as amended;
- z) "Rear Yard" means the same as defined in the Town of Claresholm's Land Use Bylaw;
- aa) "Recreation Vehicle" means a Vehicle, trailer, water craft or off road Vehicle that is utilized for recreational purposes and includes any motor home, travel trailer, tent trailer, watercraft and trailer, fifth wheel trailer, a camper when it is not mounted on a truck but placed on the ground or stand, utility trailer, or any similar Vehicles, or any Vehicle as determined by an Enforcement Officer to be intended for predominantly recreation purposes that would not typically be seen as use directly related to the Property.
- bb) "Residential Building" means a structure used as a residence containing one or more dwelling units, including a house, multi-family dwelling, apartment building, hospital, lodging house, hotel, motel, mobile home, tent, trailer, motor home, camper, or recreational Vehicle of any type;
- cc) "Residential Development" means any land that is the site of one or more Residential Buildings, excepting farms, ranches, and other land which is used for primarily agricultural purposes;
- dd) "Secondary Front Yard" means the secondary side of properties with more than one street frontage, typically corner lots.

- ee) "Side Yard" means the same as defined in the Town of Claresholm's Land Use Bylaw.
- ff) "Town" means the municipal corporation of the Town of Claresholm in the Province of Alberta, or the area located within the Town of Claresholm's corporate limits, as the context so requires;

#### gg) "Unsightly" means:

- i) A Property that because of its condition or the accumulation of refuse is detrimental to the use and enjoyment of the surrounding area or neighboring properties;
- ii) In respect of a structure, includes a structure whose exterior shows signs of significant physical deterioration, serious disregard for general maintenance, upkeep or repair, or which constitutes a Nuisance;
- iii) In respect of land, includes land that shows signs of a serious disregard for general maintenance or upkeep or which constitutes a Nuisance; or
- iv) In an Unsightly condition within the meaning of s.546 of the Municipal Government Act.
- hh) "Vehicle" has the same meaning as defined in the <u>Traffic Safety Act</u>, and Includes any motorized Vehicle that is unable to be moved under its own power;
- ii) "Weeds" Includes dandelions, Nuisance and noxious Weeds as defined by the <u>Weed</u> <u>Control Act</u>;
- jj) "Yard" means the same as defined in the Town of Claresholm's Land Use Bylaw
- kk) "Yard Material" means waste material of an organic nature formed as a result of gardening, horticultural pursuits, or agricultural activities and Includes grass, tree and hedge cuttings, waste sod and decomposing plants, leaves and Weeds.

#### SECTION 3 NUISANCE AND UNSIGHTLY LANDS

- 3.1 A Person shall not cause or permit a Nuisance to exist on land they Own or Occupy.
- 3.2 A Person shall not allow Property which they Own or Occupy to be or to become Unsightly.
- 3.3 No Owner or Occupant of a Property shall have or allow in or on the Property, the accumulation of:
  - a) Any material that creates unpleasant odour;
  - b) Any material likely to attract animals, pests or wildlife; or
  - c) Animal remains, parts of animal remains or animal feces.
- 3.4 A Person shall not have or allow the following to accumulate on Property which they Own or Occupy such that the accumulation is visible to a Person viewing from outside the Property:
  - a) Loose Garbage and bagged Garbage;
  - b) Bottles, cans, boxes or packaging materials;
  - c) Household furniture or other household goods;
  - d) Automobile parts;
  - e) Parts of or disassembled machinery, equipment or appliances;
  - f) Yard waste, including grass, tree and hedge cuttings, leaves and other refuse; or
  - g) Any items or material of a similar nature.
- 3.5 No Person shall keep or permit in any part of any Yard within any Residential Premises or Property any Vehicle, loaded or unloaded, of a gross Vehicle weight in excess of 5,500 kg for longer than is reasonably necessary to load or unload the Vehicle.
- 3.6 No Person shall permit any Recreational Vehicle to be used as a dwelling unit on any Residential Development or Property.

- 3.7 No Person shall keep or permit on any Residential Development or Property any Recreational Vehicle unless the Recreational Vehicle is parked:
  - a) During the months of May to September inclusive, in a Front Yard or a Secondary Front Yard and located on a hard-surfaced, gravel, or rock parking area with a setback of at least 1.0 m from the sidewalk or curb if there is no sidewalk abutting the road; and
  - b) At anytime during the year, in a Rear Yard or Side Yard and maintained to prevent the tracking of mud or debris onto adjacent roadways.

### **SECTION 4 BOULEVARDS AND ALLEYS**

- 4.1 A Person shall maintain any Boulevard or Alley adjacent to the Property they own or Occupy by:
  - a) Keeping any grass cut to a length of no more than 15 cm (approximately 6 inches);
  - b) Removing any accumulation of fallen leaves or other refuse or debris;
  - c) Replace dead or diseased lawn with grass or other landscaping material approved by the Town per section 4.2; and
  - d) Notifying the Town if tree maintenance is required.
- 4.2 No Person shall remove or prune trees located on a Boulevard or Alley without prior approval from the Town.
- 4.3 Subject to obtaining written permission from the Town, any Owner who chooses to utilize any landscaping material other than natural grass (e.g. crushed rock, mulch, artificial turf, hard-surfacing, plantings, etc.) on a Boulevard, Alley or any other publicly owned Premises or Property adjacent to their Premises or Property assumes responsibility for all maintenance of such landscaping material and the repair of damage to such landscaping material, regardless of cause.
- 4.4 Notwithstanding Section 4.1, if the Town is required to damage, disturb or remove landscaping material placed on a Boulevard or Alley as a result of repair of public utilities, the Town will only be responsible for the cost to repair the damage, disturbance or removal with natural grass.

### **SECTION 5 BUILDINGS**

- No Person shall cause or permit a Nuisance to exist in respect of any Building on land they Own or Occupy.
- 5.2 For the purpose of greater certainty, a Nuisance in respect of a Building means a Building showing signs of serious disregard for general maintenance and upkeep, whether or not it is detrimental to the surrounding area, some examples of which Include the following:
  - a) Any damage to the Building;
  - b) Any rot or other deterioration within the Building; and
  - c) Any inappropriate infiltration of air, moisture or water into the Building due to peeling, unpainted or untreated surfaces, missing shingles or other roofing materials, broken or missing windows or doors, or any other hole or opening in the Building.
- 5.3 If a Building normally intended for human habitation is unoccupied then any door or window opening in the Building may be covered with a solid piece of wood, but only if the wood is:
  - a) Installed from the exterior and fitted within the frame of the opening in a watertight manner;
  - b) Of a thickness sufficient to prevent unauthorized entry in the Building;
  - c) Secured in a manner sufficient to prevent unauthorized entry in the Building; and
  - d) Coated with an opaque protective finish in a manner that is not detrimental to the surrounding area.

### **SECTION 6 CONSTRUCTION SITE**

- 6.1 Each construction site shall have a waste container to ensure that waste construction materials are placed in the container to prevent the material from being blown away from the construction site.
- 6.2 No Person shall allow the accumulation of Building Materials on a Property they Own or Occupy, whether new or used, such that they are visible to a neighbor or from a Highway or public space, unless they can establish that a construction or renovation is being carried out on the Property and that:
  - a) The project has begun or the beginning of work is imminent;
  - b) The materials found on the Property relate to the project taking place on the Premises in a quantity reasonable to complete the project; and
  - c) The work on the project has not been suspended for a period in excess of one hundred and twenty days.
- 6.3 No Person shall allow loose construction material to be stored or accumulated on a construction site they Own or Occupy unless it is:
  - a) Stacked or stored on the Property in an orderly manner; and
  - b) Not capable of being blown around the construction area or off the construction site.

### **SECTION 7 REPAIR OF MOTOR VEHICLES**

- 7.1 A Person shall not conduct any repair work on Motor Vehicles, including mechanical repairs, auto body work, frame repair, collision repair, auto painting or modifications to the body or rebuilding of a Vehicle, on any land in a residential district, unless approved by way of development permit.
- 7.2 This prohibition shall not apply to routine maintenance work performed on any Vehicles owned, operated or registered in the name of the Person who Owns or Occupies the Property on which the work is being performed, provided that:
  - a) There is no escape of offensive, annoying or noxious odors, fumes or smoke from the Property;
  - b) Vehicle fluids, oil, gasoline products or other hazardous materials are properly stored and disposed of and not swept or washed into lanes, streets, or down storm sewers;
  - All discarded Vehicle parts and materials are properly stored out of public view and disposed of from the Property;
  - d) No washing of motor, power train or other Vehicle parts which may cause petroleum product runoff into the storm water system on the Property; and
  - e) All building and fire code regulations are met.

### **SECTION 8 EXEMPTIONS & EXCEPTIONS**

- 8.1 The provisions of this Bylaw shall not be interpreted to prevent bona fide and permitted commercial, industrial, agricultural, construction, demolition, renovation, landscaping, clean-up, storage or other related activities from being carried out on, or in relation to, a Property.
- 8.2 The Person who Owns or Occupies a Property that carries on, or permits the carrying on, of any activities referred to in Section 8.1 of this Bylaw shall ensure that all reasonable steps are taken to minimize the duration and visual impact of any resulting untidiness or unsightliness of the Property.

### **SECTION 9 ENFORCEMENT**

- 9.1 Where an Owner or Occupant of a Property is found by a Designated Officer or Enforcement Officer to be in non-compliance with any provision of this Bylaw, the Owner or Occupant of the Property may be issued an Order containing the following information:
  - a) The address and/or legal description of the Property where remedial action is required;

- b) The condition or conditions that are not in compliance with this Bylaw;
- c) The remedial action that is required to bring the Property into compliance;
- d) The deadline for completion of the remedial action required, which must not be less than seven (7) days after the date of service of the Notice and must not be greater than thirty (30) days after the date of service of the Notice; and
- e) A statement that the Town may carry out the required remedial action at the Owner's expense if the required work is not completed within the allowed time.
- An application for an extension of the deadline provided for the completion of the remedial action required in a Notice issued pursuant to Section 9.1 of this Bylaw may be applied for in writing to an Enforcement Officer not later than seven (7) days after the service of the Notice. The application must include the reasons why the deadline extension is required, and the anticipated date for completion of the required remedial action. Any such deadline extension applied for may be allowed or refused at the sole discretion of the Enforcement Officer, and the extension shall not exceed sixty (60) days after the deadline provided in the Notice.
- 9.3 Any Notice issued pursuant to Section 9.1 of this Bylaw will be deemed to have been sufficiently served upon the Owner or Occupant of the Property when the Notice is:
  - a) served Personally upon the Owner or Occupant, or served in substitution upon any Person who is 18 years of age or older who resides in the subject Property;
  - b) served Personally upon the Property manager or Person apparently in charge of the Property, if the Property is not occupied or managed by the Owner;
  - c) posted at a conspicuous location(s) near the main entry to the Property; or
  - d) mailed by regular mail to the Owner of the Property using the address provided by the Owner and/or on record with the Town of Claresholm as the mailing address for the Owner of the Property, in which case the deemed date of service is five (5) days after the date of mailing.
- 9.4 The Owner or Occupant of a Property who has been served with a Notice issued pursuant to this Section shall fully comply with the Notice within either the original or extended time allowed for compliance.
- 9.5 Where an Enforcement Officer has reasonable grounds to believe that a Person has contravened any provision of this Bylaw, he/she may commence enforcement of the Bylaw in relation to that Person by:
  - a) Issuing the Person, a Violation Ticket in a form as approved by the Chief Administrative Officer;
  - b) Swearing out an Information and Complaint against the Person; or
  - c) In lieu of prosecution, issuing the Person a Bylaw Violation Tag, in a form as approved by the Chief Administrative Officer.
  - d) If the Violation Tag penalty is not paid within the specified period, the Person shall be issued a Violation Ticket pursuant to the provisions of Part Two (2) of the Provincial Offences Procedures Act (POPA);
  - e) Any penalties assessed shall be per "Schedule 'A' Minimum Specified Penalties.
- 9.6 Where an Enforcement Officer issues a Person a Violation Ticket in accordance with Section 9.5(a) of this Bylaw, the Enforcement Officer may either:
  - a) Allow the Person to pay the specified penalty as provided for in Section 11 of this Bylaw by indicating such specified penalty on the Violation Ticket; or
  - b) Require a Court appearance of the Person, pursuant to the provisions of Part 2 of the Provincial Offences Procedure Act, where the Enforcement Officer reasonably believes that such appearance is in the public interest.
- 9.7 No provision of this Bylaw or any action taken pursuant to any provision of this Bylaw shall restrict, limit, prevent or preclude an Enforcement Officer or the Town from pursuing any other remedy in relation to a Property or Nuisance as provided by the Municipal Government Act, any other law of the Province of Alberta, or any other Bylaw of the Town.

### **SECTION 10 GENERAL PENALTY PROVISION**

10.1 Any Person that violates any provision of this Bylaw is guilty of an offence and is liable upon conviction to a maximum fine of ten thousand dollars (\$10,000), or in default of payment of the fine to imprisonment for a period not exceeding one (1) year, or to both fine and imprisonment in such amounts.

### **SECTION 11 GENERAL**

- 11.1 It is the intention of the Council of the Town that each provision of this Bylaw should be considered as being separate and severable from all other provisions. Should any section or provision of this Bylaw be found to have been improperly enacted, then such section or provision shall be regarded as being severable from the rest of this Bylaw and that the Bylaw remaining after such severance shall remain effective and enforceable.
- 11.2 It is the intention of the Council of the Town that all offences created pursuant to this Bylaw be construed and considered as being Strict Liability Offences.
- 11.3 Whenever the singular and masculine gender is used in this Bylaw, the same shall include the plural, feminine and neuter gender whenever the context so requires.

### **SECTION 12 REPEAL OF PREVIOUS BYLAW**

Bylaw No. 1534, the "Unsightly Premises and Snow Removal Bylaw" and any amendments 12.1 thereto, are hereby repealed.

### S

<b>SECTION 13</b>	PASSAGE OF BYLAW			
13.1	This Bylaw (except that mentione final reading.	l in 13.2) shall con	ne into effect upon the	date of third and
13.2	Section 3.7 of this Bylaw shall co	ne into effect on _		-
Read a first tir	me in Council this day of	2020 A.D.		
Read a second	I time in Council this day	of 2020	A.D.	
Read a third ti	ime in Council and finally passe	l in Council this	day of	2020 A.D.
Doug Ma	acPherson, Mayor	M		<b>CAO</b>

### SCHEDULE "A" MINIMUM AND SPECIFIED PENALTIES AND FEES

1. The minimum and specified penalty for a violation of any provision of this Bylaw (excepting the provisions of Sections 3.4, 4, and 7) is a fine in the amount of:

First Offence: \$350.00 Second Offence: \$700.00 Third Offence: \$1,500.00

2. The minimum and specified penalty for a violation of Section 3.4 of this Bylaw is a fine in the amount of:

First Offence: \$500.00

Second Offence: \$1,000.00 Third Offence: \$1,500.00

3. The minimum and specified penalty for a violation of a provision of Sections 4 and 7 of this Bylaw is a fine in the amount of:

First Offence: \$250.00

Second Offence: \$500.00 Third Offence: \$1,000.00

- 4. The minimum and specified penalty for any violation of this Bylaw four (4) times or more and for each subsequent offence shall be a fine in the amount of one thousand five-hundred dollars (\$1,500.00).
- 5. The fee to appeal a written order shall be one hundred dollars (\$100).
- 6. The penalty in lieu of prosecution for a violation of any provision of this Bylaw proceeded with in accordance with Section 9.1(c) is one-half (50%) of the minimum and specified penalty provided for the particular offence by this Section.



### TOWN OF CLARESHOLM PROVINCE OF ALBERTA BYLAW #1534

A Bylaw of the **Town of Claresholm** to **regulate and abate nuisances and unsightly premises** and to require timely snow removal within the Town of Claresholm.

**WHEREAS**, under the authority of the Municipal Government of Alberta, being Chapter M-26 of the Revised Statutes of Alberta, R.S.A. 2000 and amendments thereto, the Council of a municipality may pass bylaws for the preventing of nuisances generally, and regulating untidy and unsightly private and public premises;

**AND WHEREAS** the Council deems it necessary to provide for an efficient means of regulating and encouraging the abatement of unsightly premises within the Town of Claresholm;

**AND WHEREAS** the Council deems it necessary to require the timely removal of ice and snow from the sidewalks located within the Town of Claresholm;

**AND WHEREAS** the Council deems it necessary and appropriate to repeal and replace the existing Unsightly Premises and Snow Removal Bylaw No. 1522;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF CLARESHOLM, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

### **SECTION 1 TITLE OF BYLAW**

1.1 This Bylaw may be cited as the "Unsightly Premises and Snow Removal Bylaw."

### **SECTION 2 DEFINITIONS**

- 2.1 In this Bylaw, unless the context otherwise requires:
  - a) "Administration Fee" means a fee added to actual expenses incurred by the Town for measures taken pursuant to this Bylaw and such fee is equal to the greater of \$25.00 or 15% of actual expenses incurred by the Town;
  - b) "Animal Material" means any animal excrement and includes all material accumulated on a premises from pet pens or pet yards, stables, veterinary clinics, animal hospitals, kennels or feed lots;
  - c) "Ashes" means the powdery residue accumulated on a premises left after the combustion of any substance and includes any partially burnt wood, charcoal or coal;
  - d) "Building Material" means material or debris which may result from the construction, renovation or demolition of any building or other structure and includes, but is not limited to, wood, gypsum board, roofing, vinyl siding, metal, packaging material and containers of building material, gravel, concrete and asphalt and any earth, rocks and vegetation displaced during such construction, renovation or demolition of any building or other structure;
  - e) "Chief Administrative Officer" means a municipal official employed by the Town of Claresholm in the position of Chief Administrative Officer or, in his/her absence, the person appointed as Acting Chief Administrative Officer;
  - f) "Control" in reference to weeds means:
    - i) Cut, mow or carry out measures designed to inhibit propagation of the weed, or ii)Destroy the weed if specified by a Community Peace Officer, Bylaw Enforcement Officer or Weed Inspector employed by the Town of Claresholm;
  - g) "Council" means the Council of the Town of Claresholm;
  - h) "Court" means the Provincial Court of Alberta;
  - i) "Designated Officer" means a person authorized by Council to act pursuant to Section (542) of the Municipal Government Act, but not limited to performing inspections and any other action required to enforce the provisions of this Bylaw. For the purpose of this

Bylaw, the Designated Officer shall be the Enforcement Officer.

- j) "**Enforcement Officer**" means a Community Peace Officer, Bylaw Enforcement Officer, RCMP Constable or other person appointed by the Town who is authorized to enforce Bylaws of the Town of Claresholm;
- k) "Garbage" means any household or commercial rubbish including, but not limited to, boxes, cartons, bottles, cans, containers, packaging, wrapping material, waste paper, cardboard, food, discarded clothing or fabric and discarded household items;
- l) "Graffiti" means words, figures, letters or drawings scribbled, scratched, painted or sprayed upon any surface without the consent of the owner of the building or premise on which such graffiti is placed;
- m) "Highway" is as defined in the *Traffic Safety Act*;
- n) "**Including**" or "**Includes**" when introducing a list of items, does not limit the meaning of the words to those items or to items of a similar kind;
- o) "**Municipal Government Act**" means the <u>Municipal Government Act</u>, RSA 2000, Chapter M-26, as amended or replaced from time to time;
- p) "Notice" means a notice issued pursuant to this Bylaw directing an owner of a premises to remedy a condition that is not in compliance with a provision of this Bylaw;
- q) "Nuisance" means any condition or use of property which, in the opinion of a Designated Officer, constitutes an unreasonable interference with the use and enjoyment of other property and includes, without limiting the foregoing, those conditions set out in Section Three (3) of this Bylaw.
- r) "Owner" of a property or premise means:
  - i) a person who is registered under the *Land Titles Act* as the owner of the land;
  - ii) a person who is recorded as the owner of the property on the tax assessment of the Town:
  - iii) a person who has purchased or otherwise acquired the 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;
  - iv) a person holding himself out as the person having the powers and authority of ownership of the property or premises or who for the time being exercises the powers and authority of ownership; or
  - v) a person controlling the property or premises under construction, or a person who is the occupant of the property or premises pursuant to a rental or lease agreement, license or permit;
- s) "**Person**" means an individual or any business entity including a firm, partnership, association, corporation, company, or society;
- t) "**Premises**" means any land situated in whole or in part within the Town including the external surfaces of all buildings and land immediately adjacent to any building or buildings and includes any land or buildings owned or leased by the Town;
- u) "**Provincial Offences Procedures Act**" means the <u>Provincial Offences Procedure Act</u>, RSA 200, Chapter P-34, and the regulations thereof, as amended or replaced from time to time:
- v) "Residential Building" means a structure used as a residence containing one or more dwelling units, including a house, multi-family dwelling, apartment building, hospital, lodging house, hotel, motel, mobile home, tent, trailer, motor home, camper, or recreational vehicle of any type;
- w) "Residential Development" means any land that is the site of one or more residential buildings, excepting farms, ranches, and other land which is used for primarily agricultural purposes;
- x) "**Town**" means the municipal corporation of the Town of Claresholm in the Province of Alberta, or the area located within the Town of Claresholm's corporate limits, as the context so requires;
- y) "Unsightly Premises" means any building or property or part of either that exhibits "visual evidence of a lack of general maintenance and upkeep", as defined in this Bylaw,

and includes any premises upon which there is an excessive or unreasonable accumulation of:

- i) garbage, animal or human excrement, sewage, the whole or a part of an animal carcass, dirt, soil, gravel, rocks, petroleum products, hazardous materials, containers, boxes, paper products, disassembled equipment or machinery, broken household chattels or goods;
- ii) the whole or any part of any vehicle or vehicles which are not registered with the Motor Vehicle Registry for the current year and which are inoperative by reason of disrepair, removed parts, or missing equipment, or any vehicles which are otherwise not in a roadworthy condition;
- iii) equipment, household appliances, power tools or machinery which have been rendered inoperative by reason of disassembly, age or mechanical condition;
- iv) animal material, ashes, building material, garbage, and yard material as defined in this Bylaw; or
- v) any other form of scrap, litter, trash, junk, or waste of any kind;
- z) "**Vehicle**" has the same meaning as defined in the <u>Traffic Safety Act</u>, and includes any motorized vehicle that is unable to be moved under its own power;
- aa) "Visual Evidence of a Lack of General Maintenance and Upkeep" includes, in relation to a premises:
  - i) significant physical deterioration of buildings or other improvements, or portions of either;
  - ii) broken or missing windows, siding, shingles, shutters, eaves, or other building construction or finishing materials;
  - iii) significant fading, chipping or peeling of painted areas of buildings or other improvements;
- bb) "**Weeds**" includes dandelions, nuisance and noxious weeds as defined by the <u>Weed</u> <u>Control Act</u>;
- cc) "Yard Material" means waste material of an organic nature formed as a result of gardening, horticultural pursuits, or agricultural activities and includes grass, tree and hedge cuttings, waste sod and decomposing plants, leaves and weeds.

### **SECTION 3 GENERAL PROHIBITION**

- 3.1 No owner or owners of a premises shall cause, allow or permit the premises to become or to continue to be an "Unsightly Premises", a nuisance, or a danger to public safety as defined by this Bylaw.
- 3.2 When making the determination as to whether a particular premises constitutes an "Unsightly Premises", considerations shall include any admissible evidence as to:
  - a) the general condition and state of tidiness of the neighbouring or surrounding premises;
  - b) the location and permitted use of the premises and whether or not the premises is located within a residential development;
  - c) the period of time the premises has been in the state complained of;
  - d) whether or not the premises is undergoing construction or renovation, and the period of time that such activity has been ongoing; and
  - e) any other circumstances or factors relating to the premises which is deemed relevant to the said determination.
- 3.3 When making the determination as to whether a particular premises constitutes a nuisance, considerations shall include any admissible evidence as to:
  - a) the accumulation of rubbish, refuse or other waste products on the property;
  - b) any other circumstances or factors relating to the premises which is deemed relevant to the said determination.
- 3.4 When making the determination as to whether a particular premises constitutes a danger to public safety, considerations shall include any admissible evidence as to:
  - a) whether the premises could endanger the safety of the general public;

- b) whether the premises constitutes the potential for significant danger, injury or harm, or damage to the general public;
- c) any other circumstances or factors relating to the premises which is deemed relevant to said determination.
- 3.5 Every owner or occupier of a premises shall ensure that graffiti placed on the premises is removed, painted over, or otherwise permanently blocked from public view within fourteen (14) days of the owner becoming aware or notified of the presence of said graffiti.

### SECTION 4 WEEDS, GRASS, TREES, PESTS AND SMOKE

- 4.1 Every occupant or owner of any property or premises within the Town shall:
  - a) eradicate or control all weeds and grass on the premises, and on any boulevard which abuts or adjoins the premises, including up to the center of lanes or alleys at the rear or side of the premises;
  - b) prune or remove any and all trees located on the premises that, due to a deterioration of condition or for any other reason, interfere with any public utility or public works, and are a public safety hazard;
  - c) remove or prune any shrub located on the premises which is, or could be, a nuisance to any person using any publicly owned or maintained sidewalk or street;
  - d) prevent stagnant water from remaining on the premises so as to avoid it becoming a potential breeding place for mosquitoes or other pests;
  - e) cut or mow the grass on any boulevard or street, situated on Town owned land adjoining, or abutting or adjacent to the premises owned or occupied by them, to prevent such grass from growing to such a height as to be unsightly, having regard to the height of the grass on adjacent or surrounding premises;
  - f) remove from such property any dead grass or brush or rubbish which is clearly untidy or unsightly, or which may harbor vermin or pests therein; and
  - g) cut or mow the grass on such property before said grass reaches such a height as to be unsightly, having regard to the height of the grass on adjacent or surrounding property.
- 4.2 No occupant or owner of any property or premises whether presently occupied or not shall:
  - a) allow weeds to grow and propagate uncontrolled or excessively on the premises;
  - b) suffer or permit trees, or other vegetation growing on the property, to interfere or endanger the lines, poles, conduits, pipes, or sewers or other works of the Town;
  - c) allow any infectious blight or disease of the trees or other vegetation located on the property to go uncontrolled or unchecked; or
  - d) allow, permit or cause any opaque or dense smoke or dust to be emitted to the atmosphere from the premises.
- 4.3 Where branches, foliage or other parts of trees, shrubs or other vegetation on a premises extend beyond the property lines of the subject premises, and interfere with or obstruct any public works of the Town, including power lines, traffic signage, street lighting, and the safe movement of vehicular and pedestrian traffic within the Town, the Chief Administrative Officer, the Town Superintendent, a Designated Officer or an Enforcement Officer may authorize the immediate removal, without notice, of any such interferences and obstructions.
- 4.4 Where the Town carries out any remedial measures as required pursuant to Section 4.3 of this Bylaw, neither the Town nor any employees or contractors thereof shall be held liable in any way in relation to any such remedial actions taken.

### **SECTION 5 CONSTRUCTION SITES**

5.1 An owner of a property or premises being demolished or under construction shall ensure that building materials and waste materials on the premises are removed or contained and

- secured in such a manner that prevents such material from being blown off or scattered from the property.
- 5.2 An owner of a property or premises being demolished or under construction shall ensure that waste building material on the premises is removed or secured within a reasonable time by means of appropriate containers.

### **SECTION 6 EXEMPTIONS & EXCEPTIONS**

- 6.1 The provisions of this Bylaw shall not be interpreted to prevent bona fide and permitted commercial, industrial, agricultural, construction, demolition, renovation, landscaping, clean-up, storage or other related activities from being carried out on, or in relation to, a premises.
- 6.2 The owner of a premises that carries on, or permits the carrying on, of any activities referred to in Section 6.1 of this Bylaw shall ensure that all reasonable steps are taken to minimize the duration and visual impact of any resulting untidiness or unsightliness of the premises.
- 6.3 When determining whether the owner of a premises has "taken all reasonable steps" as required by Section 6.2, the Designated Officer's and Council's considerations shall include the considerations referred to in Section 3.2 of this Bylaw.

### **SECTION 7 SNOW AND ICE ON SIDEWALKS**

- 7.1 An owner of a premises shall ensure:
  - a) the removal from any public sidewalk located adjacent to the premises, including private driveway crossings, all snow and ice deposited thereon, whether from natural or unnatural means, within 24 hours of such deposit, or within 24 hours of the issuance of a Snow Removal Notice in respect of the premises; and
  - b) that the snow and ice removed pursuant to section 7.1(a) is not placed upon any highway or other public property administered by the Town.
- 7.2 For the purpose of Section 7.1(a), snow and ice will be considered removed when the sidewalk is cleaned for the entire width of sidewalk to the sidewalk surface as completely as reasonably possible.
- 7.3 For the purpose of Section 7.1(a), in the case of a sidewalk being below grade resulting in repeated coverage by ice or water through drainage or melted snow or rain, the sidewalk must be cleaned as completely as reasonably possible and a non-slip, non-corrosive and salt-free material such as sand or similar material must be scattered on the surface of the sidewalk as frequently as required to maximize traction for pedestrians. The sidewalk condition must be communicated to the Chief Administrative Officer so it can be added to the list of sidewalk improvements and dealt with accordingly.
- 7.4 For the purpose of Section 7.1(a), where an owner or occupant of a premises reasonably anticipates being absent, the owner or occupant must make arrangements to ensure the sidewalks are maintained in accordance with this Bylaw.

### **SECTION 8 ENFORCEMENT**

- 8.1 Where an owner or occupant of a premises is found by a Designated Officer to be in non-compliance with any provision of this Bylaw (excepting Section 7 Snow and Ice on Sidewalks), the owner or occupant of the premises may be issued an Order containing the following information:
  - a) the address and/or legal description of the property where remedial action is required;
  - b) the condition or conditions that are not in compliance with this Bylaw;
  - c) the remedial action that is required to bring the property into compliance;
  - d) the deadline for completion of the remedial action required, which must not be less than seven (7) days after the date of service of the Notice and must not be greater than thirty (30) days after the date of service of the Notice; and

- e) a statement that the Town may carry out the required remedial action at the owner's expense if the required work is not completed within the allowed time.
- 8.2 An application for an extension of the deadline provided for the completion of the remedial action required in a Notice issued pursuant to Section 8.1 of this Bylaw may be applied for in writing to an Enforcement Officer not later than seven (7) days after the service of the Notice. The application must include the reasons why the deadline extension is required, and the anticipated date for completion of the required remedial action. Any such deadline extension applied for may be allowed or refused at the sole discretion of the Enforcement Officer, and the extension shall not exceed sixty (60) days after the deadline provided in the Notice.
- 8.3 Any Notice issued pursuant to Section 8.1 of this Bylaw will be deemed to have been sufficiently served upon the owner or occupant of the premises when the Notice is:
  - a) served personally upon the owner or occupant, or served in substitution upon any person who is 18 years of age or older who resides in the subject premises;
  - b) served personally upon the property manager or person apparently in charge of the premises, if the premises is not occupied or managed by the owner;
  - c) posted at a conspicuous location(s) near the main entry to the premises; or
  - d) mailed by regular mail to the owner of the premises using the address provided by the owner and/or on record with the Town of Claresholm as the mailing address for the owner of the premises, in which case the deemed date of service is five (5) days after the date of mailing.
- 8.4 The owner or occupant of a premises who has been served with a Notice issued pursuant to this Section shall fully comply with the Notice within either the original or extended time allowed for compliance.
- 8.5 Where the owner or occupant of a premises fails to comply with any provision of Section 7 (Snow and Ice on Sidewalks) of this Bylaw, an Enforcement Officer may issue and serve the owner with a Snow Removal Notice in accordance with the provisions of this Section. If the required remedial action (Snow and Ice Removal from Sidewalks) is not completed within 24 hours from the date of service of the Notice, the Town may take all reasonable measures to remove the snow and/or ice from the subject sidewalk(s) at the property-owner's expense, and the subject costs and expenses, if unpaid by the owner upon demand, shall be added to the Tax Roll of the subject property in accordance with Section 553(1)(g.1) of the *Municipal Government Act*, RSA 2000, c.M-26.
- 8.6 Where an Officer has reasonable grounds to believe that a person has contravened any provision of this Bylaw, he/she may commence enforcement of the Bylaw in relation to that person by:
  - a) issuing the person a Violation Ticket pursuant to the provisions of Part 2 of the Provincial Offences Procedure Act;
  - b) swearing out an Information and Complaint against the person; or
  - c) in lieu of prosecution, issuing the person a Bylaw Violation Tag, in a form as approved by the Chief Administrative Officer.
- 8.7 Where an Officer issues a person a Violation Ticket in accordance with Section 9.1(a) of this Bylaw, the officer may either:
  - a) allow the person to pay the specified penalty as provided for in Section 11 of this Bylaw by indicating such specified penalty on the Violation Ticket; or
  - b) require a Court appearance of the person, pursuant to the provisions of Part 2 of the Provincial Offences Procedure Act (POPA), where the Enforcement Officer reasonably believes that such appearance is in the public interest.
- 8.8 No provision of this Bylaw or any action taken pursuant to any provision of this Bylaw shall restrict, limit, prevent or preclude an Enforcement Officer or the Town from pursuing any other remedy in relation to a premise or nuisance as provided by the Municipal Government Act, any other law of the Province of Alberta, or any other Bylaw of the Town of Claresholm.

### **SECTION 9 VIOLATION TICKETS**

- 9.1 Where an Enforcement Officer has reasonable grounds to believe that a person has contravened any provision of this Bylaw, the Enforcement Officer may commence enforcement of the Bylaw in relation to that person by:
  - a) issuing the person a Bylaw Violation Tag, in a form as approved by the CAO;
  - b) if the Violation Tag penalty is not paid within the specified period, the person shall be issued a Violation Ticket pursuant to the provisions of Part Two (2) of the Provincial Offences Procedures Act (POPA);
  - c) if the Violation Ticket penalty is not paid within the specified period, the Enforcement Officer shall swear out an Information and Complaint against the person;
  - d) any penalties assessed shall be per "Schedule 'A' Minimum Specified Penalties."

### SECTION 10 GENERAL PENALTY PROVISION

10.1 Any person that violates any provision of this Bylaw is guilty of an offence and is liable upon conviction to a maximum fine of ten thousand dollars (\$10,000), or in default of payment of the fine to imprisonment for a period not exceeding one (1) year, or to both fine and imprisonment in such amounts.

### **SECTION 11 GENERAL**

- 11.1 It is the intention of the Council of the Town of Claresholm that each provision of this Bylaw should be considered as being separate and severable from all other provisions. Should any section or provision of this Bylaw be found to have been improperly enacted, then such section or provision shall be regarded as being severable from the rest of this Bylaw and that the Bylaw remaining after such severance shall remain effective and enforceable.
- 11.2 It is the intention of the Council of the Town of Claresholm that all offences created pursuant to this Bylaw be construed and considered as being Strict Liability Offences.
- Whenever the singular and masculine gender is used in this Bylaw, the same shall include the plural, feminine and neuter gender whenever the context so requires.

### SECTION 12 REPEAL OF PREVIOUS BYLAW

12.1 Bylaw No. 1522, the "Unsightly Premises and Snow Removal Bylaw" and any amendments thereto, are hereby repealed.

### SECTION 13 PASSAGE OF BYLAW

**Rob Steel, Mayor** 

13.1

This Bylaw shall come into effect upon passage of Third Reading.

Read a first time in Council this 9 <sup>th</sup> day of November 2009 A.D.	
Read a second time in Council this 23 <sup>rd</sup> day of November 2009 A.D	· <b>.</b>
Read a third time in Council and finally passed in Council this 23 <sup>rd</sup> day o  November 2009 A	

Kris Holbeck, CAO

### SCHEDULE "A" MINIMUM AND SPECIFIED PENALTIES AND FEES

1. The minimum and specified penalty for a violation of any provision of this Bylaw (excepting the provisions of Sections 3.4, 4, and 7) is a fine in the amount of:

First Offence: \$350.00 Second Offence: \$700.00 Third Offence: \$1,500.00

2. The minimum and specified penalty for a violation of Section 3.4 of this Bylaw is a fine in the amount of:

First Offence: \$500.00 Second Offence: \$1,000.00 Third Offence: \$1,500.00

3. The minimum and specified penalty for a violation of a provision of Sections 4 and 7 of this Bylaw is a fine in the amount of:

First Offence: \$250.00 Second Offence: \$500.00 Third Offence: \$1,000.00

- 4. The minimum and specified penalty for any violation of this Bylaw four (4) times or more and for each subsequent offence shall be a fine in the amount of one thousand five-hundred dollars (\$1,500.00).
- 5. The fee to appeal a written order shall be one hundred dollars (\$100).
- 6. The penalty in lieu of prosecution for a violation of any provision of this Bylaw proceeded with in accordance with Section 9.1(c) is one-half (50%) of the minimum and specified penalty provided for the particular offence by this Section.



# REQUEST FOR DECISION

Meeting: December 7, 2020 Agenda Items: 4 & 5

### **OPERATIONAL BORROWING BYLAWS – BYLAW 1716 & 1717**

### **DESCRIPTION/BACKGROUND:**

As per MGA Section 251(1) a municipality may only borrow if such borrowing is authorized by a borrowing bylaw. Such borrowing bylaws should be renewed regularly (i.e. annually)

The Town has maintained a revolving line of credit for many years with a principle sum of \$450,000 and there are currently no funds drawn on this credit facility. It has been a long time since we have had to use the revolving line of credit, but maintain it to ensure there are funds available in an emergency or where there is a short-term cash flow concern. There is no change to this bylaw from the prior one with the exception of bylaw number and date.

The Town of Claresholm in early 2018 began using AMSC's Procurement Card credit card program, which is a MasterCard issued by BMO. The Town has a total authorized credit limit on this account of \$50,000. Issuing of cards and card limits are governed by Policy 3-0-01 "Corporate Credit Card Policy".

As the attached bylaws are for operational borrowing not to exceed 3 years we are not required to advertise the bylaw. Limits authorized cannot exceed expected tax revenue for 2021, approximately \$3.5M, which we are well below.

### **RECOMMENDATION:**

Administration recommends that these two operational borrowing bylaws, Bylaw #1716 – 2021 BMO Operational Borrowing, and Bylaw #1717 – 2021 AMSC Operational Borrowing, be maintained at the same amounts and both receive first reading.

### **PROPOSED RESOLUTIONS:**

	to give Bylaw #1716 – 2021 BMO Operational Borrowing Bylaw – credit in the amount of \$450,000 1st Reading.
Moved by Councillor	to give Bylaw #1717 – 2021 AMSC Operational Borrowing Bylaw –
regarding the Town MasterCard accordant ATTACHMENTS:	ount in the amount of \$50,000 1 <sup>st</sup> Reading.
<ol> <li>Bylaw #1716 – 2021 BMO Operation</li> <li>Bylaw #1717 – 2021 AMSC Operation</li> </ol>	
APPLICABLE LEGISLATION:  • Municipal Government Act, RSA 200	00, Chapter M-26 Section 251 - 258

DATE: December 2, 2020

PREPARED BY: Blair Bullock, CPA, CA - Director of Corporate Services

APPROVED BY: Marian Carlson, CLGM - CAO



### TOWN OF CLARESHOLM PROVINCE OF ALBERTA BYLAW #1716

WHEREAS the Council of the Town of Claresholm (hereinafter called the "Corporation") in the Province of Alberta, considers it necessary to borrow certain sums of money for the purpose of meeting operating expenditures;

**NOW THEREFORE** pursuant to the provisions of the *Municipal Government Act*, it is hereby enacted by the Council of the Corporation as a Bylaw that:

- 1. The Corporation borrow from the Bank of Montreal ("BMO") up to the principal sum of \$450,000.00 repayable upon demand at a rate of interest per annum from time to time established by BMO not to exceed 5%, and such interest will be calculated daily and due and payable monthly on the last day of each and every month. The principal sum of \$450,000.00 consists of the following:
  - a. \$450,000.00 revolving line of credit;
- 2. The Chief Elected Officer ("CEO") and Chief Administrative Officer ("CAO") are authorized for and on behalf of the Corporation:
  - a. To apply to BMO for the aforesaid loan to the Corporation and to arrange with BMO the amount, terms and conditions of the loan and security or securities to be given to BMO;
  - b. As security for any money borrowed from BMO:
    - i. To execute promissory notes and other negotiable instruments or evidences of debt for such loans and renewals of all such promissory notes and other negotiable instruments or evidences of debts;
    - ii. To give or furnish to BMO all such securities and promises as BMO may require to secure repayment of such loans and interest thereon; and
    - iii. To execute all security agreements, hypothecations, debentures, charges, pledges, conveyances, assignments and transfers to and in favour of BMO of all or any property, real or personal, moveable or immovable, now or hereafter owned by the Corporation or in which the Corporation may have any interest, and any other documents or contracts necessary to give or to furnish to BMO the security or securities required by it.
- 3. The source or sources of money to be used to repay the principal and interest owing under the borrowing from BMO are:

Taxes, reserves, grants, etc.

- 4. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in the *Municipal Government Act*.
- 5. In the event that the *Municipal Government Act* permits extension of the term of the loan and in the event the Council of the Corporation decides to extend the loan and BMO is prepared to extend the loan, any renewal or extension, bill, debenture, promissory note, or other obligation executed by the officers designated in paragraph 2 hereof and delivered to BMO will be valid and conclusive proof as against the Corporation of the decision of the Council to extend the loan in accordance with the terms of such renewal or extension, bill, debenture, promissory note or other obligation, and BMO will not be bound to inquire into the authority of such officers to execute and deliver any such renewal, extension document or security.
- 6. This Bylaw comes into force on the final passing thereof.
- 7. Bylaw #1691 is hereby rescinded.

Read a first time in Council this day of 2020 A.D.			
Read a second time in Council this day of 2021 A.D.			
Read a third time in Council and finally passed in Council this	day of	2021 A.D.	
Doug MacPherson, Mayor Maria	n Carlson, Chi	ef Administrative Of	 ficer



### TOWN OF CLARESHOLM PROVINCE OF ALBERTA BYLAW #1717

WHEREAS the Council of the Town of Claresholm (hereinafter called the "Corporation") in the Province of Alberta, considers it necessary to borrow certain sums of money for the purpose of meeting operating expenditures;

**NOW THEREFORE** pursuant to the provisions of the *Municipal Government Act*, it is hereby enacted by the Council of the Corporation as a Bylaw that:

- 1. The Corporation borrow from Alberta Municipal Services Corporation ("AMSC") up to the principal sum of \$50,000.00, repayable monthly on the 4<sup>th</sup> day of each and every month. Past Due Amounts will be subject to a rate of interest per annum from time to time established by AMSC not to exceed 19.5%, and such interest will be calculated daily and due and payable monthly on the 4<sup>th</sup> day of each and every month. The principal sum of \$50,000.00 consists of MasterCard accounts administered by AMSC and issued by the Bank of Montreal (BMO).
- 2. The Chief Elected Officer ("CEO") and Chief Administrative Officer ("CAO") are authorized for and on behalf of the Corporation:

To apply to AMSC for the aforesaid credit to the Corporation and to arrange with AMSC the amount, terms and conditions of the MasterCard Accounts;

3. The source or sources of money to be used to repay the principal and interest owing under the borrowing from ATB are:

Taxes, reserves, grants, etc.

- 4. The amount to be borrowed and the term of the credit will not exceed any restrictions set forth in the *Municipal Government Act*.
- 5. This Bylaw comes into force on the final passing thereof.
- 6. Bylaw #1692 is hereby rescinded.

Read a first time in Council this	day of	2020 A.D.		
Read a second time in Council this	day of	2021 A.D.		
Read a third time in Council and fina	ally passed i	n Council this	day of	2021 A.D.
Doug MacPherson, May	or	Marian (	Carlson Chie	ef Administrative Officer



NOV 2 0 2020 AR 177997

His Worship Doug MacPherson Mayor Town of Claresholm P.O. Box 1000 221 - 45 Ave W Claresholm AB TOL 0T0

Dear Mayor MacPherson:

Thank you for your additional letter regarding concerns about negotiations between the Government of Alberta and the Alberta Medical Association (AMA). I welcome the opportunity to provide the following information, and apologize for the delay in responding.

Again, let me emphasize that government recognizes that Alberta's physicians and all health care workers are essential partners in our health care system. We know that each day physicians and their colleagues bring professionalism and compassion to the job of addressing the health needs of Albertans, and we know their first and foremost concern is the health and well-being of the patients, especially during these unprecedented times.

Our government was elected in 2019 with a mandate to get Alberta's finances in order. That has led to tough discussions and hard decisions. I know the last several months of public debate, rumours and news stories have been difficult, particularly in communities where physicians have chosen to adjust how and where they deliver services. Our goal through this process has been simply to hold spending to current levels and ensure all Albertans can continue to have access to strong publicly funded health services over the long term.

I want to assure you that government is committed to delivering an outstanding health care system with better results, and ensuring all Albertans, including those in rural, remote and small communities, have access to strong publicly funded health services over the long term. I have directed Alberta Health Services to communicate with physicians who have chosen to adjust how and where they deliver services to ensure there are no gaps in coverage in their communities.

Furthermore, our government continues to communicate with the AMA and physicians on a regular basis. We have created a physician compensation advisory committee, with physician and public members, which will examine all aspects of the physician services funding model and make recommendations supporting the delivery of high quality, patient-focused health services to Albertans. We also remain open to hearing any proposals for an agreement that the AMA may choose to bring forward towards our goal of maintaining our \$5.4 billion budget.

.../2

His Worship Doug MacPherson Page 2

Thank you again for writing.

Sincerely,

Tyler Shandro, Q.C Minister of Health

Classification: Protected A



AR 176839

November 25, 2020

His Worship Doug MacPherson Mayor Town of Claresholm PO Box 1000 221 - 45 Avenue W Claresholm AB TOL 0T0

### Dear Mayor MacPherson:

Thank you for your letters regarding the Claresholm and District Transportation Society and the integration of emergency medical services (EMS) dispatch. I appreciate the work that the Town of Claresholm and other area municipalities undertake to support the health of your citizens. I apologize for the delay in responding.

With regard to EMS dispatch integration, the changes will not result in any delays in emergency response and people who request EMS will notice no change. As you may be aware, the Town of Claresholm is already part of the integrated dispatch system. A provincial borderless EMS system complemented by an integrated dispatch system provides improved medical oversight and better continuity of care. Both the Health Quality Council of Alberta and the Ernst and Young review of Alberta Health Services (AHS) identified that integration of EMS dispatch services improves system performance and overall patient outcomes due to gains in efficiency, coordination, and integration with the health system. This is a fiscally responsible transition that will maintain patient safety and ensure consistency and sustainability for dispatch services across all communities.

Regarding the Claresholm and District Transportation Society and the updated ambulance regulation, the new *Ground Ambulance Regulation* under the *Emergency Health Services Act* does not change the role of AHS in determining when Albertans require the assistance of non-clinical transportation services, such as that provided by your organization. As such, AHS is still able to decide whether to engage the Society or other local transportation providers to transport Albertans to or from health facilities or medical appointments.

I appreciate that the Society has capacity to provide additional transportation services, and would encourage you to contact Darren Sandbeck, Senior Provincial Director and Chief Paramedic at AHS, at 403-701-3070 or <a href="mailto:darren.sandbeck@ahs.ca">darren.sandbeck@ahs.ca</a> to discuss this further.

For your information, the *Ground Ambulance Regulation* expands safety-related and other legislative requirements to stretcher vans and other patient transportation vehicles operated by licensed ambulance operators rather than community-based or private transportation services.

../2

Mayor MacPherson Page 2

Thank you again for taking the time to express your concerns about EMS dispatch integration and providing information about the Claresholm and District Transportation Society and the services they provide.

Sincerely,

Tyler Shandro, Q.C. Minister of Health

### **Karine Keys**

From: Munira Abdulkadir <muniraa@ruraldevelopment.ca>

**Sent:** November 30, 2020 2:25 PM

**Cc:** Sydney Stenekes

\*Important\* Call for Proposals - Application for Reaching Home COVID-19 Funding for Rural &

Remote Alberta

Attachments: Reaching Home Application Form.docx; RH Sustainability Checklist - Capital Investment

Projects.doc.pdf

Dear Mayors and Councillors,

I hope this email finds you well. The Rural Development Network (RDN, formerly the Alberta Rural Development Network) received **an additional \$1.8 million in federal Reaching Home funding** this year to support communities' responses to the COVID-19 pandemic.

RDN is currently accepting applications to fund projects specific to meeting the needs of individuals who are homeless or at imminent risk of becoming homeless across rural and remote communities in Alberta.

Project activities must take place outside of the "7 Cities" in Alberta (Edmonton, Calgary, Red Deer, Lethbridge, Grande Prairie, Medicine Hat, and Fort McMurray). Activities on First Nations' reserves and on Métis settlements are also eligible for funding.

Please refer to the application for information related to project eligibility. The application and sustainability checklist (specifically for capital projects) are attached in this email and can be found on our website: <a href="https://www.ruraldevelopment.ca/post/rural-development-network-announces-reaching-home-funding">https://www.ruraldevelopment.ca/post/rural-development-network-announces-reaching-home-funding</a>

The application deadline is Wednesday, December 9, 2020 at 11:59 pm Mountain Standard Time (MST). Projects awarded this funding must be completed no later than March 31st, 2021. Please note the short turnaround time for this funding. For capital projects, we realize more time will be needed for project planning and to obtain necessary documentation, but we ask that applicants submit an initial application by the deadline in order to be considered.

If you would like to discuss your project idea further, please feel free to contact me.

My apologies if you receive this email multiple times. We are trying to reach as many people as we can and as a result, your contact information may end up on multiple email lists. Thank you all for your commitment to the communities you serve and for the incredibly important work you continue to lead on the frontlines.

Best regards, Munira

--

### Munira Abdulkadir

Program Coordinator, Homelessness Initiatives

O: 780-964-2736 C: 780-200-0198 Rural Development Network 11443 - 143 Street, NW Edmonton AB T5M 1V7 www.ruraldevelopment.ca



We've recently rebranded from the Alberta Rural Development Network. Check out the announcement here.

The RDN acknowledges that we are located on Treaty 6 territory, and respects the histories, languages, and cultures of First Nations, Métis, Inuit, and all First Peoples of Canada.

Sign up for our biweekly newsletter to get the latest on everything rural-- news, upcoming grants, and events-- delivered straight to your inbox! Click here to subscribe.



# REACHING HOME COVID-19 EMERGENCY FUNDING

Rural Development Network

### **COVID-19 Emergency Funding – New Intake**

Reaching Home

In fall 2020, the Government of Canada through Canada's COVID-19 Economic Response Plan announced an additional \$1,836,365 in Reaching Home dollars to be allocated to support organizations and communities in Rural and Remote Alberta respond to the COVID-19 pandemic. The Rural Development Network (RDN) (formerly Alberta Rural Development Network) is the Community Entity for rural and remote Alberta, and is responsible for distributing this funding. Previously, in April 2020, the RDN received and has since allocated \$796,692 in Reaching Home dollars to support communities' responses to the COVID-19 pandemic.

The Rural Development Network is currently holding a new intake for applications for this additional \$1.8 million. Communities and organizations in need of financial assistance for activities specific to meeting the urgent and immediate needs of homeless individuals and those at imminent risk of becoming homeless are eligible to apply. This funding must be spent by March 31, 2021.

Project activities must take place outside of the "Seven Cities" in Alberta (Edmonton, Calgary, Red Deer, Lethbridge, Grande Prairie, Medicine Hat, and Fort McMurray). This grant is specific to those living in rural and remote areas in the province of Alberta. Activities on First Nations' reserves and on Métis settlements are also eligible for funding.

Capital projects are eligible. The purchasing of land, buildings, vehicles and renovations, including the construction or renovation of emergency shelters, transitional or permanent supportive housing and non-residential facilities (e.g. resource centres) are examples of capital projects that will be considered. Capital projects must be directly supporting the needs of homeless individuals and those at imminent risk of becoming homeless.

Priority will also be given to projects that:

- demonstrate immediate needs due to COVID-19 (requests for funds to be used in-case of an outbreak will not be prioritized)
- provide basic needs services (e.g. food, transportation, hygiene, clothing)
- help homeless with no adequate housing to self-isolate (e.g. in motels, hotels, etc.)
- help shelters & mat programs comply with health recommendations (e.g. adding space between persons, protective barriers, sanitation, etc.)
- connect vulnerable clients to housing placements and supports
- focus on prevention and shelter diversion services, such as the provision of short-term financial assistance (e.g. rental arrears, utility payments) to clients who are homeless or at-risk of homelessness
- provide mental health supports to vulnerable clients



# REACHING HOME COVID-19 EMERGENCY FUNDING

Rural Development Network

- connect clients to clinical and treatment services, economic integration services (e.g. income
  assistance, employment, job training, education) and social and community integration services
- help purchase cleaning supplies and other personal protective equipment for front-line service providers
- take place in communities heavily impacted by the pandemic
- identify opportunities for integration of services and supports
- address a demonstrated need; and
- clearly outline capacity to deliver identified project activities

### Funding available per project:

While there is no maximum amount of funding communities can request for this intake, funding is limited. Therefore, we will be unable to fund all applications and some applications may not be approved for the full request. We will consider requests for higher levels of funding if the proposed activities and expenditures correspond with a heightened need in the community. Capital projects may also correspond with higher funding requests.

### Eligible Organizations:

- Not-for-profit organizations;
- Public health and educational institutions;
- For-profit organizations;
- Provincial and territorial governments and their entities<sup>1</sup>; and
- Municipalities;
- Indigenous organizations<sup>2</sup>.

### New application intake closing date: Wednesday, December 9, 2020, 11:59 pm MDT

Please submit an application by the deadline in order to have your project considered for funding. Further details may be requested following this application for clarification.

If more time is required for planning capital projects, we ask that applicants submit this form by the deadline as an initial application in order to be considered, and indicate how far along they are in the planning/execution.

If funding is available after this initial intake, we will continue to accept applications on a rolling basis. There are however no guarantees that there will be funding leftover.

<sup>&</sup>lt;sup>1</sup> including institutions, agencies and Crown Corporations

<sup>&</sup>lt;sup>2</sup> (Indigenous organizations may include, but are not limited to, incorporated for-profit and not-for-profit Indigenous controlled organizations, Indigenous controlled unincorporated associations, Indian Act Bands, Tribal Councils and Indigenous self-government entities)



November 27, 2020

Tara VanDellen Town of Claresholm Box 1000 Claresholm AB TOL 0TO

Dear Ms. Van Dellen,

On behalf everyone at the Community Foundation of Lethbridge and Southwestern Alberta, I am delighted to inform you that your application to the Fall 2020 Community Priorities Fund was successful! Congratulations to you and your organization on receiving a \$10,000 grant for the *Kidz Zone Building Residing Project*.

A copy of the Grant Agreement is enclosed for signature by an authorized signing authority with your organization. Please return one signed copy of the Grant Agreement to the Community Foundation and keep a copy for your records. I encourage you to read the Grant Agreement carefully prior to signing. If you have any questions regarding the Grant Agreement, please do not hesitate to contact me or our Grants Coordinator, Caitlin Gajdostik.

A project final report of your project is due on or before December 15, 2021. Please note that the Grant Agreement includes a requirement to provide the Community Foundation with a story lead related to the project the grant supports.

All of us at the Community Foundation recognize that this has been an exceptionally challenging year, and we thank you for all that you do to ensure the health and well-being of the community. Thank you for the time and effort put into your submission, and for your interest in the Community Foundation.

In light of the COVID-19 restrictions on indoor gatherings in Alberta, the Community Foundation is not able to award grants through a Grants Celebration, Instead, we will be contacting you via email to coordinate a date and time for you to stop by our office to collect your grant and your plaque. Please note that we require all guests to wear masks while at the office. Please watch your email for updates on the arrangement details for your organization.

All best wishes,

Charleen Davidson Executive Director

cc: Kim Gugala, Claresholm Child Care Society



### **GRANT AGREEMENT**

The **Community Foundation of Lethbridge and Southwestern Alberta** (the Community Foundation) hereby grants the sum of **\$10,000** to the **Town of Claresholm** (Grantee) which the Grantee hereby accepts on the following terms and conditions:

- 1. Town of Claresholm shall use the funds for the *Claresholm Child Care Society- Kidz Zone Building Re-siding Project*, as requested in the Community Priorities Grant Application. The Grantee may not make any changes to the project without the prior written approval of the Community Foundation.
- 2. The Grantee agrees to provide appropriate recognition for the Community Foundation for receipt of this grant using the Community Foundation's logo and the "Community Foundation of Lethbridge and Southwestern Alberta" name. *Please refer to Schedule "A" for recognition requirements and expectations.*
- 3. The Grantee may release information regarding receipt of the grant without prior approval of the Community Foundation provided all conditions of this Agreement have been accepted. The Grantee is encouraged to make its own public announcement about this grant to attract additional public support. One copy of all press releases, news articles, and other published references must be sent to the Community Foundation.

The Grantee agrees to provide the Community Foundation with a written **Final Report** of the project details, the impact of the grant on the community, and an account of how the funds were spent on or before **December 15**, **2021**. Please contact the Community Foundation office to request a copy of the final report.

4. Upon request, the Grantee agrees to provide the Community Foundation with specific details regarding the impact of the grant on their work. The Community Foundation has the right to write, publish, and share impact stories in any of its publication or on its website.

The Grantee agrees to the conditions set out herein	. DATE:
Community Foundation of Lethbridge and Southwestern Alberta	Town of Claresholm
Charleen Davidson, Executive Director	Authorized Signing Authority
	Print Name



# **SCHEDULE "A" Recognition Expectations**

The following outlines the expected recognition (where applicable) of the Community Foundation of Lethbridge and Southwestern Alberta (the Community Foundation) for its support of your project through the Community Priorities Grants Program.

- 1. The Grantee agrees to recognize the Community Foundation for support for all media related to this project, including on the Grantee's website, annual reports, and all publications that include financial contributors. The Grantee agrees to work with the Community Foundation staff for wording used to describe the Community Foundation, and to capitalize on any promotional activities the Grantee endeavors to undertake.
- 2. Publications and promotional materials relating to this project produced by Grantees must carry the Community Foundation's logo on all print materials produced in relation to the project as well as the following acknowledgement:

"(GRANTEE) gratefully acknowledges the financial support of the Community Foundation of Lethbridge and Southwestern Alberta, a public foundation serving the community of Southwestern Alberta."

- 3. The Community Foundation's Logo must be included:
  - On all printed materials relevant to the project for which grant funding is provided;
  - On all print advertisements that include corporate recognition;
  - On the official organizational and project website;
  - On all print materials produced for distribution relevant to the project for which grant funding is provided.

NOTE: the logo should be prominent in size and location. Please contact the Community Foundation office at 403-328-5297 or <a href="mailto:grants@cflsa.ca">grants@cflsa.ca</a> for a copy of its logo, or for more information.



December 3, 2020

Mayor Doug MacPherson & Town Council Town of Claresholm Box 1000 Claresholm, AB TOL OTO

Attention Mayor Doug MacPherson and Town Council,

The Bridges at Claresholm Golf Club is applying for a Community Enhancement Facilities Project Grant. Part of the application includes a Letter of Support from the Town of Claresholm. This project will include installing of 12 irrigation satellites and the purchase of ten golf carts. We will be trading in our current carts which are 8 to 10 years old but still have some trade in value.

When completing our budget, we have allocated the matching funds necessary to qualify for this grant.

We thank you for considering and look forward to your response.

Sincerely

Club President



## REQUEST FOR DECISION

Meeting: December 7, 2020 Agenda Item: 11

### LETTER OF UNDERSTANDING

### **DESCRIPTION / BACKGROUND:**

Administration has been working with the Claresholm Child Care Society and the Learn-A-Lot Playschool in regards to the shared spaces at the new daycare and playschool facility. The playschool has agreed to share their large play space with daycare when they are not using it to allow daycare an additional indoor large play space. Additionally, as the grounds, parking lot, and any playground would also be shared space we wanted to take the opportunity to include responsibilities and programming within an agreed letter of understanding (see the attached draft).

Being that the Town is the owner of the public lands and facility, our staff will inspect the playgrounds, and look after major maintenance. This three-way letter of understanding permits all parties to be involved in any type of programming or responsibility discussion. The Town would also be able to mediate any concerns raised by any of the parties. The agreement includes the fair and equitable responsibilities for both user groups.

### **DISCUSSION:**

Administration is looking for Council's review and approval for the attached letter of understanding. Each society has a lease agreement with the Town for their individual spaces, this letter of understanding applies to the shared and public spaces. The Multi-Use Building committee reviewed the Letter of Understanding at its meeting held December 1, 2020 and recommend approval.

### **RESOLUTIONS:**

Moved by Councillor	to approve	e the	letter	of u	ınderstanding	with	the	Clares	sholm
Childcare Society and Learn-A-Lot Pla	yschool for	the s	hared	spac	es within the	Town	's fac	cility lo	cated
at Lot 2, Block 1, Plan 2010646.									

ATTACHMENTS:

1.) Letter of Understanding

APPLICABLE LEGISLATION:

1.) N/A

PREPARED BY: Tara VanDellen, Planner/Development Officer

APPROVED BY: Marian Carlson, CLGM – CAO DATE: December 2, 2020

### LETTER OF UNDERSTANDING

BETWEEN:
----------

The Town of Claresholm

(the "Town") Box 1000 Claresholm, AB T0L 0T0

AND:

**Claresholm Childcare Society** 

(the "Daycare")

AND:

Claresholm Learn-A-Lot Playschool Society

(the "Playschool")

WHEREAS the purpose of this letter of understanding:

• For the Town, the Daycare, and the Playschool to agree that it is in the best interest for both parties to enter into this agreement for the use of shared spaces located at Lot 2, Block 1, Plan 2010646 (the "lands", shown on schedule A).

Shared spaces are defined as areas and equipment within the lands that are utilized by both the daycare and the playschool and include:

The common entrance,

The common large play space within the playschool side of the facility (the "play space"),

All outdoor spaces: sidewalks, parking lot, green space, and playgrounds.

(This does not include individually purchased outdoor toys or small equipment specific to one operation)

**WHEREAS** in consideration of the covenants and other good and valuable consideration herein contained, the parties hereto agree as follows:

#### 1. Term

- 1.1 The Town, the Daycare and the Playschool hereby agree that the agreement will be for a term of five (5) years. The agreement shall be automatically renewed for an additional term of five (5) years upon the same terms and conditions contained in this letter of understanding, including the right to further renew the agreement, unless:
  - (a) Written notice is given by one party to the other parties indicating the first party wishes to renew the agreement upon different terms and conditions; or
  - (b) Written notice is given by one party to the other parties indicating that the first party does not wish to renew the agreement.

### 2. Town's Responsibilities

- 2.1 The Town hereby agrees to provide use of the playgrounds, green space, facility, sidewalks, and parking lot to the Daycare and Playschool.
- 2.2 The Town agrees to inspect the property and maintain as required as per the lease agreements.
- 3. Claresholm Child Care Society Responsibilities
- 3.1 The Daycare may utilize the play space only when scheduled at the discretion of the playschool.

The Daycare hereby agrees to submit any request a minimum of 2 business days' in advance.

The Daycare hereby agrees they will not use or allow to be used any play or activity equipment in the play space and to clean, repair, and/or replace any equipment or toys of the playschools that may become dirty, broken, or require repair or replacement during their usage times, and leave the shared spaces clean and tidy after use.

- 3.2. The Daycare agrees to maintain adequate licensing and approvals for use of any shared spaces.
- 3.3 The Daycare hereby agree to share any outdoor green space, and playgrounds with a set schedule that is mutually agreeable by all parties.

### 4. Claresholm Learn-A-Lot Playschool Responsibilities

- 4.1 The Playschool hereby authorizes the Daycare to utilize the play space within the playschool for daycare activities when it is not required for playschool. This is to be set at specific times or schedules and is subject to change if additional playschool programming is required.
  - The Playschool hereby agrees that they will clear or ready the play space for the Daycare by putting away or moving play or activity equipment to the side and leave the play space clean and tidy after use.
- 4.2 The Playschool hereby agrees they will clean, repair, and/or replace any equipment that may become dirty, broken, or require repair or replacement, and leave the shared spaces clean and tidy after use.
- 4.3 The Playschool agrees to maintain adequate licensing and approvals for use of any shared spaces.
- 4.4 The Playschool hereby agrees to share any outdoor green space, and playgrounds with a set schedule that is mutually agreeable by all parties.

**IN WITNESS WHEREOF** the Attendants have hereunto affixed its seal as witnessed by the hands of its proper signing officers duly authorized in that behalf as of the day and year first above written.

	CLARESHOLM CHILD CARE SOCIETY
Date	
	Per:
	CLARESHOLM LEARN-A-LOT PLAYSCHOOL
Date	Per:
	Per:
	TOWN OF CLARESHOLM
Date	Per:
	Per:

# SCHEDULE A





## REQUEST FOR DECISION

Meeting: December 7, 2020

Agenda Item: 12

### FREE SWIM INITIATIVE

### **DESCRIPTION:**

The Town of Claresholm has been supporting the Free Public Swim Initiative, created by the Claresholm Healthy Community Coalition, since 2009. This initiative has become very successful and is the most highly attended swim at the Aquatic Centre during any given month. The continuation of this initiative is very important for the continued physical activity of our citizens. The swim is held on Saturdays from 2:00 to 4:00 p.m.

There has been support from various charity groups, as well as grants accessed in order to keep this initiative going. As a show of support, the Town of Claresholm has been donating approximately 26 hours per year of pool time towards this initiative. The hourly rental fee for 2020 and 2021 is \$90 per hour. The total number of free swim hours in a year is approximately 104 hours.

Since 2016, the Claresholm Kinsmen Club, Claresholm Kinettes and Count on Cowboys (Chad Besplug) have been supporting the free swim initiative and covering the costs after the Town has donated hours.

Administration is recommending that the Town continue to support this initiative. With the COVID-19 pandemic, a motion has not been made for 2020, and it would be prudent to plan ahead for 2021 at this time as well.

### **PROPOSED COST:**

The current pool rental fee is \$90 per hour. The cost of donation of 26 hours (13 free swim at 2 hours each) is \$2,340 per year.

### PROPOSED RESOLUTION:

Moved by Councillor	_ to support the Claresholm Healthy Community Coalition's
Free Swim Initiative at the Claresholm	Aquatic Centre for the 2020 and 2021 years by donating 26
hours of pool rental time for each year.	

PREPARED BY: Karine Keys, CLGM, Finance Assistant

APPROVED BY: Marian Carlson, CLGM - CAO DATE: December 3, 2020



# REQUEST FOR DECISION

Meeting: December 7, 2020 Agenda Item: 13

### **BUDGET 2021**

### **DESCRIPTION:**

Administration has prepared the attached draft Operating and Capital Budgets for 2021 after working with all departments, the Facility and Infrastructure Planning (FIPC) Committee, and the Audit and Finance Committee.

The FIPC Committee has recommended the 2021 Capital Budget to Council for approval and the Audit and Finance Committee has recommended the 2021 Operational Budget for approval.

PROPOSED RESOLUTION:	
Moved by Councillorpresented.	to approve the interim 2021 Operational and Capital Budgets a

### **ATTACHMENTS:**

- 1. Budget Highlights 2021
- 2. 2021 Operational and Capital Budget

PREPARED BY: Blair Bullock, CPA, CA – Director of Corporate Services

APPROVED BY: Marian Carlson, CLGM, CAO DATE: December 1, 2020

### **Town of Claresholm - 2021 Municipal Budget Highlights**

#### Revenue

The 2021 budget has a modest 2% tax revenue for municipal purposes budget plus another approximate 1% for increase based on annexation of Custom Cannabis into the Town of Claresholm. There is an approximate additional 1% based on passing along costs passed down from the Province for Policing Funding increase in 2020. This does not include increases in requisitions. Council has tried to minimize these increases and has tried to hold the line by keeping further increases to a minimum, despite the lost revenues and cut backs seen in the Town's Provincial revenues.

During 2020 we also saw significant decreases in revenue for the Town, especially in recreation revenues, due to COVID-19 and have also provided deferral and cancellation of payments, penalties, and other payments as a result of this. This has all had a negative impact on the Town's revenue in 2020. Despite the long-term decreases in revenue we are seeing from the Province, with the pandemic and the downturn in the economy we are receiving some stimulus or onetime funding to help us through this time and to offset some of these costs and decreased revenues we have seen during this pandemic. This includes the Municipal Operating Support Transfer (MOST), which is operating funding, which isn't directly reflected in the 2021 budget as it will be primarily recognized in 2020, but which allows us to move into 2021 in a reasonable financial position. The other funding is all capital stimulus funding, which includes new Alberta Municipal Water and Wastewater Program (AMWWP) grant funding of over \$500,000 for our Sewage Lagoon Transfer Station infrastructure project of \$1,000,000 which was in our 5-year capital plan for 2023 and has been able to be moved forward due to this funding. As well, we will the Municipal Stimulus Program (MSP) will provide \$450,000 of funding which will be used for rehabilitating 2<sup>nd</sup> St W from 49<sup>th</sup> to 51<sup>st</sup>.

Council is still committed to reaching their goal of full cost recovery for utilities, but recognizes the strain this also puts on the residents. With these competing priorities Council was happy to be able to moderate planned increases to water rates for 2021, when their goal for full cost recovery in the water utility was being realized without the full increases that Administration thought would be required to reach that goal. Planned increases for sewer utility however will continue as previously projected and planned.

#### **Expenditures**

2020's expenditures are largely being held status quo, with some cuts as well. Main increase is in wages, which for the most part are governed by the Union Contract signed in 2018.

Highlights in the 2020 budget for expenditures include:

- Continued increases in Policing costs passed down from the Province which in 2021 equal an additional \$37,000.
- Discontinuing our Community Peace Officer Program and moving to strictly a Bylaw Enforcement Officer. This provided in excess of \$20,000 in annual savings.
- Airport was transferred to the MD during 2020, so the Town no longer has any costs related to the Airport, with the exception of one more payment in 2021 to help fund some runway rehabilitation, which was part of the transfer agreement. Though this doesn't provide savings in 2021, it will for every year hereafter.
- 8<sup>th</sup> St W Sewer Main Promissory Note (Loan) was repaid in 2020, so 2021 is seeing a \$100,000 reduction in loan repayment requirements.

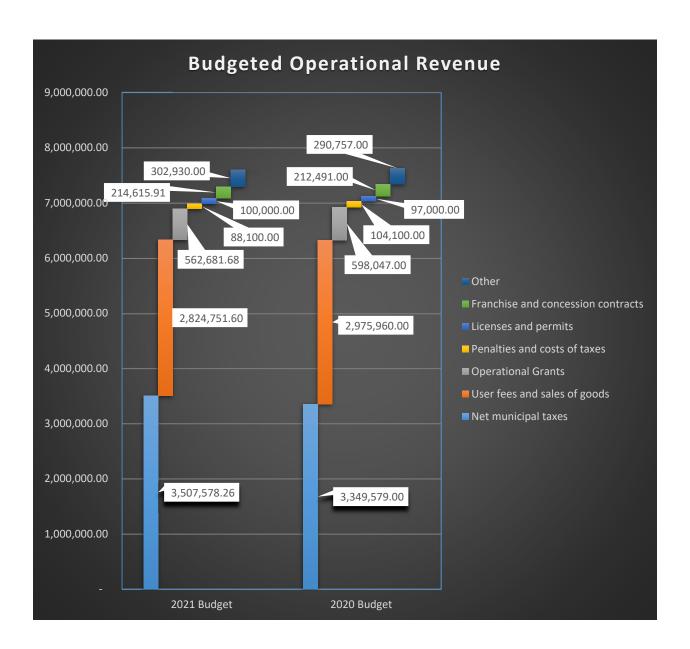
- The Town was able to negotiate over a \$5,000 annual savings on our new Audit contract which starts in 2021 (for the 2020 Audit)
- Economic Development was able to cut back their net spending in the 2021 budget year as well, focusing their spending on high yield projects.
- Reduction of "grants" provided to community non-profit organizations in the form of unbilled utilities and insurance costs for many organization, or other comparable reductions in funding.
- 2021 is an election year, so there are election expenses that have been budgeted for this year.

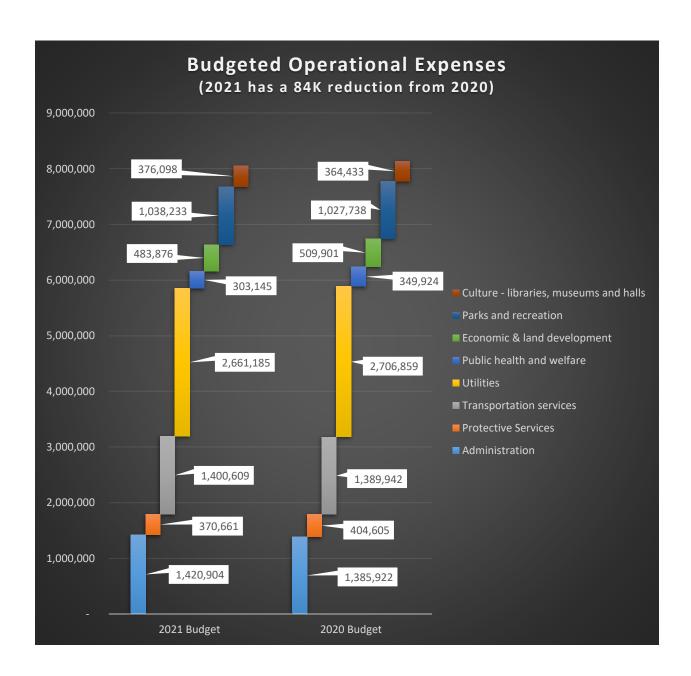
### **2020 Capital Projects**

Some of the most significant capital projects budgeted for 2020 include:

- Carryforward of the 2020 budget to complete the Multi-use Community Buildings Project.
- Rehabiltiation of 2<sup>nd</sup> St W from 49<sup>th</sup> to 51<sup>st</sup>, including replacing water, sewer and storm mains as well as regrading and repaying.
- Replace Sewer Lagoon transfer infrastructure between ponds that are beginning to fail.
- New ice resurfacer (Zamboni) for the Arena
- Fencing of the East Off-Leash Dog Park

#### Charts







# Claresholm

Where **Community** Takes Root

# Budget Document - DRAFT 2021

**December 7, 2020** 

Marian Carlson, CLGM CAO

Doug MacPherson Mayor

#### **Assessment & Taxation**

#### What is Property Assessment?

"Property assessment is the process of assigning a dollar value to a property for taxation purposes. In Alberta property is taxed based on the *ad valorem* principle. *Ad valorem* means "according to value." This means that the amount of tax paid is based on the value of the property." Source: http://www.municipalaffairs.alberta.ca/1538.cfm#What\_is\_Property\_Assessment

#### What is Property Tax?

"Property taxes are a primary source of revenue for municipalities. Property taxes are used to finance local programs and services, such as:

- Garbage collection
- Water and sewer services
- Road construction and maintenance
- Parks and leisure facilities
- Police and fire protection
- Seniors' lodges
- Education

Each municipality is responsible for ensuring that each property owner pays his or her share of taxes. Property assessment is the method used to distribute the tax burden among property owners in a municipality." Source: http://www.municipalaffairs.alberta.ca/1538.cfm#What\_is\_Property\_Assessment

#### What is School Tax?

"In 1994, the Government of Alberta established the Alberta School Foundation Fund (ASFF). This fund makes certain that the education property tax is accounted for separately from general revenues.

Every year the province calculates, based on assessment value, the amount each municipality must contribute towards the public education system. Municipalities collect the education property tax and then forward it to the province for deposit into the ASFF."

Source: http://education.alberta.ca/admin/funding/tax/facts.aspx

#### **Town of Claresholm Mill Rates**

Each year, Council, during its budgetary process, approves the amount of revenue required to operate the municipality. From this amount they subtract the known revenues, such as grants, licenses, permits and so on. The remainder represents the amount of money to be raised by property taxes. The amount to be raised is divided by the total assessed value of all the property in the municipality and multiplied by 1,000 to decide the tax rate also known as the "mill rate."

Town Council continues to remain fiscally responsible and has made a concerted effort to curb spending when reasonable to do so.

The table below outlines the mill rate trends since 2016.

	2016	2017	2018	2019	2020	2021
Municipal Residential	6.5130	6.7050	6.7997	6.7282	6.7691	TBD
Municipal Non Residential	12.0279	12.5841	11.5303	11.4000	11.3770	TBD
Municipal Vacant Residential &	11.3956	14.0650	6.7997	6.7282	6.7691	TBD
Farmland						
Annexed Residential	0	3.4000	3.4000	3.8760	3.9560	TBD
Annexed Farmland	0	6.8890	6.8890	7.3650	7.4450	TBD
Annexed Non-Residential	0	7.4890	7.7930	7.9690	8.1360	TBD
Porcupine Hills Lodge –	0.2767	0.2767	0.2672	0.2659	0.2605	TBD
Residential, Non-Residential,						
Vac. Res. & Farmland				)		
Annexed Porcupine Hills Lodge	0	0.3120	0.3030	0.2930	0.2760	TBD
- Residential, Non-Residential,						
Vac. Res. & Farmland						
Education ASFF – Residential,	2.5485	2.5318	2.5334	2.4655	2.5379	TBD
Vacant Res. & Farmland						
Education ASFF - Non	3.5621	3.7897	3.4159	3.5160	3.7339	TBD
Residential						
Annexed Education ASFF – Res.,	0	2.4960	2.5010	2.5150	2.4850	TBD
Vac. Rec., & F.L.						
Annexed Education ASFF – Non-	0	4.1220	3.7180	3.7020	3.6490	TBD
Residential						

#### Town of Claresholm Budget

#### **Comparative Statement of Operations**

3,507,578 2,824,752 562,682 60,000 88,100 100,000 214,616 112,430 130,500 7,600,657  115,000 1,298,316 110,674 209,922	3,349,579 2,975,960 598,047 60,000 104,100 97,000 212,491 123,257 107,500 7,627,934  109,000 1,276,922 73,730
2,824,752 562,682 60,000 88,100 100,000 214,616 112,430 130,500 <b>7,600,657</b> 115,000 1,298,316 110,674 209,922	2,975,960 598,047 60,000 104,100 97,000 212,491 123,257 107,500 <b>7,627,934</b> 109,000 1,276,922 73,730
562,682 60,000 88,100 100,000 214,616 112,430 130,500 <b>7,600,657</b> 115,000 1,298,316 110,674 209,922	598,047 60,000 104,100 97,000 212,491 123,257 107,500 <b>7,627,934</b> 109,000 1,276,922 73,730
60,000 88,100 100,000 214,616 112,430 130,500 <b>7,600,657</b> 115,000 1,298,316 110,674 209,922	60,000 104,100 97,000 212,491 123,257 107,500 <b>7,627,934</b> 109,000 1,276,922 73,730
88,100 100,000 214,616 112,430 130,500 <b>7,600,657</b> 115,000 1,298,316 110,674 209,922	104,100 97,000 212,491 123,257 107,500 <b>7,627,934</b> 109,000 1,276,922 73,730
100,000 214,616 112,430 130,500 <b>7,600,657</b> 115,000 1,298,316 110,674 209,922	97,000 212,491 123,257 107,500 <b>7,627,934</b> 109,000 1,276,922 73,730
214,616 112,430 130,500 <b>7,600,657</b> 115,000 1,298,316 110,674 209,922	212,491 123,257 107,500 <b>7,627,934</b> 109,000 1,276,922 73,730
112,430 130,500 <b>7,600,657</b> 115,000 1,298,316 110,674 209,922	123,257 107,500 <b>7,627,934</b> 109,000 1,276,922 73,730
130,500 <b>7,600,657</b> 115,000 1,298,316 110,674 209,922	107,500 <b>7,627,934</b> 109,000 1,276,922 73,730
7,600,657 115,000 1,298,316 110,674 209,922	<b>7,627,934</b> 109,000 1,276,922 73,730
115,000 1,298,316 110,674 209,922	109,000 1,276,922 73,730
1,298,316 110,674 209,922	1,276,922 73,730
1,298,316 110,674 209,922	1,276,922 73,730
110,674 209,922	73,730
209,922	
	206 420
	206,430
124,133	124,445
543,105	537,581
834,781	836,521
17,250	15,840
284,461	284,317
1,282,152	1,273,056
509,796	513,005
690,959	636,481
273,010	289,749
38,202	38,202
20,106	18,973
3,000	3,000
44,905	44,750
308,329	309,689
195,896	200,212
996,181	982,988
377,037	364,433
	8,139,324
	273,010 38,202 20,106 3,000 44,905 308,329 195,896 996,181

Other						
Government transfers for capital	2,420,825	2,445,543				
Surplus (deficiency)	1,744,267	1,934,153				
Adjustment for Non-Cash items						
Amortization expenses	1,695,368	1,699,578				
Adjustment for cash items that are not revenues and expenses (but are sources or uses of funds)						
Capital expenditures	(3,878,000)	(5,427,542)				
Debt proceeds	750,000	2,800,000				
Debt principal repayment	(429,439)	(383,144)				
8th Street NW Promissory Note	_	(100,000)				
Transfers to reserves from operations	(570,372)	(716,270)				
Transfers to operations from reserves	91,000	96,225				
Transfer from reserves for capital	597,175	97,000				
Budget balance	-	-				

Schedule 1		
	2021 Budget	2020 Budget
Taxation		
Property taxes: Vacant residential and		
farmland	52,938	51,900
Property taxes: Non-residential	1,141,338	1,079,743
Property taxes: Linear property	121,287	118,909
Property taxes: Residential	3,453,897	3,351,400
Federal grants in lieu of taxes	6,381	6,256
Provincial grants in lieu of taxes	23,292	22,835
Local improvement taxes	5,140	12,935
	4,804,273	4,643,978
Less: Requisitions		
Alberta school foundation fund	1,179,599	1,179,599
Porcupine Hills Lodge	116,422	114,139
Designated Industrial Property	674	661
	3,507,578	3,349,579

# DEPARTMENT OPERATING BUDGETS

#### 4 Year Operating Budgetary Deficit (Surplus) Summary By Function

**Excludes Amortization and Capital** 

ODEDATING BUIDGET DEFICIT (SUBDILIS)	Budget 2021	Actual 2020 (To Nov 3)	Budget 2020	Actual 2019	Actual 2018
OPERATING BUDGET DEFICIT (SURPLUS)		,			
Council Municipal general revenue and	115,000	68,882	109,000	113,160	113,342
requisitions	(3,831,854)	(4,036,956)	(3,663,935)	(3,560,114)	(3,529,560)
General administration	1,031,379	655,197	991,709	3,849,374	1,138,947
Policing	95,674	(9,569)	40,730	(20,395)	(34,482)
Fire department	194,117	133,469	185,585	158,117	118,178
Bylaw enforcement	50,649	79,368	79,031	104,515	67,357
Equipment pool	443,485	379,241	437,961	428,143	519,961
Roads and streets	561,148	487,671	567,888	565,797	563,375
Airport	17,250	23,272	9,330	9,777	5,790
Storm sewer utility	11,928	5,469	3,989	8,362	17,673
Water utility	(149,389)	(697,535)	(141,860)	(134,709)	(136,036)
Sanitary sewer utility	(121,634)	(277,359)	(208,572)	(208,078)	(165,708)
Garbage collection	0	(64,840)	1	0	-
Recycling	(100)	24,369	(1)	(1)	(0)
Childcare contribution	38,202	31,833	38,202	38,202	38,202
Family & Community Support Services (FCSS)	0	2,984	(1)	(6,288)	3,632
Cemetery	6,173	7,705	7,540	9,159	7,885
Other public health and welfare	-		-	-	-
Weed and pest control	17,522	14,996	17,367	12,795	13,286
Economic development	172,229	42,833	178,489	128,830	163,545
Planning and development	126,296	126,462	133,612	134,424	126,296
General recreation	30,008	70,197	36,301	28,587	32,643
Parks	103,023	72,576	107,774	113,138	111,612
Arena	152,637	109,322	149,885	133,158	198,349
Aquatic Centre	148,685	137,919	112,373	146,628	146,044
Musuem	100,180	57,123	87,576	80,903	58,115
Library	224,383	223,163	224,383	217,786	216,162
OPERATIONAL NET DEFICIT (SURPLUS)	(463,009)	(2,332,210)	(495,643)	2,351,270	(205,394)

#### COUNCIL

The Council budget deals with all costs associated and incurred by Municipal Council including per diems, fees for meetings and conferences, travel reimbursements and professional development.

		Actual 2020			
COUNCIL	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Wages, meetings and per diems	93,000	66,933	93,000	94,673	103,125
Travel and conventions	10,750	1,489	10,750	15,148	8,641
Education	5,000	460	5,000	3,339	1,577
Materials, supplies and operating costs	6,250	-	250	-	-
NET DEFICIT (SURPLUS) COUNCIL	115,000	68,882	109,000	113,160	113,342

Members of Council sit on various internal and external boards and committees and are compensated according to Bylaw #1589. The following table outlines the Council remuneration fees for 2020.

	2018 Remuneration Fees
Mayor – Annual	\$8,000/year
Councillors- Annual	\$5,600/year
Council Meetings	\$140/meeting attended
Per Diem Half Day or Evening (4 - 6 hours)	\$115/half day
Per Diem Full Day (6 hours or more)	\$230/full day
Per Diem Less Than 4 Hours	\$23/hour
Mileage	\$0.55/km
Meals and accommodation at cost	Upon submission of valid receipts

#### Variance Highlights

• 2021 is an election year. Materials, supplies and operating costs have been increased to provide budget for new iPads for the incoming Council.

# MUNICIPAL GENERAL REVENUE AND REQUISITIONS

General Revenue is generated from Municipal Property Taxes and Grants In Lieu. Grants In Lieu are paid for property which is owned by the Provincial and Federal Governments. The grant is equal to the taxes that would have been paid if the property was not exempt from taxation. The *Municipal Government Act* defines "requisition" as any part of the amount required to be paid into the Alberta School Foundation Fund that is raised by imposing a tax rate, and any amount to be paid to a management body referred to in the *Alberta Housing Act*. The Town of Claresholm pays requisitions to the Alberta School Foundation Fund and the Porcupine Hills Lodge Foundation. This budget also includes (in "General municipal revenue") the ATCO Gas Franchise Agreement at a rate of 10% (approx. \$100K) and the Fortis Franchise Agreement at a rate of 4% (approx.. \$100K).

MUNICIPAL GENERAL REVENUE &		Actual 2020			
REQUISITIONS	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Taxes	(4,769,460)	(4,601,979)	(4,601,952)	(4,432,004)	(4,323,078)
Education taxes	-	-	-	-	-
Grants in lieu	(29,673)	(29,090)	(29,091)	(34,312)	(40,228)
Taxes and grants in lieu	(4,799,133)	(4,631,069)	(4,631,043)	(4,466,316)	(4,363,306)
General municipal revenue	(329,416)	(252,017)	(327,291)	(354,674)	(378,698)
General municipal revenue	(329,416)	(252,017)	(327,291)	(354,674)	(378,698)
Designated Industrial Property	674	-	661	-	-
Home for aged - Porcupine Hills Lodge	116,422	114,139	114,139	112,399	109,653
School Foundation Program - res. & farmland School Foundation Program - non-	886,088	731,991	886,088	878,775	856,597
residential	293,511	-	293,511	269,702	246,194
NET DEFICIT (SURPLUS) GENERAL	(3,831,854)	(4,036,956)	(3,663,935)	(3,560,114)	(3,529,560)

#### Variance Highlights

• Net tax revenue increase for municipal purposes is approximately 2% not including requisitions.

# ADMINISTRATION

The Administration budget includes business licenses, general operating grants (such as Municipal Sustainability Initiative (MSI) operating grant), rentals, internal transfers, and other miscellaneous income. Expenditures include finance, reception, utilities, communication, human resources and other general administrative costs.

ADMINISTRATION	Budget 2021	Actual 2020 (To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Business licenses	(27,000)	(30,435)	(27,000)	(25,760)	(29,980)
General administrative revenue	(169,766)	(340,634)	(439,786)	2,686,534	(228,780)
Administrative general revenue	(196,766)	(371,069)	(466,786)	2,660,774	(258,760)
	(200):00)	(0: 2)000)	(100)/.00/	_,000,771	(200)/00/
Wages and benefits	650,398	528,980	652,308	631,727	595,591
Consultant fees	36,249	21,776	47,094	34,549	63,066
Materials, supplies and operating costs	303,500	258,660	291,888	326,205	334,563
Assessor	52,000	43,040	52,000	50,912	53,631
Auditor	15,190	19,780	21,300	19,465	19,500
Legal	20,000	23,057	20,000	25,190	34,501
Municipal grants	84,350	81,219	86,000	87,147	86,976
Celebrations	20,500	10,028	20,500	20,154	22,982
Tax levy cancellations and discounts	10,500	13,149	12,450	12,132	13,041
Public relations and taxi subsidy	11,500	5,765	11,500	15,787	16,349
Staff development and training	9,000	2,226	10,000	11,706	7,856
Debenture interest	67,673	-	34,426	-	-
Amortization	17,456	-	17,456	18,827	73,022
Administrative general expenses	1,298,316	1,007,679	1,276,922	1,253,801	1,321,079
	1,101,550	636,609	810,136	3,914,575	1,062,319
Operational budget adjustments					
Addback amortization	(17,456)	-	(17,456)	(18,827)	(73,022)
Transfer from reserve - operating	(15,000)	-	(43,225)	(15,601)	(13,286)
Internal charges to other departments	(83,090)	-	(78,575)	(78,575)	(79,465)
Internal transfers (expenses)	36,709	18,588	53,309	47,802	42,400
Transfer to reserve - operating	8,666	-	267,520	-	-
Transfer to reserve - capital	-	-	-	-	200,001
NET DEFICIT (SURPLUS) ADMINISTRATION	1,031,379	655,197	991,709	3,849,374	1,138,947

- General administrative revenue is down nearly \$300K due to one-time land sale proceeds budgeted in 2020. There was also a decrease due to the financial services contract with Granum ending in early 2020.
- An approximate 2.25% increase in wages and benefits for union and non-union cost of living increase and changes in benefit rates. This will be the same across all departments unless otherwise stated.
- Consultant fees decreased due to decreasing management consulting fees back down to normal now that the Intermunicipal Collaboration Framework (ICF) and the Water Shortage Plan update are complete. No significant projects or consultation planned or expected in 2021. ICF projects that are continuing in 2020 and 2021 are funded through Alberta Community Partnership (ACP) grants that are being managed by the Town of Fort Macleod.
- Minor drop in materials, supplies, and operating costs, mostly related to removal of modular rent costs to the school district as the modular is now owned by the Town. This was largely offset by 5K in election expenses added for the 2021 election.
- Professional fees dropped \$6K with new Audit contract.
- Small drop in Municipal Grants and in Tax Levy Cancellations and Discounts due to discontinuing the practice of forgiving the taxes levied against the golf course and paying the Board liability insurance for the Golf Club.
- Debenture interest increased \$33K as this is the first full year (2 semi-annual payments) of payments for our \$2.8M debenture for the Multi-use Community Complex. In 2020 there was only one payment.
- A decrease of \$16.6K in internal expenses by way of reducing or removing many of the "grants" of Town utilities to community organizations. In the past these community organizations have not been charged for water, sewer, or solid waste services.

## **POLICING**

The Policing budget includes provincial fine revenues received by the Town which was previously included in the Bylaw department budget. The expense is the new Provincial Policing Costs that have been charged to the municipality.

		Actual 2020			
POLICING	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Provincial fines collected	(15,000)	(9,569)	(33,000)	(20,395)	(34,482)
Provincial fines collected	(15,000)	(9,569)	(33,000)	(20,395)	(34,482)
Provincial policing costs	110,674	-	73,730	-	-
Fire department expenses	110,674	-	73,730	-	-
_					
NET DEFICIT (SURPLUS) FIRE DEPARTMENT	95,674	(9,569)	40,730	(20,395)	(34,482)

#### Variance Highlights

• The Government of Alberta's new police funding model charges small municipalities for policing costs. In 2020 this is charged was 10% of the cost. This year it will increase to 15%. It will continue to increase to 20% in 2022, and 30% in 2023 and beyond.

#### FIRE

The Fire budget deals with expenses related to operating the Volunteer Fire Department. The Town of Claresholm fire services are provided through the Claresholm Volunteer Fire Department in partnership with the M.D. of Willow Creek.

		Actual 2020			
FIRE DEPARTMENT	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Provincial Grants	-	-	(5,040)	(60,029)	(78,506)
MD contributions	(7,000)	-	(7,000)	(7,293)	(6,111)
Non-government contribution	(5,000)	(16,100)	(5,000)	(21,900)	(2,682)
Fire department revenue	(12,000)	(16,100)	(17,040)	(89,223)	(87,299)
Wages and benefits	121,090	86,599	112,888	104,331	44,908
Equipment, fuel, etc	30,000	19,122	29,980	30,350	68,620
Training	9,000	3,268	7,550	6,325	3,948
Materials, supplies and operating expenses	32,227	26,882	33,367	32,764	29,495
Regional fire study costs	-	10,410	5,040	60,029	78,506
Amortization	17,605	-	17,605	20,466	24,845
Fire department expenses	209,922	146,281	206,430	254,265	250,322
	197,922	130,181	189,390	165,042	163,022
Operational budget adjustments					
Addback amortization	(17,605)	-	(17,605)	(20,466)	(24,845)
Internal Charges	3,800	3,289	3,800	3,541	-
Transfer from reserve - operating	-	-	-	-	(30,000)
Transfer to reserve - capital	10,000	-	10,000	10,000	10,000
NET DEFICIT (SURPLUS) FIRE DEPARTMENT	194,117	133,469	185,585	158,117	118,178

- The Regional Fire Study is completed, therefore the Provincial Grants, and the offsetting Regional fire study costs are reduced to NIL.
- Wages and benefits increased for first full year of new Fire Chief.
- Training increased for additional safety codes training required for the new Fire Chief.

# **EMERGENCY MANAGMENT**

The local Library Board oversees the activities and budget requests. The Municipality is a member of the Chinook Arch Regional Library system which is a network of independent, cooperating libraries in the southwestern corner of Alberta. Chinook Arch provides training, consulting, IT support and centralized purchasing, cataloguing, processing, and delivery services.

EMERGENCY MANAGMENT	Budget 2021	Actual 2020 (To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Wages and benefits	27,070	29,647	-	-	-
Materials, supplies and operating expenses	1,500	100	2,500	2,355	-
NET DEFICIT EMERGENCY MANAGEMENT	28,570	29,747	2,500	2,355	-

- To better track and report on expenses related to emergency management, including wages for the Director of Emergency Management when he is acting in that role, this new department was created. The Wages and benefits accounts are new in 2020 as well.
- Materials, supplies, and operating expenses were decreased from prior year as the anticipated required purchases are decreasing as we become better prepared to respond to emergency events.
   This isn't direct costs in an emergency, or pandemic related costs, but rather are cost related to training and management of such events.

#### BYLAW ENFORCEMENT

The Bylaw Enforcement budget includes both bylaw and animal control activities. The Community Peace Officer program continues to focus on animal control and unsightly premises, with safety and security of residents taking a high priority. The activities will include an education component along with enforcement.

		Actual 2020			
BYLAW ENFORCEMENT	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Licenses and fees	(12,000)	(7,670)	(12,000)	(15,361)	(11,812)
Municipal fines	(20,500)	(3,599)	(20,500)	(5,702)	(22,892)
Workshop revenue	(5,500)	(500)	(5,500)	(500)	(11,389)
Bylaw enforcement revenue	(38,000)	(11,769)	(38,000)	(21,563)	(46,092)
Wages and benefits	63,649	74,577	89,431	95,907	80,883
Animal services	3,500	572	1,000	608	531
Materials, supplies and operating expenses	20,250	14,941	23,350	20,852	28,838
Professional development	1,250	1,048	1,250	6,710	1,196
Amortization	6,914	-	6,914	6,314	5,456
Bylaw enforcement expenses	95,563	91,137	121,945	130,392	116,905
	57,563	79,368	83,945	108,829	70,813
Operational budget adjustments					
Addback amortization	(6,914)	-	(6,914)	(6,314)	(5,456)
Transfer to reserve - capital	-	-	2,000	2,000	2,000
NET DEFICIT (SURPLUS) BYLAW ENFORCEMENT	50,649	79,368	79,031	104,515	67,357

- Significant decrease in wages and benefits based on no longer employing a Community Peace Officer, and instead employing a Bylaw Enforcement Officer.
- Materials, supplies, and operating costs decreased by approximately by 2K based on not requiring the same level of monitoring services with a Bylaw Enforcement Officer as is needed for a Community Peace Officer. Included in this decrease was also a one time increase for a TNR program for stray cats to be run in 2021 at an estimated cost of \$3,000.

## **COMMON EQUIPMENT POOL**

This department is responsible for general building and equipment maintenance and other general infrastructure. Equipment is then "rented" out to other departments to attempt to show a more accurate department cost.

		Actual 2020			
EQUIPMENT POOL	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Rental revenue and insurance proceeds	-	-	-	(1,620)	-
Equipment pool revenue	-	-	-	(1,620)	-
Wages and benefits	203,485	163,343	187,961	199,758	216,807
Materials, supplies and operating expenses	304,000	210,300	314,000	293,651	369,253
Amortization	35,120	-	35,120	46,839	41,388
Equipment pool expenses	542,605	373,644	537,081	540,248	627,448
	542,605	373,644	537,081	538,628	627,448
Operational budget adjustments					
Addback amortization	(35,120)	-	(35,120)	(46,839)	(41,388)
Internal charges to other departments	(70,000)	-	(70,000)	(70,000)	(70,000)
Internal charges from other departments	6,000	5,597	6,000	6,354	3,901
NET DEFICIT (SURPLUS) EQUIPMENT POOL	443,485	379,241	437,961	428,143	519,961

#### Variance Highlights

 Materials, supplies and operating expenses dropped 11K primarily due to completion of phase 1 of the shop soil remediation project, which included excavation and fencing of the affected area.

# ROADS, STREETS, WALKS & LIGHTS

This department is responsible for road maintenance including plowing, sanding, street sweeping, and curb repairs. Utility costs for street lighting is also included here.

		Actual 2020			
ROADS, STREETS, WALKS, AND LIGHTS	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Local improvement charges	-	(770)	-	(9,968)	(3,770)
Roads and streets revenue	-	(770)	-	(9,968)	(3,770)
Wages and benefits	196,648	174,746	188,388	218,770	209,229
Contracted services	75,000	78,385	75,000	77,162	96,096
Engineering	2,000	1,203	2,000	1,284	1,164
Street lights	187,500	139,560	187,500	184,742	173,063
Materials, supplies and operating expenses	90,000	94,546	100,000	93,806	87,593
Amortization	283,633	-	283,633	282,950	271,709
Roads and streets expenses	834,781	488,441	836,521	858,715	838,854
	834,781	487,671	836,521	848,747	835,084
Operational budget adjustments					
Addback amortization	(283,633)	-	(283,633)	(282,950)	(271,709)
Transfer to reserve - operating	10,000	-	15,000	-	-
Transfer to reserve - capital	-	-	-	-	-
NET DEFICIT (SURPLUS) ROADS AND					
STREETS	561,148	487,671	567,888	565,797	563,375

#### Variance Highlights

 Materials, supplies and operating expenses decreased \$10K from 2020 due to 2020 including an extra \$10K for an additional controlled traffic crossing signage and mechanism by Cottonwood.

#### **AIRPORT**

The Town of Claresholm owns the municipal airport. The Director of Infrastructure Services oversees the operation of the airport and submits the annual budget for Council consideration.

		Actual 2020			
AIRPORT	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Facility rental	-	-	(2,500)	(2,000)	(2,500)
Airport services revenue	-	-	(2,500)	(2,000)	(2,500)
Wages and benefits	-	702	4,330	3,574	1,587
Materials, supplies and operating expenses	17,250	22,569	7,300	8,203	6,365
Amortization		-	4,210	4,210	4,210
Airport services expenses	17,250	23,272	15,840	15,987	12,163
	17,250	23,272	13,340	13,987	9,663
Operational budget adjustments					
Addback amortization		-	(4,210)	(4,210)	(4,210)
Internal charges from other departments	-	-	200	-	338
NET DEFICIT (SURPLUS) AIRPORT	17,250	23,272	9,330	9,777	5,790

#### Variance Highlights

• Airport has been transferred to the MD of Willow Creek #26, therefore we no longer have any costs related to the airport with the exception of a second payment to contribute to runway repairs that was agreed to on transfer.

## STORM SEWER UTILITY

The storm sewer utility includes all costs related to the collection and transmission of surface water runoff and potential overland flooding and deals with the safe storage and controlled release of this water to Frog Creek to prevent flooding damage downstream.

		Actual 2020			
STORM SEWER UTILITY	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Local improvement charges	(1,318)	(9,113)	(9,113)	-	-
Other revenue		-	-	-	(42,247)
Storm sewer utility revenue	(1,318)	(9,113)	(9,113)	-	(42,247)
Wages and benefits	7,246	10,219	7,102	3,183	15,569
Contracted services	2,500	3,602	2,500	1,203	1,211
Materials, supplies and operating expenses	3,500	762	3,500	3,977	893
Overland flooding	-	-	-	-	42,247
Amortization	271,215	-	271,215	266,433	186,193
Storm sewer utility expenses	284,461	14,582	284,317	274,796	246,112
	283,143	5,469	275,204	274,796	203,866
Operational budget adjustments					
Addback amortization	(271,215)	-	(271,215)	(266,433)	(186,193)
NET DEFICIT (SURPLUS) STORM SEWER					
UTILTIY	11,928	5,469	3,989	8,362	17,673

#### Variance Highlights

• Local improvement charges have decreased \$8K based on local improvement tax periods on two different bylaws concluded in 2020. There is one left that concludes in 2021.

## WATER SUPPLY & DISTRIBUTION

The Water Supply & Distribution department is responsible for producing potable water and maintaining a water storage and distribution system capable of providing suitable water to the residents. The production and distribution adheres to the Canadian Drinking Water Standards and the standards set out in the license issued to the town by Alberta Environment.

-		Actual 2020			
WATER SUPPLY AND DISTRIBUTION	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Water sales	(1,484,398)	(1,305,557)	(1,449,900)	(1,294,097)	(1,142,258)
Water services revenue	(1,484,398)	(1,305,557)	(1,449,900)	(1,294,097)	(1,142,258)
Wages and benefits	402,649	268,162	386,622	342,982	277,671
Training	3,000	2,881	3,000	819	1,573
Materials, supplies and operating expenses	194,900	125,768	195,400	216,697	254,883
Chemical	95,000	86,853	95,000	88,123	129,900
Maintenance	84,100	89,857	83,000	81,948	70,345
Debenture interest	139,479	74,422	147,010	153,871	160,230
Amortization	363,524	-	363,524	386,984	393,838
Water services expenses	1,282,652	647,944	1,273,556	1,271,425	1,288,442
	(201,746)	(657,613)	(176,344)	(22,673)	146,184
Operational budget adjustments					
Addback amortization	(363,524)	-	(363,524)	(386,984)	(393,838)
Services to other departments	(31,500)	(39,922)	(39,000)	(36,131)	(25,869)
Services from other departments	67,875	-	67,875	67,875	67,875
Transfer to reserve - capital	379,506	-	369,133	243,204	69,611
NET DEFICIT (SURPLUS) WATER SERVICES	(149,389)	(697,535)	(141,860)	(134,709)	(136,036)

- Water utility rates were scheduled to increase by approximately another 5% 10%, however
  budgeted reserve transfers are now in line with amortization expense providing an on paper
  full cost recovery. This still does not account for accumulated deficits nor inflation, however
  this is still a huge step. We are therefore reducing the rate increase planned for 2021 to a
  simple 2% that was planned for 2022 forward.
- Debenture interest decrease based on normal repayment schedule.
- Increase in transfer to capital reserve based on increased budgeted cash surplus in water utility.
- Transfers budgeted to result in net zero budget in water utility after debt principle payment accounted for.

# SANITARY SEWER TREATMENT & DISPOSAL

The Wastewater Treatment & Disposal budget deals with all functions related to the collection, treatment and disposal of sanitary sewer water. This system functions in accordance with the standards set out by Alberta Environment.

SANITARY SEWER TREATMENT AND		Actual 2020			
DISPOSAL	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Local improvement charges	(3,822)	(3,822)	(3,822)	-	189
Service fees	(418,154)	(388,606)	(402,340)	(351,005)	(320,252)
Sanitary sewer services revenue	(421,976)	(392,429)	(406,162)	(351,005)	(320,063)
Wages and benefits	94,684	68,023	92,771	83,990	76,343
Contracted services	18,800	17,914	18,800	9,636	6,543
Materials, supplies and operating expenses	27,750	16,471	27,750	34,016	26,038
Debenture interest	23,209	23,109	28,331	32,008	24,469
Amortization	345,353	-	345,353	380,719	320,326
Sanitary sewer services expenses	509,796	125,517	513,005	540,369	453,720
	87,821	(266,911)	106,843	189,364	133,657
Operational budget adjustments					
Addback amortization	(345,353)	-	(345,353)	(380,719)	(320,326)
Services to other departments	(5,800)	(10,448)	(10,000)	(7,541)	(7,314)
Services from other departments	28,275	-	28,275	28,275	28,275
Transfer to reserve - capital	113,424	-	11,663	(37,457)	-
NET DEFICIT (SURPLUS) SANITARY SEWER SERVICES	(121,634)	(277,359)	(208,572)	(208,078)	(165,708)

- Approximately 4% increase in sanitary sewer service fee revenue based on rate increases passed in Bylaw 1659 in 2019
- Increase contracted services related to sewer inspections planned for 2021 to assess maintenance and life of different sewer lines throughout Town.
- Debenture interest decrease based on normal repayment schedule.
- Transfers to reserve budgeted to result in net zero budget in sewer utilities (sanitary and storm sewer combined) after debt principle payments accounted for. Transfer increased by \$100K due to a loan being repaid in 2020 with \$100K annual payments.

# **SOLID WASTE MANAGEMENT**

The Solid Waste Management function provides weekly curbside waste collection services through the Infrastructure Services department. Claresholm is one of five member municipalities who belong to the Willow Creek Regional Waste Management Services Commission, which is the body that manages the regional landfill.

		Actual 2020			
SOLID WASTE MANAGEMENT	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Garbage collection fees	(429,000)	(362,014)	(426,000)	(432,228)	(429,275)
Solid waste revenue	(429,000)	(362,014)	(426,000)	(432,228)	(429,275)
Wages and benefits	167,919	172,319	164,442	165,860	177,410
Landfill fees	125,000	85,371	125,000	119,351	121,262
Landfill contract	41,580	41,580	41,580	41,580	41,580
Landfill closure	4,000	-	4,000	4,433	3,941
Materials, supplies and operating expenses	25,000	8,924	31,000	35,030	30,426
Amortization	25,960	-	25,960	37,086	52,980
Solid waste expenses	389,459	308,194	391,982	403,340	427,600
	(39,541)	(53,820)	(34,018)	(28,888)	(1,675)
Operational budget adjustments					
Addback amortization	(25,960)	-	(25,960)	(37,086)	(52,980)
Services to other departments	(8,800)	(11,021)	(14,000)	(12,269)	(10,284)
Services from other departments	45,725	-	45,725	45,725	45,725
Transfer to reserve - capital	28,576	-	28,254	32,518	19,215
NET DEFICIT (SURPLUS) SOLID WASTE		(64.040)	_	•	
MANAGEMENT _	0	(64,840)	1	0	-

#### Variance Highlights

Transfers to reserves budgeted to result in net zero budget.

# RECYCLING

The Town's recycling program provides bi-weekly curbside recycling pickup for residential and non-residential properties.

		Actual 2020			
RECYCLING	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Recycling service fees	(300,000)	(221,936)	(237,000)	(171,087)	(158,244)
Commodity revenue	-	-	(6,000)	(4,422)	(5,232)
Recycling revenue	(300,000)	(221,936)	(243,000)	(175,508)	(163,476)
Wages and benefits	3,716	4,577	3,638	124,946	136,792
Contracted services	297,784	242,910	240,861	26,162	4,560
Materials, supplies and operating expenses	-	1,987	-	24,690	21,678
Amortization	-	-	-	2,937	13,102
Recycling expenses	301,500	249,473	244,499	178,735	176,132
9					
_	1,500	27,537	1,499	3,226	12,656
Operational budget adjustments					
Addback amortization	-	-	-	(2,937)	(13,102)
Services to other departments	(1,600)	(3,169)	(1,500)	(1,441)	(1,115)
Transfer to reserve - capital	-	-	-	1,151	1,562
NET DEFICIT (SURPLUS) RECYCLING	(100)	24,369	(1)	(1)	(0)

## Variance Highlights

• Significant increase in contracted services costs due to higher than anticipated commercial usage of the program with an offsetting increase in recycling service fees.

# FAMILY & COMMUNITY SUPPORT SERVICES (FCSS)

FCSS is an 80/20 funding partnership between the Government of Alberta and the Municipality. The Town of Claresholm operates a regional program in partnership with the M.D. of Willow Creek. FCSS designs and delivers social programs that are preventative in nature to promote and enhance well-being among individuals, families and communities. The FCSS program receives its mandate from the FCSS Act and Regulations, however, the FCSS Board determines the priority programs to be offered within the community.

FAMILY & COMMUNITY SUPPORT		Actual 2020			
SERVICES (FCSS)	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Provincial funding	(105,235)	(96,466)	(105,235)	(105,235)	(105,235)
MD of Willow Creek	(80,539)	(67,115)	(92,764)	(74,658)	(47,124)
Alberta Health Services (AHS)	(28,290)	(28,290)	(28,290)	(28,290)	(28,151)
Child & Family Services Alberta (CFSA)	(35,352)	(24,000)	(35,352)	(35,352)	(35,352)
Other income	(6,000)	(22,808)	(6,000)	(1,800)	(4,763)
FCSS Revenue	(255,416)	(238,679)	(267,641)	(245,335)	(220,624)
Wages and benefits	175,581	133,740	165,041	156,130	159,990
Professional development	3,000	1,009	3,000	1,003	2,394
Materials, supplies and operating expenses	37,541	45,628	47,398	49,938	50,090
Community grants	55,074	57,586	70,610	50,425	29,500
Accounting and legal	1,815	3,700	3,700	3,660	3,500
General FCSS expenses	273,010	241,663	289,749	261,156	245,475
	17,594	2,984	22,108	15,821	24,851
Operational budget adjustments					
Town of Claresholm Contribution	(26,309)	-	(26,309)	(26,309)	(26,309)
Admin Allocation	8,715	-	4,200	4,200	5,090
NET DEFICIT (SURPLUS) FCSS	0	2,984	(1)	(6,288)	3,632

#### Variance Highlights

Slight drop in "MD of Willow Creek" funding, due to prior years being reclassed to combine MD and Granum funding. 2020 Actuals and 2021 budget is down from prior years due to the MD getting less funding for the Hamlet of Granum than the Town of Granum previously received.

# Town of Claresholm Budget

- Decrease in community grants is due to decreased Granum funding and decreased Granum fund carryforwards.
- Decrease in Materials, supplies and operating expenses is due to anticipated move to new Town building in 2021 and resulting savings in rent, utilities, phone/internet, etc. Increase in Admin Allocation is to provide some "rent" to the Town for the FCSS program.

# DAY CARE CONTRIBUTION

The Day Care program is run by a non-profit board who receives a portion of their funding from the Town of Claresholm.

		Actual 2020			
DAYCARE CONTRIBUTION	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Municipal contribution to daycare	38,202	31,833	38,202	38,202	38,202
NET DEFICIT DAYCARE CONTRIBUTION	38,202	31,833	38,202	38,202	38,202

#### Variance Highlights

• No changes to highlight.

# **CEMETERY**

The Cemetery is owned and operated by the Town of Claresholm. The maintenance is provided through the Infrastructure Services department and the Office staff oversees the administrative function.

		Actual 2020			
CEMETERY	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Cemetery Fees	(15,500)	(9,054)	(15,500)	(18,954)	(15,086)
Local government grants	(3,000)	(3,000)	(3,000)	(3,000)	(3,000)
Cemetery revenue	(18,500)	(12,054)	(18,500)	(21,954)	(18,086)
Wages and benefits	18,673	19,396	17,540	22,913	18,327
Materials, supplies and operating expenses	1,000	363	1,000	700	144
Cemetery expenses	19,673	19,759	18,540	23,613	18,471
	1,173	7,705	40	1,659	385
Operational budget adjustments					
Services from other departments	2,500	-	2,500	2,500	2,500
Transfer to reserve - capital	2,500	-	5,000	5,000	5,000
NET DEFICIT CEMETERY	6,173	7,705	7,540	9,159	7,885

#### Variance Highlights

• No significant changes.

# PHYSICIAN RECRUITMENT

The Physician Recruitment program is designed to provide incentives to recruit and retain Physicians in the community. This is a program carried out in partnership with Stavely, and the MD of Willow Creek. This program was used to attract five of the six Doctors we currently have operating in Claresholm.

		Actual 2020			
PHYSICIAN RECRUITMENT	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Physician recruitment	3,000	-	3,000	1,050	9,969
Operational budget adjustments					
Transfer from reserve - operations	(3,000)	-	(3,000)	(1,050)	(9,969)
NET DEFICIT (SURPLUS) PHYSICIAN RECRUITMENT		-	-	-	-

#### Variance Highlights

• No significant changes.

# **WEEDS & PESTS**

The majority of the allocation within the Weeds & Pests budget deals with weed and pest control in parks throughout the Town. The Parks department has trained staff members who provide weed control within the parks.

		Actual 2020			
WEED AND PEST CONTROL	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Wages and benefits	7,522	3,872	7,367	5,832	5,043
Chemical and materials	10,000	11,123	10,000	6,963	8,243
Amortization	27,383	-	27,383	27,383	27,383
	44,905	14,996	44,750	40,177	40,669
Operational budget adjustments					
Addback amortization	(27,383)	-	(27,383)	(27,383)	(27,383)
NET DEFICIT WEED AND PEST CONTROL	17,522	14,996	17,367	12,795	13,286

#### Variance Highlights

• No significant changes.

## ECONOMIC DEVELOPMENT

The Economic Development department is responsible for maintaining the Business Growth & Development Centre, business retention, investment attraction and municipal marketing efforts. This department is guided by the Municipal Strategic Plan and the Economic Development Committee and primarily implemented by the Economic Development Officer.

		Actual 2020			
ECONOMIC DEVELOPMENT	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
	_				
Grants and contributions	(113,100)	(113,975)	(131,200)	(63,240)	(63,458)
Economic development revenue	(113,100)	(113,975)	(131,200)	(63,240)	(63,458)
Wages and benefits	122,041	86,562	99,636	94,532	80,346
Materials, supplies and operating expenses	186,288	70,246	210,053	148,610	158,528
Economic development expenses	308,329	156,808	309,689	243,142	238,874
9					
_	195,229	42,833	178,489	179,902	175,416
Operational budget adjustments					
Transfer from reserve - operations	(23,000)	-	-	(51,072)	(11,872)
Transfer to reserve - operations	-	-	-	-	-
NET DEFICIT ECONOMIC DEVELOPMENT	172,229	42,833	178,489	128,830	163,545

- Grants and contributions include \$59,000 of LMP grant funds that were received in 2020 but will be deferred to 2021 as they have yet to be spent.
- Grants and contributions also include \$23,600 of contributions from Community Futures and the Claresholm and District Chamber of Commerce for a new joint project to build capacity for the Chamber and Economic Development.
- Wages and Benefits increased due to the joint project with the Chamber noted above, which
  includes a new position that will be shared with the Chamber. This position is largely funded by
  Community Futures, with remaining costs being shared between the Chamber and the Town.
- Materials, supplies, and operating expenses includes \$59,000 of carryforward LMP project expenses as well as \$23,000 of carryforward expense from 2020 for incomplete projects, including wayfinding signage and industrial land development.

# LAND PLANNING & DEVELOPMENT

The Development Officer provides development services to the municipality and works with the Municipal Subdivision and Development Authority. The planning advice and services are contracted through membership in the Oldman River Regional Services Commission. Building code, gas and plumbing and electrical inspections are currently being provided through a contract with Superior Safety Codes.

		Actual 2020			
LAND PLANNING AND DEVELOPMENT	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Permits	(67,000)	(65,395)	(64,000)	(51,776)	(69,333)
Planning and development fees	(2,600)	(2,944)	(2,600)	(4,290)	(6,010)
Planning and development revenue	(69,600)	(68,339)	(66,600)	(56,066)	(75,343)
Wages and benefits	86,271	71,768	84,487	85,644	71,440
ORRSC membership	53,500	54,380	53,500	52,604	51,938
Legal and professional services	49,125	67,143	53,725	44,938	61,082
Materials, supplies and operating expenses	7,000	1,510	8,500	7,305	17,179
Planning and development expenses	195,896	194,801	200,212	190,490	201,638
NET DEFICIT PLANNING & DEVELOPMENT	126,296	126,462	133,612	134,424	126,296

- Legal and professional services decreased \$4.5K due to removing legal costs from this budget. Most legal costs are coded to administration. Having legal contingencies in each department creates a bloated budget as the contingency is left unspent in most departments, with it being required in all departments in a single year being extremely slim.
- Materials, supplies and operating expenses decreased by \$1.5K as there are no anticipated projects in the current year. This is just base annual costs and contingencies.

# GENERAL RECREATION

The general recreation budget deals with general recreational programming, such as the Southern Alberta Summer Games as well as overarching expenditures such as wages and benefits for the recreation manager. It also includes costs related to the Golf Course include interest expenses on debt related to the Golf Course and the Golf Course Management Fee the Town pays.

GENERAL RECREATION	Budget 2021	Actual 2020 (To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Local government grants	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)
	, , ,				, , ,
Summer Games	-	22	-	(13,254)	(9,475)
General recreation revenue	(50,000)	(49,978)	(50,000)	(63,254)	(59,475)
Golf course management	50,300	56,100	56,100	55,000	55,000
Debenture interest	1,859	2,447	4,292	6,572	8,871
Wages and benefits	73,049	59,287	70,109	69,133	69,078
Programming expenses	4,800	2,340	5,800	11,136	9,168
General recreation expenses	130,008	120,174	136,301	141,841	142,118
_					
	80,008	70,197	86,301	78,587	82,643
Operational budget adjustments					
Transfer from reserve - operations	(50,000)	-	(50,000)	(50,000)	(50,000)
NET DEFICIT GENERAL RECREATION	30,008	70,197	36,301	28,587	32,643

- Programming expenses decreased \$1K based on historical actuals and Claresholm not managing the summer games Willow Creek teams or entries any longer.
- \$5,800 reduction in the Golf Course Management fee.
- Debenture interest decreases year over year as debt is repaid.
- The 50K transfer from reserves are from the Debt Reduction reserve and are used to fund a portion of the golf course loan payments. This has been the practice since 2018.

#### **PARKS**

The parks budget includes maintenance of the Town's parks as well as the fees and costs related to the Town's campground.

		Actual 2020			
PARKS	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Campground fees	(70,000)	(87,134)	(60,000)	(66,067)	(56,343)
Parks grants and other funding	(2,500)	(275)	(5,000)	(6,177)	(825)
Parks revenue	(72,500)	(87,409)	(65,000)	(72,244)	(57,168)
Wages and benefits	109,923	104,125	107,174	116,823	104,086
Materials, supplies and operating expenses	50,600	42,501	50,600	53,408	49,828
Amortization	180,101	-	180,101	186,499	195,246
Parks expenses	340,624	146,627	337,875	356,730	349,160
_					
	268,124	59,217	272,875	284,486	291,992
Operational budget adjustments					
Addback amortization	(180,101)	-	(180,101)	(186,499)	(195,246)
Services to other departments	15,000	13,359	15,000	15,150	14,866
Transfer to reserve - capital	-	-	-	<u> </u>	-
NET DEFICIT PARKS	103,023	72,576	107,774	113,138	111,612

- Campground fees budget increased 10K based on excellent year in 2020 despite closure for a couple months. Kept budget still conservative and well below 2020 revenue, but above 2018 and 2019 revenues.
- Reduced parks grants and other funding based on historical difficulty actually receiving grants that are budgeted for.

#### **ARENA**

The Arena operates an ice area during the winter and is also used for lacrosse and other rentals during the summer. The main users of the Arena are the Claresholm Minor Hockey Association and the Figure Skating Club.

		Actual 2020			
ARENA	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Minor hockey	(30,000)	(17,597)	(30,000)	(27,931)	(30,336)
Figure skating	(8,000)	(4,813)	(8,000)	(7,120)	(7,400)
Other rentals	(18,030)	(10,223)	(28,357)	(31,166)	(23,453)
Advertising	(7,700)	(4,540)	(7,700)	(7,960)	(11,550)
Arena revenue	(63,730)	(37,173)	(74,057)	(74,177)	(72,740)
Wages and benefits	116,917	76,741	114,492	102,395	138,194
Materials, supplies and operating expenses	75,750	63,538	95,750	91,001	117,883
Amortization	54,854	-	54,854	55,635	48,767
Arena expenses	247,521	140,279	265,096	249,031	304,843
	183,791	103,106	191,039	174,853	232,103
Operational budget adjustments					
Addback amortization	(54,854)	-	(54,854)	(55,635)	(48,767)
Services to other departments	6,000	6,216	6,000	5,979	3,462
Transfer to reserve - capital	17,700	-	7,700	7,960	11,550
NET DEFICIT ARENA	152,637	109,322	149,885	133,158	198,349

- Other rentals were decreased due to loss of rental from Lomond's "AA" team.
- Materials, supplies and operating expenses were decreased \$20K as no compressor rebuild in 2021 is done every other year (2 compressors, each rebuilt once every 4 years).
- Additional 10K transfer to reserves to contribute to 2022's compressor rebuild, removing the 20K annual swings in budget for compressor rebuilds. Saving or paying 10K each year.

# **AQUATIC CENTRE**

The Aquatic Centre is owned by Alberta Health Services and shares the facility with the Town for the Town residents use and benefit. The Town operates the facility covering some of the maintenance costs, lifeguards, and programming expenses.

		Actual 2020			
AQUATIC CENTRE	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Lessons	(52,000)	(26,993)	(52,000)	(59,142)	(56,300)
Gate admission	(35,000)	(14,129)	(35,000)	(35,462)	(36,929)
Rentals	(18,000)	(4,667)	(18,000)	(18,630)	(20,810)
Other funding	(8,000)	(2,872)	(10,000)	(8,122)	(9,620)
Aquatic Centre revenue	(113,000)	(48,660)	(115,000)	(121,356)	(123,659)
Wages and benefits	227,185	154,826	187,373	232,170	233,709
Materials, supplies and operating expenses	34,500	31,753	40,000	35,813	35,993
Amortization	16,343	-	16,343	17,262	18,574
Aquatic Centre expenses	278,028	186,579	243,716	285,245	288,277
	165,028	137,919	128,716	163,889	164,617
Operational budget adjustments					
Addback amortization	(16,343)	-	(16,343)	(17,262)	(18,574)
NET DEFICIT AQUATIC CENTRE	148,685	137,919	112,373	146,628	146,044

- Significant decrease in 2020 actuals is due to COVID. 2021 budget has been kept consistent with 2020 budget as we hope and anticipate usage and attendance at the pool will slowly increase as people start to return to normal life.
- Wages and benefits increased back to pre-COVID levels with the pool back open full time.
- Materials, supplies and operating expenses decreased \$5.5K due to no planned audit of safety, service, and staffing repeated in 2021 and no other anticipated extra costs in 2021.

#### **MUSEUM**

The Museum Board oversees the operation of the Museum in cooperation with the Museum Executive Director and administrative staff and provides recommendations to Council on the budget. The Museum budget includes the operations of two buildings, the Historic CPR Train Station and Museum Exhibit Hall. The Visitor Information Centre operates out of the Historic CPR Train Station. Both are open to the public from May to early October, plus some off season special events.

		A -t 1 2020			
MUSEUM	Budget 2021	Actual 2020 (To Nov 3)	Pudget 2020	Actual 2019	Actual 2018
INIOSEOIVI	Buuget 2021	(10 1404 3)	Budget 2020	Actual 2019	Actual 2016
Sales	(1,500)	-	(1,500)	(1,180)	(1,532)
Donations	(4,000)	-	(4,000)	(2,013)	(5,463)
Grants	(4,000)	(9,112)	(4,000)	(4,577)	(37,379)
Museum revenue	(9,500)	(9,112)	(9,500)	(7,770)	(44,374)
Wages and benefits	73,980	47,396	62,236	80,873	62,052
Materials, supplies and operating expenses	30,700	16,214	30,340	30,872	42,141
Professional development	2,000	375	1,500	1,572	226
Amortization	23,781	-	23,781	23,781	23,781
Museum expenses	130,461	63,985	117,857	137,099	128,201
	120,961	54,873	108,357	129,329	83,827
Operational budget adjustments					
Addback amortization	(23,781)	-	(23,781)	(23,781)	(23,781)
Services to other departments	3,000	2,250	3,000	2,630	2,069
Transfer from reserve - operations	-		<u>-</u>	(27,275)	(4,000)
NET DEFICIT MUSEUM	100,180	57,123	87,576	80,903	58,115

#### Variance Highlights

• Increase in wages is based on returning to normal employment levels after COVID-19. Prior year's budget was decreased based on anticipated closure and reduced staffing.

## **LIBRARY**

The local Library Board oversees the activities and budget requests. The Municipality is a member of the Chinook Arch Regional Library system which is a network of independent, cooperating libraries in the southwestern corner of Alberta. Chinook Arch provides training, consulting, IT support and centralized purchasing, cataloguing, processing, and delivery services.

		Actual 2020			
LIBRARY	Budget 2021	(To Nov 3)	Budget 2020	Actual 2019	Actual 2018
Grant	190,000	190,000	190,000	185,275	185,035
Chinook Arch membership	30,883	30,883	30,883	30,278	29,673
Amortization	25,693	-	25,693	25,693	25,693
	246,576	220,883	246,576	241,246	240,402
Operational budget adjustments					
Addback amortization	(25,693)	-	(25,693)	(25,693)	(25,693)
Services to other departments	3,500	2,281	3,500	2,234	1,454
NET DEFICIT LIBRARY	224,383	223,163	224,383	217,786	216,162

### Variance Highlights

• Haven't received 2021 budget yet from the library. Currently left at same level as prior year.

# DEPARTMENT CAPITAL BUDGETS

# **Funding Sources for Capital Projects**

Provincial and Federal grants are available each year to assist the municipality to fund major infrastructure projects. The Council has additional options to consider such as reserves, tax or utility funding. The following is a brief explanation of capital project funding source options.

#### Federal Gas Tax Fund (FGT)

Each year, the federal FGT assists municipalities by providing funding for local infrastructure projects. Funding is provided to the Province, who in turn flows this funding to the municipality. This program has been legislated as a permanent source of Federal infrastructure funding for municipalities. The program is broad-based and allows municipalities to use the funding toward a wide range of projects to meet local priorities.

#### **Municipal Sustainability Initiative (MSI)**

Municipalities in Alberta are eligible for funding under the **MSI** program based on the terms set out in long-term funding agreements with the Province. Municipalities determine projects and activities to be funded based on local priorities within the general criteria set out in the program guidelines and are encouraged to take a long-term approach to planning for capital projects.

#### Alberta Municipal Water/Wastewater Partnership (AMWWP)

The **AMWWP** is a competitive grant program that provides cost-shared funding to eligible municipalities to assist in the construction of municipal water supply and treatment and wastewater treatment and disposal facilities. Funding is provided for the construction of high-priority water supply and treatment and wastewater treatment and disposal facilities. Water distribution and/or sewage collection systems are not eligible for assistance.

#### **Alberta Historic Resources Foundation Grant (AHRF)**

Historic Resource Foundation grants provide project funding for conservation of Alberta's historic places and can include restoration, architectural and/or engineering services, studies reports or plans associated with the conservation of the historic place. Matching grants are awarded up to 50% of eligible costs. Conservation includes actions or processes that safeguard character-defining elements of a historic place to retain the heritage value and extend physical life. This may involve one or more conservation treatments—preservation, rehabilitation or restoration. The maximum matching grants per application per year are as follows: Provincial Historic Resources – \$100,000; Municipal Historic Resources – \$50,000; Local (non-designated) Historic Resources – one-time grant of \$5,000.

#### **Alberta Community Resilience Program (ACRP)**

The **ACRP** is a is a multi-year provincial grant program supporting the development of long-term resilience to flood and drought events, while supporting integrated planning and healthy,

# Town of Claresholm Budget

functioning watersheds. These grants will support the design and construction of projects that enhance or enable the protection of critical infrastructure from flooding and drought events, and help ensure public safety is protected.

#### **Municipal Stimulus Program (MSP)**

The MSP is a is a one-time additional capital infrastructure funding to municipalities and Metis Settlements to help stimulate the economy. The funding is designed to sustain and create local jobs, enhance provincial competitiveness and productivity, position communities to participate in future economic growth, and reduce municipal red tape to promote job-creating private sector investment. Funding is distributed on a per capita basis.

#### **Community Facility Enhancement Program (CFEP)**

The **CFEP** is a competitive grant program that assists with foster the unique characteristics of Alberta's many communities. The aim of the program is to reinvest revenues generated from provincial lotteries into communities, empower local citizens and community organizations to work together and to respond to local needs.

Municipalities are not eligible for this funding and therefore must partner with a local organization to access these grants.

#### **Reserves/Restricted Surplus**

As a means of solid financial planning, Council has created a number of special reserve funds to address both future operational and especially, capital resource needs. These funds address new acquisition and replacement, but have general restrictions on use. Through the budget process, the Town will designate funds that have been internally restricted to finance those projects for which the funds have been ear-marked.

#### **Utility Funded**

Revenue generated through utility rates is intended to fully fund operational costs including amortization. As the utilities become closer to full-cost recovery, amounts generated to fund amortization can be used to fund capital projects. If there is no required capital replacement for a utility in any given year, the amortization amount may be reserved for future capital projects.

# Town of Claresholm Budget

The following table summarizes the anticipated funding sources for the capital projects for the upcoming year.

FUNDING SOURCES FOR THE YEAR	
Alberta Community Resilience Program Grant (ACRP)	
Municipal Sustainability Grant (MSI)	860,000.00
Community Facility Enhancement Program (CFEP)	182,500.00
Alberta Heritage Resources Foundation (AHRF)	57,500.00
Alberta Municipal Water/Wastwater Program (AMWWP)	541,000.00
Municipal Stimumus Program (MSP)	449,325.00
Federal Gas Tax Fund (FGTF)	330,500.00
Total Government Transfers for Capital	2,420,825.00
Transfers from reserves	597,175.00
Proceeds from long-term debt	750,000.00
Proceeds on sale or trade-in of vehicles and equipment	105,000.00
Tax funded	5,000.00
TOTAL FUNDING	3,878,000.00

## **Capital Summary Budget**

ENGINEERING STRUCTURES PROJECTS	Funding	Expenditure
Municipal Stormwater System Upgrade - Phase 1 (carryforward from		
2017/18 budgets)		_
Funding: ACRP Grant	-	
Funding: MSI Grant	-	
2nd St. W Rehabilitation from 49th to 51st Ave (Water, Sewer, Storm		
& Road)		530,000
Funding: Municipal Stimulus Program (MSP)	449,325	
Funding: Capital Water and Sewer Reserve	80,675	
Lagoon Holding Cell Upgrade		1,000,000
Funding: AMWWP Grant	541,000	
Funding: Capital Water and Sewer Reserve	459,000	
Starline Business Park Phase 1 Offset Upgrades		1,500,000
Funding: Debenture	750,000	
Funding: MSI Grant	650,000	
Funding: FGTF Grant	100,000	
ENGINEERING STRUCTURES TOTAL		3,030,000
DIM DINGS PROJECTS		
BUILDINGS PROJECTS		
Multi-use Community Complex (carryforward from 2020 budget)		-
Funding: MSI Grant		
Funding: Enabling Accessibility Grant		445.000
Museum Sandstone Repair	57.500	115,000
Funding: Alberta Historical Resources Foundation (AHRF)	57,500	
Funding: FGTF Grant	57,500	
BUILDINGS TOTAL		115,000
MACHINERY & EQUIPMENT PURCHASES		
Zamboni		140,000
Funding: MSI Grant	70,000	
Funding: CFEP Grant	70,000	
Water Treatment Plant Device Net Communications		40,000
Funding: Capital Water and Sewer Reserve	40,000	
Bobcat Replacement		45,000
Funding: Trade-in	40,000	
Funding: Tax funded	5,000	
MACHINERY & EQUIPMENT TOTAL		225,000

LAND IMPROVEMENT PROJECTS		
Amundsen Park Redevelopment - Phase 1 (carryforward from 2020		
budget)		210,000
Funding: FGTF Grant	105,000	
Funding: CFEP Grant	105,000	
East Side Offleash Dog Park Fencing		15,000
Funding: CFEP Grant	7,500	
Funding: Capital Parks & Pathways Reserve	7,500	
Tennis Court Resurfacing		68,000
Funding: FGTF Grant	68,000	
LAND IMPROVEMENT TOTAL		293,000
VEHICLE PURCHASES & PROJECTS		
Fleet Repacements - Gravel Truck		125,000
Funding: MSI Grant	100,000	
Funding: Trade-in	25,000	
Fleet Replacement - Fire Command Truck (4x4 pickup)		40,000
Funding: Capital Enforcement Vehicle Reserve 10,		
Funding: Trade-in	30,000	
Fleet Replacement - Fire Command Truck (4x4 pickup)		50,000
Funding: MSI Grant	40,000	
Funding: Trade-in	10,000	
VEHICLE TOTAL		215,000

# **ENGINEERED STRUCTURES**

Carryforward Capital Project from 2016/2017		
<b>Project Name</b>	Phase 1 – Storm Water Drainage Improvements	
<b>Anticipated Start</b>	2016	
<b>Project Description</b>	Continuation of Phase 1 of Storm Management Plan including Storm	
	Water Management Facility, upgrade of 8th Street Ditch and upgrades	
	to Golf Course Ditch/Ponds	
<b>Remaining Cost</b>	Currently Unknown. Will update after yearend.	
<b>Funding Sources</b>	ACRP and MSI Grants	
Rationale for need	Try to prevent flooding reoccurrence to homes in Town.	
Impact on future	More maintenance on new apparatuses will be required.	
operating costs		
Implications of	If nothing is done to address the problems outlined in the Storm water	
deferring this project	management Plan, we may see re-occurrences of flooding in Town.	

2021 Capital Project		
<b>Project Name</b>	2 <sup>nd</sup> Street W Rehabilitation from 49 <sup>th</sup> to 51 <sup>st</sup>	
<b>Anticipated Start</b>	2021	
<b>Project Description</b>	Water/sewer main replacement 2nd St. West 49 <sup>th</sup> to 51 <sup>st</sup> Ave West	
<b>Project Cost</b>	\$520,000.	
<b>Funding Sources</b>	MSP Grant & Water & Sewer Capital Reserves	
Rationale for need	Water system upgrade to eliminate 4" AC pipe and replace cast iron	
	fittings and valves that do not work. Replacement of old sanitary sewer	
	system and storm sewer system as well before repaving.	
Impact on future	Reduce repairs required and address drainage issues.	
Implications of	More water breaks in the area, affecting traffic and business	
deferring this project	operations that require water.	

2021 Capital Project		
<b>Project Name</b>	Lagoon Holding Cell Upgrade	
<b>Anticipated Start</b>	2021	
<b>Project Description</b>	Replace transfer structures and controls between holding cells.	
<b>Project Cost</b>	\$100,000.	
<b>Funding Sources</b>	AMWWP Grant and Water & Sewer Capital Reserves	
Rationale for need	As per an engineering lagoon study done in 2016 it concluded that the	
	inter-cell transfer manholes, structures, and piping between the	
	facultative and storage cells had passed their useful service life.	
	Another 5 years has passed since that date increasing the deterioration	
	and need for this project.	
Impact on future	Reduce repairs required and manual pumping.	
Implications of	Further deterioration and potential complete failure of transfer	
deferring this project	structures between cells.	

2021 Capital Project		
Project Name	Starline Business park Phase 1	
Anticipate Start	2021	
<b>Project Description</b>	Extending the Towns water main system Approx. 700 meters	
<b>Project Cost</b>	\$1,520,000.00	
<b>Funding Sources</b>	Debenture and both FGTF and MSI Grants	
Rationale for need	This water looping is required to improve water quality and delivery	
	options. This must be done before future street upgrades along 5 <sup>th</sup> street	
	East.	
Impact on future	No impact is expected on operations	
operating costs		
Implications of	Poor water servicing will be available for new industrial area (Annexed	
deferring this project	lands) east of 5 <sup>th</sup> street, until this is completed. Project could be done	
	in two phases.	

# **BUILDINGS**

Carryforward Capital Project from 2018		
<b>Project Name</b>	Multi-Use Community Complex	
<b>Anticipated Start</b>	2019	
<b>Project Description</b>	New construction of Daycare, Playschool, Administration, and	
	community space buildings	
<b>Remaining Cost</b>	Currently Unknown. Will update after yearend.	
<b>Funding Sources</b>	Debenture, CFEP Grants, Canada Accessibility Grant, and MSI	
	Capital Grants	
Rationale for need	Existing office is over 70 years old and has reached its useful life,	
	without major renovations.	
Impact on future	Significant reduction in utilities costs, rent costs, and other	
operating costs	operational costs due to being able to bring Administration, FCSS,	
	and Economic Development all under one roof.	
Implications of	Current Administration building does not meet fire code, asbestos	
deferring this project	contamination, and internal plumbing replacement needed.	

2021 Capital Project		
Project Name	Museum Sandstone Repair	
<b>Anticipated Start</b>	2021	
<b>Project Description</b>	Repair broken sandstone bricks on Museum Depot exterior.	
Project Cost	\$115,000.	
<b>Funding Sources</b>	AHRF and FGTF Grants	
Rationale for need	Obligation of the Town under the Heritage Buildings Preservation Act.	
Impact on future	No anticipated increase forecasted.	
operating costs		
Implications of	Possible compounding damage by not repairing, as water damage may	
deferring this project	continue to erode further.	

# **MACHINERY & EQUIPMENT**

2021 Capital Purchase		
<b>Project Name</b>	Zamboni (Ice Resurfacer) Replacement	
<b>Anticipated Start</b>	2021	
<b>Project Cost</b>	\$140,000	
<b>Funding Sources</b>	CFEP & MSI Grants	
Rationale for need	The current Zamboni has long outlived its projected useful life and	
	requires more regular and significant repairs. As it is the Town's only	
	Zamboni, and the operations of the Arena relies on this piece of	
	equipment we need to ensure the reliability of this machinery.	
Impact on future	Fewer repairs.	
operating costs		
<b>Implications of</b>	Potential long-term closure of the Arena due to inability to maintain	
deferring this project	the ice surface for regular arena use due to equipment breakdown.	

2021 Capital Purchase		
<b>Project Name</b>	Water Treatment Plant Device Net Communications	
<b>Anticipated Start</b>	2021	
<b>Project Cost</b>	\$40,000	
<b>Funding Sources</b>	Water & Sewer Capital Reserves	
Rationale for need	The current device net communications system is a wireless communication system which has resulted in continued issues and communications failures. This will upgrade the system to hardline ethernet cable communications reducing troubleshooting and failures.	
Impact on future	Fewer repairs and engineering troubleshooting due to communications	
operating costs	issues.	
Implications of	Continued communications issues, and communications card repairs	
deferring this project	and replacements.	

2021 Capital Purchase						
Project Name Bobcat replacement program						
<b>Anticipated Start</b>	Yearly					
<b>Project Cost</b>	\$45,000 (Net \$5,000 after trade-in of old unit).					
<b>Funding Sources</b>	Trade in of old Bobcat, with Tax Funding for difference.					
Rationale for need	The program involves rotating old machine for a new machine yearly.					
	The equipment is only covered by one-year warranty and with some					
	service of the machine included, we are keeping our costs for					
	operations at the lowest possible for the Town.					
Impact on future	This purchase procedure eliminates the chance of major repairs as we					
operating costs	always have new warranty coverage					
Implications of	The value of our Bobcat will drop yearly and the cost for maintenance					
deferring this project	will also increase as this machine is used for 250+ hours per year. No					
	warranty coverage unless we purchase extended warranty at almost					
	\$2500.00 dollars per year.					

# LAND IMPROVEMENTS

Carryforward Capital Project from 2020					
Project Name	Amundsen Park Upgrades Phase 1				
<b>Anticipated Start</b>	icipated Start 2020				
<b>Project Description</b>	Replace the playgrounds on the SE & NW corners of Amundsen				
	Park, with one new structure, and construct a gazebo				
<b>Project Cost</b>	\$210,000.00				
<b>Funding Sources</b>	CFEP and FGTF grants				
Rationale for need	<b>need</b> This playground does not meet current safety codes and was on the				
	scheduled list for replacement in 2018. This SE park was installed in				
	1995 and the original equipment is still in use. The swings were				
	removed in 2007, when the NW swings were added. New park design.				
Impact on future	No expected impact on operations.				
operating costs					
Implications of	Liability on equipment that does not meet CSA code. The planned				
deferring this project	replacement list of playground equipment in Town is based on a				
	twenty-year cycle as 15 to 20 years is the expected life of new				
equipment. 9 parks/playgrounds are on the list.					

2021 Capital Project						
<b>Project Name</b>	Project Name East Side Off-Leash Dog Park Fencing					
<b>Anticipated Start</b>	ted Start 2021					
<b>Project Description</b>	Install fencing around the east side off-leash dog park to enhance the					
	utility and safety of that park.					
<b>Project Cost</b>	Project Cost \$68,000.					
<b>Funding Sources</b>	Funding Sources CFEP Grant and Parks & Pathway Capital Reserves					
Rationale for need	As recommended in the 2017 Master Recreation Plan. There has also					
	been numerous requests and complaints regarding such fencing, or the					
	lack there of, from residents of the community.					
Impact on future	Additional manhours to maintain the park, including weed whipping					
operating costs	around the fence.					
Implications of	Continued complaints.					
deferring this project						

2021 Capital Project						
<b>Project Name</b>	Project Name Tennis court resurfacing					
<b>Anticipated Start</b>	cicipated Start 2021					
<b>Project Description</b>	Project Description Install new surface on the existing tennis courts.					
<b>Project Cost</b>	Project Cost \$68,000.					
<b>Funding Sources</b>	FGTF Grant					
Rationale for need  As recommended in the 2017 Master Recreation Plan for the 2 summer games. New users playing Pickleball are using the facility now as well.						
Impact on future	There will be no extra expected cost increases for operations.					
operating costs						
Implications of	Not in good condition for the 2021 summer games.					
deferring this project						

# **VEHICLES**

2021 Capital Project					
<b>Project Name</b>	Gravel truck replacement				
Anticipated Date 2021					
<b>Project Description</b>	Replace the oldest tandem, a 2005 International purchased used in				
	2009.				
Project Cost \$125,000. Used price based on published adds.					
<b>Funding Sources</b>					
Rationale for need	ced Currently the deteriorating tandem trucks require a replacement of one				
	unit with newer model.				
Impact on future	Reduce the maintenance costs and improve efficiency.				
operating costs					
Implications of	More costly breakdowns and less productivity in operations. Harder to				
deferring this project find parts for older units.					

2021 Capital Project					
<b>Project Name</b>	Bylaw Enforcement Vehicle				
Anticipated Date 2021					
<b>Project Description</b>	Sell the Community Peace Officer Vehicle and purchase a new				
	vehicle to be used as a Bylaw Enforcement Vehicle				
<b>Project Cost</b>	Project Cost \$40,000.				
Funding Sources Trade-in of CPO Vehicle and Enforcement Vehicle Reserve					
Rationale for need	With the plan to no longer employ a Peace Officer we can no longer				
	utilize a Peace Officer Vehicle with lights and siren. There is therefore				
no vehicle, without taking one from Public Work, for the Byla					
	Enforcement Officer to use, without lights and siren.				
Impact on future	None.				
operating costs					
Implications of	Short a vehicle in our fleet as the CPO vehicle can only be used by a				
deferring this project   Community Peace Officer, which we no longer employ.					

# Town of Claresholm Budget

2021 Capital Project					
Project Name	Project Name Fire Command Truck (4x4) Replacement				
<b>Anticipated Date</b>	Anticipated Date 2021				
<b>Project Description</b>	Replace the current Fire Command Truck. Includes the purchase of a				
	new vehicle plus the cost of adding lights, sirens, etc. to the vehicle.				
<b>Project Cost</b>	\$50,000.				
<b>Funding Sources</b>	MSI Grant				
Rationale for need	Current command truck is 10 years old with nearly 300,000 km. As				
	this vehicle is generally the first vehicle to respond to or assess any				
emergency call or fire it needs to be a reliable vehicle that can res					
	in any whether conditions.				
Impact on future	1 future Reduce the maintenance costs.				
operating costs					
Implications of	May prevent the Fire Chief from responding to a critical call as well as				
deferring this project increased maintenance and repair costs.					



## REQUEST FOR DECISION

Meeting: December 7, 2020 Agenda Item: 14

#### 2021 MUNICIPAL ELECTION

#### **DESCRIPTION:**

2021 is Municipal Election year, and Alberta Municipal Affairs is recommending that municipalities start preparing now. There have been changes made to the *Local Authorities Election Act* (LAEA) since the last election, with the latest changes taking effect in September 2020. Many of these changes are a result of public consultations since the last election in 2017. Municipal Affairs has already started with online training sessions and materials to help prepare municipalities for an uncertain 2021. The added stress of dealing with a global pandemic in addition to changes in legislation will make for an interesting year. Administration is providing the following information and is requesting that Council make some decisions and/or motions prior to the end of 2020 pertaining to the election in order to prepare. Election day is slated for Monday, October 18, 2021.

#### **BACKGROUND:**

#### 1. Nomination Period

One of the more significant changes to the LAEA is the creation of a nomination period rather than just a nomination day. Nomination day is still stated as being 4 weeks before election day, which will be Monday, September 20, 2021, however Section 25(2) of the Act states:

25(2) A person may file a nomination to become a candidate
(a) for a general election, within the period beginning on January 1 in a year in which a general election is to be held and ending at 12 noon on nomination day.

Prior to this change, nominations were only accepted on Nomination Day between the hours of 10:00 a.m. and 12 noon. Candidates now have the opportunity to submit their nominations papers starting on January 1<sup>st</sup> (or the next business day, which is January 4, 2021) right up until Nomination Day, September 20, 2021 at 12 noon. A candidate can withdraw their nomination anytime up to and including 24 hours after the close of nominations, which will be September 21, 2021 at 12 noon.

#### 2. Deposit

As set out in the LAEA, Council may choose to require a deposit which must accompany the nomination papers at the time of filing. This deposit must be established by bylaw and passed no later than 30 days before nomination day. This deposit, in the case of a municipality with a population of less than 10,000, may not exceed \$100. The candidate will receive the deposit back if:

- The candidate is declared elected:
- The candidate obtains at least half the number of votes than the candidate elected to office with the least number of votes: or
- The candidate withdraws at any time within the nomination period or within 24 hours after the close of the nomination period, if more than the required number of candidates for any particular office be nominated.

If the candidate does not meet the criteria above, the deposit shall be paid into the general revenue of the municipality. Council must provide Administration with direction to formulate a bylaw to accept deposits from candidates if they so choose.

#### 3. Returning Officer

With nominations being accepted by the Town of Claresholm as of January 1, 2021, it is important that a Returning Officer be appointed prior to that date in order that our office can receive the nomination papers. It is Administration's recommendation that Karine Keys be appointed as Chief Returning Officer for the 2021 Municipal Election. Karine has been with the Town for 14 years and was the Chief Returning Officer for the 2017 Municipal Election, 2018 By-Election and 2019 Vote of the Electors, and was highly involved in the prior municipal elections. As the only employee of Council, it is recommended that the Chief Administrative Officer not be the Chief Returning Officer. If any issues arise during the election, the relationship between the CAO and Council needs to be preserved going forward.

#### 4. Substitute Returning Officers

As the Returning Officer may not always be available to accept nomination papers, or if the Returning Officer becomes incapable of carrying out the duties of that office, the Substitute Returning Officers can act in the place of the Returning Officer. As in the past elections, Administration is recommending that Marian Carlson and Blair Bullock be appointed as Substitute Returning Officers.

#### 5. Institutional Vote

Prior to the last municipal election in 2017, Town Council passed a motion in order to hold an institutional vote at six locations in Claresholm for those residents who were physically unable to travel to the polling station. As the weather can be very unpredictable in October, holding an institutional vote is a good solution in order to allow the most residents the opportunity to vote. The vote is held on election day only, with times to be determined to be the best for the residents and staff. The institutional vote is for the residents of that facility only on election day and not for any other voters who may work there or be a relative of a resident. The locations included in 2017 were the Claresholm General Hospital, Willow Creek Continuing Care Centre, Porcupine Hills Lodge, Cottonwood Village, Heritage Manor and Parkside Manor. These locations must be approved by motion of Council.

#### 6. Senate Election and Provincial Referendum

Another area that Administration would like to bring to Council's attention is whether the Town of Claresholm has a municipal election in 2021 or not, we will be required to hold an election for senate if one is called by the Government of Alberta. The Town will also be required to hold a referendum vote if one is called by the Government of Alberta. Costs for this election are covered at the provincial level. The *Alberta Senate Elections Act* and the *Referendum Act* are the two acts of legislation that pertain to this new situation.

#### **PROPOSED RESOLUTIONS:**

2.	Moved by Councillor	to direct Administration to formulate a bylaw that requires all
	candidates submit a \$100 dep	osit with their nomination papers effective for the 2021 municipal
	election and subsequent election	ns.
3.	Moved by Councillor	to appoint Karine Keys are the Returning Officer for the 2021
	elections.	
4.	Moved by Councillor	to appoint Marian Carlson and Blair Bullock as Substitute Returning
	Officers for the 2021 elections.	
5.	Moved by Councillor	to hold an institutional vote for the election on Monday, October
	18, 2021 at the Claresholm Gen	eral Hospital, Willow Creek Continuing Care Centre, Porcupine Hills
	Lodge, Cottonwood Village, He	itage Manor and Parkside Manor.

#### **LEGISLATION:**

- Local Authorities Election Act, RSA 2000, Chapter L-21
- Alberta Senate Election Act, SA 2019, Chapter A-33.5
- Referendum Act, RSA 2000, Chapter \$-8.4

PREPARED BY: Karine Keys, CLGM, Finance Assistant

APPROVED BY: Marian Carlson, CLGM, CAO DATE: December 1, 2020



## REQUEST FOR DECISION

Meeting: December 7, 2020 Agenda Item: 15

#### ORGANIZATIONAL MEETING AMENDING MOTIONS

#### **DESCRIPTION:**

PROPOSED RESOLUTIONS:

At the last Organizational Meeting of Council held October 26, 2020, Council approved the proposed Committee Organization and Structure, however this proposed structure unfortunately contained an error. Under External Boards & Committees, it was incorrectly stated that Kathy Davies is the representative to the Chinook Arch Regional Library System. In fall 2019, Kathy Davies resigned her position and Council appointed Tony Hamlyn with Darry Markle as the alternate at the November 25, 2019 regular Council meeting. This was not updated on the listing at the time and the incorrect listing was presented to Council. Administration is requesting a motion of Council to once again appoint Tony Hamlyn and Darry Markle to correct this error.

Also, the 2021 regular Council meeting dates schedule contained an error. For the May Council meetings, Monday, May 24<sup>th</sup> was incorrectly stated as being the 2<sup>nd</sup> meeting date in the month. Unfortunately, this is Victoria Day and therefore the meeting must fall to Tuesday, May 25<sup>th</sup>. Administration apologizes for this error and requests that Council make a motion to change this meeting date from May 24<sup>th</sup> to May 25<sup>th</sup>, 2021.

# Moved by Councillor to appoint Tony Hamlyn to the Chinook Arch Regional Library

System Board with Darry Markle as an alternate.

Moved by Councillor \_\_\_\_\_ to designate Tuesday, May 25<sup>th</sup> as the second regular meeting date for the month of May 2021 rather than Monday, May 24<sup>th</sup> due to the Victoria Day holiday.

PREPARED BY: Karine Keys, CLGM, Finance Assistant

APPROVED BY: Marian Carlson, CLGM, CAO DATE: December 2, 2020

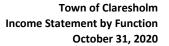




Revenue	OCTOBER	2020 YTD	2020 BUDGET
Net municipal taxes	-	(3,784,939.10)	(3,336,644.00) 1
Special assessments	-	(13,244.79)	(12,935.00)
User fees and sales of goods	(376,489.10)	(2,622,823.23)	(3,006,760.00)
Government transfers for operating	(17,538.00)	(344,833.58)	(379,131.00)
Investment income	(6,496.17)	(51,915.65)	(60,000.00)
Penalties and costs of taxes	(1,987.98)	(36,025.96)	(104,100.00)
Licenses and permits	(1,098.00)	(99,016.29)	(97,000.00)
Other local government transfers	(12,711.51)	(144,115.13)	(188,116.00)
Proceeds from disposal of capital assets	-	77,857.15	(75,000.00) <b>2</b>
Franchise and concession contracts	(15,090.99)	(181,741.75)	(212,491.00)
Rental	(12,160.01)	(52,885.55)	(123,257.00)
Other	(1,291.19)	(51,427.19)	(32,500.00)
Government transfers for capital		(2,037,243.66)	(2,445,543.00)
	(444,862.95)	(9,342,354.73)	(10,073,477.00)
Expenses			_
Salaries, wages and benefits	218,997.18	2,270,161.82	2,896,836.00
Contracted and general services	90,639.58	1,260,607.97	1,633,709.00
Materials, goods, supplies, and utilities	100,602.90	964,372.54	1,282,640.00
Bank charges and short-term interest	148.84	662.62	-
Interest on long-term debt	-	99,977.91	214,059.00
Other expenditures	248.99	19,841.69	27,690.00
Transfers to organizations and others	40,752.50	360,638.35	384,812.00
Amortization	-	-	1,699,578.00
	451,389.99	4,976,262.90	8,139,324.00
Internal Transfers			
Internal transfers	(6,636.83)	(6,631.13)	- 3
Net Income	(109.79)	(4,372,722.96)	(1,934,153.00)
Other			
Transfers to/from reserves	_	-	523,045.00
Capital expenditures	520,381.55	2,730,889.88	5,527,542.00
Debt Proceeds	, -	(2,800,000.00)	(2,800,000.00)
Debt Principal Repayment	_	208,649.10	383,144.00
Amortization addback	-	· -	(1,699,578.00)
			• • • •
	520,271.76	(4,233,183.98)	-

#### Notes

- 1 Tax revenue in excess of budget is related to education tax requisition amounts still to be paid during the remainder of the year.
- 2 Negative gain on disposal of capital assets is related to costs for disposal/demolition of the old school building incurred in 2020.
- **3** Internal transfers are just transferred between different departments. Due to timing of recording entries this will be in a positive or negative position during different times of year. Total for the year will balance out to NIL.



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Claresholm

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()002.00)	(5)5 .2,55 5	(20)070) 177100)
(444,862.95)	(9,342,354.73)	(10,073,477.00)
-	(9,111.66)	(9,500.00)
(24,759.72)	(618,440.64)	(844,177.00)
(1,083.00)	(65,000.34)	(66,600.00)
(1,775.00)	(112,600.00)	(131,200.00)
(500.00)	(12,053.75)	(18,500.00)
(31,229.51)	(238,678.88)	(267,641.00)
(37,369.60)	(214,902.72)	(243,000.00)
(54,406.40)	(344,779.28)	(426,000.00)
(61,831.30)	(377,569.50)	(406,162.00)
(205,491.57)	(1,672,807.90)	(1,996,900.00)
-	(1,166,337.97)	(1,306,751.00)
-	-	(2,500.00)
-	(770.00)	(75,000.00)
(589.90)	(12,109.39)	(38,000.00)
(100.00)	(16,100.23)	(17,040.00)
(421.10)	(9,228.61)	(33,000.00)
(2,326.71)	(425,769.40)	(522,571.00)
(22,979.14)	(4,046,094.46)	(3,668,935.00) <b>1</b>
OCTOBER	2020 YTD	2020 BUDGET
	(22,979.14) (2,326.71) (421.10) (100.00) (589.90)  (205,491.57) (61,831.30) (54,406.40) (37,369.60) (31,229.51) (500.00) (1,775.00) (1,083.00) (24,759.72) -	(22,979.14)       (4,046,094.46)         (2,326.71)       (425,769.40)         (421.10)       (9,228.61)         (100.00)       (16,100.23)         (589.90)       (12,109.39)         -       (770.00)         -       -         -       (1,166,337.97)         (205,491.57)       (1,672,807.90)         (61,831.30)       (377,569.50)         (54,406.40)       (344,779.28)         (37,369.60)       (214,902.72)         (31,229.51)       (238,678.88)         (500.00)       (12,053.75)         (1,775.00)       (112,600.00)         (1,083.00)       (65,000.34)         (24,759.72)       (618,440.64)         -       (9,111.66)

#### Notes:

- 1 Tax revenue in excess of budget is related to education tax requisition amounts still to be paid during the remainder of the year.
- 2 Airport expenses are over budget due to agreement on transfer of airport to the MD of Willow Creek to pay 17,250 per year for two years towards runway rehabilitation. This was approved by Council.



## **INFORMATION BRIEF**

Meeting: October 26, 2020

Agenda Item: 17

#### **COUNCIL RESOLUTION STATUS**

Regular Scheduled Meeting - August 17, 2020				
22	IN CAMERA: LAND - Moved by Councillor Zimmer to accept the offer from Krishna Metals Ltd. to purchase the following parcels: Lot 6, Block 4, Plan 7910032; Lot 7, Block 4, Plan 7910032; Lot 8, Block 4, Plan 7910032; and Lot 9, Block 4, Plan 7910032 for \$147,810 with the sale to be as is where is and the condition that a development permit be in place within one year. CARRIED MOTION #20-133	Tara/Brady	Extension granted until January 31, 2021.	Complete
Regi	ular Scheduled Meeting - September 14, 2020			
14	RFD: Claresholm Child Care Society - Moved by Councillor Schulze direct administration to work with the Claresholm Child Care Society to draft a new lease agreement between the Town and the Claresholm Child Care Society for the facilities located 5895 - 8th Street West effective September 1, 2020, based on a flat monthly rent which includes all utility services. CARRIED MOTION #20-143	Blair	Agreement has been signed	Complete
Regi	ular Scheduled Meeting - November 23, 2020			
1	BYLAW #1713 - Moved by Councillor Schulze to give Bylaw #1713, the Mayor & Council Remuneration Bylaw, 2nd Reading. CARRIED Moved by Councillor Cutler to give Bylaw #1713, the Mayor & Council Remuneration Bylaw, 3rd & Final Reading. CARRIED	Karine/Lisa	Bylaw printed and signed	Complete
2	BYLAW #1714 - Moved by Councillor Carlson to give Bylaw #1714, a Water & Sewer Utility Amendment Bylaw, 2nd Reading. CARRIED Moved by Councillor Zimmer to give Bylaw #1714, a Water & Sewer Utility Amendment Bylaw, 3rd & Final Reading. CARRIED	Karine/Blair	Bylaw printed and signed	Complete
3	BYLAW #1715 - Moved by Councillor Zimmer to give Bylaw #1715, the Fire Protection Amendment Bylaw, 2nd Reading. CARRIED Moved by Councillor Moore to give Bylaw #1715, the Fire Protection Amendment Bylaw, 3rd & Final Reading. CARRIED	Karine/Craig	Bylaw printed and signed	Complete
7	RFD: Zero Emission Vehicle Infrastructure Program - Moved by Councillor Schlossberger to approve the submission of a letter of interest as demonstration of the Town of Claresholm's support of SouthGrow Regional Initiative's application to the Natural Resources Canada, Zero Emission Infrastructure Program. CARRIED MOTION #20-177	Brady	Letter signed and sent	Complete

8	8	RFD: Christmas Eve Operations - Moved by Councillor Schlossberger to discontinue Town operations at 12 Noon on December 24th, 2020 in the spirit of the season and to allow staff to be with their families and loved ones. CARRIED MOTION #20-178	Marian	Has been advertised and updated online	Complete
13	3а	IN CAMERA: LAND - Moved by Councillor Cutler to accept the offer to purchase from Southline Real Estate Ltd for the property located at Lot 11, Block 4, Plan 7910032 (1.23 acres) in the amount of \$22,140 plus GST with a deadline of 90 days. CARRIED MOTION #20-179	Tara	Letter sent, agreement signed.	Complete

PREPARED BY: Karine Keys, CLGM, Finance Assistant

APPROVED BY: Marian Carlson, CLGM – CAO DATE: December 3, 2020

# INFORMATION ITEMS



# MUNICIPAL PLANNING COMMISSION MINUTES

October 30, 2020 Town of Claresholm – Council Chambers

**Attendees:** Brad Schlossberger - Council Member (Chairperson)

Jeff Kerr – Member-At-Large Doug Priestley - Member-at-Large Doug MacPherson – Mayor

**Regrets:** Keith Carlson – Council Member

Staff: Tara VanDellen – Planner/Development Officer

Marian Carlson - Chief Administrative Officer

Blair Bullock (via zoom) - Director of Corporate Sales

Tracy Stewart - Administrative Assistant

**Public Present:** Rob Vogt – Claresholm Local Press

8:58 a.m. Call to Order /Adoption of Agenda

Motion to adopt the agenda by

Jeff Kerr

Seconded by Doug Priestley

**CARRIED** 

**Adoption of Minutes** 

• October 2, 2020

Motion to adopt the Meeting Minutes By Doug Priestley

> Seconded by Jeff Kerr

> > **CARRIED**

Item 1: ACTION PERMIT REVIEW/CONCURRENCE LETTER

File: D2020.101

Motion to issue letter of concurrence by Mayor MacPherson

Applicant: CCI Wireless Owners: EQUS REA Ltd.

Address: 3 Alberta Road, Claresholm Legal: Lot 3, Block 3, Plan 8510082 Regarding: Antenna Structure Seconded by Jeff Kerr

CARRIED



# MUNICIPAL PLANNING COMMISSION MINUTES

October 30, 2020 Town of Claresholm – Council Chambers

Item 2: ACTION In Camera – Advice from

In Camera - Advice from Officials FOIP Section 24

Motion to go in camera by Mayor MacPherson

> Seconded by Jeff Kerr CARRIED

Motion to come out of camera by Doug Priestley

> Seconded by Mayor MacPherson

> > CARRIED

10:28 a.m.

Motion to adjourn by Doug Priestley CARRIED



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For some families, the pressures of life force them to choose between celebrating Christmas and putting food on the table.

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Please drop off your new unwrapped toy or wrapping supplies to one of our community partners:

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The Attic • The Bargain Shop • Wide screen media
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- Apply

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