



Town of Coronation
2022 Nomination Package

Table of Contents:

Introduction and Information

What Every Counsellor Need to Know Handbook

Running of Municipal Office in Alberta (A Guide by Alberta Municipal Affairs)

Nomination Paper and Candidates Acceptance

Candidate Financial Information

Letter to Appoint a Scrutineer

Statement of Scrutineer of Official Agent

Pecuniary Interest for Councilors (A Guide by Albert Municipal Affairs)

In- Closed- Session of Council (A Guide by Albert Municipal Affairs)

Town of Coronation Bylaw No. 2009-569 "Procedure (And Committees)"

Town of Coronation Bylaw – 2017-651 "Council Code of Conduct."

Town of Coronation Bylaw No. 2021 - 677 "Council Remuneration"

Council Remuneration COUN-002

Introduction and Information

NOMINATION DAY

Nomination Papers can be submitted to the Town Office during regular office hours anytime from March 1st, 2022 to April 4th. Nomination papers will not be accepted after 12:00 p.m. on April 4th. Nomination papers will be accepted in person, or can be mailed or couriered to the Town Office:

Town of Coronation
5015 Victoria Avenue
Box 219
Coronation, AB T0C 1C0

Nomination papers may be examined by any person in the presence of the Returning Officer, any time after March 1st, 2022. The examination of nomination papers must be done during regular business hours (9:00 a.m. -4:30 p.m. Monday - Friday).

Candidates must complete the Nomination Paper and Candidate's Acceptance (Form 4), available on the Government of Alberta website (see link below) and provided in this package. Candidates are also required to complete the Candidate Information (Form 5) also provided in this package. Additionally, if you intend to run in the election and plan to raise funds to support campaigning, you must first be registered with the Town Office. All required election forms are available here: <https://www.alberta.ca/municipal-election-forms.aspx>.

CANDIDATE ELIGIBILITY

According to **Sections 21-23 of the Local Authorities Election Act**, an individual is eligible to be nominated as a candidate if the person is:

- Eligible to vote in the election,
- Has been a resident in the municipality for **6 consecutive months** immediately preceding Nomination Day, and
- Not otherwise ineligible or disqualified According to Section 22 of the Local Authorities Election Act, a person is not eligible to be nominated as a candidate if the person:
 - a) is the auditor of the municipality
 - b) is an employee of the municipality (unless on a leave of absence)
 - c) is indebted to the municipality for taxes exceeding \$50.00
 - d) is indebted to the municipality for any debt exceeding \$500.00 and in default for more than 90 days, or
 - e) has been convicted of an election offence in Canada within the last 10 years

Please consult **Sections 21-23 of the Local Authorities Election Act** for more information on candidate eligibility/ineligibility.

CAMPAIGN FINANCE AND CONTRIBUTION DISCLOSURE

If you are receiving donations to help finance your election campaign, you are required to disclose names and addresses of donors whose contributions exceed \$50.00. Additionally, financial disclosure statements are required from all candidates, including self-funded campaigns.

What Every Councillor Needs to Know!

A Council Member Handbook



Government

Alberta Municipal Affairs

Municipal Capacity Building, Municipal Capacity and Sustainability Branch

What Every Councillor Needs To Know! A Council Member Handbook

Alberta Municipal Affairs

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The contents of this publication are intended to provide general information. Readers should not rely on the contents herein to the exclusion of independent legal advice.

Introduction

Congratulations! The electors of your municipality have put their trust in you to make decisions that are in their best interest. Elected office is one of the highest orders of public service. It offers the opportunity to significantly influence the quality of life in your community.

This booklet presents an overview of your responsibilities as a municipal councillor and is intended to help you to understand the powers and duties of a municipal council as a whole and you as an individual councillor. It also provides the context of the Chief Administrative Officer's (CAO) role in the municipality and helps you to understand how vital this relationship is.

The *Municipal Government Act (MGA)* provides the basic legislative framework for Alberta's municipalities. Council members must also grasp and comply with federal and provincial legislation and regulations affecting municipalities. In Alberta, cities, towns, Towns, summer Towns, municipal districts, specialized municipalities and improvement districts constitute municipalities. Councils have numerous powers, duties and responsibilities. You will benefit from your time on council as you meet new people and develop a greater understanding of the local government process and its role in your community. Your community will benefit from your leadership, vision, and service. Best wishes for your success, and for the success of your community.

This guide is an information summary only and has no legislative sanction. For certainty, refer to the *Municipal Government Act*, copies of which are available for purchase from Alberta Queen's Printer Bookstore. It is recommended that municipalities obtain legal advice for interpretation.

Note: Proposed amendments to the MGA that have not been proclaimed as of (publication date) are not reflected in this document. Additionally, as part of the *Municipal Government Act (MGA)* Review process, all MGA regulations related to property assessment and planning and development were reviewed to support the proposed amendments. The review has resulted in updates to a number of existing regulations and creation of new ones. To view and provide comments on these regulations, visit <http://mgareview.alberta.ca/get-involved/regulations-review/>.

Things to know!

Oath of Office [s. 156]

Before taking part in your first council meeting or performing any councillor duty, you will be required to make and subscribe to the official oath of office. By taking the oath, you swear or promise that you will diligently, faithfully, and to the best of your ability, fulfill the duties of the office to which you have been elected.

Your role

Council is the governing body of the municipal corporation. As a councillor, you will exercise the powers of the municipality through decisions passed by bylaw or resolution at a public meeting and define the policies and direction that your municipal administration will put into action.

Every councillor must understand the municipal purposes in section 3.

The purposes of a municipality are

- a) to provide good government,

- a.1) to foster the well-being of the environment,
- b) to provide services, facilities or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality,
- c) to develop and maintain safe and viable communities.
- d) to work collaboratively with neighboring municipalities to plan, deliver and fund intermunicipal services.

The MGA also provides municipal government with natural person powers for the purpose of exercising their authority. Natural person powers give municipality's similar flexibility to that of individuals and corporations in managing their organizational and administrative affairs. These powers may help a municipality – without the need for more specific legislative authority – enter into agreements or acquire land and equipment. For example, if a municipality has authority to establish a public transit system, it may use natural person powers to contract services and purchase buses. It is important to be aware that natural person powers are limited by legislation.

Council's principal role in the municipal organization:

A council is responsible for [s. 201(1)]

- a) Developing and evaluating the policies and programs of the municipality;
Council's primary role is to ensure that services are provided to citizens and property owners. This involves establishing policies about what programs and services are to be delivered, the level at which they are delivered, and the budgetary requirements. Council evaluates the policies and programs through information obtained from the CAO and feedback from the citizens.
- b) Carrying out the powers, duties and functions expressly given to council under the Act or any other legislation.
Council is responsible for ensuring that the municipality acts within its enabling legislation. A municipality can be taken to court by any person if it is perceived to be acting outside its legal authority. As well, council is responsible for ensuring that the municipality meets all requirements established in legislation, such as the requirement to hold public hearings on certain matters, develop a budget and levy taxes, appoint an auditor, etc. The legislation establishes minimum requirements; however, council can go beyond these minimums, provided that they act within their legislative authority.

Section 201(2) states clearly that a council must not exercise a power or function or perform a duty that is by this or another enactment or bylaw specifically assigned to the chief administrative officer or a designated officer.

As indicated above, council develops and evaluates its policies and programs; it is the CAO that implements them.

To carry out these roles, the MGA provides the following:

General duties of councillors [s.

153] Councillors have the

following duties:

- a) to consider the welfare and interests of the municipality as a whole and to bring to council's attention anything that would promote the welfare or interests of the municipality;
 - to promote an integrated and strategic approach to intermunicipal land use planning and service delivery with neighbouring municipalities;
- b) to participate generally in developing and evaluating the policies and programs of the municipality;
- c) to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;
- d) to obtain information about the operation or administration of the municipality from the chief administrative officer or a person designated by the chief administrative officer;
- e) to keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public;
 - to adhere to the code of conduct established by the council under section 146.1(1);
- f) to perform any other duty or function imposed on councillors by the MGA or any other enactment or by the council.

Your job as a councillor is to work with other council members to set the overall direction of the municipality in your role as a policy-maker. The policies that council sets are the guidelines for administration to follow as it handles the operations of the municipality. Much of your time on council will be spent considering new policies and programs and reviewing the current ones to make sure they are working as they should. In the spirit of collaboration, a municipality may enter into an agreement respecting services with Indigenous peoples or a Métis settlement and is required to consult with Indigenous peoples or Métis settlement when developing certain land use plans.

General duties of chief elected official (CEO) [s. 154]

- a) to consider the welfare and interests of the municipality as a whole and to bring to council's attention anything that would promote the welfare or interests of the municipality;
 - a.1) to promote an integrated and strategic approach to intermunicipal land use planning and service delivery with neighbouring municipalities;
- b) to participate generally in developing and evaluating the policies and programs of the municipality;
- c) to participate in council meetings and council committee meetings and meetings of other bodies to which they are appointed by the council;
- d) to obtain information about the operation or administration of the municipality from the chief administrative officer or a person designated by the chief administrative officer;
- e) to keep in confidence matters discussed in private at a council or council committee meeting until discussed at a meeting held in public;
 - e.1) to adhere to the code of conduct established by the council under section 146.1(1);
- g) to perform any other duty or function imposed on councillors by the MGA or any other enactment or by the council.

In practice, the CEO is also generally the main spokesperson for the municipality, unless that duty is delegated to a councillor.

These legislated duties supersede any duty to any individual or group of residents.

Be familiar with your legislation

Municipalities are often described as “creatures of province”; the only powers that they have are those set out in provincial legislation and those implied or necessarily incidental to them. If you donot have a grasp of the basics, you will not understand what the municipality can, cannot, must and must not do. Although you can rely on the CAO to inform you of the legislated requirements of the MGA, it is recommended that you have a brief read through the legislation to understand why you are doing what you are doing.

The *Municipal Government Act (MGA)* is the most important Act a councillor should be familiar with. It lays the foundation for how municipalities operate, how municipal councils function, and how citizens can work with their municipalities. The MGA is the legislative framework in which all municipalities and municipal entities across the Province of Alberta operate.

The *Freedom of Information and Protection of Privacy (FOIP) Act* provides the Government of

Alberta’s general policy on access to information and the protection of personal information in the public sector. It provides for public accountability through a right of access to records under the control of public bodies and mandates how a public body is to collect, use and disclose an individual’s personal information.

These are the two most important pieces of legislation that apply to municipalities. Some of the more common pieces of legislation that affects municipalities are listed at the end of this document.

How you can help

Orientation and Training Opportunities [s. 201.1]

Understanding the relationships, roles and the responsibilities of an elected official and the associated limitations, will be critical to your success in the position. Whether you are newly elected or a returning official, you should take every opportunity to learn about your municipality; key issues affecting the community; and governing processes and procedures. It is mandatory for each municipality to offer orientation training to each councillor, to be held within 90 days after the councillor takes the oath of office.

The orientation training must include:

- the role of municipalities in Alberta;
- municipal organization and functions;
- key municipal plans, policies and projects;
- roles and responsibilities of council and councillors;
 - the municipality’s code of conduct;
- roles and responsibilities of the chief administrative officer and staff;
- budgeting and financial administration;
- public participation policy; and
- any other topic prescribed by the regulations.

Your associations, Alberta Urban Municipalities Association (AUMA) and the Alberta Association of Municipal Districts and Counties (AAMDC), jointly offer orientation sessions that cover some of these requirements. They also offer conferences throughout the year that will provide invaluable information and networking opportunities.

In addition, Alberta Municipal Affairs provides workshops on the roles and responsibilities of council, councillors and administration. These workshops are offered on a regional basis in the months following a municipal general election and on an 'as requested' basis through-out your term.

If you are newly elected, attending training, conferences and workshops is an excellent way to obtain the information you need to serve effectively. If you are a returning councillor, your knowledge and experience holds significant value for the new councillor.

Understand the financial implications of your decisions

Almost everything the municipality is engaged in will have a cost associated with it. You will spend a lot of time assessing the financial implications of council policy decisions. You will need to balance the desire for municipal services with the amount of property taxes and user fees that the local residents are willing to pay for those services.

Let employees do their jobs

The CAO is your only employee in most instances. You may have a bylaw which states that designated officers report directly to council. All other municipal employees report to the CAO. Staying out of the day-to-day operation of the municipality allows councillors to concentrate on policy-making and program monitoring. Councillors should work with the CAO to keep informed on what the municipality is doing and will depend on the administrator to provide information so that they can make sound decisions. Effective councils set policy; they do not micro-manage or perform any administrative duties. Refer to section 201(2).

Understand and avoid pecuniary interest and conflict of interest

As a public servant, you are responsible for upholding the public interest ahead of any private interests you may have. These rules are designed to protect the public interest while ensuring that your ability to work is not adversely affected by your election to council. In order that the public interest is served and seen to be served, it is important that you be open and honest about dealing

with the municipality. Be fair to yourself, your electors, and your municipality by keeping your private interests in harmony with the public interest.

Pecuniary interest is a matter which could monetarily affect the councillor or an employer of the councillor, or the councillor's family. Conflict of interest is a situation in which the concerns or aims of two different parties are incompatible or a situation in which a person is in a position to derive personal benefit from actions or decisions made in their official capacity.

The MGA provides the definition and application of pecuniary interest and the municipality's Code of Conduct for Elected Officials bylaw should define what constitutes a conflict of interest. Know how and when to report either, what to do in each case, and the consequences of not following the provincial legislation or local bylaw. Attempting to influence in any way, any decision in which you have a pecuniary interest is reason for disqualification from council. The municipal code of conduct will also have repercussions for conflict of interest that is not declared. If either is ignored, council decisions may be challenged.

For further information on pecuniary interest, please visit

www.municipalaffairs.alberta.ca/documents/Pecuniary_interest_%202017.pdf.

Information is public

All information received, sent, stored or collected by a municipality is public information unless it falls within the limited exceptions under the FOIP Act. Yes, this applies to email and electronic records too. Ask your duly appointed FOIP officer (often the CAO), what the rules are.

The municipality's lawyer is not your lawyer

The municipality's lawyer takes instructions from council as a whole through the CAO. Also, any legal advice received is privileged and is not to be shared outside of council. In a question of pecuniary interest, or if you are facing charges, you will be directed to seek your own counsel.

Municipalities and council members are subject to the laws in force in Alberta. For example, municipalities are subject to workplace safety laws, emergency management laws, environmental law, and employment laws, among many others. Council management decisions have legal consequences, and councils should be aware of legal risks in decision making. Councillors should be open to advice from the CAO and open to obtaining expert legal advice. You are responsible for your own words. Councillors should not make defamatory statements, whether inside or outside of council meetings. You need to be diligent to avoid putting the municipality or yourself at risk of committing an offence or being found liable for civil damages.

Team Approach

Working as a team with the rest of council and administration will contribute to making your time on council a success. It isn't always going to be easy. Your influence as a council member rests on your ability to persuade other members of council to consider your point of view. When an issue is being studied, be sure to express your views as part of the debate.

Disagreements among council members on specific issues are common. The respectful exchange of ideas and opinions leads to good decisions. While working through these debates, keep in mind that

you all share the same desire for your municipality to be strong, safe, and viable. You may have different views about how to get there, but you do share broader common goals.

Most votes on a council resolution do not require a consensus of all councillors. As a result, there will be many occasions where a decision is made that you did not support with your vote. However, once the resolution has been passed, it becomes the official direction of the municipality. The health and ongoing success of a municipality is largely dependent upon the ability of councillors to respect and support the decisions of council in principle, despite your personal views during the debate.

Some municipalities have a communications policy in place that directs media through prescribed channels. Becoming familiar with communications procedures will allow you, council, and administration to work as a team and deliver a cohesive message.

These are things that a councillor must know to do their job with integrity. The remainder of this booklet provides information on other aspects of the legislation that a councillor should be aware of to ensure your municipality is accountable to the taxpayer. As a councillor, you are elected to look after the interests of the entire municipality. Council's effectiveness depends

on you providing input as a representative of the people who elected you.

Governance

Chief Elected Official (CEO) [s. 150, 154 and 155]

The title CEO may be changed to one that council believes is appropriate to the office, such as mayor or reeve.

The CEO of a city or town is elected by a vote of a municipality's electors, unless council passes a bylaw requiring council to appoint the CEO from among the councillors. In a Town, summer Town, or municipal district, council appoints the CEO from among the councillors unless it passes a bylaw providing that the official is to be elected by a vote of the municipality's electors.

Code of Conduct for Elected Officials [s. 146.1 and 153, Alberta Regulation]

A council must have a code of conduct bylaw which applies to each councillor equally. The bylaw must establish how council members will behave with each other, employees, and the public. It must also provide for a complaint and resolution process, and for sanctions as outlined in the regulation. This bylaw will help to ensure that all Albertans have effective and accountable representation, and set province-wide expectations for all elected officials. This bylaw must be reviewed every 4 years as councils are elected.

Councillor Liability [s. 249, 275 and 535]

The question of liability may arise as a result of councillors' actions. However, section 535 of the MGA was written to protect councillors from personal liability while acting in good faith for the municipality. This section does not apply in circumstances of defamation and does not protect the municipal corporation from any such liability.

There are several provisions in the MGA that could potentially create a liability on individual councillors. Section 249 deals with unauthorized expenditures and section 275 which deals with borrowings, loans, or guarantees that cause the municipality to exceed its debt limit.

While it is important to be aware of the potential for personal liabilities there is little precedent for the use of these provisions.

Council Meetings [Alberta Regulation]

A regulation defines a council meeting as, when used in reference to a council, a meeting under section 192, 193 or 194 of the Act, or a meeting under section 195 of the Act if a council committee meeting. These are an organizational meeting, a regular meeting, a special meeting or a committee of council meeting.

Organizational Meeting [s. 159 and 192]

The first meeting of council you attend will be the organizational meeting, held within two weeks of the election, or sooner if an election was not required. This marks the official commencement of the term of office and the completion of the previous council's term. This meeting allows council to address preliminary matters such as appointing a CEO if necessary, appointing a deputy CEO, and appointing people to the various committees and other bodies associated with

council. If other regular business is to be conducted, the organizational meeting must be adjourned and the regular meeting convened and recorded as a separate meeting.

Regular and Special Meetings [s. 153, 181, 193, 194, 196, 197, 198, and 199]

It is up to council to decide how many meetings are needed to govern the affairs of the municipality. The decision to hold regular meetings must be made at a meeting with all councillors present, normally the organizational meeting. The time and place of a regular meeting can be changed. All councillors do not have to be at the meeting to change the time or place; but all councillors and public must be given 24 hours-notice of the change.

The timing of regular council meetings does not always align with urgent business that requires council attention. There will be times when a special meeting is required. Section 194 of the *MGA* states that a special meeting may be called if the CEO believes one is needed and must be called if a majority of councillors request one in writing.

Council and council committees can hold meetings by means of electronic or other communication facilities, (Section 199) rather than in person. Notice must be given to the public of such a meeting, including the way it will be conducted. The facilities must enable all the meeting's participants to watch or hear each other, and the public to watch or listen.

Meetings Closed To The Public (In-Camera Meetings)[s. 1(3), 197, Alberta Regulation]

There are times when council or a council committee must discuss something in private. A meeting or part of a meeting is considered to be closed to the public if:

- a) any members of the public are not permitted to attend the entire meeting or part of the meeting,
- b) the council, committee or other body holding the meeting instructs any member of the public to leave the meeting or part of the meeting, other than for improper conduct, or
 - the council, committee or other body holding the meeting holds any discussions separate from the public during the meeting or part of the meeting.

The *MGA* and the *FOIP Act* set out some very limited exceptions in which meetings may be closed to the public. Personnel matters, where it would be unfair to the people involved to have the issue discussed in public, are a common example. In order to recognize specific circumstances that necessitate confidentiality of council discussions, section 197(2) of the *MGA* allows meetings that are closed to the public where the subject matter falls within one of the exceptions to disclosure in Division 2 Part 1 of the *FOIP Act*. The exceptions include matters where disclosures could be harmful to personal privacy, individual or public safety, law enforcement, intergovernmental relations, or economic or other interests; reveal confidential evaluations, local public confidences, or advice from officials; or disclose information that is subject to legal privilege.

Even then, before closing all or any part of a meeting to the public, a council or council committee must pass a resolution approving the part of the meeting that is to be closed, and indicate the exception to disclosure in Division 2 of Part 1 of the FOIP Act. All resolutions have to be made in a public session.

All public have the right to attend a council meeting except for someone who has been expelled due to improper conduct in that meeting. The provisions of the MGA regarding public presence at meetings are intended to promote public involvement and the accountability of the local government process.

Council Committees [s. 145 and 203]

If council creates council committees, it must be done by bylaw. The bylaw would establish the reason for the committee, the meeting procedures, and appoint committee members among other things. Council may decide to create a temporary committee to look at a specific issue. There may also be standing committees which run from year to year to deal with ongoing issues.

Council may delegate some of its power making to its committees. Any powers delegated would be outlined in the bylaw that created the committee. Some council decisions, such as passing bylaws or adopting the budget, cannot be delegated.

When council is part of an emergency services committee, it may have specific responsibilities in the case of a local emergency. Council should be aware of what those responsibilities are and how they are to be carried out. The emergency response framework is described in the *Emergency Management Act* and its regulations.

Procedural Bylaw [s. 145(b)]

A municipality may have a procedural bylaw to provide a standard format for council meetings and make it easier for members of council, staff, media, and public to understand the decision-making process. A procedural bylaw should set the date and time of regular council meetings, provide for the order of business, set rules regarding the proceedings at regular meetings of council, and describe how items may be put on the council agenda and method of distributing the agenda for council meetings, among other things. This bylaw should be reviewed every four years as councils are elected.

Policy-Making and Program Monitoring

Council is responsible for considering the types and levels of services that are necessary or desirable for the municipality. This responsibility involves providing input into the municipality's programs and services (policy-making) and making sure that administration provides the programs and services in the best possible way (program monitoring).

Council policy provides the basis for consistent decisions. Administration is responsible for providing the programs and services to the residents according to council policy.

Program monitoring is staying up to date through information obtained from the CAO and assessing the results against what council planned to achieve.

Public Participation Policy [s. 216, Alberta Regulation]

It is always important for a council to work with citizens to request input and address concerns. Each council is required to establish a public participation policy that will tell the electors how they can take part in important decisions of council that are not otherwise regulated. The policy should identify the types or categories of approaches the municipality will use to engage their stakeholders as well as the circumstances in which the opportunity will be exercised. Examples to be considered in the policy could include holding a 'town hall' to discuss the budget process or to explain the auditor's report. This policy is intended to promote consistent expectations and increase public confidence in the local government decision making process.

Voting [s. 183, 184, 185, and 172]

Council makes decisions. Under the MGA, a councillor is required to vote on all resolutions and bylaws unless required or permitted to abstain from voting under other legislated provisions or the Code of Conduct Bylaw. Council must ensure that each abstention and the reason for it are recorded in the minutes of the meeting.

If there is a public hearing on a proposed bylaw or resolution, a councillor must abstain from voting on the bylaw or resolution if they were absent from all of a public hearing, and may abstain if absent for a part of a public hearing. Section 172 of the MGA states that councillors must also abstain from voting on matters in which they have a pecuniary interest.

At any time before a vote is taken, a councillor may request that the vote be recorded. The minutes must show the names of the councillors present and how they voted.

Each councillor has one vote. A resolution is passed by receiving the majority of votes from the councillors in attendance at the meeting. When there is a tie vote on a resolution, it is defeated.

A quorum must be present at a council meeting for any resolution or bylaw to be valid. A quorum is a majority of councillors making up the municipal council. For example, if council consists of seven councillors (including the CEO); four councillors would constitute a quorum.

Administration

Chief Administrative Officer (CAO) [s. 153.1, 205, 205.1, 207, 208, and 209]

Every council must establish, by bylaw, a position of CAO. The CAO is an integral advisor to council in supporting the development and implementation of strategic objectives and policies. The CAO builds strong working relationships with stakeholders and provides mentorship and strategic guidance to their staff by fostering a culture of municipal excellence throughout the organization.

A primary duty of the CAO is to provide the same information to all councillors. When a councillor asks the CAO a question, it is their duty to provide that same information to all other councillors.

The CAO works collaboratively with council in building the community and effectively representing the interest of the municipality. As the administrative leader, the CAO will mentor, coach, and guide the performance of municipal staff to meet the needs of the community through public service excellence and a high degree of personal initiative.

A performance appraisal system for the CAO is a key building block for a lasting and positive relationship between council and the CAO. Even though the current relationship may be good, a

formal appraisal process provides the opportunity to discuss opportunities for improvement. TheMGA therefore requires that council provide the CAO with an annual written performance evaluation.

Designated Officers (s. 209 and 210)

A CAO may delegate any of his or her powers, duties, or functions to a designated officer or an employee. Designated officer positions are established by bylaw and are under the CAO's supervision, unless otherwise provided by bylaw. A designated officer may also delegate any of those powers, duties, or functions to an employee of the municipality. When a designated officer position has not been assigned, that duty falls back on the CAO.

Policies

The importance of policies is paramount in providing consistency and transparency to the CAO and the tax payer. Most successful municipalities maintain a policy manual with an index to enable easy reference. Policies should be approved by council, and should be periodically reviewed and updated to ensure they are still relevant.

Staff Development

Human resources are as important as financial resources. A variety of educational opportunities are available for both new and experienced municipal administrators. The most successful municipalities encourage staff development and training to ensure that their employees are able to effectively carryout their duties and stay familiar with new developments in the field of municipal administration.

Finance

The majority of activities that take place in any municipality have a cost associated with them. As a member of council, you will spend a substantial amount of time assessing the financial implications of council decisions on the local taxpayers.

Operating and Capital Budgets [s. 242, 243, 244, 245, 246, 247, 283.1]

The budget is the center of the municipal finance system. The priorities of council will necessarily be reflected in the funding priorities established in the budget. Through the budget, council sets the municipality's priorities for the next year (or number of years) by allocating funding for each program, service, or project. Careful and realistic budget planning and control can translate into better and more cost-effective services for the community.

Best practices indicate that sustainable municipalities have a strategic plan that maps out longer term goals and identifies the municipality's priorities over a number of years. A strategic plan can provide year to year guidance and direction to the annual budget process, and provides the longer-term context for annual goals.

The MGA requires that every municipality adopt an annual operating and a capital budget or a single annual budget that incorporates both operating and capital items. Property and business tax bylaws cannot be passed until a budget has been adopted. Municipal budgets must include sufficient revenues to cover planned expenditures. Reserve funds may be used to balance the

budget.

Municipalities are not permitted to allow the accumulated surplus, net of equity in tangible capital assets, to be less than zero.

The operating budget is a detailed estimate of how much your municipality needs to spend to meet its ongoing financial obligations and provide programs and services to the residents. The capital budget identifies the sources and uses of funding for fixed assets such as buildings, roads, vehicles, water and sewer facilities, and land.

Beginning in 2020, municipalities are required to have written three-year financial and five year capital plans in addition to the annual budget. Financial plans must identify expected revenues and expenditures as well as project the annual and accumulated surplus or deficit. The capital plan must meet the minimum of five years but a longer term plan is encouraged. The plan must identify planned capital property additions as well as allocated or anticipated sources of funding. Both the capital plan and operational plan must be reviewed and updated annually.

The budget is one of, if not the most, important council policy decision Council should receive regular reports from administration that compare actual financial results to the budget.

Procedure for Expenditure Authorization [s. 248 and 249]

Each council must establish procedures to authorize and verify expenditures that are not included in a budget. Such policies typically set thresholds for at what level the CAO or his/her designate can make an expenditure not included in the budget and when those expenditures must be brought to council for approval.

It is also important to note that if you, as a councillor, make an unauthorized expenditure, or vote to spend granted or borrowed funds for a purpose other than that for which they were granted or borrowed, you could be held personally liable under section 249 of the MGA for the amount of the expenditure, grant, or borrowing.

Borrowing [s. 249, 252, and 275]

The Minister of Municipal Affairs has, by regulation, established municipal debt and debt service limits. As long as a municipality is within the limits, no provincial approvals are required for borrowing, but the Minister's approval is required for any borrowing beyond the debt limits. If you vote for a borrowing that puts the municipality above the regulated debt or debt service limit, you could be held personally liable for the amount of the borrowing, unless the borrowing is approved by the Minister.

Auditor [s. 276, 277, 278, and 280; Alberta Regulation 313/2000]

Each council must appoint an auditor for the municipality and must submit audited financial statements and an audited financial information return to the Minister of Municipal Affairs by May 1 of each year. In addition, the financial statements or a summary of them must be made available to the public by May 1 of each year. The financial statements must disclose the municipality's debt limits, as well as the salaries of the CEO, individual councillors, the CAO, and the designated officers of the municipality.

Property Assessment, Taxation, and Other Revenues

Assessment [s. 285, 298, 454, 454.1, 454.2, 454.3, 460, 460.1, 468, and 470]

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.

Assessments for all types of property are prepared by professional, certified assessors. Provincial assessors designated by the Minister of Municipal Affairs assess designated industrial property, while municipal assessors employed or contracted by municipalities assess all other types of property.

Under provincial legislation, a council must appoint, by bylaw, a designated municipal assessor. A designated assessor is responsible for the completion of a number of tasks laid out by provincial legislation and regulations.

After the assessed value of a property has been determined, the property is assigned an assessment class. The assessment class determines the tax rate that will be applied to each property, as assessment classes may have different tax rates.

The municipal assessor is responsible for assigning assessment classes to property. Property is classified according to its actual use. The classes set out in the MGA are Class 1 – residential; Class 2 – non-residential; Class 3 – farmland; and Class 4 – machinery and equipment.

To ensure that property owners have a voice in the property assessment system, the MGA has set out a complaints and appeals system for property owners who have concerns about their assessment.

Property Taxation [s. 242, 297, 318, 354, 355, 356, and 359.1]

Each year, municipal councils determine the amount of money they need to operate their municipality through the budget process. From this amount, the council then subtracts known revenues (for example, licences, grants, and permits). The remainder is the amount of money the municipality needs to raise through property taxes in order to provide services for the year.

Very simply, the revenue requirement divided by the total assessment equals the tax rate. The tax rate is applied to each individual property assessment using the following formula: $\text{Property assessment} \times \text{Tax rate} = \text{Taxes payable}$.

Council is required to pass a property tax bylaw annually (Section 353). Council may set different municipal tax rates for each of the four assessment classes each year; however the difference between non-residential and residential tax rates can be no more than 5:1. Council may also set different tax rates for vacant and improved non-residential property and for different sub-classes of residential property. Council can only affect the tax rate by changing the revenue requirement (budget).

In addition to municipal tax rates, municipalities must set tax rates to raise funds that are requisitioned for cost sharing programs such as the Alberta School Foundation Fund and seniors lodges, etc.

Once the tax notices are mailed, the property tax rate bylaw cannot be amended unless approved by Ministerial Order.

For more information on Property Assessment and Taxation please visit:
www.municipalaffairs.gov.ab.ca/mc_property_assessment_and_taxation.

Education Tax and Equalized Assessment

Property assessment is used as the basis on which to requisition property taxes from all or a number of municipalities for the financial support of several regional and provincial programs. Equalized assessment is a process that levels the playing field for municipalities so that property tax requisitions and grants can be fairly allocated.

Just as property owners pay taxes in proportion to the value of the property they own, municipalities are required to contribute to the provincial education and other requisitions based on the proportion of assessment within their jurisdictions. Equalized assessments are used to determine the specific contributions to be made by each municipality, and they are also used in formulas for provincial grants to municipalities.

Inter-municipal fairness and equity is important when requisitioning property taxes from municipalities or calculating grants. In this regard, it is usually necessary to make some adjustments in the assessment base figures that each municipality reports to the province before those assessments are used to determine each municipality's contribution to a regional or provincial program, or its equitable share of grant dollars. These adjustments are made through the equalized assessment process.

The MGA requires that most properties be assessed at market value. Ideally, all properties would be assessed at 100 per cent of market value. In practice, however, assessments may vary from market value to a limited degree. Because this variance may occur, equalization is used to adjust each municipality's assessments to 100 per cent of market value. The equalization process removes the variations in assessment levels to make the assessment bases more comparable among municipalities. The process produces a set of adjusted, or "equalized," assessments that can then be used to distribute *requisitions, or allocate grants, among municipalities in a fair and equitable manner."

Legislative Provisions

Process	Legislation
Equalized Assessment	<i>Municipal Government Act</i> , s. 317-s. 322, s.325 <i>Alberta Regulation 220/2004</i> , s. 10, s.13-s.19 <i>School Act</i> , s. 161(1)-(4)
*Requisitions	<i>Municipal Government Act</i> , s. 326(a)
Education Property Tax Requisitions •Alberta School Foundation •School Board Requisitions	<i>School Act</i> , s. 164(1)-(8), s. 174(1)-(13) <i>Municipal Government Act</i> , s. 359.1(1)-(8)

	<i>Municipal Government Act, s. 359.2(1)-(8)</i>
Seniors Lodge Requisition (Management Body)	<i>Alberta Housing Act, s. 7</i>

Planning and Development

Council shapes the physical future of the community through its authority over land-use planning and development control. It is the responsibility of council to focus on the future of the community as a whole while balancing the current rights, needs and concerns of property owners and residents. The purpose of planning is to achieve the orderly, economical and beneficial development, use of land and settlement without infringing on the rights of individuals, except as necessary for the community. A number of tools are available to council for this purpose.

The *MGA* identifies the hierarchy and relationship of statutory plans. The order is:

Intermunicipal Development Plans (IDPs) – all other plans must be consistent with the IDP.

Municipal Development Plans (MDPs) must be consistent with the IDP.

Area Structure Plans (ASPs) and Area Redevelopment Plans (ARDs) must be consistent with any MDP and IDPs. The IDP prevails to the extent of the conflict or inconsistency between the plans. *ALSA* Regional Plan (*ALSA* s. 20, 21, and 22; *MGA* s. 630.2 and 638.1)

Alberta Land Stewardship Act (ALSA) regional plans inform land-use decisions. They build on existing policies and initiatives by establishing a set of strategic directions to achieve the regional vision and outcomes, include regional objectives, strategies and actions undertaken to support achievement of the regional vision and outcomes and indicators to measure and evaluate progress and enable achieving the strategic direction and strategies and actions. Under *ALSA*, land-use decision-makers and the provincial government will coordinate their planning and decision-making.

The current *MGA* land-use policies will be phased out as new regional plans under the *ALSA* come into force. The *MGA* will provide authority, through regulation, to create land-use policies for municipal planning matters that are not included in a regional plan.

Where there is an approved *ALSA* regional plan, the subdivision authority, development authority, municipal planning commission, and subdivision and development appeal board of the municipalities within that region must act in accordance with the applicable *ALSA* regional plan's policies and outcomes.

Intermunicipal Development Plan [s. 631]

Two or more municipalities must adopt an inter-municipal plan (IDP) (within two years of *MGA* amendments being proclaimed) to address issues of mutual concern with respect to designated lands. The plan must provide for the future use of land, the manner of and proposals for future development, the provision of transportation systems and environmental matters, the co-ordination of intermunicipal programs, or other matters relating to the area. The plan must include a procedure to resolve, or attempt to resolve, conflicts; a procedure to amend or repeal

the plan; and provisions relating to plan administration. The Minister may require two (2) or more municipalities to enter into an inter-municipal development plan. A Growth Management Board (GMB) is required to create a framework only for those matters that are not addressed in the growth plan. GMB members must create a framework with non-GMB municipalities where there is a common boundary.

Municipal Development Plan [s. 632 and 636]

Every council with a population greater than 3500 must adopt a municipal development plan (MDP). The MDP provides a general framework for development within the municipality and is the official statement of your municipality's policies concerning the desired future pattern of development. The municipality must afford opportunity to affected persons as well as neighbouring municipalities to review and make comment on the plan. Inter-municipal issues such as coordination of land use and infrastructure must be addressed in the municipality's own municipal development plan when there is not an IDP respecting these matters.

Area Structure and Redevelopment Plans [s. 633, 634, 635, and 636]

Council may, by bylaw, adopt an area structure plan (ASP) to provide a framework for subdivision and development for a particular area. The area structure plan will generally describe the sequences of development, proposed land use, population density, and the location of major transportation routes and public utilities.

When an area is undergoing redevelopment, council may adopt an area redevelopment plan, (ARP) which, in addition to providing guidelines, may result in a redevelopment levy being used to acquire land for park, school, or recreation purposes in the redevelopment area.

Listing and Publishing of Policies [s.638.2]

Every municipality must be more transparent with their planning documentation. They must list, publish and keep updated the list of all planning policy documents, and describe how they relate to each other and to the municipality's statutory plans. The information must be published on their municipal website. A development authority, subdivision authority, subdivision and development appeal board, the Municipal Government Board (MGB) or a court shall not have regard to any policy unless it is listed and published. All documents must be listed and published effective January 1, 2019.

Land Use Bylaws and Development Decisions [s. 639, 640, 640.1, 641, 642, 683.1, 685, and 686]

All municipalities must have a land use bylaw (LUB). This bylaw provides a specific means of implementing the policies that are expressed in a general way in the municipal development plan. The bylaw provides for a system of development permits and divides the municipality into land use districts or 'zones', including direct control, prescribing permitted and discretionary uses for land, and development standards for each land use district. Council must establish a development authority to administer the development approval process. Development decisions may be appealed to the Subdivision and Development Appeal Board (SDAB).

Subdivision [s. 623, 652, 653.1, 654, 655, and 678]

Dividing a piece of land into two or more parcels generally requires approval from a subdivision

authority. The authority ensures that the land to be subdivided is appropriate for its proposed use. Council must establish the subdivision authority by bylaw and delegate powers in accordance with the MGA. Subdivision decisions can be appealed to the SDAB, or in certain situations to the Municipal Government Board. While a subdivision is approved by the subdivision authority, any changes to zoning that accompany the subdivision must be brought to council for approval by bylaw.

Subdivision or Development Agreements [s. 650 and 655]

Prior to a subdivision or development having full approval, your municipality may require a developer to enter into a subdivision or development agreement as a condition of approval. These agreements may address construction or payment of a road, walkway, public utility, parking/loading and unloading facilities, off-site levies and security to ensure that the terms of the agreement are carried out. In addition, requirements of inclusionary housing may be addressed in the agreement. After legal consultation, administration will bring the agreement forward to council for acceptance, after which the application can be given final approval.

Subdivision and Development Appeal Board [s. 627, 678, and 686]

A municipal council is required to establish a subdivision and development appeal board (SDAB) to act as a quasi-judicial body to deal with subdivision, development and stop order appeals. Members of council cannot form the majority on the SDAB or intermunicipal board.

A council that establishes a SDAB must appoint a clerk as a designated officer. Members and clerks must have completed the mandatory training. Appeal matters are addressed by the MGB. This sets out the jurisdictional matters that the board must act within. The SDAB must hold a public hearing to deal with an appeal.

For more information on the services of the Planning and Development, please refer to www.municipalaffairs.alberta.ca/am_planning_and_development.

Intermunicipal Collaboration Framework (Part 17.2)

The purpose of this part is to require municipalities to develop an intermunicipal collaboration framework among two or more municipalities to provide for the integrated and strategic planning, delivery and funding of intermunicipal services, to steward scarce resources efficiently in providing local services, and to ensure municipalities contribute funding to services that benefit their residents.

This framework is mandatory and must be in place within three years of proclamation and reviewed every five years to ensure continued application of the documents.

Municipal Collaboration and Mediation (s. 690)

Alberta Municipal Affairs Intermunicipal Relations team provides assistance in building collaboration and relationships between and within municipalities across Alberta. The team helps municipalities assess what resources and support you may need to collaborate on, or resolve, any internal or intermunicipal issue. In the next three years, this team will have a specific focus to help municipalities create their Intermunicipal Collaboration Frameworks (ICFs) by assisting with access to resources and supports such as facilitation, mediation, and tools.

The Intermunicipal Relations team:

- works with municipalities to assess the most appropriate tools, services and supports they need to proactively collaborate on, or resolve, any internal or intermunicipal issue;
- works with municipalities to ensure that all the necessary preparations are in place to convene a collaborative or dispute resolution process;
- provides a roster of qualified private sector mediators available to work with municipalities;
- works with municipalities to design collaboration, relationship building and dispute resolution training programs, including preparation for collaboration, mediation, internal communication and public participation;
- facilitates applications for grant funding towards the cost of retaining private sector facilitators, mediators or consultants.

It is important to note that the *MGA* requires municipalities to attempt negotiations and mediation before bringing an inter-municipal land use dispute or a contested annexation to the Municipal Government Board. The Intermunicipal Relations team provides support for municipalities wanting or needing to go to mediation for an annexation of intermunicipal land use dispute.

Municipalities can use facilitated negotiations for any inter-municipal service, issue or dispute at any stage in their negotiations.

For more information on these services of the Intermunicipal Relations team, please refer to www.municipalaffairs.alberta.ca/MDRS.cfm.

Economic Development

The Economic Developers Association of Alberta (EDA Alberta) is an incorporated, non-profit organization formed to enhance the economic development profession in the province, providing an active network of communication, information and education. EDA coordinates programs and workshops for municipal councils and economic development committee members to help communities with their economic plans by creating an awareness of what they can do on the local front to enhance their economic development activities. The website is www.edaalberta.ca.

Provincial Legislation

This list is not all-inclusive; however, these additional Acts may impact a municipality.

Alberta Land Stewardship Act (ALSA) sets out the legal basis for regional land use planning in Alberta. It requires decision-making and local government bodies to review their regulatory instruments then make any necessary changes to ensure these instruments comply with the regional plan.

Cemeteries Act controls the disposition of human remains, ensures cemeteries meet requirements of local authorities, and protects consumers who invest in pre-need cemetery supplies and services. Awareness may be necessary as some municipalities own and operate cemeteries.

Emergency Management Act (EMA) governs measures taken during an emergency and requires municipalities to establish an emergency plan. It outlines the roles and responsibilities of the Minister of Municipal Affairs, the provincial government, and local authorities. The *EMA*

provides the authority for the granting of additional powers during a state of emergency or a state of local emergency and governs the coming into force, expiration, and termination of these states of emergency.

Employment Standards Code establishes Alberta's minimum standards of employment in many areas including payment of wages, hours of work, overtime, vacation and holidays, leaves and termination of employment. It establishes the processes by which an employee can seek recourse if the standards have not been met.

Forest and Prairie Protection Act enables the protection of the forests and prairies of Alberta from wildfire. This legislation makes the chief elected official, each councillor and the chief administrative officer, by virtue of their offices, fire guardians in and for the municipal district except that part of the municipal district that is within a forest protection area.

Highways Development and Protection Act delineates the responsibilities and powers of the authorities that oversee the various categories of highways and roads in Alberta. It also prohibits and limits certain developments near highways and roads.

Interpretation Act sets out rules for interpreting legislation (various presumptions, definitions, rules of statutory interpretation and construction) that apply to all Alberta Acts and regulations, and who can act under legislation.

Land Titles Act details the legal mechanism for registration of land related documents and establishes priority between them. The government guarantees the title and a fund is established to compensate people who have been deprived of an interest in land, for situations such as an error made by the Registrar, fraud or forgery.

Local Authorities Elections Act (LAEA) governs municipal elections by establishing procedures around campaigning, voting and counting of votes.

Oaths of Office Act applies to oaths of allegiance, official oaths and judicial oaths. All elected officials must take an oath of office before they can fulfill their duties. It provides that any person required by statute to make an oath is permitted to make a solemn affirmation instead of taking an oath.

Occupational Health and Safety Act (OHS) sets out the framework for health and safety in Alberta's workplaces, including municipalities.

Peace Officers Act establishes the roles of peace officers (non-police) in Alberta and allows different levels of government the opportunity to obtain peace officer status for community safety enhancement and specialized law enforcement needs. This act establishes the requirement for authorization of employers and appointment of peace officers including the application process, suspension/cancellations, employer liability and responsibility, the role of the Director of Law Enforcement, oversight process and the mechanism for public complaints. It also provides the offences and penalties.

Safety Codes Act establishes a unifying framework for the administration of ten safety disciplines which each have their own safety codes and standards. The Public Safety Division of Alberta Municipal Affairs administers the framework, including development of codes and standards adopted in Alberta, providing advice and technical support to the public, industry, all

municipalities and the Safety Codes Council, monitoring the work of municipalities, corporations and agencies that administer the Act or provide services under the Act, and managing agencies under contract to provide services such as permits and inspections for municipalities that do not administer the Act in their jurisdiction.

Traffic Safety Act promotes safety on the province's highways, the definition of which includes any street, road, sidewalk or bridge that the public is ordinarily entitled or permitted to use.

Weed Control Act defines the actions municipalities in Alberta must take with respect to weed control, issuances of notices and the conditions necessary for appeal.

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Domestic Trade Agreements

Alberta municipalities are party to two trade agreements: the New West Partnership Trade Agreement (NWPTA) and the Agreement on Internal Trade (AIT). Through these agreements, the province has sought to reduce trade barriers, enhance labour mobility and open investment opportunities for Albertans and Alberta businesses. The Canadian Free Trade Agreement (CFTA) came into effect on July 1, 2017 replacing the Agreement on Internal Trade (AIT) that had been in force since 1995.

More information on how the procurement practices of Alberta municipalities are impacted by these trade agreements is available at economic.alberta.ca/trade-agreements.asp.

A Candidate's Guide: Running for Municipal Office in Alberta

Elections during the COVID-19 pandemic

This guide is only applicable for the 2021 general election year

NOTE: This guide reflects modifications made to the *Local Authorities Election Act (LAEA)* in light of public health orders and/or recommendations from the Chief Medical Officer of Health regarding the COVID-19 pandemic. As such, the information in this guide is

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A Candidate's Guide: Running for Municipal Office in Alberta Published by Alberta Municipal Affairs

The Government of Alberta and Municipal Affairs will not be liable for any damages that result from the use of this guide. While Municipal Affairs attempts to ensure the accuracy of the information contained within this guide, a municipality and/or candidate may wish to obtain advice from a lawyer, in order to ensure the correct steps are taken throughout the election process. Municipal Affairs and the Government of Alberta do not warrant or make any other representations regarding the use, accuracy, applicability, or reliability of this guide.

It is important to recognize that this guide has been developed as a reference for, and as an explanatory document to the *Local Authorities Election Act*. This guide is not legal advice, and it cannot be used in place of consulting with a lawyer. This guide cannot anticipate every aspect, circumstance or situation that municipalities or candidates may encounter while working through their specific election process. If a municipality or candidate needs help finding a lawyer, please visit the Law Society of Alberta website. Should this guide conflict with the *Municipal Government Act (MGA)*, RSA 2000, Chapter M-26, or the **Local Authorities Election Act** in word or interpretation, the legislation shall prevail.

December 2020

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Table of Contents

Introduction	5
Local Authorities Election Act	6
Municipal Government Act.....	6
Before Filing Nomination Papers	7
Accepting Contributions or Incurring Expenses.....	7
Are you qualified to become a candidate?	7
Qualification Requirements in a Ward System	7
Qualification Requirements in a City with a Ward System	8
Qualification Requirements in a Summer Town.....	8
When is Nomination Day?	8
Ineligibility for Nomination	9
Other Considerations	10
Time Commitment	10
Remuneration	10
Roles and Responsibilities of an Elected Official	10
Administration of a Municipality	11
How else can I prepare?.....	12
Form of Nomination	13
What is included in the Form of Nomination?	13
Nomination Period	15
Filing the Nomination Form	15
How do I file my Nomination Form?	15
Do I have to file my Nomination Form in person?.....	15
Do I have to pay a deposit to file my Nomination Form?	16
Will I get my deposit back?	17
Withdrawing Nominations.....	17
Insufficient Nominations.....	17

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Acclamations	17
Requirement for Election.....	18
Summer Towns	18
Late Filing of Nominations	18
Candidate Contributions & Expenses	19
Contributions and Expenses	19
What are allowable campaign expenses?.....	19
Can I self-fund my campaign?	19
Contributions to Candidates.....	20
Contributions Not Belonging to Contributor	21
Anonymous and Ineligible Contributions	21
Fund-raising Functions.....	21
Loans.....	22
Campaign Expense Limits	22
Elections Alberta/Election Commissioner	22
Campaigning	23
How Do I Campaign?.....	23
Is there anything I cannot do during a Campaign?	23
Bribery	24
Undue Influence	24
Canvassing on Election Day	24
Is there a voters' list?.....	24

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Introduction

Per Ministerial Order MSD:103/20, the following section of the *LAEA* is modified to address challenges presented by the COVID-19 pandemic and ensure municipalities have the tools necessary to adhere to public health orders while conducting the municipal general election in 2021:

- Section 30(1) is modified to allow the deposit to be provided to the returning officer by in-person payments using a debit card or a credit card.

This modification is in effect only for the 2021 general election year. For all other election events, please refer to the regular version of this guide.

A copy of the Ministerial Order can be viewed at: [gp.alberta.ca](https://open.alberta.ca/ministerial-order-2020-103)

This guide is designed to give prospective candidates an understanding of the process and legislative requirements for running for municipal office in Alberta.

It is important candidates read and understand the offences in the *Local Authorities Election Act* as they relate to their campaign. Offences are in place to ensure candidates run their campaign on a level playing field and to ensure that candidates are being held to a high standard. Offences are not taken lightly, and if found guilty of an offence, candidates can face fines, imprisonment, disqualification from office, and the inability to run in future elections. If there are any questions regarding compliance with the legislation, candidates are encouraged to seek out independent legal counsel.

This guide is not legally binding and we recommend you obtain a copy of the *Local Authorities Election Act* and other relevant statutes and regulations.

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Local Authorities Election Act

The *Local Authorities Election Act* (LAEA) is the main legislation that guides the conduct of a municipal election or by-election. Copies can be obtained through the Alberta Queen's Printer, qp.alberta.ca, 780-427-4952 (toll-free by first dialing 310-0000).

All definitions, procedures and processes outlined in this guide are from the LAEA. Should you require further clarification on any definitions, procedures or processes you are encouraged to review and consult the legislation, ask the returning officer in your municipality, or seek an independent legal opinion. All forms required by legislation can be found in the *Local Authorities Election Act Forms Regulation*, on the Government of Alberta website, or by contacting your municipality.

Municipal Government Act

The *Municipal Government Act* (MGA) is the primary legislation that governs municipalities. Copies can be obtained through the Alberta Queen's Printer, qp.alberta.ca, 780-427-4952 (toll-free by first dialing 310-0000).

Section references noted throughout the document refer to:

- *Local Authorities Election Act*, RSA 2000, c L-21 (LAEA)
- *Municipal Government Act*, RSA 2000, c M-26 (MGA)

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Before Filing Nomination Papers

This section provides a brief overview of what to take into consideration prior to running for municipal office.

Accepting Contributions or Incurring Expenses

As of January 1, 2019, candidates are no longer required to register or file a notice of intent to run with their municipality prior to filing nomination papers.

If candidates have previously filed a notice of intent to run with the municipality they intend to run in, candidates will still be required to file a nomination paper in order to be a candidate under the *Local Authorities Election Act*. As of January 1, 2019, the notice of intent to run no longer enables candidates to accept contributions.

LAEA
s.147.22

A candidate may not accept contributions OR incur campaign expenses until the candidate files a nomination paper with the municipality or school board that they intend to run in (with some exceptions under section 147.22(3)). A nomination may not be filed until:

LAEA
s.25(2)

- January 1 of the election year, for general election candidates,
- The day a resolution or bylaw is set for a by-election, for by-election candidates.

LAEA
s.21(1)

Are you qualified to become a candidate?

To become a municipal candidate you must be at least 18 years of age on nomination day, a Canadian citizen, and you must have been a resident of the local jurisdiction for the six consecutive months immediately preceding Nomination Day.

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**LAEA
s.21(1)**

Qualification Requirements in a Ward System

In a municipality, other than a city, with a ward system, you must be a resident of the ward or the electoral division in which you intend to run for the six consecutive months immediately preceding nomination day.

LAEA s.21(2)

Qualification Requirements in a City with a Ward System

In a city with a ward system, it is required that you have been a resident of the city for six months immediately preceding nomination day, not necessarily the ward in which you wish to run.

**LAEA s.12(b)
s.12(h)**

Qualification Requirements in a Summer Town

The requirements to become a candidate in a summer Town election differ than those in other municipalities. Candidates are encouraged to review the LAEA to understand the eligibility requirements in summer Towns. Candidates must:

meet the voter eligibility requirements
18 years or older,
a Canadian citizen, and
named or have a spouse/partner who is named as owner on the title of property within the summer Town), and
have been a resident of Alberta for the 12 consecutive months immediately preceding Election Day.

It is not necessary to be a full-time resident of the summer Town but candidates must meet the requirements to vote in a summer Town.

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LAEA s.25(1)
s.25(2)(a)

When is Nomination Day?

In the case of general elections, Election Day occurs on the third Monday in October every four years. Candidates can begin to file nomination papers on January 1 in the year of the election, up until Nomination Day, four weeks prior to Election Day. If a municipality has passed a bylaw under section 11(2) of the *Local Authorities Election Act*, which allows for Election Day to be held on the Saturday immediately before the 3rd Monday in October, the last day to file nomination papers would then fall on the Saturday, four weeks prior to Election Day. Nomination Day is the last day a person may file a nomination to become a candidate in the election.

***If a senate election or provincial referendum is held in conjunction with the municipalelection, municipalities are not permitted to hold their general election on Saturday.**

LAEA s.25(2)(b)

In the case of a by-election, Election Day will be set through a resolution of council. Candidates can begin to file nomination papers the day following when the resolution was passed up until Nomination Day, four weeks prior to Election Day.

LAEA s.12(a)(i)
s.12(d)

In the case of a summer Town, Nomination Day must occur in June and/or July and Election Day occurs four weeks following Nomination Day. Nomination Day is set by council resolution.

s.22(1)

Ineligibility for Nomination

No one is eligible to become a candidate under any of the following circumstances:

if you are the auditor of the municipality;

if your property taxes are more than \$50 in arrears (excluding indebtedness on current taxes, and indebtedness for arrears of taxes for which the person has entered into a consolidation agreement with the municipality);

if you are in default for any other debt to the municipality in excess of \$500 for more than 90 days; or

if within the previous 10 years you have been convicted of an offense under the *Local Authorities Election Act*, the *Election Act*, *Election Finances*

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MGA s.174(1)(c)

If you are a judge, Member of the Senate or House of Commons of Canada, or Member of the Legislative Assembly, you must resign that position before you take office as a member of a municipal council.

LAEA s.22(1.2)

A person will be ineligible for nomination if they have failed to comply with the campaign finance and disclosure requirements of the LAEA and:

the secretary (chief administrative officer) transmitted a report in respect to that person, and/or

the court did not dispense with, or extend the time for compliance.

A person is deemed to be ineligible under these circumstances for either an eight-year period following the day that a report was transmitted by the secretary, or a three-year period following the day the disclosure statement was filed with the municipality (whichever period expires first).

**LAEA s.22(1.1)
s.22(5)
s.22(5.1)**

NOTE: *If you are a municipal employee and you wish to run for local office, or a school board employee running for election as trustee of a school board, you must take a leave of absence without pay as outlined in the LAEA. This point does not apply if you perform duties for a jurisdiction in a volunteer capacity. You may notify your employer on or after July 1 in the election year (on or after the day council passes a resolution setting Election Day in the case of a by-election) but before the last working day prior to Nomination Day. Any employee who requests a leave of absence without pay in accordance with those conditions must be granted it.*

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Other Considerations

Time Commitment

The demands on your time while being an elected official can be heavy. You will be elected for a four-year term of office and during that time you will be required to attend:

regular and special meetings of council;

council committee meetings;

meetings of other boards and agencies to which you are appointed as a council representative;

conferences, conventions, seminars and workshops for training and discussion; and

other events promoting your municipality.

Time should also be spent reading agenda material and talking with residents, the chief administrative officer and other relevant stakeholders.

This work will all be part of the necessary preparation for meetings so you can make informed decisions.

Remuneration

Elected officials generally receive remuneration or other financial compensation for the time and energy they have devoted to their community. As the remuneration varies in each municipality, check with your local municipal office to find out about remuneration for elected officials in your jurisdiction.

Roles and Responsibilities of an Elected Official

As a member of council, you will have the opportunity to significantly influence the future of your community. Your effectiveness as a member of council depends on your ability to be an active member of the team and to respectfully persuade the other members of council to

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adopt and support your view. Decisions of council may only be made by resolution or bylaw and must be made at public meetings, at which a quorum is present. As an elected official, you will also have to find the balance between representing the views of those who elected you and your own individual convictions.

As an individual member of council, you will not have the power to commit your municipality to any expenditure or to direct the activities of the municipal employees alone. Any promise you make as a part of your election campaign that involves municipal expenditures or the activities of employees can only be carried out if you can obtain the support of your fellow council members in carrying out that promise.

The Canadian Constitution grants responsibility for municipal institutions to the provinces. Through a variety of legislation, the Alberta Legislative Assembly has delegated some of its authority to municipal councils. The legislation you will refer to most often is the *Municipal Government Act* as this is the legislation that allows for many decisions that council can make.

In accordance with the *Municipal Government Act*, a municipal council may pass legislation in the form of municipal bylaws. These bylaws remain in effect until they are amended or repealed. You will not be starting with a blank slate and creating your ideal municipality from scratch. If you are running with some kind of reform in mind, you will have to become familiar with what exists, how it has been created – by bylaw, resolution or policy – and why it exists before you will be able to start discussing proposed changes.

Municipalities often make local bylaws available to the public through their municipal websites. Otherwise, you can ask for copies at the municipal office.

Administration of a Municipality

As a member of council, it will be your duty to establish policy for your municipality. It is the job of the administration to implement the policy direction. Alberta municipalities have competent and dedicated administrators. The chief administrative officer (CAO) is often said to be the only direct employee of Council, and you will rely on the support, advice and assistance of your CAO if you are to be an effective member of council. The CAO's training, experience and understanding of how and why things have developed the way they have will be an important resource for you.

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How else can I prepare?

The best way to find out what the job is all about is to spend some time reading relevant municipal documents and talking to current members of council. You may also wish to:

- familiarize yourself with local bylaws and municipal legislation;
- read council agendas and minutes;
- observe council meetings from the gallery; and
- talk to municipal staff to find out what other information is available.

It is common practice in many municipalities to publish a prospective candidate's information guide. These guides will provide valuable insight into time commitments, practices and expectations of holding office in that municipality.

Researching now will help you in your campaign and prepare you for assuming office.

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Nomination Papers

This section provides a brief overview of the information included on the nomination paper and the nomination day process.

Form of Nomination

Your nomination must be filed using the required forms (Form 4 – Nomination Paper and Candidate’s Acceptance and Form 5 – Candidate Information). Contact the local municipal office to determine where to get the nomination form and to seek advice on filling out the form accurately. The CAO, returning officer, or municipal clerk will be able to help you.

What is included in the Form of Nomination?

Generally, your nomination paper must be signed by at least five (5) voters eligible to vote in the election. The signatures collected must be from people who are resident in the municipality on the date of signing the nomination, and include the voter’s name, address (street address or legal description of residence) and signature. You may begin to collect signatures at any time but cannot file your nomination papers with the returning officer until January 1 in the year of the election. In the case of a by-election, candidates may begin to file their nomination papers the day following when the resolution was made to set the date. In the case of summer Towns, the council is required to set Election Day and nomination day will be four weeks prior to election at the times and location provided for through council resolution. It is often a good idea to obtain more than the required number of signatures in the event that one or more persons were not eligible to sign the nomination form.

- Cities with a population of at least 10,000 may pass a bylaw increasing the number of voters’ signatures required to a maximum of 100. Ensure you check with the municipality to determine the number of signatures you require for nomination.

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- If you are seeking election in a municipality with a division or ward system, the voters signing your nomination form must be residents in the ward or division that are you running in.

In summer Towns, the nominators must be:

- eligible to vote in the election;
- 18 years of age;
- a Canadian Citizen; and
- either residents or those named on the certificate of title as the person who owns property within the summer Town or is the spouse or adult interdependent partner of the person named on the title.

In addition to the signatures, the nomination paper must also be complete with the written acceptance signed in the prescribed form by the person nominated. If a candidate's information changes, that information must be updated with the local jurisdiction, in writing, within 48 hours of that change.

The returning officer will not accept the following:

- A nomination that is not completed in the prescribed form.
- A nomination that is not signed by at least the minimum number of persons required to sign the nomination.
- A nomination that is not sworn or affirmed by the person nominated (your municipal office may have information regarding who the Commissioner for Oaths are in your area).
- A nomination that is not accompanied by a deposit (if required by bylaw).

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Official Agent

On the nomination form, you may choose to appoint an elector to be your official agent. This person may act as the signing authority for the campaign bank account and manage aspects of your campaign as directed by you. No candidate may act as an official agent for another candidate.

If you have appointed an official agent, you must include the information on the candidate's nomination form. If, at any time, the information changes or there is a need to appoint a new official agent, the candidate is required to notify the returning officer immediately.

Nomination Period

Filing the Nomination Form

LAEA
s. 27

Once you have completed the nomination form, the next step is to ensure that you file the Nomination Paper and Candidate's Acceptance Form (Form 4), as well as the Candidate Information Form (Form 5) during the nomination period, prior to the final Nomination Day.

s.25

How do I file my Nomination Form?

Completed nomination forms can be filed with the returning officer at any time beginning on January 1 in the year of the general election and until four (4) weeks prior to Election Day. In the case of a by-election, the returning officer can begin to accept nomination papers the day following the day when the resolution was made by council setting the date for the by-election.

LAEA s. 12(d)

For summer Towns, nominations for councillor must be received by the returning officer in June or July (or both), in the year of the general election. The date, time and location of where nomination papers will be accepted must be established by council.

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LAEAs.26

Municipalities will advertise in one of three ways:

in a newspaper, or another publication circulating in the area once a week for two weeks prior to the close of nominations,

a direct mail-out or delivery of a notice to every residence at least one week prior to the close of nominations, or

in accordance with their advertisement bylaw.

The advertisement will indicate where and when the returning officer will receive the nominations. It is important to check the advertisement or with your municipality for the time and location to file your nomination papers.

LAEA s.28(3)

Do I have to file my Nomination Form in person?

Nominations shall be submitted to the returning officer, or their designate, at any time during the nomination period. It is best to deliver your nomination form in person; however, anyone

may submit your nomination paper on your behalf. If you are unable to submit your

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nomination paper yourself, ensure that the forms are completed fully prior to it being filed with the returning officer because, as the candidate, it is your responsibility for ensuring that your forms are fully completed and meet the requirements for filing under section 27 of the *Local Authorities Election Act*.

During the COVID-19 pandemic, it is strongly recommended that candidates contact the local jurisdiction office to ask if the building is open to the public to accept nominations in person and if not, to inquire if there are alternative ways to submit the nomination forms. The specific requirement of the *LAEA* to submit nomination forms can be met by having forms mailed or delivered by courier. This could pose a risk for delivery guarantee that candidates should be aware of as it is the responsibility of the candidate to meet the requirements of the *LAEA* and have information submitted to the local jurisdiction office by the deadline on nomination day.

Local jurisdictions can also accept nomination forms at specific times set by the returning officer, by appointment, or at a secure drop box.

LAEAs.29
Ministerial Order
No. MSD:130/20

Do I have to pay a deposit to file my Nomination Form?

Municipalities may pass a bylaw requiring a deposit to accompany nominations. The amount fixed in the bylaw may not exceed:

- \$1,000 in municipalities with a population over 10,000; and
- \$100 in all other municipalities.

When you inquire or pick up the nomination form from the municipality, ensure that you seek clarification on whether a deposit is required and the amount of the deposit.

If a deposit is required, it must be paid, in full, at the time you file your nomination form. A deposit must be payable to the municipality and may be paid using:

- cash,
- certified cheque,
- money order, or

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- debit or credit card.

LAEAs.30

Will I get my deposit back?

Your deposit will be returned to you if you:

are elected,

get at least one-half the number of votes of the person elected to office with the least number of votes, or

withdraw as a candidate within 24 hours of the close of nominations.

LAEAs.32

Withdrawing Nominations

Candidates may withdraw their nomination form at any time during the nomination period and up to 24 hours (48 hours in a summer Town) after the close of the nomination period, provided the number of candidates nominated exceeds the number of positions for the office you are seeking.

If candidates choose to withdraw, they must provide written notice, in person, to the returning officer.

The returning officer cannot accept a withdrawal if the number of nomination papers received, equal the number of vacant offices.

LAEAs.31

Insufficient Nominations

In the event that the number of nominations filed is less than the number of vacancies in the municipality, the returning officer will be available to receive nominations the next day from 10 a.m. to 12 p.m. This process continues for up to six business days (calendar days in summer Towns) until an adequate number of nominations are received. If, at the end of the six-day period, insufficient nominations continue, municipalities are required to contact the Minister of Municipal Affairs.

AEAs.34

Acclamations

If, by noon on any of the six days described above, the number of candidates nominated

equals the number of vacancies in the municipality, nominations will be closed and the returning officer will declare the candidates elected by acclamation (no election will be held).

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LAEAs.35

Requirement for Election

If more than the required nominations are received by noon on any of the days, nominations will be closed and the election will be held according to **process**.

s.12(d)

Summer Towns

In the case of a summer Town, the returning officer will announce the time and place when further nominations will be received.

Late Filing of Nominations

The returning officer **CANNOT** accept nominations after 12:00 p.m. on Nomination Day (four weeks prior to Election Day). Ensure you check with your municipality on the time and location for filing nomination forms and ensure you file your nomination paper well in advance at the location available. Despite the name of “Nomination Day”, it is useful to think of it as a nomination deadline day. There is no need to wait until Nomination Day to file forms and if there is any question of your availability, be sure to file your forms prior to this date.

Candidate Contributions & Expenses

Candidates are strongly encouraged to read and understand Part 5.1 of the *Local Authorities Election Act* as it pertains to Election Finance and Contribution Disclosure.

Contributions and Expenses

LAEA s.147.1(1)(a)

What are allowable campaign expenses?

At a basic level, a “campaign expense” is an expense a candidate makes in the course of a campaign to help get elected. Technically, this includes any expense incurred, or non-monetary contribution received, by a candidate to the extent that the property or service that the expense was incurred for, or that was received as a non-monetary contribution, is used to directly promote or oppose a candidate during a campaign period. “Campaign expense” includes an expense incurred for, or a non-monetary contribution, in relation to:

- The production of advertising or promotional material,
- The distribution, broadcast or publication of advertising or promotional material in any media or by any other means during a campaign period, including by the use of a capital asset,
- The payment of remuneration and expenses to or on behalf of a person for the person’s services as a chief financial officer in any other capacity,
- Securing a meeting place, or
- The conduct of opinion polls, surveys or research during a campaign period.

LAEA s.147.2(4)

Can I self-fund my campaign?

Yes, candidates may choose to entirely self-fund their campaign; however, contribution limits apply to self-funded campaigns. A candidate may contribute up to and including \$10,000 to his or her own campaign.

Excluded from the \$10,000 would be any amounts that the candidate is reimbursed from the campaign account if it is reimbursed before the end of the campaign period and the funds were used to pay for campaign expenses.

A candidate takes a risk by making expenditures based on anticipated future contributions, in the event that the future contributions don't materialize.

LAEA s.147.2

Contributions to Candidates

No contributions may be accepted until the nomination period commences (January 1 of an election year for a general election and the day after the resolution/bylaw is passed for a by-election) and a candidate files nomination papers.

*Although contributions cannot be accepted in the campaign period until a person has filed nomination papers, the legislation does provide the ability for a potential candidate to incur expenses and accept minimal contributions outside of the campaign period and prior to filing nomination papers. A person may accept up to \$5,000 annually in contributions outside of the campaign period, as well as contribute up to \$10,000 of their own funds outside of the campaign period.

LAEA s.147.2(5)

After a person files nomination papers in the campaign period, the person officially becomes a candidate and may accept contributions of up to \$5,000 from any person who is ordinarily a resident in Alberta.

Candidates cannot accept contributions from any prohibited organization, including a corporation or unincorporated organization.

Candidates, or those acting on their behalf, should not directly or indirectly solicit contributions if the candidate knows or ought to know that the potential contributor

- does not ordinarily reside in Alberta,
- is a corporation or unincorporated organization, or
- will exceed the contribution limits.

LAEA s.147.3(1)(a) & LAEA s.147.3(1)(c)

A candidate must open a bank account in the name of the candidate or in the name of the campaign as soon as possible after the amount of contributions from any person(s) exceeds \$1,000 in the aggregate, including any money paid by the candidate out of their own funds. Money in that account must then only be used for the payment of campaign expenses.

LAEA s.147.1(1)(c) & LAEA s.147.3(1)(e)

Contributions of real property, personal property, goods and services have to be valued. Throughout the duration of the campaign, receipts

must be issued for every contribution received, and be obtained for every expense. Receipts will assist candidates in creating itemized expense reports and can be used as proof of contributions.

**LAEA
s.147.1(1)(c)**

Campaign contributions do not include services provided by a volunteer who voluntarily performs the services and receives no compensation, directly or indirectly, in relation to the services or the time spent providing the services.

LAEA s.147.3(1)(f)

All campaign records of contributions and expenses must be kept for a minimum of three (3) years following the date the disclosure statements were required to be filed. That date is on or before March 1 immediately following a general election, or within 120 days of a by-election.

LAEA s.147.24

Contributions Not Belonging to Contributor

Individuals cannot contribute to a candidate if the funds they are contributing do not belong to that individual, or if the funds were given to the individual by another individual or a prohibited organization (corporations, trade unions, employee organizations, unincorporated organizations) for the purpose of making a contribution to a particular candidate. Candidates shall not solicit nor accept a contribution if they know or ought to know that it is prohibited.

LAEA s.147.23

Anonymous and Ineligible Contributions

If a candidate receives an anonymous contribution, the candidate must return the contribution to the contributor immediately (if the identity of the contributor can be established), or donate the total contribution to a registered charity or the local municipality.

LAEA s.147.31

Fund-raising Functions

“Fund-raising functions” includes any social function held for the purpose of raising funds for an election campaign.

LAEA s.147.31(2)

Candidates must ensure they record the gross income from any fundraising function held for their campaign. In addition, if the function is held by the sale of tickets, the amount of the contribution is to be determined using the following rules:

**LAEA
s.147.31(3)**

- If the individual charge is \$50 or less, it is not considered a contribution unless the individual who pays the charge specifically requests it to be a contribution. If a request is made, half of the amount is allowed for expenses and half is considered a contribution. Even if the amount is not considered a contribution, the candidate may choose to still issue a receipt and keep a record of the transaction.
- If the individual charge is more than \$50 but less than \$100, \$25 is allowed for expenses and the balance is considered to be a contribution.
- If the contribution is more than \$100, 25 per cent of the amount is allowed for expenses and the remaining balance is considered to be a contribution.

**LAEA s.147.32 LAEA
s.147.4(1)(b)**

As a part of the candidate’s responsibilities, they, or a person acting on their behalf, **must** issue a receipt for every contribution received. If a contribution is in excess of \$50, the name and address, and the amount of the contribution must be recorded because it is required to be included with the campaign disclosure statements.

**LAEA
s.147.33**

Loans

Candidates may borrow money only from a financial institution and shall record all loans and their terms. All loans and their terms must be reported accordingly to the local jurisdiction.

Only a person ordinarily resident in Alberta may make a payment on behalf of the borrower (the candidate) in respect to a loan. If the individual is not reimbursed by the borrower (candidate) before the candidate is required to file a disclosure statement, any payment made towards a loan becomes a contribution by that individual and a contribution accepted by the candidate.

LAEA
s.147.34

Campaign Expense Limits

The *Local Authorities Election Act* allows for the establishment of a regulation that sets out the amount of money that may be spent by candidates during the campaign period. There is no regulation for the purpose of the 2021 municipal election and therefore candidate spending is not restricted.

LAEA
Part 8 s.190-205

Elections Alberta/Election Commissioner

As of August 1, 2019, the Alberta Election Commissioner, under Elections Alberta, has authority in local elections across Alberta. The Election Commissioner may investigate any matter that may constitute an offence under Part 5.1, Campaign Finance and Contribution Disclosure, or Part 8, Third-Party Advertising of the LAEA.

For more information regarding the authority of the Election Commissioner, including contact information, please visit:
www.elections.ab.ca/compliance-enforcement/complaints/.

Campaigning

Once you have filed your nomination form and your candidate's acceptance, there are several things to remember as you campaign to Election Day.

How do I campaign?

There are no "standard" or legislative requirements for campaigning when it comes to municipal elections. A candidate's campaign style will want to match the uniqueness of the municipality to the candidate's personality and available resources.

The purpose of campaigning is to convince the electors you are the best candidate for the position. Candidates have used various strategies, like:

- door-knocking;
- signage;
- brochures or posters;
- participating in local candidate debates or forums;
- social media pages or websites; and
- hosting a meet and greet event.

Is there anything I cannot do during a campaign?

There are a variety of offence provisions included in the *Local Authorities Election Act* that candidates should review and understand.

In addition, it is essential that candidates seek clarification from returning officers relating to campaign activities. Municipalities may have local bylaws that address campaign activities including, but not limited to, the use and placement of campaign signage throughout the municipality.

If candidates require additional interpretation or clarification, they should seek independent legal services if required.

LAEAs.116

Bribery

As a candidate, you cannot give, or promise to give, money or any other valuable consideration (such as an office or job) to anyone in return for their vote, or by agreeing to refrain from voting.

In addition, an elector or resident of the municipality cannot accept money or any other valuable consideration in return for voting or not voting during an election.

LAEAs.117

Undue Influence

As a candidate, you cannot use, or threaten to use, violence, injury, damage or intimidation to compel a person to vote or refrain from voting at an election. You cannot obstruct the voting process or obstruct a person from accessing a voting station to vote during an election.

**LAEA s.150, 152,
152.1**

Canvassing on Election Day

Candidates, official agents, or campaign volunteers cannot canvass or solicit votes in a voting station or on the property used for a voting station on an advance vote or election day. In addition, campaign materials (posters, pins, signage, etc.) cannot be displayed or distributed inside or on the outside of a building used as a voting station.

LAEAs.50

Is there a voters' list?

Municipalities may pass a bylaw allowing for the enumeration and use of a voters' list. You may wish to confirm with your municipality; it is not a common practice to use a voters' list in municipal elections in Alberta.

Pecuniary Interest

JANUARY 2021

Pecuniary Interest for Municipal

Councillors Published by Alberta

Municipal Affairs

The Government of Alberta and Municipal Affairs will not be liable for any damages that result from the use of this guide. While Municipal Affairs attempts to ensure the accuracy of the information contained within this guide, a municipality and/or councillor may wish to obtain advice from a lawyer, in order to ensure the legislative requirements with regards to pecuniary interest provisions are met. Municipal Affairs and the Government of Alberta do not warrant or make any other representations regarding the use, accuracy, applicability, or reliability of this guide.

It is important to recognize that this guide has been developed as a reference for, and as an explanatory document to the *Municipal Government Act* (MGA). This guide is not legal advice, and it cannot be used in place of consulting with a lawyer. This guide cannot anticipate every aspect, circumstance or situation that municipalities or councillors may encounter. If a municipality or councillor needs help finding a lawyer, please visit the Law Society of Alberta website.

Should this guide conflict with the *Municipal Government Act* (MGA), RSA 2000, Chapter M-26, in word or interpretation, the legislation shall prevail.

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Table of Contents

Pecuniary Interest.....	4
Definition	4
Exceptions	5
What to Do	6
Temporary Absence	7
All Meetings	7
Doing Business	7
Statement of Disclosure of Interests	8
Remember	8

Pecuniary Interest

Alberta's municipal councillors have a strong record of public service to their communities. As a public servant, you are responsible for upholding the public interest ahead of any private interests you may have.

The *Municipal Government Act* (**MGA**) describes pecuniary interest and sets out the procedures you must follow if a matter in which you have a pecuniary interest comes up at a council meeting or a committee of council meeting. These rules are designed to protect the public interest while ensuring that your ability to work is not adversely affected by your election to council.

In order that the public interest is served and seen to be served, it is important you be open and honest about dealing with the municipality. Be fair to yourself, your electors and your municipality by keeping your private interests in harmony with the public interest.

This document is only a guide to the legislation. It is recommended you consult your solicitor for advice on specific situations.

Definition

Section 170 of the MGA describes pecuniary interest as something which could monetarily affect you, your spouse, or adult interdependent partner, your children, your parents or the parents of your spouse (in other words, your

immediate family), or a business which employs you or in which you have an interest.

Specifically, pecuniary interest means an interest in a matter which could monetarily affect:

- You;
- a corporation, other than a distributing corporation, in which you are a shareholder, director or officer;
- a distributing corporation in which you; beneficially own voting shares carrying at least 10% of the voting rights attached to the voting shares of the corporation or of which you are a director or officer; and/or
- a partnership or firm of which you are a member.

This section also says that "*a councillor has a pecuniary interest in a matter if (a) the matter could monetarily affect the councillor or an employer of the councillor, or (b) the councillor knows or should know that the matter could monetarily affect the councillor's family.*" You must decide when you have a pecuniary interest. Council cannot make the decision for you.

Exceptions

Several exceptions are listed in section 170(3) of the MGA so that an overly-restrictive interpretation of the provisions will not disrupt the affairs of the municipality or your function as a councillor.

A councillor does not have a pecuniary interest only because of any interest:

- the councillor, an employer of the councillor or a member of the councillor's family may have as an elector, taxpayer or utility customer of the municipality;
- the councillor or a member of the councillor's family

may have by reason of being appointed by the council as a director of a company incorporated for the purpose of carrying on business for and on behalf of the municipality or by reason of being appointed as the representative of the council on another body;

- the councillor or member of the councillor's family may have with respect to any allowance, honorarium, remuneration or benefit to which the councillor or member of the councillor's family may be entitled by being appointed by the council to a position described above;
- the councillor may have with respect to any allowance, honorarium, remuneration or benefit
to which the councillor may be entitled by being a councillor;
- the councillor or a member of the councillor's family may have by being employed by the Government of Canada, the Government of Alberta or a federal or provincial Crown corporation or agency, except with respect to a matter directly affecting the department, corporation or agency of which the councillor or family member is an employee;
- a member of the councillor's family may have by having an employer, other than the municipality, that is monetarily affected by a decision of the municipality;
- the councillor or a member of the councillor's family may have by being a member or director of a non-profit organization as defined in section 241(f) or a service club;
- the councillor or member of the councillor's family may have:
 - by being appointed as the volunteer chief or other volunteer officer of a fire or ambulance service or emergency measures organization or other volunteer organization or service; or
 - by reason of remuneration received as a volunteer member of any of those voluntary organizations or services.

- the councillor, an employer of the councillor or a member of the councillor's family that is held in common with the majority of electors of the municipality or, if the matter affects only part of the municipality, with the majority of electors in that part;
- the interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the councillor; or
- they discuss or vote on a bylaw that applies to businesses or business activities when the councillor, an employer of the councillor or a member of the councillor's family has an interest in a business, unless the only business affected by the bylaw is the business of the councillor, employer of the councillor or the councillor's family.

What to Do

Section 172 of the MGA sets out the procedure you must follow if a matter in which you have a pecuniary interest comes before any meeting in which you are taking part in your capacity as a member of council. Failure to follow these procedures could lead to your disqualification from council.

This section says that you may not take part in the discussion and decision-making on any matter in which you have a pecuniary interest. The legislation attempts to ensure that you are not discriminated either for or against by virtue of your membership on council.

If you have a pecuniary interest:

- you are to disclose that you have an interest and its general nature;
- you are to abstain from any discussion of the matter and from voting; and
- you are to leave the room until the matter has been dealt with, and you should make sure that your abstention is recorded in the minutes.

For example, you might say *"Mr. Mayor, I am abstaining on this matter because I am a shareholder in the company. I am leaving the room and I ask that my abstention be recorded."*

If the matter is one in which you, as an elector or property owner, have a right to be heard by council (for example, a land use bylaw amendment, lane or street closure, etc.), you are to disclose your interest and abstain, but you may remain in the room to be heard by council in the same manner as any person who is not a member of council. In this case, you should follow the procedure required of any other person to be placed on the list of delegations to be heard by council. When the matter comes up for hearing, you might say "*Madam Mayor, I am abstaining from this matter because I own the property affected. I ask that my abstention be recorded.*"

You should then leave the council table and go to the area where the public sits. The mayor should call you to make your presentation in the same manner as any other person. You should state your case, answer any questions that may be asked of you and then be seated in the public area for the remainder of the public hearing.

When council debates the matter, it would be advisable to leave the room during the decision-making process.

Temporary Absence

On occasion, you may be temporarily absent from a meeting when a matter in which you have an interest comes up for discussion. If so, upon returning to the meeting, or as soon as you discover that the matter was discussed, you are to disclose the general nature of your interest. The MGA requires the secretary to

note your disclosure in the minutes.

The purpose of this provision is to ensure that a member of council does not avoid disclosing an interest by simply leaving the meeting before the matter is discussed and returning after the discussion is complete. If some matter is discussed by council while you are temporarily absent from a meeting, upon your return and as soon as you become aware of the matter, you should get the attention of the chair and say something like *"Mr. Mayor, during my absence a matter was discussed in which I have an interest. I am disclosing that my husband is an employee of the company and I ask that my disclosure be recorded in the minutes."*

All Meetings

The disclosure and abstention rules apply to every meeting of council and any of its committees. They also apply to you at a meeting of any board, committee or agency to which you are appointed as a representative of council (section 172(6) of the MGA). In other words, any time you are acting as a councillor, the disclosure and abstention rules apply to you.

It is important to remember to ask the secretary at any of these meetings to record your abstention and to check that it is actually included in the minutes.

Doing Business

Although there is no prohibition on doing business with the municipality when you are a member of council, every contract or agreement with the municipality in which you have an interest must be approved by council

(section 173 of the MGA). So, if your council has delegated purchasing authority to administration, it is important that those officials know of any business interests that you have and that you make sure council approves of any contract with your business. You cannot raise the matter in council, but, if you submit a bid or offer, you can note the matter must

receive council approval. If it doesn't, you will be disqualified and the contract has no force or effect.

The following are the only exceptions:

- if the contract or agreement is for the performance of work or the provision of a service in the case of an emergency; or
- if the contract or agreement is for the sale of goods or services to the municipality or to persons contracting with the municipality at competitive prices by a dealer in those goods or services, that is incidental to, or in the ordinary course of business; or
- the agreement was entered into before your term of councillor started.

Statement of Disclosure of Interests

If you have extensive business interests, it may be difficult for you to know when these businesses are dealing with your municipality. It may be even more difficult for purchasing agents to identify a contract that requires the approval of council because a member of council has an interest.

In such cases, it may help everyone involved - yourself included - if a listing of interests is available in the office. Council may, by bylaw, require its members to file a statement with a designated officer showing the names of their immediate family members and any business in which they have an interest (section 171 of the MGA). The designated

officer then compiles a list of all the names reported on the statements and provides it to the employees of the municipality indicated in the bylaw.

This provision is permissive. This means the council has the power to pass such a bylaw; however, is not required to do so.

Remember

If you vote on a matter in which you have pecuniary interest, you are subject to disqualification, even if you vote against your interest.

Ask to have your abstention recorded in the minutes of the meeting. The rules apply at all meetings of your council and its committees, and at the meetings of any board, commission, committee or agency to which you are appointed as a representative of the council.

If your council passes a bylaw requiring a statement of disclosure of interests, keep your statement up-to-date by regularly informing the designated officer of additions or deletions.

If you are in doubt as to whether you have a pecuniary interest, obtain a written legal opinion from your own solicitor.

The Government of Alberta and Municipal Affairs will not be liable for any damages that result from the use of this guide. While Municipal Affairs attempts to ensure the accuracy of the information contained within this guide, a municipality and/or councillor may wish to obtain advice from a lawyer, in order to ensure the legislative requirements with regards to pecuniary interest provisions are met. Municipal Affairs and the Government of Alberta do not warrant or make any other representations regarding the use, accuracy,

applicability, or reliability of this guide.

It is important to recognize that this guide has been developed as a reference for, and as an explanatory document to the *Municipal Government Act* (MGA). This guide is not legal advice, and it cannot be used in place of consulting with a lawyer. This guide cannot anticipate every aspect, circumstance or situation that municipalities or councillor may encounter. If a municipality or councillor needs help finding a lawyer, please visit the Law Society of Alberta website at www.lawsociety.ab.ca/.

Copies of the *Municipal Government Act* and the *Local Authorities Election Act* can be purchased from Alberta Queen's Printer Bookstore or accessed on the Queen's Printer website:

Phone: 780-427-4952

Fax: 780-452-0668

Email: 9Q@gQ_v_.ab.ca

Website: www.qp.alberta.ca/

Alberta Municipal Affairs

CLOSED MEETINGS OF COUNCIL (IN-CAMERA)

What is a closed meeting?

The *Municipal Government Act (MGA)* says that a meeting or part of a meeting is considered to be closed to the public when

- (a) any members of the public are not permitted to attend the entire meeting or part of the meeting,
- (b) the council, committee or other body holding the meeting instructs any member of the public to leave the meeting or part of the meeting, other than for improper conduct, or
- (c) the council, committee or other body holding the meeting holds any discussions separate from the public during the meeting or part of the meeting.

Under what authority can a council close a meeting'?

Section 197 of the MGA states that councils and council committees must conduct their meetings in public unless the matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the *Freedom of Information and Protection of Privacy (FOIP)* {s. 16 to 29}. This section also indicates that a council or council committee must pass a resolution stating the reason and the section of FOIP that applies before closing all or any part of a meeting to the public.

MOVED by Councillor Smith that council close the meeting to the public for Agenda item 2b Legal - Arena Project as per Section 27, FOIP at 7:00 pm.

NOTE: Section 197(2.1) is the exception to the rule, allowing municipal planning commissions, subdivision authorities, development authorities and subdivision and development appeal boards to deliberate and make decisions in meetings closed to the public.

How to prepare for closed meeting discussions?

Discussions that will be closed during the meeting should be listed on the agenda for the meeting in which they are held. The agenda should contain a 'Confidential' heading and then provide a brief description of the topic and state the section of FOIP that allows closure for that topic. For example, "Personnel - Evaluation - CAO - FOIP Section 17" would be used to describe conducting the performance appraisal of a chief administrative officer or "Legal -Arena Project - FOIP Section 27" could describe discussions regarding a pending court case. Further Information is not required.

Any background information on the confidential items should be circulated when attendees are in the closed meeting and collected prior to returning to the open meeting.

How to record discussions from a closed meeting?

It is strongly recommended that a closed session discussion not be recorded as any notes or minutes taken during the discussion may become part of a FOIP request. The council meeting minutes should reflect that a motion was made to move into a closed session (as outlined above) and then another to return to the open meeting.

Council members, the CAO and any others included in the closed session are required to keep in confidence what was discussed until the item is discussed at a meeting held in public.

Section 197(3) of the *MGA* prohibits the passing of a resolution or bylaw during a closed meeting, with the exception of the motion to revert to the public meeting, which must be recorded in the minutes. If direction is given or a decision reached, then a resolution must be made in the open meeting so that council's direction(s) are recorded and acted on.

Who can attend a closed session?

All members of council, guests (at the discretion of council if), and most times, the chief administrative officer may attend a closed session. The minutes of the meeting must show the names of additional people attending and the reason each attended.

Mr. John Doe - Engineer, XYZ Co.

Mr. Sam Smith - Lawyer, Law firm LLP

The media and general public cannot attend the closed discussion, but are welcome to return to the council meeting following the closed session.

What can be discussed in a closed session?

FOIP outlines the items that would allow a council to close a council meeting, which include matters where a public disclosure could be harmful to:

- Third party business interests; (s. 16)
- Third party personal privacy; (s. 17)
- Individual or public safety; (s. 18 and 19)
- Law enforcement; (s. 20)
- Intergovernmental relations; (s. 21, 22, 23 and 24) and
- Economic or other interests (s. 25, 26, 27, 28 and 29). Public bodies should not:
 - Reveal confidential employee evaluations;
 - Disclose local public body confidences, or advice from officials; or
 - Disclose information that is subject to any kind of legal privilege.

For example, a discussion regarding the employment of an individual should be held in-camera to protect the privacy of that individual. Also, preliminary meetings with developers (at their request or council's discretion) describing a new land use development should be held in a closed session (s. 16 of FOIP).

What should not be discussed in a closed session?

Difficult topics, such as:

- Budget deliberations
 - Tax i.e. assessments/mill rates, penalties
 - Capital expenditures
- Any contentious issues
 - Sensitive local issues
 - Bylaw amendments i.e. Land use
 - Subdivision proposals
- Tax recovery i.e. reserve bids for auction
- Discussions regarding budget requirements for hiring additional municipal staff and for the setting of salary ranges

are not be discussed behind closed doors.

The *MGA* sets out clear requirements for municipal councils to conduct their business openly. The powers of a municipal council are balanced by councils' accountability to the citizens who elect them. It is therefore essential that citizens are allowed to take an active interest in the development and direction of our local governments and express their views to their locally elected representatives.

For more information on how the FOIP affects municipalities, please visit the Service Alberta website at

www.servicealberta.ca/FOIP/documents/FAQ_Municipal.pdf.

This is an information summary only and has no legislative or legal sanction. For certainty, refer to the *Municipal Government Act* and the *Freedom of Information and Protection of Privacy Act*. Copies are available for purchase from Alberta Queen's Printer Bookstore or



**TOWN OF CORONATION
PROCEDURAL BYLAW OF COUNCIL AND COUNCIL COMMITTEES
Bylaw 2016-648**

A BYLAW OF THE TOWN OF CORONATION IN THE PROVINCE OF ALBERTA FOR THE REGULATION OF THE
PROCEEDINGS OF COUNCIL AND THE COMMITTEES THEREOF

PURPOSE

Whereas, pursuant to section 145 of the *Municipal Government Act*, R.S.A. 2000, c.M-26, council may adopt bylaws in relation to the establishment and functions of council committees and the procedure and conduct of council and council committees;

And Whereas, pursuant to Section 203 of the *Municipal Government Act*, council may by bylaw delegate its powers, duties or functions to a council committee;

And Whereas the *Municipal Government Act* governs the conduct of council, councillors, council committees; municipal organization and administration; public participation; and the powers of a municipality;

The Town of Coronation Council enacts:

1.0 *Short Title*

- 1.1 This bylaw may be called the *Procedure Bylaw*.

2.0 *Definitions*

- 2.1 “Act” means the *Municipal Government Act*, R.S.A. 2000, c.M-26, any regulations thereunder, and any amendments or successor legislation thereto;
- 2.2 “Adjourn” used in relation to any meeting, except a public hearing, means to terminate the meeting;
- 2.3 “Administration” means the Chief Administrative Officer or an employee accountable to the CAO employed by the Town of Coronation;

- 2.4 "Amend a motion previously adopted" means to bring forward to a later meeting an amendment to a previously successful motion;
- 2.5 "Chief Administrative Officer" (otherwise referred to as the CAO), means the person appointed by Council into the position of CAO pursuant to Section 205 of the Municipal Government Act;
- 2.6 "Committee of the Whole" means a committee consisting of all members of Council which meet at an in-camera session
- 2.7 "Coronation" means the Town of Coronation;
- 2.8 "Council" means the Council of the Town of Coronation;
- 2.9 "Council Committee" means a committee, board or other body established by a council under the *Act*;
- 2.10 "Councillor"; "Member of Council"; "Council Member" means any member except for the Mayor;
- 2.11 "In Camera" means a meeting at which only councillors and other persons specified by council may attend;
- 2.12 "Member" means a duly elected Member of Council or a duly appointed Member of a Committee.
- 2.13 "Minutes" means the written record of a Meeting recorded in the English language without note or comment.
- 2.14 "Organizational Meeting" means a meeting of Council held in accordance with Section 192 of the Municipal Government Act;
- 2.15 "Orders of the day" means a requirement that the Mayor return to the predetermined agenda, including adjourning at the pre-determined time, unless a motion to extend the discussion occurring at that time or a motion to extend the meeting is adopted;
- 2.16 "Peace Officer" means a Peace Officer as defined in the *Police Act*;
- 2.17 "Pecuniary Interest" means a pecuniary interest within the meaning of Section 170 of the Municipal Government Act;
- 2.18 "Point of Information" means a request by a Member directed through the Chair to another Member or to Administration for information relevant to the business at hand
- 2.19 "Point of Order" means a demand by a member of council that the Mayor enforce the rules of procedure;

- 2.20 “Point of Privilege” means a request made to the Mayor by a member of council on any matter related to the rights and privileges of councillors and includes:
- 2.20.1 the comfort of councillors
 - 2.20.2 the conduct of Coronation employees or members of the public in attendance at the meeting;
 - 2.20.3 the accuracy of the reports of council’s proceedings; and
 - 2.20.4 the reputation of council and councillors;
- 2.21 “Postpone” means to delay the consideration of any matter, either:
- 2.21.1 to later in the meeting;
 - 2.21.2 to a specified time and/or date;
 - 2.21.3 until the occurrence of an event; or
 - 2.21.4 indefinitely;
- 2.22 “Public Hearing” means a meeting or portion of a meeting that council is required to hold under the Act or another enactment for the primary purpose of hearing submissions;
- 2.23 “Public Meeting” means a meeting of council or committee of the whole at which members of the public may attend and may be invited to make submissions to council, but which is not a public hearing;
- 2.24 “Quorum” means:
- 2.24.1 In the case of a Council meeting, the majority of the valid and subsisting Members of Council;
 - 2.24.2 In the case of a Committee Meeting, unless the bylaw establishing such Committee specifies a different quorum, the majority of the Members thereto, including Members at Large.
- 2.25 “Recess” means to take a short break in the order of business or an agenda item of a meeting with the intent of returning to that order of business or agenda item at the same meeting;
- 2.26 "Reconsider" means a motion made by a member who voted on the prevailing side of a motion adopted by council with the purpose of retaking the vote on a motion dealt with earlier in that same meeting;
- 2.27 “Recorded Vote” means that prior to the vote on a motion, a Member has called for the minutes to record the Members present at the Meeting and for the minutes to show which Members voted for or against the motion or abstained.
- 2.28 “Refer” means to send a pending motion or agenda item to a council committee or the administration for investigation and report;

- 2.29 "Renew" means to bring forward to a later meeting a previously defeated motion;
- 2.30 "Rescind" means to bring forward to a later meeting a previously successful motion with the intent of revoking the original motion;
- 2.31 "Table" means to set a matter aside until a majority decides to address the item again by means of a motion to lift from the table; and
- 2.32 "Term" means the length of time that an elected council serves between two consecutive municipal elections.

3.0 *Application and Interpretation*

- 3.1 This bylaw shall apply to all meetings of council and committee of the whole.
- 3.2 Council may make this bylaw applicable to other council committees, either in whole or in part.
- 3.3 Where council makes this bylaw applicable to a council committee, it shall apply with all necessary modifications, and
 - 3.3.1 any reference to the Mayor shall be treated as a reference to the chair of the council committee;
 - 3.3.2 any reference to a councillor shall be treated as a reference to a member of the council committee; and
 - 3.3.3 any reference to council shall be treated as a reference to the committee.
- 3.4 To the extent that a matter is not dealt with in the *Act* or this bylaw, council shall have regard to *Robert's Rules of Order Newly Revised*.
- 3.5 The precedence of the rules governing the procedures of council is:
 - 3.5.1 the *Act*;
 - 3.5.2 other provincial legislation;
 - 3.5.3 this bylaw; and
 - 3.5.4 *Robert's Rules of Order Newly Revised*.
- 3.6 Council may waive all or part of the provisions of this bylaw for a meeting, if the councillors present vote unanimously to do so.

ORGANIZATION OF COUNCIL & COMMITTEES

4.0 *Organizational Meetings*

- 4.1 Council shall hold an organizational meeting each year not later than two weeks after the third Monday in October.
- 4.2 The CAO shall set the time and place for the organizational meeting.
- 4.3 At the annual organizational meeting, council shall
 - 4.3.1 Elect one Councillor from amongst themselves to the position of Mayor;
 - 4.3.2 elect one Councillor from amongst themselves to the position of Deputy Mayor;
 - 4.3.3 establish the dates and time of commencement and place of the regular Council meetings; and
- 4.4 *Robert's Rules of Order Newly Revised* will be used by council.

5.0 *Inaugural Meeting*

- 5.1 The Organizational Meeting immediately following a general municipal election shall be called the Inaugural Meeting.
- 5.2 At the Inaugural Meeting, Council shall be required to appoint the Mayor from among the Councillors as the first order of business.
- 5.3 Until the Mayor has taken the oath of office, the CAO shall chair the Inaugural meeting.
- 5.4 Each Councilor shall take the prescribed oath of office as the next order of business at the Inaugural meeting.
- 5.5 At the Inaugural meeting, in addition to those items in Section 4.3, each Councilor shall affirm the Code of Conduct as approved from time to time by council;
- 5.6 Members of Council hold office from the beginning of the Inaugural meeting following the general election until immediately before the beginning of the Inaugural meeting following the next general election in accordance with the Local Authorities Election Act.

6.0 *Council Seating*

- 6.1 The Mayor shall occupy the seat at the centre of the council table.

7.0 *Quorum*

- 7.1 Quorum of council is a majority of councillors.

- 7.2 If quorum is not achieved within 15 minutes after the time the meeting was scheduled to begin, the CAO will document the names of those who are present and the meeting will be adjourned and rescheduled.
- 7.3 The agenda delivered for that meeting shall be considered at the next Regular Meeting of Council prior to the consideration of the agenda for the subsequent meeting or it shall be the agenda for a special meeting called for that purpose.
- 7.4 If at any time during a meeting the quorum is lost, the meeting shall be recessed and if quorum is not achieved again within 15 minutes, the meeting shall be deemed to be adjourned.

DUTIES OF OFFICIALS

8.0 *Duties of the Mayor*

- 8.1 The Mayor shall, when present:
 - 8.1.1 open and adjourn council meetings;
 - 8.1.2 chair all meetings of council and Committee of the Whole meetings;
 - 8.1.3 preserve order and decorum in council meetings;
 - 8.1.4 rule on all questions of procedure;
 - 8.1.5 ensure that each member of council who wishes to speak on a debatable motion is granted the opportunity to do so;
 - 8.1.6 determine the speaking order when two or more members of council or others wish to speak; and
 - 8.1.7 decide who, aside from members of council, may address council.
- 8.2 The Mayor is an ex officio member, by virtue of office, of all council committees, unless a bylaw establishing a committee expressly states that the Mayor is not an ex officio member of that committee.
- 8.3 If the Mayor is present at a committee meeting by virtue of office:
 - 8.3.1 the Mayor has all the rights and privileges of the other committee members including the right to make motions and vote.

9.0 *Duties of the Deputy Mayor*

- 9.1 Council shall appoint a Deputy Mayor for a one-year period at the organizational meeting.
- 9.2 The Deputy Mayor shall chair council meetings when the Mayor is absent or unable to act as Mayor and shall have all the powers and responsibilities of the Mayor under this bylaw during the absence or incapacity of the Mayor.

- 9.3 In the absence or inability of the Mayor and Deputy Mayor to act, a member of council shall chair council meetings and shall have all the powers and responsibilities of the Mayor under this bylaw.

10.0 *Duties of the Chief Administrative Officer*

- 10.1 The chief administrative officer shall be subject to the *Act* and the *Chief Administrative Officer's Bylaw*.

11.0 *Order in Council Chambers – The Public*

- 11.1 Only councillors, the CAO, and those individuals authorized by the CAO may be present on the floor of council chambers.
- 11.2 A person not listed in section 11.1 may be present on the floor of council chambers if that person has first received the approval of the Mayor.
- 11.3 The CAO, an employee or consultant authorized by the CAO may address the council from the floor of council chambers, if recognized by the Mayor.
- 11.4 A person not listed in section 11.1 may address council from the public gallery with permission of the Mayor.
- 11.5 No person present in the gallery or on the floor of council chambers shall cause any disturbance, interrupt any speaker or interfere with the action of council.
- 11.6 The Mayor may call to order any person on the floor or in the gallery who has created a disturbance and may expel that person from council chambers.
- 11.7 An employee or member of the public who refuses to leave council chambers upon the order of the Mayor may be removed by a peace officer.
- 11.8 No person shall record the proceedings of council through electronic audio, video, camera or other devices, unless authorized to do so by this or any other bylaw or by a unanimous vote of council members present.

12.0 *Order in Council Chambers - Council*

- 12.1 The Mayor may call to order any councillor who is out of order.
- 12.2 A councillor who is called to order must cease talking or otherwise engaging in the activity specified by the Mayor in the call to order.
- 12.3 When a councillor has been called to order but persists in breaching the order of council, the Mayor may name the councillor and declare the offence.

- 12.4 The CAO shall note the offence in the minutes.
- 12.5 If a councillor who has been named:
- 12.5.1 apologizes to council and withdraws the offensive statement or action, then
- i. that councillor may remain and continue to participate in the meeting; and
 - ii. the Mayor may direct that the notation of the offence be removed from the minutes; or
- 12.5.2 fails or refuses to apologize and withdraw the offensive statement or action then that councillor is automatically expelled and must leave council chambers immediately.
- 12.6 A councillor who refuses to leave the council chambers upon the order of the Mayor may be removed by a peace officer.
- 12.7 No councillor shall be expelled for a period greater than the meeting that was in progress at the time of the expulsion.
- 12.8 A councillor who is called to order or named may immediately thereafter challenge the ruling of the Mayor and state the terms of the challenge.
- 12.9 When there is a challenge to the ruling of the Mayor, all further debate shall cease until the challenge has been dealt with by council.
- 12.10 A challenge of the Mayor's ruling shall follow those procedures outlined in sections 13.2 to 13.4.

13.0 *Calling a Member to Order*

- 13.1 When the Mayor calls a Member to order, the Member speaking shall be seated and remain seated. After the Mayor has ruled, the Member may explain the action resulting in the call to order.
- 13.2 In the event that a Member refuses to be seated when called to order, the Mayor shall request the Deputy Mayor to make a motion to remove the unruly Member either:
- 13.2.1 For the balance of the meeting; or
 - 13.2.2 Until a time stated in the motion; or
 - 13.2.3 Until the Member makes an apology acceptable to the Meeting for the unruly behavior;
- Whichever is the shortest time.
- 13.3 If the resolution passes, the Mayor shall direct the Member to leave.

- 13.4 When the Mayor has directed a Member to leave and the Member makes a satisfactory explanation and apology, the Council may, by a motion, allow the offending Member to remain.

14.0 *Challenge to Ruling of the Mayor*

- 14.1 When a Member wishes to challenge the ruling of the Mayor, the motion, "That the decision of the Mayor be overruled" shall be made, and the question shall be put to a vote immediately without amendment or debate by decision of Council. A vote against the motion is a vote to uphold the ruling of the Mayor.
- 14.2 The Mayor shall be governed by the vote of the majority of the Members present.
- 14.2.1 If the Mayor refuses to put the motion, "That the decision of the Mayor be overruled", the Deputy Mayor shall be requested to proceed with putting the motion and the vote, from the floor if necessary.
- 14.2.2 A resolution carried under subsection (1), is effectual and binding as if carried with the Mayor as chair.

15.0 *Persons wishing to address Council – Delegate*

- 15.1 If a person wishes to address Council as a delegate, that person must contact the CAO and state the reason for the request to speak in the form of a one page letter. The letter must be delivered no later than 4 pm on the Wednesday prior to the meeting date. If it is recommended that Council hear the matter, the CAO will contact the person and provide a time in which they can speak.
- 15.2 The CAO may
- 15.2.1 Refer the matter to a Committee; or
- 15.2.2 Recommend that Council hear from the person; or
- 15.2.3 Refuse to hear from the person and refer the matter to the Administration for reply.
- 15.3 Notwithstanding section 15.1 and 15.2.
- 15.3.1 Council may allow a person to address a matter that is on the agenda
- 15.3.2 Council may, on a two-thirds vote, allow a person to address a matter that was not on the agenda, by referring the matter to any appropriate committee, appoint a special committee to deal with the matter, or deal with the matter itself at that or some later meeting; and
- 15.3.3 No person shall address Council for more than 15 minutes, exclusive of the time required to answer questions, unless and to the extent allowed by a motion approved by Council.

- 15.4 A Committee must hear a person referred to it by Council.
- 15.5 Persons addressing Council or COW shall limit their comments to the matter contained in the report and the recommendations being discussed.

16.0 *Rules Governing Debate*

- 16.1 A motion must be made by a councillor before council can debate an item before council.
- 16.2 A seconder to a motion is not required.
- 16.3 All discussion at a meeting of council shall be directed through the Mayor.
- 16.4 Unless otherwise provided by resolution, a councillor may speak only:
 - 16.4.1 once on any motion; and
 - 16.4.2 once on any amendment to a motion.
- 16.5 Notwithstanding 16.4:
 - 16.5.1 a councillor may ask questions of the administration or other councillors on any motion or amendment to a motion;
 - 16.5.2 a councillor may speak to answer questions put by other councillors; and
 - 16.5.3 a councillor who has made a motion may speak a second time to close the debate.
- 16.6 The Mayor may participate in debate on any matter before council without relinquishing the chair.
- 16.7 The Mayor may make a motion on any matter on the agenda but before doing so the Mayor must relinquish the chair to the Deputy Mayor until the vote on the motion has been taken.
- 16.8 When a member of council wishes to leave the council chambers while a meeting of council is in progress:
 - 16.8.1 the member of council shall await the formal acknowledgement of the Mayor before leaving; and
 - 16.8.2 the time of the member's departure, and return, if any, shall be recorded in the minutes.
- 16.9 If a councillor is in a Conflict of Interest or has a Pecuniary Interest under the *Act*, that councillor shall state they are in a conflict and the reason for the conflict and shall leave the meeting.

- 16.10 Where a councillor has left the meeting under section 16.9:
- 16.10.1 the reason for and time of the councillor's departure, and return, if any, shall be recorded in the minutes;
 - 16.10.2 if council amends the motion before it, council shall recess to allow the chief administrative officer to endeavor to advise the councillor who has left the meeting of the amendment so that the councillor may determine whether he/she remains in a conflict of interest; and
 - 16.10.3 council shall not consider any other agenda item until the chief administrative officer has endeavored to advise the councillor who left the meeting because of a conflict that there is a new agenda item before the meeting.
- 16.11 In order to ensure that quorum is not lost, the Mayor may recess the meeting briefly if a member of council wishes to leave the meeting but intends to return.
- 16.12 Subject to the *Act*, no councillor shall leave the council meeting after a question is put to a vote until the vote is taken.
- 16.13 A member of council who is speaking may be interrupted by the Mayor if:
- 16.13.1 the member speaking is out of order; or
 - 16.13.2 the matter being addressed by the member speaking is outside the jurisdiction of council.
- 16.14 A member of council who is speaking may only be interrupted by another councillor on:
- 16.14.1 a point of privilege; or
 - 16.14.2 a point of order.
- 16.15 The member of council who is speaking when a point of order or privilege is raised shall cease speaking immediately.
- 16.16 The Mayor may grant permission:
- 16.16.1 to the council member raising the point to explain the point briefly; and
 - 16.16.2 to the council member who was speaking to respond briefly; but otherwise a point of order or privilege is not debatable or amendable.
- 16.17 The Mayor must rule on a point of order or privilege and no vote will be taken unless there is a challenge by a member of council to the ruling.
- 16.18 The Mayor may seek advice from the chief administrative officer on a point of order or privilege or to determine whether a matter is within the jurisdiction of the council.

MEETINGS OF COUNCIL & COMMITTEES

17.0 *Regular Meetings*

- 17.1 All Regular Meetings of Council shall be held in the Council Chambers in the Town Office. A two-thirds vote is required to change the location of a meeting. The location cannot be outside of the Town of Coronation limits.
- 17.2 The Mayor may direct that a Special Meeting of Council may be held within the Town Office. Council may, at a Regular Meeting of Council, direct that the date, time or location of a subsequent meeting be other than as provided above, provided notice is given in writing at least 24 hours prior to all Councillors and the public.
- 17.3 Regular meetings of Council shall be held on the second & fourth Monday of each month.
- 17.4 Every regular meeting of Council shall commence at 7:00 pm, and adjourn not later than 10:00 pm, unless Council passes a motion to extend the meeting past 10:00 pm by a two-thirds vote.

18.0 *Combined Meetings*

- 18.1 In a Combined Meeting, the Regular Public Hearing portion shall commence immediately following "Adoption of Agenda".

19.0 *Public Meetings*

- 19.1 Except as provided in section 20, all meetings shall be held in public.

20.0 *In Camera Meetings*

- 20.1 No item shall be considered In Camera unless one of the exceptions to disclosure in Division 2 Part 1 of the Freedom of Information and Protection of Privacy Act applies.
- 20.2 A Meeting held In Camera subject to the Municipal Government Act and the Freedom of Information and Protection of Privacy Act may exclude the Administration, but not Councillors or the CAO except for improper conduct.
- 20.3 No bylaw or resolution shall be passed at an In Camera Meeting, except a resolution to revert to meeting in public or to recess.
- 20.4 In accordance with the Municipal Government Act, the Subdivision and Development Appeal Board may deliberate and make their decisions In Camera.

21.0 *Committee of the Whole*

- 21.1 There shall be a committee of the whole comprising all councillors.
- 21.2 Council, by majority vote, may schedule a committee of the whole meeting or may resolve itself into committee of the whole.

- 21.3 In addition to the restrictions contained in section 203(2) of the *Act*, the committee of the whole shall not hold public hearings.
- 21.4 Subject to the *Act*, any councillor may move that council move into committee of the whole to consider any matter either at the current council meeting or at another date. Instructions to the committee of the whole may be included in this motion.
- 21.5 Committee of the whole may move in camera in accordance with the *Act* and the *Freedom of Information and Protection of Privacy Act*.
- 21.6 No bylaw, resolution, or motion shall be passed when committee of the whole is sitting in camera in accordance with the *Freedom of Information and Protection of Privacy Act* except motions to return to the public forum.

22.0 *Providing Notice of Meetings*

- 22.1 Members and Public must receive notice of all meetings.
- 22.2 Notice of Regular Meetings of Council and Committee of the Whole is deemed to be given by publication of a calendar of meetings in the Town Office.
- 22.3 For all meetings requiring notice, the CAO shall ensure the notice is:
 - 22.3.1 issued a minimum 24 hours prior to the meeting date;
 - 22.3.2 posted in the Town Office & specifies the time, date and location;
 - 22.3.3 delivered, faxed or emailed to each member.
- 22.4 If a matter is not specified in the notice of a special meeting, it may not be dealt with, unless all members are present and a motion is passed by a majority to deal with the matter.

23.0 *Cancellation of Meetings*

- 23.1 A Regular Meeting may be cancelled:
 - 23.1.1 by a majority of Members at a previously held Meeting; or
 - 23.1.2 with the written consent of a majority, provided twenty-four (24) hours notice is provided to Members and the public; or
 - 23.1.3 with the written consent of Two-Thirds (5) of the Members if twenty-four (24) hours notice is not provided to the public.
- 23.2 A Special Meeting, called by the Mayor, may be cancelled:
 - 23.2.1 by the Mayor if twenty-four (24) hours written notice is provided to all Members and the public; or
 - 23.2.2 if less than twenty-four (24) hours notice is provided, the Mayor may cancel with the written consent of Two-Thirds (5) of the Members.

23.3 A Special Meeting, requested in writing by a majority of Members, may be cancelled:

23.3.1 with the written consent of the requesting Members, if 24 hours notice is provided to the Members and the public; or

23.3.2 if less than 24 hours notice is provided, with the written consent of Two-Thirds (5) of the Members.

23.4 Committee Meetings may be cancelled as per Section 23.1.1 & 23.1.2, however at least 24 hours notice of cancellation must be provided to the Members and the public.

RECORDS OF COUNCIL

24.0 *Agenda*

24.1 The proposed agenda for each council meeting shall be established by the CAO.

24.2 The subject of the Agenda for a Special Meeting of Council other than a strategic planning meeting is approved by the Mayor and CAO at the time of giving notice of the meeting.

24.3 The proposed agenda shall include:

24.3.1 all recommendations for resolutions received in accordance with sections 34.1 and 34.2;

24.3.2 all matters scheduled to that council meeting by prior resolution of council; and

24.3.3 such other items of business as determined by the Mayor and CAO.

24.4 In establishing the agenda, the Mayor and CAO may establish a specific time for the introduction of and debate on any agenda item.

24.5 The first order of business at any council meeting shall be consideration of the proposed agenda and adoption of it, subject to any amendment that council may approve.

24.6 The order of business at a council meeting shall be the order of the items on the adopted agenda.

24.6.1 The order of items for the regular agenda shall be as follows:

1. Call to Order
2. Acceptance of Agenda
3. Adoption of Previous Minutes
4. Delegations
5. Staff Reports to Council
6. Old Business
7. Bylaws
8. New Business
9. Council Reports
10. CAO Report

11. Financial Reports
12. Correspondence
13. Confidential Items (In Camera Session)

24.7 Councillors shall submit a written report to Council at least once per month which:

24.7.1 shall update Council on recent activities of interest to the Council and the municipality

24.7.2 shall report to Council on the activities of boards and committees to which the Councillor has been appointed by Council

24.7.3 shall be provided in electronic format to the CAO by 4:00 p.m. on the Wednesday immediately prior to the scheduled Council meeting at which the report shall be presented.

24.8 Addendums to the agenda must be high priority or emergent items authorized by the CAO.

24.9 After adoption of the agenda, council may alter the order of the items on the agenda, by majority vote, for convenience of the meeting.

24.10 Deadline for submission of agenda items is 4:00 p.m. on the Wednesday immediately prior to the scheduled Council meeting in which the item will be discussed, in order to allow sufficient time for review by the CAO.

24.11 All agenda items will be presented with a Request for Council Decision and shall include a recommendation for action, and shall also include any relevant supporting documentation as an attachment.

24.12 Should there be several priority items that are not addressed prior to the adjournment of the regular meeting, a Special Meeting of Council may be called by the Mayor or the meeting may be reconvened.

24.13 When a person wishes to have a letter or other communication considered by Council or a Committee, it shall be addressed to the council, and shall:

24.13.1 Clearly set out the matter at issue and the request; and

a. For written correspondence; must be printed, typewritten or legibly written, be signed with the name of the writer and contain the mailing address of the writer; or

b. For electronic communication; must contain the name of the writer and both the mailing and electronic address of the writer. |

24.13.2 A communication received by the CAO which does not meet the conditions in subsection (1) or is abusive in nature may be filed by the CAO.

- 24.14 On receipt of a communication, the CAO may;
- 24.14.1 Include it on the agenda of the next Regular meeting, in full or in summary form; or
 - 24.14.2 Refer it to Administration for reply.
- 24.15 Once considered, no communication on substantively the same matter can be considered for at least 6 months.
- 24.16 An electronic copy of the Agenda shall be published and made available for the Council at least three days prior to the scheduled Council meeting.
- 24.17 An electronic copy of the Agenda shall be published and made available for the Public on the business day immediately preceding the scheduled Council meeting.

25.0 *In Camera Agenda*

- 25.1 The items on the In Camera agenda are approved by the CAO in accordance with the provisions of the Municipal Government Act
- 25.2 In accordance with the Municipal Government Act, Section 153 and the Freedom of Information and Protection of Privacy Act, all members are required to keep in confidence matters discussed In Camera until the item is discussed at a Meeting held in public.

26.0 *Minutes*

- 26.1 The CAO shall:
- 26.1.1 in the case of a recorded vote, record the names of the Members and how they have voted;
 - 26.1.2 prepare the Minutes of every Meeting, in accordance with Section 208(1) of the *Municipal Government Act*, and distribute a copy to each Member in a subsequent Agenda for adoption at the Meeting;
 - 26.1.3 record the name and general nature of a Pecuniary Interest or Conflict of Interest declared by a Member for out of camera discussions;
 - 26.1.4 record the names of persons who have spoken for or against a matter considered at a Public Hearing; and
 - 26.1.5 record the distribution of additional material authorized by the Mayor to be distributed to Council and to form part of the Corporate Record.
- 26.2 A Member may make a motion requesting that the Minutes be amended to correct an inaccuracy or omission.
- 26.3 Only minor changes may be made to correct errors in grammar, spelling, and punctuation or to correct the omission of a word necessary to the meaning or continuity of a sentence; but no change shall be allowed which would alter or affect, in a material way, the actual decision made by Council.

27.0 *Confirmation of Agenda*

- 27.1 The agenda shall be confirmed at the start of every meeting.
- 27.2 When a change in the order of business is desired, the members may table, bring forward or refer an item. This can be done during confirmation of the Agenda for items known to require such action. The minutes of the meeting are to reflect that change in order.
- 27.3 Urgent business should be considered for addition to the agenda at this time. However, urgent business may be added at another time in the meeting.

28.0 *Confirmation of Minutes*

- 28.1 The Mayor shall request a motion to confirm the minutes.
- 28.2 The minutes of a previous meeting shall not be read aloud unless directed by a unanimous vote of the members present.
- 28.3 Committees shall confirm the minutes of previous meetings.

29.0 *Corporate Seal*

- 29.1 The CAO or designate shall have custody of the corporate seal.
- 29.2 The corporate seal shall only be used under the direction of the CAO or designate as prima facie evidence that the Town of Coronation has assented to those documents to which the seal is affixed.
- 29.3 The corporate seal shall be affixed to the following documents:
 - 29.3.1. All bylaws of the Town of Coronation signed by the Mayor and the CAO;
 - 29.3.2. Debentures issued by the Town of Coronation and signed by the Mayor;
 - 29.3.3. Certificates of registration of debentures signed by the CAO or other designated officer;
 - 29.3.4. Contracts signed by the CAO;
 - 29.3.5. Papers certified by the CAO as being true copies of original documents held in the CAOs Office; and
 - 29.3.6. Such other papers or documents which, in the opinion of the CAO, warrant the seal to be affixed.

30.0 *General Meeting Procedures*

- 30.1 A meeting is called to order when:
 - 30.1.1 Sufficient members are present to form a Quorum at the time set for the start of the Meeting. The Mayor shall take the Chair and call the Meeting to order; and

30.1.2 There are sufficient members present to form a Quorum at the time set for the start of the Meeting and the Mayor and Deputy Mayor are absent, the CAO shall call the meeting to order and shall call for a councillor to be appointed by a resolution to chair the meeting.

30.2 When there are insufficient members present to form a Quorum at the time set for the start of the Meeting, the CAO shall record the names of the Members present and the Meeting shall be adjourned until the next Regular Meeting, unless a Special Meeting is called earlier. The agenda delivered for the meeting shall be considered at the next regular meeting prior to the consideration of the agenda for the subsequent meeting, or it shall be the agenda for a special meeting called for that purpose.

31.0 ***Presentations/Recognitions***

31.1 All non-standard presentations and recognitions made to Council at a Regular Meeting must be approved and placed on the agenda through the CAO.

32.0 ***Pecuniary Interest***

32.1 A member who has a pecuniary interest in a matter before Council shall:

32.1.1 Disclose the general nature of the pecuniary interest; and

32.1.2 Leave the meeting before debate and return after the vote is declared.

32.2 The member declaring a pecuniary interest is not considered part of the quorum for the item.

32.3 Pecuniary interests are to be noted in the meeting minutes stating the agenda item in which they pertain to.

32.4 Pecuniary interests for in-camera items are to be noted under “In-Camera” heading; however, the description is not required.

33.0 ***Unfinished Business***

33.1 Unfinished Business remaining at the time of the adjournment due to loss of Quorum shall be considered at the next Regular Meeting or at a Special Meeting called for the purpose of the unfinished business.

MOTIONS IN MEETINGS

34.0 ***Motions***

34.1 Recommendations for motions to be made at a council meeting must be given to the CAO by 4:00 p.m. on the Wednesday immediately prior to the council meeting at which the

motion is to be considered.

- 34.2 A motion must be made prior to any debate or vote occurring.
- 34.3 A recommendation in a report is not a motion until a councillor moves it.
- 34.4 A recommendation in a report may be moved and seconded as the main motion with an amendment included.
- 34.5 Council shall consider only one motion at a time.
- 34.6 After a motion has been moved, it may not be withdrawn without the majority consent of council.
- 34.7 The following motions are not debatable by council:
 - 34.7.1 to raise a point of privilege;
 - 34.7.2 to call for orders of the day;
 - 34.7.3 to raise a point of order;
 - 34.7.4 to withdraw a motion;
 - 34.7.5 to recess or adjourn the meeting; or
 - 34.7.6 to challenge a ruling of the Mayor.
- 34.8 When a motion has been made and is being considered, no councillor may make any other motion except:
 - 34.8.1 to amend the motion;
 - 34.8.2 to refer the main motion to committee of the whole, the administration, a council committee or some other person or group for consideration;
 - 34.8.3 to postpone consideration of the motion; or
 - 34.8.4 to table the motion.
- 34.9 Motions shall have precedence in accordance with the order that they are listed in section 34.7 and then in section 34.8
- 34.10 If a motion fails, the same motion shall not be renewed unless:
 - 34.10.1 a general municipal election has been held; or
 - 34.10.2 one year has passed since the date that the motion was defeated.
- 34.11 Notwithstanding section 34.10, if a motion is defeated, a councillor may introduce a motion calling on council to renew the motion if:
 - 34.11.1 a two-thirds majority of council grants leave to a councillor to introduce a motion calling on council to renew the motion; or
 - 34.11.2 the councillor who wishes to have council renew a motion provides previous notice by setting out in writing what special or exceptional circumstances warrant

further debate.

- 34.12 If a motion succeeds, a councillor may introduce a motion calling on council to rescind the motion or amend a motion previously adopted, provided that the councillor sets out in writing what special or exceptional circumstances warrant further debate.
- 34.13 In emergent situations, where previous notice to rescind or amend a motion previously adopted is not practical, a motion to rescind or amend a motion previously adopted shall require a two-thirds vote of councillors present at the council meeting at which the rescinding or amending motion is introduced.
- 34.14 A motion to rescind, renew or amend a motion previously adopted may not be introduced where the vote on the original motion has caused an irrevocable action.

35.0 *Amendments to Motions*

- 35.1 A councillor who moved a motion may not move an amendment to it.
- 35.2 Any councillor, other than the councillor who moved the main motion, may move to amend a motion.
- 35.3 The councillor who moved the main motion may move an amendment to the amendment.
- 35.4 The Mayor shall allow only:
 - 35.4.1 one amendment to the main motion; and
 - amendment to the amendment to be advanced and considered at a time.
- 35.5 Council must vote:
 - 35.5.1 on an amendment to the amendment, if any, before voting on the amendment; and
 - 35.5.2 on any amendment before voting on the main motion.
- 35.6 When an amendment is on the floor, council may debate only the merits of the amendment and shall not debate the merits of the motion to which it is applied.
- 35.7 The Mayor shall not put the main motion under debate to a vote until all amendments to it have been put to a vote of council.
- 35.8 Once all amendments to the main motion have been voted on, the Mayor shall put forth the main motion under debate to council for a vote, incorporating the amendments that have been passed by council.
- 35.9 Notwithstanding anything in this section, a councillor who has moved a motion may restate the motion to include a proposed amendment if no other councillor objects.

36.0 ***Motions to Refer***

- 36.1 Any councillor may move to refer any main motion, and any pending amendments, to a council committee or the administration for investigation and report.
- 36.2 A motion to refer:
 - 36.2.1 is debatable;
 - 36.2.2 precludes any further amendment to the main motion, until the motion to refer has been addressed by council;
 - 36.2.3 shall include instructions indicating what the receiving body is to do and the date by which council requires a response; and
 - 36.2.4 may be amended only as to the body to which the motion is referred and the instructions on the referral.
- 36.3 The Mayor shall refuse to accept a motion to refer that would have the effect of defeating the motion to which it applies.
- 36.4 Once the body to which a resolution has been referred commences its deliberations, the body may recommend for adoption, any amendment to the resolution so referred, without regard to any amendments considered by council prior to the referral. The resolution proposed by the referral body shall be as if introduced to council for the first time, and council shall be free to consider any amendment to it.

37.0 ***Splitting a Motion***

- 37.1 When a motion is lengthy, complicated or contains a series of independent issues dealing with different subjects, a councillor may request that the motion be split into parts so that each part may be voted upon individually.
- 37.2 A councillor who requests that a motion be split into parts may reword the parts so that the syntactical integrity of each part is maintained, but in doing so shall not change the intent of each part.
- 37.3 The chief administrative officer may, on the request of the Mayor, assist with phrasing the motions that would result from a motion being split so that the motions may be dealt with most effectively by council.

38.0 ***Tabling Motions***

- 38.1 A motion may be tabled by a majority vote of council to enable council to deal with other more pressing matters.
- 38.2 A motion to table:
- 38.2.1 includes all other motions; and
 - 38.2.2 takes precedence over any other motion connected with the motion being tabled.
- 38.3 A motion that has been tabled may be raised from the table at any time by a majority vote of council.
- 38.4 If a motion to raise a motion from the table is defeated, it may only be made again after council has addressed some other matter or business.
- 38.5 When a tabled motion is raised from the table, it is brought back with all motions connected with it, exactly as it was when laid on the table.
- 38.6 A motion fails if it is not raised from the table within one year of being tabled.

39.0 *Postponing Motions*

- 39.1 A motion may be postponed:
- 39.1.1 to later in the meeting to enable council to deal with other more pressing matters; or
 - 39.1.2 to a specified time and/or date; or
 - 39.1.3 until the occurrence of an event; or
 - 39.1.4 indefinitely.
- 39.2 A motion to postpone:
- 39.2.1 includes the motion being postponed and all connected amendments; and
 - 39.2.2 takes precedence over any other motion connected with the motion being postponed.
- 39.3 A motion that has been postponed under section 39.1.1 or 39.1.4 may be considered at any time by a two-thirds majority vote of council.
- 39.4 If a motion to consider a postponed motion is defeated, it may only be made again after council has addressed some other matter or business.
- 39.5 When a motion that has been postponed is brought back to council, it is brought back with all motions connected with it, exactly as it was when postponed.
- 39.6 If a motion has been postponed to a specified time and/or date or until the occurrence of an event, the motion is automatically placed on an agenda for consideration at that time and date or upon the occurrence of the event.

- 39.7 The effect of the motion to postpone a motion indefinitely is to suppress it throughout the current council term.

40.0 *Notice of Motion*

- 40.1 Prior to council adjourning a regular council meeting, councillors will be given an opportunity to bring a notice of motion by reading into the minutes the notice of motion and by providing the chief administrative officer with a written copy of the notice.
- 40.2 A notice of motion given at one regular council meeting will automatically appear on the agenda of the next regular council meeting.
- 40.3 A notice of motion cannot be made at a special council meeting.
- 40.4 A motion of notice is not debatable until a councillor moves the motion.

RULES FOR BYLAWS

41.0 *Bylaws*

- 41.1 The CAO must review the form of each proposed bylaw to ensure that it is consistent with the form of bylaw that council may adopt from time to time by resolution.
- 41.2 Each proposed bylaw must include:
- 41.2.1 the bylaw number assigned to it;
- 41.2.2 a concise title; and
- 41.2.3 the reading to take place.
- 41.3 If the council is not satisfied with the form of a proposed bylaw, council may refuse to consider the bylaw until it is in the proper form.
- 41.4 The bylaw number, concise title of a proposed bylaw and the reading to take place must be included on the agenda of the meeting at which the bylaw is to be introduced.
- 41.5 The CAO must make available a copy of the bylaw to each councillor before the first reading of the bylaw.
- 41.6 Every proposed bylaw must have 3 distinct and separate readings.
- 41.7 After first reading of the bylaw a councillor may move to have the bylaw read a second time.
- 41.8 Council may not give a bylaw more than two readings at a meeting unless councilors unanimously agree to consider third reading at that meeting.

- 41.9 Any amendments to the bylaw that are passed by Council before the motion for third reading is passed:
- 41.9.1 are deemed to have received first and second reading; and
41.9.2 are incorporated into the proposed bylaw.
- 41.10 The CAO may draw council's attention to an error or propose a minor change without affecting the substance of a proposed bylaw and may recommend that council consider an amendment to correct the error.
- 41.11 If amendments to the proposed bylaw have been carried, a councillor may request an opportunity to review the full text of the bylaw as amended prior to third reading and the Mayor shall provide a recess for the councillor to do so.
- 41.12 If any reading of a proposed bylaw fails, all previous readings are rescinded.
- 41.13 A bylaw is deemed to be passed when it receives third reading and it is signed by the Mayor and a designated officer.
- 41.14 Copies of bylaws, once approved, shall be filed in the Bylaw Library and published on the Town of Coronation Web Site.

42.0 Information Requests

- 42.1 A councillor wishing to make an information request of administration shall present it to council at the appropriate time on the agenda of a regular council meeting.
- 42.2 If the CAO is unable to answer the information request at the meeting, the CAO will forward the request to the appropriate official or body in the Town of Coronation for a response.
- 42.3 Unless the information request specifies that the councillor wishes the information to appear on a subsequent agenda, the information will be forwarded directly to all councillors.
- 42.4 If the CAO determines that the requested information should not be supplied, as the corporation has an obligation to keep it private under the provisions of the *Freedom of Information and Protection of Privacy Act*, the CAO shall file a response with council stating the reasons for withholding the information.
- 42.5 If the CAO determines that the time and cost of compiling the information will be considerable, the CAO shall request a resolution of council to approve the request either at the same meeting or a future meeting.
- 42.6 If a councillor who has made an information request wishes to withdraw the request, at the appropriate time on the agenda that councillor shall so inform council.

43.0***Public Hearings***

- 43.1 “Adjourn” used in relation to a public hearing means to take a break in the public hearing with the intent of returning to the public hearing at another meeting or later in the same meeting.
- 43.2 “Close” used in relation to a public hearing means to terminate the public hearing.
- 43.3 The Agenda for Public Hearings shall include those items relating to planning matters in accordance with the MGA, items in which Council has directed to the Public Hearing and items placed on the agenda by the Mayor and CAO.
- 43.4 Members addressing Council are subject to a fifteen minute time frame.
- 43.5 Individuals addressing Council shall provide their name, who they represent and provide the CAO the correct spelling of their name and presentation material to Council to be included in the Corporate Record for the Meeting.
- 43.6 The Mayor, or the CAO, shall inform council of any written submissions and the numbers in favor of and opposed to the matter.
- 43.7 Any person who claims to be affected by the subject matter of the public hearing shall be afforded an opportunity to be heard by the council in person or through an agent, as per Section 230(4) of the Municipal Government Act.
- 43.8 Any councillor or the public may review the written submissions received before the commencement of the public hearing or during the public hearing.
- 43.9 Members shall not ask questions of the Administration until all of the public or representatives have been heard.
- 43.10 The public hearing must be closed before council votes on second reading of a bylaw.
- 43.11 Once the public hearing is closed, council shall not receive any additional information on a proposed bylaw or resolution without reopening the public hearing.
- 43.12 If there is more than one public hearing on the agenda, there shall be a motion to adjourn or close one public hearing before the Mayor opens another public hearing.
- 43.13 Matters that are related to the same topic may be addressed in the same public hearing.
- 43.14 The order of business for each item of a Public Hearing shall be:
 - 43.14.1 Presentation from the Administration and questions of clarification;
 - 43.14.2 Public Hearing presentations by
 - o Those speaking in favor,
 - o Those speaking against, and

o Follow-up questions from members.

43.14.3 Questions of the administration from members; and

43.14.4 Motions.

43.15 Council may hold public meetings to solicit input from the public on issues for which a public hearing is not required.

43.16 Public meetings shall be conducted according to the procedures for public meetings adopted from time to time by council.

44.0 *Adjourning the Meeting*

44.1 When the Mayor is satisfied that all the business and purposes of a meeting have been addressed, the Mayor requests a motion to adjourn the meeting.

44.2 Any councillor may move to adjourn the meeting at any time.

44.3 Meetings shall adjourn at 10:00 pm. If in session at that time, Council may conclude the matter under discussion by a two-thirds vote, taken before 10:00 pm and then recess the meeting.

44.4 Meetings may continue past 10:00 pm with a motion to continue in 1 hour increments with a two-thirds vote.

44.5 The Regular meeting shall reconvene at a time scheduled during the previous Regular Meeting to complete unfinished business remaining at the time of the recess, unless otherwise directed by a two-thirds vote.

44.6 When a motion to adjourn is lost, a new motion to adjourn must be made and adopted. This motion cannot be reconsidered.

45.0 *Communications*

45.1 A council meeting or council committee meeting may be conducted by means of electronic or other communication facilities according to the provisions of the *Act* and policies and procedures adopted by council.

46.0 *Severability*

46.1 If any section or parts of this bylaw are found in any court of law to be illegal or beyond the power of Council to enact, such Section or parts shall be deemed to be severable and all other Section or parts of this bylaw shall be deemed to be separate and independent there from and to be enacted as such.

COMING INTO FORCE AND REPEAL

That Bylaw 2014-622 is hereby rescinded.

This bylaw shall come into effect on the date of final passing thereof.

READ a first time this 14th day of November, 2016.

READ a second time this 12th day of December, 2016.

READ a third time and finally passed this 12th day of December, 2016.



Town of Coronation

**TOWN OF CORONATION
BY-LAW NO. 2017-651**

**BEING A BYLAW TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF COUNCIL IN THE TOWN
OF CORONATION.**

WHEREAS the Municipal Government Act, Revised Statutes of Alberta 2000, authorizes municipalities to pass Bylaws regarding Accountability and Transparency of the municipality and its operations; and

WHEREAS the Municipal Government Act, Revised Statutes of Alberta 2000, authorizes a municipality to establish codes of conduct for Members of Council of the municipality and of local boards of the municipality; and

WHEREAS the Council of the Town of Coronation deems it expedient to adopt a Code of Conduct Policy for Council so that they may carry out their entrusted duties with impartiality and dignity, recognizing that the function of Council Members is, at all times, service to the community and the public; and

NOW THEREFORE the Council of the Town of Coronation hereby enacts a Code of Conduct Policy for Council, attached hereto as "Schedule A".

SHORT TITLE:

This Bylaw shall be cited as the Council Code of Conduct Bylaw.

GENERAL:

1. Members of Council shall:
 - a. Govern their conduct in accordance with the requirements and obligations set out in municipal, provincial, and federal legislation, including adherence to all policies, procedures and Bylaws of the Town of Coronation;
 - b. Govern their conduct in accordance with "Schedule A" of this Bylaw;

- c. Preserve the integrity and impartiality of Council;
- 2. Members of Council acknowledge that their term as a Councillor is for a four (4) year term and that resignation from Council should only occur under extraordinary circumstances.
- 3. Members of Council shall not assume that any unethical activities not covered by or specifically prohibited under this Bylaw or by any legislation are therefore condoned.
- 4. Members of Council will uphold the intent of this Bylaw and govern their actions accordingly.
- 5. The Council Code of Conduct Bylaw and "Schedule A" Council Code of Conduct Policy shall be reviewed by Council every four (4) years starting from the date when the Bylaw is passed.

SEVERABILITY:

Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

REPEAL:

Code of Ethics for Councillors and Council Committee Members Bylaw 2009-570 is hereby repealed.

READ a First time this 11th day of September, 2017.

READ a Second time this 11th day of September, 2017.

READ a Third time and finally passed this 11th day of September, 2017.



Town of Coronation

A BYLAW 2021-677 OF THE TOWN OF CORONATION, IN THE PROVINCE OF
ALBERTA, FOR THE PURPOSE OF PROVIDING REMUNERATION TO
THE COUNCIL OF THE TOWN OF CORONATION

WHEREAS pursuant to the provisions of the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended, the Municipality has the authority to pass bylaws regarding services provided by or on behalf of the Municipality.

AND WHEREAS Council wishes to provide for remuneration for the Chief Elected Official and Councillors.

NOW THEREFORE the Council of the Town of Coronation, duly assembled, hereby enacts as follows:

DEFINITIONS

1. Regular Meeting of Council shall mean regularly scheduled meetings of Council as determined at the Organizational Meeting of Council or by resolution of Council.
2. Special Meeting of Council shall be as defined in the Municipal Government Act, Section 194, as follows:
 - a. The Chief Elected Official may call a Special Council meeting when he/she considers it appropriate to do so and must call a Special Council Meeting if the official receives a written request for the meeting, stating its purpose, from a majority of the Councillors.
 - b. A Special Meeting must be held within 14 days after the date that the Chief Elected Official receives the request or shorter period provided for by bylaw.
 - c. The Chief Elected Official calls a Special Council meeting by giving at least 24 hours notice in writing to each Councillor and the public stating the purpose of the meeting and the date, time, and place at which it is to be held.
 - d. A Special Council meeting may be held with less than 24 hours notice to all Councillors and without notice to the public if at least 2/3 of the whole Council agrees to this in writing before the beginning of the meeting.
 - e. No matter other than that stated in the notice calling the Special Council meeting, may be transacted at the meeting unless the Whole Council is present at the meeting and the Council agrees to deal with the matter in question.

3. Committee meetings shall mean those committees that members of Council have been appointed to or been authorized by resolution of Council to attend.
4. The monthly stipend shall mean a monthly honorarium, plus general expenses and shall include activities such as consultation with the public either by telephone or in-person, attendance and/or presentations at public relations events, such as parades, presentations at school, opening remarks at local events, etc. As outlined in Policy# COUNT –002.
5. Per Diem shall mean the allowance paid to Council while on official Town business and payable only in the event that they are not being remunerated for attending the said function.
6. "Online Meeting" happens via a web browser application or software downloaded on a computer or mobile device. With online meeting software, users can connect with one another via virtual meetings, also known as web conferences or video conferences—this including platforms such as Teams, Zoom, Skype, CISCO, and FaceTime.
7. "Appointed Members at large" is an individual appointed by Council to represent the interests of the community and conducts projects, and accepts duties as assigned by the Town of Coronation and Town Council.

REMUNERATION

Expense claims shall be approved in accordance with guiding principles of

Council Remuneration Policy – COUNT-002 and Council Code of Conduct.

8. The Chief Elected Official shall receive a stipend of \$850.00 per month (\$ 600.00 plus \$250.00 for general expenses). The newly-elected Chief Elected Official shall receive the first stipend for November in the year of the election.
9. The Councillors shall receive a stipend of \$650.00 per month (\$400.00 a month plus \$250.00 for general expenses). The newly elected Councillors shall receive the first stipend for November in the year of the election.
10. Chief Elected Official
 - i. The Chief Elected Official and Councillors shall receive \$100.00 per Committee Meeting up to 4 hours.
 - ii. The Chief Elected Official and Councillors shall receive \$200.00 per Committee Meeting over four (4) hours in length.
11. When a Town of Coronation Councillor or Appointed Member at Large is required to use his/her vehicle to go out of Town-on-Town business, they shall be reimbursed at the rate of \$0.50 per km.
12. Appointed Member at large must;
 - a. All Appointed Members at Large must prepare expense sheets for council approval in a case-by-case situation before the next Regular Meeting.
 - b. Any expense sheet(s) submitted to Administration without Council's pre-authorization will not be paid.

- c. Council will also determine if this can be extended over multiple periods or meetings for expenses.
- d. The Council must preapprove all meal expenses and travel before any function or event.
- e. All expenses will be paid at the same scheduled pay period as staff and Council. No exceptions to this will be made.

13. Councillors in attendance at meetings shall be compensated for meal allowance, where applicable, up to a maximum of \$ 65.00/ per day. As per Schedule "A" provided in Council Remuneration Policy COUNT – 002.

- a. Breakfast \$ 15.00
- b. Lunch \$ 20.00
- c. Supper \$ 30.00

- i. To use Town credit card when possible*
- ii. No alcohol expenses shall be paid for by the Town of Coronation.*
- iii. Receipts are required for the amount expended for each meal.*

14. The Chief Elected Officials, Councillors, and Appointed Member at Large shall be paid with the scheduled pay period for Council upon monthly submission of the appropriate forms to the administration.

15. Training: Each Councillor is allowed to attend courses related to his or her duties. The Council must preapprove all training courses and education courses before taking any courses or training. Course and Training Costs will be dependent on the course and will need to be approved by Council.

16. Councillors who miss Regular or Special Council Meetings without a valid reason acceptable to Council (i.e., illness, injury, employment responsibilities, other Council meetings or commitments, family emergencies, scheduled vacations) shall have their monthly salary deducted \$200.00 per Regular Scheduled Council meeting missed.

17. Miscellaneous charges such as parking, transit, bus, or cab fare may be claimed based on submitted receipts or unless preapproved by Council.

18. The CAO shall be responsible for approving all Councillor and Appointed Members at Large claims, including the Mayor and Deputy Mayor.

- a. A claim not approved by the CAO may be taken to Council to appeal the decision provided a written request is submitted to the CAO before the next proceeding Regular Meeting of Council.
- b. If a claim is not approved by the Council, no expense payment will be provided.

19. Council and Appointed Members at Large will refer to Council Remuneration Policy – COUNT-002 and Council Code of Conduct for details and descriptions related to all remuneration allocations and appropriate expense claims.

20. Council and or Appointed Member at Large with issues related to missing items or one-off situations not outlines under this bylaw or the Council Remuneration Policy, related to any said meeting, hearing, trials, committee meetings, training, ect, seeking compensation for attending said function would be required

to provide the CAO in writing their situation, circumstance or request, to be presented to Council at the next Regular Meeting of Council for Council to deliberate the approval of compensation.

COMMUNICATION EQUIPMENT

- 21.** Each Council Member will be provided with a computer or tablet (from a needs-based allowance) as soon as practicable after each municipal election. This equipment is the property of the Municipality unless it is purchased at the end of the municipal term. The computers must be preloaded with Town of Coronation software and require council information.
- 22.** Each Council Member has the option to purchase their electronics from the Municipality at the end of each municipal term at a depreciated value, at which time it becomes their personal property.
- 23.** Each Council Member is responsible for the security of their computer equipment and all municipal information on their computer in accordance with the Responsibility Agreement.
- 24.** Each Council Member must sign a Responsibility Agreement before receiving new or replacement equipment.

That Bylaw # BYLAW NO. 2018- 657 "Council Pay," is hereby repealed.

That Bylaw # BYLAW NO. 2011- 585 "Council Pay," and all amendments thereto are hereby repealed.

This bylaw comes into force and effect upon October 25th, 2021.

Read this first time in Council this 10th day of May, 2021

Read this second time in Council this 21st day of June, 2021

Read a third time in Council and finally passed in Council this 25th day of October, 2021



Town of Coronation
Council Remuneration Policy

POLICY NAME:	Council Remuneration Policy	Amendment to Policy:	POLICY # COUN-002
POLICY#:	COUN-002	Date of 1st Amendment:	February 25, 2013
DATE PRESENTED TO COUNCIL:	Monday, April 12, 2021	Date of 2nd Amendment:	May 14, 2018
DATE APPROVED:	Monday, November 01, 2021		
DATE AMENDED:	Monday, June 21, 2021		

1. POLICY PURPOSE:

- 1.1. The Municipal Government Act (Section 275.1) allows for compensation to be made to members of the Council for duties performed. It is the Town of Coronation's intention to provide fair and equitable compensation to members of the Council as they carry out their responsibilities. This policy provides guidelines for the provision of remuneration to elected officials. This will also serve as a guideline for Appointed Members at Large (APML)
- 1.2. This policy is intended to clarify which expenses incurred by members of the Council as part of their official duties will be assumed by the Town of Coronation.

2. DEFINITIONS

- 2.1 "Attendance" means attendance in person or via virtual attendance (ex. Skype, teleconference/electronic).
- 2.2 "Appointed member at large" (APML) an individual appointed to represent the interests of the community and conducts projects and accepts duties as assigned by the Town of Coronation and Town Council.
- 2.3 "Board or Committee Meeting" means a meeting of a board or committee to which the Councilor has been appointed to or authorized to attend by Council.
- 2.4 "Town" means Town of Coronation.
- 2.5 "Chief Administrative Officer" (CAO) means the Chief Administrative Officer of Coronation as appointed by resolution or bylaw of Council.

- 2.6. "Council" or "Members of Council" means the duly elected municipal officers of Coronation and the Chief Elected Officer or Mayor.
- 2.7. "Council Meeting Day" means the Second and Fourth Monday from 7:00pm - 10:00pm
- 2.8. "half Day Meeting" means any conference, workshop, seminar, board, or committee meeting less than four (4) hours, including travel time to and from.
- 2.9. "Full Day Meeting" means any conference, workshop or board or committee meeting more than four (4) hours, including travel time to and from.
- 2.10. "Official Capacity" means Council duties determined as per Section 4.1.2. of this policy.
- 2.11. "Regular Meeting" means the regularly scheduled meetings of Council.
- 2.12. "Special Meeting" means a special meeting of Council as considered expedient by the Mayor. (MGA 194)
- 2.13. "Online Meeting" happens via a web browser application or software downloaded on a computer or mobile device. With online meeting software, users can connect with one another via virtual meetings, also known as web conferences or video conferences—this including platforms such as Teams, Zoom, Skype, CISCO, and FaceTime.

3. GUIDING PRINCIPLES

3.1. Council Compensation

- 3.1.1. Mayor and Council and any Appointed Member at Large (APML) shall act as good stewards of the taxpaying dollars and conduct themselves in a manner that maximizes the benefit and value to Coronation, its residents, and businesses; while at the same time, minimizes the financial burden to the same.
- 3.1.2. The contents of this policy shall be considered when creating Council's annual budget.
- 3.1.3. Honorarium rates will be reviewed in the fourth year of a Council term when creating Council's budget for that year and will be amended by resolution by no later than August 31 of that year.
- 3.1.4. Mayor honorarium rates are higher to compensate for the additional responsibilities required of this position.
- 3.1.5. As Deputy Mayor, appointments are shared equally amongst the Councilors, and Councilor honorarium rates are inclusive of compensation for additional responsibilities **required of the Deputy Mayor position.**

4. PER DIEMS AND EXPENSE CLAIMS

- 4.1. When deciding if compensation for per diems and expense is warranted, Mayor and Council and APML must consider the following criteria. If Council can answer yes to all the following criteria, duties will be considered as Official Capacity, and an expense claim should be paid according to this policy.
 - 4.1.1. The expense must have a direct benefit to Coronation, promote Coronation's interests, add value to the community or advance the communities' interests.
 - 4.1.2. The expense must be a result of interaction with a registered third party. (i.e., Not an individual, Council Member, Coronation staff, organization, or affiliation.)
 - 4.1.3. The expense must be defensible to the taxpaying members of Coronation and to public scrutiny.
 - 4.1.4. The expense must be free of bias and conflict of interest.
- 4.2. Reimbursement for any member of Council or APML, for any given day, may exceed the remuneration paid for a day meeting if more than one meeting occurs on the same day, and:
 - 4.2.1. the first meeting meets the definition of a "Day Meeting"; and
 - 4.2.2. the second and subsequent meeting meets the definition of a Regular, Special, Board or Committee meeting; and
 - 4.2.3. the meetings attended are for separate entities.

5. Honorariums

5.1. Monthly Honorarium

- 5.1.1. Council will receive a monthly honorarium in accordance with their appointed seat as per Schedule A of this policy.
- 5.1.2. The monthly Honorarium shall be increased each year over the four-year term in relation to the Alberta Cost of Living Allowance at the time.
- 5.1.3. Monthly Honorarium includes Councilor duties in attendance too, but not limited to the following:
 - 5.1.3.1. Public consultation and/or meetings (i.e., community groups, steering committee meetings, recreational facility, school boards, open houses).
 - 5.1.3.2. Dealing with and responding to public concerns from citizens, clubs, organizations, and businesses, etc.
 - 5.1.3.3. Ceremonial duties including attendance at ceremonies, grand openings, banquet, luncheons, parades, open houses, new equipment arrival, ribbon cuttings etc. within Coronation and participation at golf tournaments regardless of geographical location.

- 5.1.3.4. Attendance or participation at Coronation social events ex: Christmas party, golf tournament, volunteer appreciation, etc.)
 - 5.1.3.5. Preparation for Council meetings and Council committee meetings.
 - 5.1.3.6. Cheque and agreement signing.
 - 5.1.3.7. Meeting attendance at Internal Boards and Committees with the majority of members Councilors.
 - 5.1.3.8. Other requests of Councilor as approved by Council.
 - 5.1.3.9. Council remuneration is to cover the cost of all meetings within the municipality, this includes the duties of the Mayor, all Members of Council, and all Appointed Members at Large, none will be permitted to submit an expensed or travel for local meetings, unless approved by council.
 - 5.1.3.10. Meetings held outside of the municipality will eligible for a councilor to submit an expense claim and travel claim as outlined in schedule "A."
 - 5.1.3.11. Meetings that any Appointed Member at Large must attend, will require council approval and be pre-approved prior to the meeting for expense eligibility.
- 5.1.4. Monthly Honorarium shall be paid in accordance with Revenue Canada's provisions for Elected Officers, 1/3 of the total allowances and honoraria paid to municipal officials will be in lieu of expenses incidental to the discharge of Council duties and are exempt from taxation in accordance with the Income Tax Act. The remaining 2/3 of these earnings are subject to income taxation.
- 5.1.5. Honorarium shall be paid to all members of Council without needing to submit a claim for it.

5.2. Meeting Honorarium

- 5.2.1. Meeting Honorarium will not be received if a member of Council is absent from meetings included in sections 5.2.2 unless the absence is approved by Council resolution.
- 5.2.2. Meeting Honorarium is paid to all members of Council for the following meetings:
 - 5.2.2.1. Regular Council Meetings
 - 5.2.2.2. Special Council Meetings
 - 5.2.2.3. Committees, Board, Commission Meetings and Public Forums.
 - 5.2.2.4. Attendance at budget sessions, planning sessions and strategic initiative sessions.
 - 5.2.2.5. Council orientations.
 - 5.2.2.6. Administrative Officer performance and evaluation meetings.
 - 5.2.2.7. Attendance at conferences (i.e., AUMA, FCM), seminars, workshops and courses with content / subject matter directly related to Council appointments.
 - 5.2.2.8. Attendance at activities as per Professional Development (Section 4.6 of this Policy).
 - 5.2.2.9. Appointed alternate attendees when the main board member is unable to attend.
 - 5.2.2.10. Meetings with Provincial/Federal elected officials (i.e., Minister/ MLA) held outside Coronation boundary.

- 5.2.3. Meeting Honorarium shall be increased each year over the four-year term in relation to the Alberta Cost of Living Allowance at the time.

5.3. Monthly Submission Claim Form

- 5.3.1. Meeting activities shall be compensated for upon submission and approval of a claim form.
- 5.3.1.1. Claim forms must be submitted in accordance with the current year's payroll schedule.
- 5.3.1.2. The CAO shall be responsible for approving all Councilor claims, including the Mayor and Deputy Mayor and APML.
- 5.3.1.3. A claim that is not approved may be taken to Council to appeal the decision.
- 5.3.2. Meeting claims will not be paid for the following:
- 5.3.2.1. Events listed under Monthly Honorarium (Section 5.2. of this policy).
- 5.3.2.2. Attendance at events that are not in official capacity.
- 5.3.2.3. Attendance at social events including, but not limited to, the ceremonial duties in Section 5.2.
- 5.3.3. Time calculated for expenses shall include travel time to and from the activity with a starting point in Coronation or if starting at another point, whichever is less.
- 5.3.4. If an external board or committee pays per diems to a member that is less than the Coronation's per diem rate, a Member of Council appointed to that board may claim only the difference between the Coronation per diem and the board or committee per diem and/or mileage. Council members shall not be paid more than what is identified in this policy, including Per Diem rates in Schedule A.
- 5.3.5. Anything not specifically covered by a per diem shall be considered as being compensated for by Honorarium unless approved by Council.

5.4. Expenses

- 5.4.1. Expense claims shall be approved in accordance with the guiding principles of section 3.1 of this policy.
- 5.4.2. Expenses incurred shall be reimbursed upon submission and approval of a claim form.
- 5.4.2.1. Expense claim forms must be submitted per the current year's payroll schedule.
- 5.4.2.2. The CAO shall be responsible for approving all Councilor claims, including the Mayor and Deputy Mayor and APML.

- 5.4.2.3. A claim that is not approved may be taken to Council to appeal the decision.
- 5.4.3. Expenses incurred for the following will not be paid or reimbursed.
 - 5.4.3.1. Expenses incurred for attendance at events that is not in an official capacity or approved by Council prior to attendance.
 - 5.4.3.2. Expenses or mileage for events within Coronation listed under Monthly Honorarium (Section 4.1 of this policy).
 - 5.4.4. Meal reimbursement will be set during the review during the final term of the four-year term and updated accordingly. Please refer to Schedule A for more information
 - 5.4.4.1. Mayor and Council are to submit receipts for meals (receipts not to exceed daily allowance).
 - 5.4.4.2. When breakfast, lunch or dinner is provided at a conference, seminar, workshop, or meeting, meal allowances or receipted meals will not be reimbursed without Council approval.
 - 5.4.5. Travel reimbursement (with a travel starting point in Coronation or if starting at another point, whichever is less) will be set during the review during the final term of the four-year term and updated accordingly. Please refer to Schedule A for more information.
 - 5.4.5.1. If a personal vehicle is used for an official Coronation business outside of Alberta, a cost comparison must be performed listing the costs associated with driving versus flying. The cost comparison should be made prior to the trip and for the same dates as the planned business trip. The driving cost estimate should include mileage, rental car charges (if applicable), meals, lodging in-route and associated highway toll charges. The airfare cost estimate should include the roundtrip cost of the lowest available commercial airfare prior to the date of the trip, roundtrip mileage to the airport, airport parking, taxi/shuttle expense from the airport to the business destination or rental car charges at business destination if necessary. The reimbursement amount claimed must be the lesser of the lowest cost estimated by flying or driving. Personal safety should always be taken into consideration when making travel arrangements.
 - 5.4.5.2. Lodging will be arranged by Administration, and lodging expenses will be based on the rate provided. If a Councilor wishes to upgrade their lodging, they will be responsible for the difference in rates.
 - 5.4.5.3. Telephone calls may be claimed based on one (1) five-minute call home per day and calls related to Town business.
 - 5.4.5.4. Miscellaneous charges such as parking, transit, bus, or cab fare may be claimed based on submitted receipts.

5.4.5.5. Receipts for a private car or limousine service will only be accepted when used to transport all of Council or if pre-approved by Council at a Regular Council Meeting before the scheduled events. If the chartered services have not been pre-approved by Council or approved by Council, all Council members will be responsible for the total cost of any chartered service rental.

5.4.6. Additional Expenses:

5.4.6.1. If requested, tickets for any social event or sporting event will be requested through the Council at the first possible Regular Meeting of Council before the event or sporting event.

5.4.6.1.1. If a member of the Council cannot attend, any other Member of Council must be given the opportunity to utilize the ticket.

5.4.6.1.2. If no member of the Council can attend, all staff members must be given the opportunity to utilize the ticket.

5.4.6.1.3. Suppose none of the Council or Staff members can attend the function. The Councillor who requested the tickets for the function shall reimburse the Town of Coronation for the full amount of the expense.

5.4.6.2. **Guest Expenses:** Coronation shall not pay for guest expenses associated with Council activities. This includes travel, accommodation, registrations, meals, tickets to events and other similar expenses unless agreed upon by Council.

5.4.7. Political Events:

5.4.7.1. Should a Member of Council attend a political event on behalf of Coronation, for which proceeds support a political party or candidate, Coronation shall not reimburse any portion of a meal or event expense that constitutes proceeds to a political party, constituency association or candidate. Also, Coronation cheques, purchase orders or procurement cards shall not be used to pay for any portion of a meal or event expense that constitutes proceeds to a political party, constituency association or candidate.

5.4.7.2. The individual purchasing a ticket for a political event may retain the tax receipt for his or her own purposes. The tax receipt, issued by the party, constituency association or candidate should be in the name of the individual purchasing the ticket.

6. Professional Development

6.1.1. Mayor and Council will determine a professional development plan and budget each year during the annual budget process.

6.1.2. Funds budgeted annually for per diems and expenses related to conferences, seminars, workshops, and meetings are divided equally between Councilors for their discretionary use to attend the conferences, seminars, workshops, and meetings of their choice. These funds may not be transferred from one Councilor to another unless approved by Council resolution.

6.1.2.1. If attendance at any education or professional development activity will result in a member of Council exceeding any portion of their individual budget, a resolution of Council is required.

6.1.3. Council Members attending professional development activities are expected to report on their event to the Council at the next regular meeting of Council.

7. Effective Date

7.1. This policy shall take effect November 1st, 2021.

Schedule "A"

Honorarium and Expense Reimbursement Rates

1. Monthly honorariums for members of the Council;
 - a. Mayor \$ 850.00 per month
 - b. Councillor \$ 650.00 per month
2. Appointed member at large must;
 - a) All elected members at large must prepare expense sheets for council approval in a case-by-case situation before the next Regular Meeting.
 - b) Any expense sheet(s) submitted to Administration without Council's pre-authorization will not be paid.
 - c) Council will also determine if this can be extended over multiple periods or meetings for expenses.
 - d) All expenses will be paid at the same scheduled pay period as staff and Council. No exceptions to this will be made.
 - i. \$200.00 per day (4 hours or more)
 - ii. \$100.00 for a half-day (4 hours or less)
3. Maximum Meal Allowances:
 - a. Breakfast \$ 25.00
 - b. Lunch \$ 30.00
 - c. Dinner \$ 40.00

Maximum: \$95.00/per day

 1. Must use Town credit card when possible.
 2. No alcohol expenses shall be paid for by the Town of Coronation.
 3. Receipts will be required for the amount expended.
4. Mileage: \$0.50/per km/

Training: Each Councilor is allowed to attend courses related to his or her duties. The Council must approve all training courses and education courses before taking any courses or training. Course and Training Costs will be dependent on the course and will need to be approved by Council.