TOWN OF CALMAR COMMITTEE OF THE WHOLE MEETING TO BE HELD VIRTUALLY ON JUNE 13, 2022, COMMENCING AT 7:00 PM GoToMeeting Public Access Code: 883-358-981

AGENDA

CODE	I <u>TEM</u>	<u>SOURCE</u>
	1	Call to Order

- 1. Call to Order
- 2. Adoption of Agenda
- 3. Delegations None

4. Unfinished Business

a) Bylaw 2021-28 – Council Procedural bylaw

5. Bylaws or Policies

- a) Bylaw 2017-13 Business licensing bylaw
- b) Policy 2018-053 Public participation Policy

6. New Business

- a) Budget process (discussion)
- b) Procurements (discussion)
- c) Strategic planning and advocacy initiatives (discussion)
- 8. Closed Session None

9. Adjournment



Request for Discussion (RFD)

Meeting: Meeting Date: Originated By: Title:	Committee of the Whole June 13, 2022 CAO Losier Council Procedural Bylaw 2021-08 Potential changes and discussion	
Approved By: Agenda Item Number:	Chief Administrative Officer, Losier 4 A	

BACKGROUND/PROPOSAL:

At the May 9 COW meeting, a discussion occurred about various sections. Motion CR-22-05-0245 required Administration to bring this item back to COW. The table below contains the sections in question.

Section #	Proposed Changes	
Part II Sec 3 d	Clarifies the Mayor may not also be the Presiding Officer.	
Part III Sec 12		
Part III Sec 15	Removed-this is contrary to Sec 174 of the MGA	
Part IV Sec 16	Allows Presiding Officer to name the Deputy Mayor or another member of Council to preside over the meeting.	
Part IV Sec 19	Changes "mayor" to "Presiding Officer".	
Part V Sec 21	Adds the provision for the Deputy Mayor to approve the agenda in the absence of the Mayor	
Part V Sec 24	Ensures that all correspondence addressed to Council will be included in the Council Agenda.	
Part V Sec 26	The term "emergent" changed to "time sensitive". This would allow for items that need to be dealt with prior to the next scheduled council meeting can be dealt with.	
Part VI Sec 31	"Mayor or Presiding Officer" changed to "Presiding Officer".	
Part VI Sec 32	"Mayor or Presiding Officer" changed to "Presiding Officer".	
Part VI Sec 34	"Mayor or Presiding Officer" changed to "Presiding Officer".	
Part VI Sec 39	Section removed-a Member may not know or may not wish to make a statement supporting or not supporting a motion.	
Part VI Sec 43	Removed.	



Include a provision for Councillors who may be attending by audio only.
Renumber Sections as there are 2 Section 48 and 2 Sec 49
Removed-to be included in Committee of the Whole Bylaw
Removed-a Committee of the Whole Bylaw to be developed
"Mayor" changed to "Council" as the Mayor cannot independently make
decisions of Council;
(m) change "Authority" to "Commission"
(s) include committee
(v) clarify future committees will be established by bylaw
Removed-contrary to MGA Sec 145.
"Legislative Assistant" changed to CAO or delegate.
Removed-these provisions are included in the Remuneration Policy #
Section #'s will need to change as needed.

Following the May 9th meeting, Administration has received comments about public participation in Council meetings. This brought the attention towards sections 14 (Virtual meetings) and 25 (order of business). Administration also noticed older versions of procedural bylaws and will review minutes and bylaws to see if they were rescinded.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

The above changes to the Procedure Bylaw will align more closely with the requirements of the Municipal Government Act.

Regarding meetings, virtual and physical access should be granted to those who wish to attend Council meetings. Community members have indicated that the virtual meetings/communication is creating confusion. Using both approaches would allow to reach a broader audience. Furthermore, Administration would like to investigate options regarding public advertisements/notification to increase the Town's transparency and outreach.

As for order of business, Administration would like Council to explore/discuss the possibility of adding a public commentary section to simplify the process and increase Council's accessibility. Administration believes that a distinction should occur between a person/group of persons desiring to be a delegation versus a resident that wants to bring something to Council's attention.

Next steps could include preparing a draft bylaw for Council to review and bringing the draft Committee-of-the-whole bylaw to Council.

COSTS/SOURCE OF FUNDING (if applicable) None.

TOWN OF CALMAR BYLAW 2021-28

Being a Bylaw of the Town of Calmar, in the Province of Alberta, to Regulate the Procedure of Council

WHEREAS, pursuant to Section 145 of the Municipal Government Act, Chapter M-26, RSA 2000, and amendments thereto, Council may pass a Bylaw to regulate the affairs of Council;

NOW THEREFORE, the Council of the Town of Calmar, in the Province of Alberta, duly assembled, enacts as follows;

Part I. TITLE AND PURPOSE

- 1. This Bylaw may be cited as the Council Procedural Bylaw.
- 2. The purpose of this Bylaw is to establish rules and regulations for the order and conduct in which the business of all Council meetings shall be transacted.

Part II. DEFINITIONS, APPLICATION AND INTERPRETATION

- 3. In this Bylaw,
 - a. "Chief Administrative Officer" means the Chief Administrative Officer of the Town of Calmar or his/her delegate;
 - b. "Council" means the Council of the Town of Calmar;
 - c. "Deputy Mayor" means the Member appointed pursuant to Section 7 of the Bylaw;
 - d. "Mayor" means the Chief Elected Official or Presiding Officer of the Town of Calmar;
 - e. "Member" means a member of Council of the Town of Calmar;
 - f. "MGA" means the Municipal Government Act, RSA 2000, c.M-26;
 - g. "Presiding Officer" means the person who has been given authority to direct the proceedings of a meeting;

Application

4. This Bylaw shall apply to all meetings of Council.

Interpretation

5. Any matter of meeting conduct which is not herein provided for, shall be determined in accordance with the Municipal Government Act, and then "Robert's Rules of Order", in that order.

Part III. ORGANIZATION OF COUNCIL

Organizational Meeting

6. Council shall hold an Organizational Meeting each year at any time within two (2) weeks of the third Monday in October.

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- 7. At the Organizational Meeting, Council shall establish by resolution for the term of office:
 - a. the roster for each Member to act as Deputy Mayor on a rotating basis;
 - b. the dates, time of commencement and adjournment and place of the regular Council meetings and Council Committee meetings;
 - c. the Council Committee appointments and the rotating schedule for committee membership; and
 - d. any other business described in the notice of the meeting.

Inaugural Meeting

- 8. The Organizational Meeting immediately following a general municipal election shall be called the inaugural meeting.
- 9. The Mayor and each Member shall take the prescribed oath of office as the first order of business at the inaugural meeting.
- 10. Until the Mayor has taken the oath of office, the Chief Administrative Officer shall chair the inaugural meeting.

Quorum

11. Quorum of Council is 3 Members present who are eligible to vote.

Lack of Quorum

12. If there is no quorum present within half an hour after the time appointed for a Regular Meeting of Council, the Chief Administrative Officer shall record the names of the Members of Council who are present and the meeting shall be adjourned until the next Regular Meeting unless a Special Meeting has been duly called in the meantime. Notice of adjournment shall be posted on the outside door of access to the Council Chambers.

Absence of the Mayor and Deputy Mayor

13. In case the Mayor or Deputy Mayor is not in attendance within 15 minutes after the hour appointed for a meeting and a quorum is present, the Chief Administrative Officer shall call the meeting to order and a chairman shall be chosen by Members present, who shall preside during the meeting or until the arrival of the Mayor or Deputy Mayor, who may assume chair at his/her discretion, if all present are unanimous in continuing.

Virtual Meetings

- 14. All Council meetings will be virtual unless otherwise decided by the majority of Council through a resolution.
 - a. Notice of the connection information for public access and participation in the meeting will be published on the agenda.
 - b. In person attendees will also participate in the meeting using the virtual connection.
 - c. Public viewing and sound for the virtual connection will be displayed in Council chambers when open to the public.
 - d. Councillors participating in the meeting are deemed to be present at the meeting.

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15. Extended absences from the community of eight consecutive weeks or more will require an approval resolution from Council to be considered in attendance.

Part IV. DUTIES OF OFFICIALS

Duties of the Mayor

- 16. The Mayor at his/her discretion may allow the Deputy Mayor to preside over the meeting in his/her presence.
- 17. As soon after the hour of the meeting as there is a quorum present, the Mayor shall take the chair and call the meeting to order.
- 18. The Mayor or Presiding Officer shall:
 - a. preserve order and decorum; and
 - b. decide questions of order, subject to an appeal to the Council by resolution. The decision of the Mayor shall be final unless reversed or altered by a majority vote of Members present.

Duties of the Deputy Mayor

- 19. The Deputy Mayor shall act as the Mayor:
 - a. when the Mayor is unable to perform his/her duties;
 - b. if the office of Mayor is vacant.

Duties of the Chief Administrative Officer

- 20. The Chief Administrative Officer shall, subject to the Act:
 - a. provide Council with information and advice with respect to the operation of the Town;
 - b. when requested, provide information and advice to the Mayor and Council on procedural matters in Council; and
 - c. keep on file copies of Bylaws which have been read a third time and passed.

Part V. AGENDAS FOR COUNCIL MEETINGS

- 21. The agenda for each Regular, Committee of the Whole and Special Meetings shall be approved by the Chief Administrative Officer in cooperation with the Mayor and submitted together with copies of all pertinent correspondence, statements and reports to each Member of Council at least three days prior to each Regular Meeting.
- 22. Any Member of Council, Town Official or any other person wishing to have an item of business placed on the agenda, shall make their written submission to the Mayor and Chief Administrative Officer not later than 10:00 am four business days prior to the meeting. The submissions shall contain adequate information to the satisfaction of the Chief Administrative Officer to enable Council to deal with the matter.
- 23. Council reports must be submitted as information in writing at each Regular Council Meeting three business days prior to the meeting.
- 24. When a communication intended for Council is received by the Chief Administrative Officer, he/she shall place it on the agenda of Council unless the Chief Administrative Officer considers the matter libellous, or

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administrative in nature, in which case the Chief Administrative Officer shall advise the originator that the communication is not being sent to Council.

- 25. The order of business on the agenda shall be as follows:
 - a. Call to Order
 - b. Adoption of Agenda
 - c. Public Hearings
 - d. Delegations
 - e. Adoption of Minutes
 - f. Unfinished Business
 - g. Bylaws and/or Policies
 - h. New Business
 - i. Financial Information
 - j. Department Reports
 - k. Council Reports
 - I. Correspondence
 - m. Clarification of Agenda Business
 - n. Closed Session
 - o. Adjournment
- 26. No item of business shall be considered by the Council if the item has not been placed on the agenda unless the Members of Council present, by a two-thirds majority vote, agree to the item being placed on the agenda. The Mayor, Members of Council and the Chief Administrative Officer shall be given an opportunity to state why an item should receive consideration on the agenda because of its emergent nature before the motion is put to vote.
- 27. On Friday afternoon preceding a Regular Council Meeting, the official notice of the agenda shall be posted on the Town Office front door and Council Chambers door for public viewing. The agenda package may also be posted on the Town's media platforms.

Part VI. <u>GENERAL RULES OF COUNCIL</u>

- 28. Upon the Meeting being called to order, motion shall be presented to adopt all or part of the circulated agenda for the meeting. Upon adoption of the meeting's agenda, the Mayor shall call for a motion adopting the minutes of the preceding meeting or meetings as circulated or as read, which motion shall be voted on, either by consent or amendment of any errors or omissions contained.
- 29. All reports made by a Council Member shall be placed on file and outlined in the minutes only if presented in a written format, otherwise recorded in the minutes only as "oral report presented".
- 30. Meetings of Council shall adjourn no later than three hours after the start unless Members of Council present, by a four-fifths majority vote, agree to an extension of time.
- 31. When the Mayor or Presiding Officer is called on to decide a point of order or practice, the Mayor or Presiding Officer shall do so without argument or comment and shall state the rule of authority applicable to the case.
- 32. Every Member wishing to speak to a question or motion shall address the Mayor or Presiding Officer. The Address to the Presiding Officer shall be "Mayor" or "Chair" when a topic is opened, subsequent discussion may be less formal with the use of given names and shall be respectful.

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- 33. No person shall be permitted to speak unless, and until, that person has been recognized by the Presiding Officer and then only so long as all remarks are addressed to the Presiding Officer. The Mayor or Presiding Officer will address other Council Members in a formal and respectful manner.
- 34. The Mayor or Presiding Officer shall have authority to set a time limit and the number of times that a Member may speak on the same question or resolution having due regard to the importance of the matter.
- 35. After a motion is read by the Mayor or Presiding Officer it shall be deemed to be in possession of the Council, but may be withdrawn at any time before decision or amendment with the permission of the mover.
- 36. When a motion is regularly before the meeting it may be:
 - a. carried
 - b. debated
 - c. amended
 - d. defeated
 - e. withdrawn, ie: withdrawn at the request of the maker with the permission of all Members of Council present.
 - f. laid on the table, ie: laying a pending question aside temporarily
 - g. referred, ie: turning the question over to a committee or administration for study; or
 - h. postponed, ie: postpone indefinitely or to a certain time, a means of avoiding a direct vote until a later time.
- 37. No motion shall be offered that is substantially the same as one on which the judgement of the meeting has already been expressed during the same meeting. Where a question under consideration contains distinct propositions, each proposition shall be made as a separate motion when any Member so requests, or the Presiding Officer so directs. If the vote is taken on each proposition it then becomes unnecessary to vote on the question which was separated.
- 38. A motion to refer, until it is decided, shall preclude all amendments to the main question. The motion is debatable.
- 39. When speaking to a motion a Member shall, before entering upon the substance of his remarks, state whether he/she is for or against the motion.

Amendments

- 40. Every amendment must be relevant to the question on which it is proposed. Any amendment offered which raises a new question can only be considered as a new distinct motion after notice.
- 41. An amendment proposing a direct negative is out of order.
- 42. All amendments shall be put in the reverse order to that in which they are moved; and every amendment shall be decided upon or withdrawn before the main question is put to vote. Only one amendment to the main motion at one time shall be allowed, and only one amendment shall be allowed to an amendment at one time.
- 43. No Member may move to amend his/her own motion.
- 44. A sub amendment (amendment to the amendment) shall not enlarge the scope of the amendment but should deal with matters not covered by the amendment.

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45. All motions shall be stated by the Presiding Officer or Chief Administrative Officer before being debated or voted on.

Voting

- 46. After any question is finally put by the Mayor or other Presiding Officer, no Member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared. The decision of the Mayor or the Presiding Officer as to whether the question has been finally put shall be conclusive.
- 47. Voting on all matters shall be done by raising of the hand in such a clear manner that they may be easily counted by the Presiding Officer.
- 48. After the Presiding Officer has counted the vote, the Presiding Officer shall declare whether it was "carried" or "defeated".
- 49. Except where provided for in this Bylaw or by the applicable legislation, a majority vote of the Members present who are eligible to vote, shall decide a question or motion before Council. A tie vote results in a "defeated" motion.

Adjournment

48. When a member(s) of the public is in attendance and Council temporarily adjourns to sit in Closed Session:

In Chambers - Council shall leave the Council Chambers and convene the Closed Session in the Board Room along with any persons and staff that Council deem necessary to be included in the Closed Session. Following discussions in Closed Session, Council shall return to the Council Chambers to reconvene and resume the Council or Committee Meeting.

Virtual – Council shall leave the meeting with the connection open and convene in a separate private meeting connection.

49. Council may adjourn from time to time to a fixed future date any regular or special meeting of Council which has been duly convened but not terminated. The object of adjourning is to finish the business which the meeting was called to transact in the first place, but which has not been completed.

Bylaws

- 50. The question that "Bylaw # be read a first time", shall be decided without amendment or debate, but not motions for subsequent reading.
- 51. Every bylaw shall be read a third time before it is signed by the Mayor and Chief Administrative Officer.

General Discussion Meetings

- 52. The business of standing and special committees including Council Committee Meetings shall be conducted in accordance with the rules governing procedure in the Council, except that:
 - a. no motion need be recorded;
 - b. no Member shall be as to the number of times allowed to speak to the question under construction; and
 - c. no Member may move the previous question.

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Part VII. <u>PETITIONS AND DELEGATIONS</u>

- 53. When a person wishes to appear before the Council to present a petition or speak on behalf of a delegation, he/she shall send a request in writing in accordance with Section 22 of this Bylaw. Such appearances before the Council shall be limited to ten (10) minutes unless the Council, by a majority vote, agrees to extend the time.
- 54. Council shall hear all delegations who have brought their items of business on to the agenda in accordance with Part VI in the order in which they are placed on the agenda or the order may be changed by a majority vote of Members present. All rules of Council in this Bylaw shall apply to each and every Member of the delegation.

Part VIII. COMMISSIONS, COMMITTEES AND BOARDS

- 55. The following Council committee is hereby established:
 - a. Committee of the Whole
- 56. This Committee shall be comprised of all Members of Council. The Chairperson shall be the Mayor unless the Members present by majority vote agree to any change.
- 57. The Mayor shall appoint representatives and appoint alternates, where applicable, to the following Commissions, Committees and Boards at the Organizational meeting each year, in a fair an equitable manner with consultation from the Members:
 - a. Municipal Planning Commission
 - b. Subdivision & Development Appeal Board
 - c. Local Assessment Review Board
 - d. Composite Assessment Review Board
 - e. Calmar Public Library Board
 - f. Yellowhead Regional Library Board
 - g. Calmar and District Recreation Committee
 - h. Leduc County FCSS Advisory Board
 - i. Capital Regional Southwest Water Services Commission
 - j. Communities In Bloom Committee
 - k. Leduc County Fire Services Advisory Committee
 - I. Leduc Regional Emergency Management Committee
 - m. Leduc and District Regional Waste Management Authority
 - n. Edmonton Metro Region Waste Advisory Committee
 - o. Leduc Regional Housing Foundation
 - p. THE CHAMBER Leduc, Nisku, Wetaskiwin Regions
 - q. Public Communication and Marketing Committee
 - r. Senior Citizens Club Advisor Representative
 - s. 39/20 Alliance Board
 - t. Youth Council Committee
 - u. Such other Commissions, Committees and Boards as Council may deem appropriate or necessary from time to time.
- 58. A Special Committee may be appointed at any time by the Council or by the Mayor acting upon the instructions of the Council, providing that a motion has been adopted specifying the matters to be dealt with by the Committee.
- 59. It shall be the duty of the Chairman of each standing or special committee, or in case of his/her illness or absence for the Town, it shall be the duty of the Legislative Assistant to summon Members for meetings and for special meetings when necessary or whenever requested in writing to do so by a majority of Members of any such committee. The Mayor shall be advised in a similar manner as other Members when any meetings are called.

Part IX. DUTIES OF REPRESENTATIVES OF COMMISSIONS, COMMITTEES AND BOARDS

- 60. The members of Commissions, Committees and Boards have the following duties:
 - a. to report to the Council whenever desired by the Council and as often as the interest of the Town may require on all matters connected with the duties imposed upon such committee and to recommend such action by Council as it deems necessary within its term of reference;
 - b. to observe, unless otherwise specifically permitted, the rules prescribed by the Bylaws of the Council.
 - c. to make reports of all committees to Council prior to the same being given to the public.

Part X. COUNCIL REMUNERATION

- 61. Compensation and expenses for Council will be paid out as laid out in the Council Compensation and Expense Policy.
- 62. Compensation and expense claim forms are to be completed and submitted for review to the Mayor in accordance with Council Compensation and Expense Policy. No claims submitted after 60 days can be approved without authorization from Council.
- 63. Prepayment of registration fees will be initiated by the Chief Administrative Officer upon request and receipt of a completed registration form.
- 64. Council compensation will be reviewed as part of the annual Organizational Meeting of Council.
- 65. Administration to provide Council with a quarterly budget variance report.
- 66. That Bylaw #2019-09 is hereby repealed.

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Part XI. **EFFECTIVE DATE**

67. This Bylaw shall come into full force and effect on final reading.

READ A FIRST TIME THIS 2nd DAY OF NOVEMBER, 2021.

READ A SECOND TIME THIS 2nd DAY OF NOVEMBER, 2021.

READ A THIRD TIME THIS 2nd DAY OF NOVEMBER, 2021.

<u>A</u> Canhan Mayor Carnahan

Town Manager Krawchuk, CLGM

This Bylaw signed this 2nd day of November, 2021.



Request for Discussion (RFD)

Meeting:	Committee of the Whole
Meeting Date:	June 13, 2022
Originated By:	CAO Losier
Title:	Business Licensing Bylaw discussion
Approved By:	Chief Administrative Officer, Losier
Agenda Item Number:	5 A

BACKGROUND/PROPOSAL:

At the May 30th special Council meeting, Council identified the need to review the bylaw to address special events.

Section 5 of the bylaw stipulates that no business can be conducted without a business licence unless specifically exempted by law. Section 9 contains all exemptions to the requirement of obtaining a license. Clause 9E contains exemptions related to special events and enumerates specifically trade show, Craft Fair, farmer's Market and Garage Sale.

According to the Bylaw, mobile vendors are "non-resident business" as defined in the Bylaw. If they intend to operate only for one day, a "single project business" license could be pursued, but this option is not viable for the business should they want to participate in more than 3 events.

Mobile vendors could play a significant role in the success of certain summer events, and the resident businesses typically support the community year-round. Therefore, it is important to pursue a balanced approach between these services.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

Administration should review surrounding municipalities bylaw prior to making any substantial changes to the Business License Bylaw. Having said this, we are upon Summer, and many special events will take place. To facilitate participation of mobile vendors in summer events, a strategy needs to be implemented. Said strategy could be done as a pilot project for this summer while Administration prepares a draft bylaw that would be more comprehensive.

Furthermore, Administration should engage the business community before making its recommendation for the bylaw amendments or replacement.

COSTS/SOURCE OF FUNDING (if applicable)



Should Council decide to change the bylaw or the fee structure, there could be a financial impact.

TOWN OF CALMAR

BYLAW #2017-13

BEING A BYLAW OF THE TOWN OF CALMAR, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE REGULATION, CONTROL AND LICENSING OF BUSINESSES AND TRADES, PROFESSIONS AND OCCUPATIONS CARRIED ON WITHIN THE CORPORATE LIMITS OF THE TOWN AND TO PROVIDE FOR THE APPOINTMENT OF A BUSINESS LICENSE OFFICER.

WHEREAS, pursuant to Section 7(a) and Section 8 of the *Municipal Government Act, C. M-26, RSA*, 2000, as amended, a Council may pass bylaws for municipal purposes respecting to businesses, business activities and person(s) engaged in business; and regulate, control and license said businesses;

WHEREAS, pursuant to Section 7(i) of the *Municipal Government Act, C. M-26, RSA, 2000*, as amended, a Council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the *Municipal Government Act* or any other enactment including any or all of the matters listed therein; and

AND WHEREAS, it is deemed desirable and equitable to enact a bylaw establishing a system of licensing, regulation and control for businesses, trades, professions and occupations carried on within the Town of Calmar.

NOW THEREFORE, the Council of the Town of Calmar, in the Province of Alberta, duly assembled enacts as follows:

1. <u>TITLE</u>

This Bylaw shall be cited as the "Business Licensing Bylaw" of the Town of Calmar.

2. INTERPRETATION and DEFINITIONS

In this Bylaw, unless the context otherwise requires:

- a). "Applicant" means a person who applies for a license or renewal of a license required by this Bylaw.
- b). "Application" means a written application for a business license as provided by this Bylaw.
- c). "Business" means any business, trade, profession, industry, occupation, employment or calling and the providing of good and / or services.
- d). "Business License Category" means one of the following:
 - "Resident Business" means a person, firm or corporation within the corporate boundaries of the Town of Calmar who operates their business, trade, profession or occupation from taxable premises.
 - ii). **"Non-Resident Business"** means a person, firm or corporation who **does not** operate its business, trade, profession or occupation from taxable premises with the Town of Calmar.

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- iii). "Resident General Contractor" means any person, company, firm or corporation who is based with the Town of Calmar and normally engaged in the building and/or construction industry, and who accepts contracts as principal in the excavation, erection, construction, alteration, repair or demolition of any building or structure. It shall not include the owner of any building or premises personally doing work in, upon or about such building or structure.
- iv). **"Non-Resident General Contractor**" means any person, company, firm or corporation who is **not** based with the Town of Calmar and normally engaged in the building and/or construction industry, and who accepts contracts as principal in the excavation, erection, construction, alteration, repair or demolition of any building or structure. It shall not include the owner of any building or premises personally doing work in, upon or about such building or structure.
- v). **"Sub-Contractor**" means any person, company, firm or corporation who performs under contract to a General Contract. Sub-Contractors are included under the veil of the General Contractor's License, when performing duties on a specific project, otherwise the Sub-Contractor must obtain a separate business license.
- vi). "Home-Based Business" means any person, company, firm or corporation operating out of their place of residence within the Town of Calmar (either minor or major). Any Business License application must be accompanied by a Development Permit application and the corresponding fee. The Business License will not be issued until the Development Permit application is considered and approved by the Development Authority Officer.
- vii). **"Single Project Business"** means any business license that is issued only for a specific purpose and at a specific location.
- e). "Business License Officer" means the Town of Calmar employee designated to carry out the provisions of this Bylaw and designated by the Chief Administrative Officer (Town Manager).
- f). "Business Premises" means any store, office, warehouse, factory, building, enclosure, yard or other place occupied or capable of being occupied for the purpose of carrying on a business.
- g). "Carry on", "Carrying on", "Carries on" means to conduct, operate, perform, keep, hold, occupy, deal in or use, for a fee or exchange of benefits, whether as principal or agent.
- h). "Charitable or Non-Profit Organization" means and incorporated or unincorporated organization formed for charitable purposes or for the promotion of general social welfare, and not organized for profit or personal gain, including:
 - i). a religious society or organization;
 - ii). a service club;
 - iii). a community veterans or youth organization;
 - iv). a social sport or fraternal organization or club;
 - v). an employer's or employee's organization.
- i). "Charitable purpose" includes a philanthropic, benevolent, educational, heath, humane, religious, cultural, artistic or recreational purpose.
- j). "Chief Administrative Officer" means Town Manager of the Town of Calmar and any designate acting or authorized by the Chief Administrative Officer to act on his/her behalf.
- k). "Council" means the Council of the Town of Calmar.
- I). "Development Permit" requires meeting the zoning regulations that controls land uses in the Town of Calmar. In all cases, a Development permit is required for approval prior to the issuance of a Business License.

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- m). "Hawker or Peddler" means a person not being a body corporate and who, whether as principal or agent;
 - i). goes from house to house selling or offering for sale any merchandise to any person, and who is not a wholesale or retail dealer in such merchandise to be afterwards delivered in or shipped into the Town of Calmar, or;
 - ii). offers or exposes for sale to any person by means of sample, patterns, cuts or blueprints, merchandise to be afterwards delivered or shipped into the Town of Calmar, or;
 - iii). sells merchandise on the streets or roads or elsewhere than at a building that is his permanent place of business or businesses that operate out of temporary structure, display or stand, but;
 - iv) does not include a person selling meat, fish, fruit or other farm produce that has been produced, raised or grown by himself in Alberta, or;
 - v). does not include a person selling fish of his own catching in Alberta.
- n). "License" means a Business License issued pursuant to this Bylaw.
- o). "License Fee" means a fee payable for a license as established in "Schedule A" attached to this Bylaw.
- m). "Person" means and includes an individual or a corporation and includes a partnership, association, firm, or group of persons acting in concert unless the context explicitly or by necessary implication otherwise requires.
- o). "Regional Business License" means a Business License issued by the Town of Calmar in conjunction with the 39-20 Alliance, which holds validity in the Town of Calmar, Town of Thorsby, Village of Warburg and Village of Breton.
- p). "Town" means the Town of Calmar.

3. APPOINTMENT OF BUSINESS LICENSE INSPECTOR

The Council or Chief Administrative Officer (Town Manager) of the Town of Calmar shall appoint a Business License Inspector to carry out the provisions of this Bylaw.

4. DUTIES OF BUSINESS LICENSE INSPECTOR

- a). To review and ensure compliance of applications for licenses and transfers thereof;
- b). To conduct investigations with regard to proposed applications where necessary;
- c). To conduct inspections of business premises where necessary;
- d). To investigate complaints lodged against a business, if necessary;
- e). To refuse or grant business licenses where deemed appropriate;
- f). To revoke business licenses where deemed appropriate and necessary;
- g). To suspend business licenses where deemed appropriate and necessary;
- h). To administer this Bylaw as far as practicable, ensure that all person(s) concerned conform to its provisions and to commence prosecutions for violation of this Bylaw.
- i). To ensure the collection of fees and maintenance of records for all applications for licenses are managed.

5. BUSINESS LICENSE

a). No business or person, within or partly within the Town of Calmar, shall be engaged in any business, profession, trade or occupation unless the person holds a valid Business License authorizing the business or person to engage in or operate that business, profession, trade or occupation, unless specifically exempted by law.

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- b). Before the issuance of a Business License a person or business must submit to the Business License Inspector:
 - i). a complete Business License application with the appropriate fee;
 - ii). a complete Development Permit application, where required, and the appropriate fee, as set out in "Schedule A", hereto.

6. PROCEDURES AND CONDITIONS OF BUSINESS LICENSE

- a). Any advertising of businesses, callings, trade or occupations referred to in this Bylaw shall be deemed to be prima facie proof to the fact that the person or business advertising is carrying on or operating any such business, calling, trade or occupation.
- b). If the applicant is not the registered owner of the said property, a letter of authorization from the registered owner, must be submitted along with the Business License Application.
- c). No Business shall operate until such time the applicant holds a valid Development Permit where required by this Bylaw and the Town of Calmar Land Use Bylaw.
- d). No Business shall operate until such time the applicant holds a provides to the Town of Calmar with the Business License Application a valid Provincial or Federal License as required by Law.
- e). All signage and advertising must comply with the Town of Calmar Land Use Bylaw.

7. **POSTING OF LICENSE**

- a). Person(s) or a Business issued a Business License under this Bylaw will either:
 - (i) Display the Business License in a conspicuous location in the place of business, or;
 - (ii) Carry the license, or copy thereof, with them if there is no permanent place of business with the Town of Calmar.

8. LICENSE YEAR

- a). The Town of Calmar shall invoice in November of each year to all holders of a valid Business License in the previous calendar year.
- b). If payment has not been submitted and received by the last business day of January the Business License shall may be terminated.
- c). If past due payment, for an existing business, is received after the last business day of January the fee shall be doubled.
- c). All business license fees paid are non-refundable, however, should the Business License Inspector not issue a business license the fee may be refunded.
- d). The business license fee, for a new business only, shall be reduced to one half of the fee when purchased after the last day of August in any license year.

9. EXEMPTIONS FROM REQUIRING A BUSINESS LICENSE

- a). Any business carried on by the Town of Calmar.
- b). A business carried on by the Government of the Province of Alberta or the Government of Canada or a Crown Corporation created by either Government.
- c). A business expressly exempted from the requirement of a license by a statute or the Legislature of Alberta or Parliament of Canada.
- d). A business that is a charitable or non-profit organization.
- e). Any person who is conducting business as a participant of a Trade Show, Craft Fair, Farmer's Market or Garage Sale.

10. OPTIONAL REGIONAL BUSINESS LICENSING

All Town of Calmar resident businesses, including general contractors, after first obtaining a valid Town of Calmar Business License, has the option to purchase a Regional Business License, in the amount of \$50.00, which will be valid for the provision of goods or services within the Town of Thorsby, Village of Warburg and Village of Breton, without having to purchase a valid business license from the said three villages. All revenues generated by the sale of a Regional Business License through

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the Town of Calmar shall be forwarded to the 39-20 Alliance.

11. NOTIFICATION OF CHANGES

Any Licensee shall forthwith notify the Town of Calmar, in writing, of any changes in the address, phone numbers or other pertinent information that was required on the application.

12. TRANSFER OF LICENSE

A Business License granted pursuant to the provisions of this Bylaw, may upon approval of the Business License Inspector, be transferred from one person or a company to another person or company, provided it is the same type of business that will be operating from the property, and upon payment of a transfer fee to be paid at the time of application for transfer.

13. **POWERS**

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- a). REFUSAL Subject to the provisions of this Bylaw, upon receipt of an application for a business license, the Business License Inspector may refuse to issue or renew a Business License, if, in his/her opinion there are just and reasonable grounds for the refusal of the application.
- b). REVOCATION-Subject to the provisions of this Bylaw, where a Business License has been granted, the Business License Inspector may revoke or suspend the Business License, if in his/her opinion there are just and reasonable grounds for the revocation of the license.
 - Reasonable and just grounds for refusal or revocation may include, but are not limited to:
 - i). the applicant or Licensee does not or no longer meets this Bylaw or the Development Permit approval with respect to the License applied for or held;
 - ii). the Licensee has breached a condition of the License;
 - iii). the Applicant or Licensee or any of its officers or employees has contravened this Bylaw or Development Permit approval whether or not the contravention has been prosecuted;
 - iv). the Applicant or Licensee or any of its officers or employees furnishes false information or misrepresents any fact or circumstance to the Business License Inspector, Chief Executive Officer (Town Manager) or designate;
 - v). the applicant or Licensee or any of its officers or employees fails to pay any fee required by this Bylaw or fines imposed by a Court for a contravention of this Bylaw;
 - vi). in the opinion of the Chief Executive Officer (Town Manager), Business License Inspector or designate, it is in the public interest to do so.

14. NOTICE OF REVOCATION OR SUSPENSION

Upon revocation or suspension as hereinbefore provided, the Business License Inspector shall notify the Licensee thereof:

- a) By delivery of notice to the person or business personally, or
- b) By double registered mail to the person, residence or business;

And, after the delivery of such notice, the business or occupation, as the case may be, shall not be carried on until such time as a new Business License is issued or the suspended Business License is re-instated.

15. NULLIFICATION OF LICENSE

Where any certificate, authority, license or other document of qualification under this or any other Bylaw, or under any statute of Canada or the Province of Alberta, is suspended, cancelled, terminated or surrendered, any license issued under this Bylaw, based in whole or in part on such certificate, authority, license or other document of qualification, shall be revoked automatically forthwith.

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TOWN OF CALMAR - BYLAW NO. 2017-13

16. APPEALS

- a). In every case where an application for a Business License has been refused, or an existing Business License has been revoked, the person seeking the license or reinstatement may appeal to the Council of the Town of Calmar within thirty (30) days after such refusal or revocation.
- b). All appeals shall be made in writing addressed to the Chief Administrative Officer (Town Manager) for the Town of Calmar and shall be dated as of the date received by the Chief Administrative Officer (Town Manager).
- c). The Council of the Town of Calmar, after hearing the applicants appeal may:
 - i) direct a Business License be issued;
 - ii) direct a Business License be issued with conditions;
 - iii) refuse to grant a Business License;
 - iv) reinstate the Business License with or without conditions;
 - v) uphold the revocation of a Business License on grounds which appear just and reasonable.

17. SUPPLY AND INFORMATION

Every person(s) or business carrying on or engaged in any business in respect of which a license is required under this Bylaw, upon receipt of request from the Business License Inspector, shall supply all information necessary to enable him/her to carry out their duties.

18. MANUFACTURED HOME PARK

The Business License fee for Manufactured Home Parks shall pay the amount as provided for in "Schedule A", per year, per developed stall(s) occupied by a manufactured or mobile unit, except in the case where a Development Agreement is in place between the Town of Calmar and the owner / operator of the Manufactured Home Park.

19. PENALTIES

Any person(s) or business in contravention of any provision of this Bylaw shall be guilty of an offense and liable on summary conviction to a penalty as set out in "Schedule A".

Where an offense is nonpayment of a Business License fee hereunder, the convicting authority may adjudge the payment of the Business License fee thereof in addition to the fine imposed.

20. VOLUNTARY PAYMENT

Where any provisions of this Bylaw deemed to be contravened and an offense has been issued for the contravention(s), the accused may avoid appearing in Court to answer the said charge by submitting a voluntary payment to the Town of Calmar, as outlined in "Schedule A".

21. SEVERABILITY

Should any provision of this Bylaw be invalid, then such invalid provision shall be severed and the remaining Bylaw shall be maintained.

22. RECINDING OF AND SUSPENSION OF EXISTING CONTROLS

Bylaws No. 94-28, 2016-05 are hereby rescinded.

TOWN OF CALMAR - BYLAW NO. 2017-13

23. **EFFECTIVE DATE**

This Bylaw shall come into forces and effect upon the final reading of this Bylaw.

READ FIRST TIME THIS <u>18th</u> DAY OF <u>SEPTEMBER</u> 2017.

READ A SECOND TIME THIS 18th DAY OF SEPTEMBER 2017.

READ A THIRD TIME, BY UNANIMOUS CONSENT, THIS 18th DAY OF SEPTEMBER 2017

MAYOR MAYOR MAYOR TOWN MAMAGER



BUSINESS LICENSE CATEGORIES AND FEE SCHEDULE

SCHEDULE "A"

Resident Business License (excluding General Contractors) (General Contractors include Sub-Trades: Electricians, Plumbing/Gas/Heating, Concrete, etc.)	\$150.00	
Renewal Fee	\$100.00	
Non-Residential Business License (excluding General Contractors)	\$300.00	
Resident General Contractor Business License	\$200.00	
Non-Resident General Contractors Business License	\$400.00	
(Non-Resident General Contractors include Sub-Trades: Electricians, Plumbing/Gas/Heating, Concrete, etc.)	
Home-Based Business Licenses		
Minor	\$100.00	
Major	\$150.00	
Development Permit fee for any new business proposed within the Town of Calmar	\$200.00	
Hawkers & Peddlers Business License \$150.00 Not a corporate body – House to House sales – offers/exposes for sale to any person by means of sample, patterns, cuts or blueprints – merchandise to be afterwards delivered in or shipped into town – sells merchandise on the streets or roads and not their permanent place of business. **DOES NOT include a person selling meat, fruit or other farm product that has been produced, raised or grown by themselves or fish of their own catching.		
Single Project Business License (Issued only for a specific date and location)	\$100.00	
Regional Business License fee	\$ 50.00	
Transfer of Business License fee (includes name change) \$ 25.00		
	\$ 2.3.00	

August 31st in an license year.

Mobile Home Park – Each developed stall occupied by a mobile home unit \$60.00 (without Development Agreement) - \$30.00 (with Development Agreement).

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Request for Discussion (RFD)

Meeting:	Committee of the Whole
Meeting Date:	June 13, 2022
Originated By:	CAO Losier
Title:	Public Participation Policy - discussion
Approved By:	Chief Administrative Officer, Losier
Agenda Item Number:	5 B

BACKGROUND/PROPOSAL:

In 2018, Calmar adopted the Public Participation Policy. As the Municipal Government Act was amended in 2020 to provide additional advertising opportunities (Section 606.1), it may be advantageous to review the policy.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

This policy impacts how Calmar conducts its business and interacts with stakeholders, both internally and externally to the community. Ensuring that it is always current is important. This policy should also be factored into the budget process discussion item on tonight's agenda (under new business item).

COSTS/SOURCE OF FUNDING (if applicable) None

TOWN OF CALMAR PUBLIC PARTICIPATION POLICY

Policy Number: 2018-053

Date of Adoption: June 4, 2018

Signature:

Hory Rodberg, CUGM Town Manager

POLICY STATEMENT:

The Town of Calmar values public engagement processes and activities that contribute to policy, program, service and project decisions by providing Town Council and Administration with the best possible information to support decision making.

PURPOSE:

The purpose of this policy is to ensure that the Town of Calmar:

- Achieve a consistent, coordinated and outcomes-driven approach to public engagement;
- Facilitates public input to decision making through effective and efficient consultation, involvement, collaboration and empowerment processes, and
- Adheres to public engagement requirements within the Municipal Government Act and other applicable legislation.

This policy does this by describing:

- When the policy applies,
- The role of decision makers in public engagement,
- The importance of respect and safe discussion and debate,
- A clear definition of public engagement,
- A vision and guiding principles for public engagement,
- A public engagement spectrum,
- Key supporting elements for public engagement.

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APPLICATION:

This policy applies to all of the Town's policies, programs, projects and services that have an impact on the public. There are many reasons why public engagement may be undertaken, but they should all ultimately support a decision making process for the purpose of:

- Designing or implementing a new policy, program, project or service,
- Evaluating, changing or ending an existing policy, program, project or service,
- Fulfilling a legislated or regulated requirement, or
- Responding to a community-initiated request.

This policy applies to public engagement regarding all of the Town's policies, programs, projects and services whether it is planned and delivered by Town staff, contractors or community volunteers.

ROLE OF DECISION MAKERS:

The role of decision makers, Town Council and Administration, in public engagement is to strive for the best understanding of the public's views and perspectives on topics and issues, consider public input in decision making, and communicate to the public how their input was used and why decision were made.

Public engagement is one factor in the decision making process and will have more or less influence relative to other factors for every specific decision.

Public engagement offers the opportunity for Town Council to:

- Deepen its role as community representatives through enhanced understanding of the interests, values and perspectives of the public.
- Work with Administration to identify areas where public engagement can and will make a meaningful difference to Council decisions,
- Promote and direct the public to public engagement activities;
- Carefully and thoughtfully consider public input as part of the decision-making process,
- Ensure public expectations for public engagement opportunities and influence are balanced with awareness of resource capacity, fiscal realities and other important context and considerations, and
- Clearly explain the rationale for decisions and how public input was used in decision making.

RESPECTFUL AND SAFE DISCUSSION AND DEBATE:

The policy also recognizes that the discussion and debate that underlies public engagement activities will be conducted in a respectful and safe manner by all participants – Town staff, contractors, stakeholders and the general public.

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DEFINITION OF PUBLIC ENGAGEMENT:

Public Engagement creates opportunity for people to contribute in decision making by Town Council and Administration about the Town's policies, programs, projects and services and communicates how public input is collected and used.

PUBLIC ENGAGEMENT SPECTRUM:

The Public Engagement Spectrum is a tool that explains the four roles the public can play when they participate in Town of Calmar public engagement activities. As you move within the spectrum, there is an increased level of public influence and commitment from the Town and the public.

Advise – The public is consulted by the Town to share feedback and perspectives that are considered for policies, programs, projects and services.

Refine – The public is involved by the Town to adapt and adjust approaches to policies, programs, projects and services.

Create – The public collaborates with the Town to develop and build solutions regarding policies, programs, projects and services. This can include community initiated engagement.

Decide – The public is empowered to make decisions directly or on behalf of the Town about policies, programs, projects and services.

VISION FOR PUBLIC ENGAGEMENT:

A Town where we are connected, invested, and proud to participate in shaping our community.

GUIDING PRINCIPLES FOR PUBLIC ENGAGEMENT:

A shared responsibility – Engagement of people in an authentic way contributes to robust solutions to challenging issues and encourages participation that supports democratic decision making.

Relationship-building and perspective seeking – Meaning engagement values varies and local perspectives and community experiences; it recognizes that respect and equitable processes foster trust and stronger relationships.

Proactive, timely and transparent – People have enough time and notice to engage early in the process which enables considered input and impact on decision making, and clearly communicates how input will be assessed and used during engagement and reported on afterwards.

Inclusive and accessible – Engagement planning and delivery is inclusive and accessible to best serve our Town by encouraging two-way conversations and strategies that reach diverse communities and ensure people feel heard and know their input is valued.

Innovative and continuously improving – as Calmar grows and evolves, we aspire to cocreate and embrace new and better engagement processes, tools and tactics based on a sound approach to evaluating success.

SUPPORTING ACTIVITES FOR PUBLIC ENGAGEMENT:

The following are activities that support effective public engagement, but only doing these activities is not considered public engagement. Public engagement and its activities are describes above in the definition of public engagement and the public engagement spectrum.

Communications – The Town and the public are informed about, listen and learn about Town policies, programs, projects and services through clear and transparent communications focused on plain language, active listening and responsiveness. This is a key activity underlying all four levels of public engagement spectrum.

Project Management – Carrying out engagement within an effective and aligned project management process.

Decision making – Clearly identifying decisions, decision makers and decision-making processes for every public engagement process.

Relationships – Developing and enhancing through meaningful dialogue that is based on respect and trust.

Capacity Building – Providing the knowledge and tools to engage by building capacity internally and within communities.

Leadership Development – Building community and staff leadership by facilitating leadership development opportunities.

REVIEW:

This policy shall be reviewed, at minimum, every four (4) years.



Request for Discussion (RFD)

Meeting:	Committee of the Whole
Meeting Date:	June 13, 2022
Originated By:	CAO Losier
Title:	Budget process - discussion
Approved By:	Chief Administrative Officer, Losier
Agenda Item Number:	6 A

BACKGROUND/PROPOSAL:

Budgeting is a crucial process for a municipality. It indicates to the residents, the business community, and anyone enjoying services and amenities in the town of Calmar, the public services and goods that will be made available. The budget also identifies priority for the community. Legal, financial, and social obligations are to be met.

At the June 6 Council meeting, residents clearly expressed that they wanted more transparency and accountability regarding the budgeting process.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

Many tools exist to have stronger communication and interaction as the budget is being prepared. Options could include:

- open houses;
- public presentations;
- priorities and/or satisfaction surveys;
- residents committee;
- etc.

Many communication mediums could also be used, and the intent should always be trying to find ways to make the budget process more accessible.

Another component of budget that is important is timing. The fiscal year for the Town is from January 1st to December 31st. Therefore, having an ability to start the process early in the year would allow Council to conduct a robust process that could position Council to have a budget adopted for January 1st.



COSTS/SOURCE OF FUNDING (if applicable)

Cost will differ pending the selected strategy. Having said this, said cost should be seen as an investment in good practice for the municipality and because many components could be done in-house, the investment should be efficient.



Request for Discussion (RFD)

Meeting:	Committee of the Whole
Meeting Date:	June 13, 2022
Originated By:	CAO Losier
Title:	Procurement policy discussion
Approved By:	Chief Administrative Officer, Losier
Agenda Item Number:	6 B

BACKGROUND/PROPOSAL:

At the June 6 Council meeting, a resident raised concern about the Town's procurement process. Administration decided to investigate the current practice to find efficiencies and to initiate a conversation with Council and seek direction.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

Although Administration employs Alberta Purchaser for bigger projects and attempts to be as cost effective as possible, Calmar does not currently have a procurement policy. The lack of a procurement policy could create inconsistencies and/or financial issues over time. Furthermore, Calmar has certain legal obligations to meet, and such policy would allow for greater transparency and fairness with procurement processes.

Administration could review surrounding municipalities procurement policies as well as the applicable legislation and/or trade agreements to prepare a draft policy.

COSTS/SOURCE OF FUNDING (if applicable)

None.



Request for Discussion (RFD)

Meeting:	Committee of the Whole
Meeting Date:	June 13, 2022
Originated By:	CAO Losier
Title:	Strategic Planning and advocacy initiatives - discussion
Approved By:	Chief Administrative Officer, Losier
Agenda Item Number:	6 C

BACKGROUND/PROPOSAL:

Following the June 6 Council meeting, Mr. Muller from Strategic Steps reached out to Administration to discuss the possibility of running the strategic plan workshop on July 9 or 16. This was identified as an activity that Council was going to pursue, but with the changes within Administration, it was decided to postpone.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

As the new CAO started May 30, it may be more efficient to push the workshop in August to provide additional preparation time for the CAO and Council who are learning to work together. It is important to note that any strategic planning initiatives may impact other processes such as advocacy initiatives and/or budget, and therefore, having it is important to take the necessary time to prepare and conduct such activity. Meanwhile, should Council want to identify areas or topics of interest for strategic planning or advocacy, Administration could start compiling a list.

COSTS/SOURCE OF FUNDING (if applicable)

None.