

**SUMMER VILLAGE OF CASTLE ISLAND
AGENDA**

Tuesday, September 12th, 2023 – commencing at 5:00 p.m.
Wildwillow Administration Office & Via Zoom
2317 Township Road 545 Lac Ste. Anne County

1.	<u>Call to Order</u>		
2.	<u>Agenda</u>	a)	Tuesday, September 12 th , 2023 Regular Council Meeting <i>(approve agenda as presented or as amended)</i>
3.	<u>Minutes:</u> <i>Pages 1-5</i>	a)	Monday, August 21 st , 2023 Organizational Meeting <i>(approve minutes as presented or as amended)</i>
	<i>Pages 6-9</i>	b)	Monday, August 21 st , 2023 Regular Council Meeting <i>(approve minutes as presented or as amended)</i>
4.	<u>Appointments:</u>	a)	N/A
5.	<u>Action Items:</u>	a)	<p>Municipal Accountability Program Review, further to previous discussions there are several legislative gaps noted in the 2022 review document which administration proposed to be brought forward to Council before the end of September. I am attaching the entire list of 28 legislative gaps and action plan to address each that was submitted to Alberta Municipal Affairs, as well as any updates since this action plan was submitted (dark green means gap has been completed, red means gap is being worked on and yet to come back to Council, yellow means it is coming to this meeting, and bright green means it will have to come to next meeting):</p> <ol style="list-style-type: none"> 1. requirement to designate a place for the municipal office (page 10): <i>this was addressed by motion #23-06 at our March 20th, 2023 Council meeting (copy of minutes attached) COMPLETED</i> 2. requirement to conduct annual Chief Administrative Officer evaluation (page 12): <i>this will be addressed with the change in administration closer to the end of the 2023 calendar year To happen before end of 2023</i> 3. requirement for council to only act by resolution or bylaw (page 21): <i>this will be addressed with council and corrected on the go forward that council will only act by resolution or bylaw – and specifically when</i>

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			<p><i>giving direction to Administration that will be done by resolution. Proper action to be taken on the go forward, gap considered COMPLETED</i></p> <p>4. requirement for the Code of Conduct Bylaw to include all legislative requirements (page 26): <i>Current Administration could not locate a code of conduct bylaw, therefore a bylaw will be prepared and presented to Council for consideration prior to September 30th, 2023. Bylaw to be addressed on this agenda.</i></p> <p>5. requirement to establish the chief administrative officer position by bylaw and to formally appointment a Chief Administrative Officer by council resolution (page 28): <i>Current Administration could not locate a chief administrative officer bylaw, therefore a bylaw will be prepared and presented to Council for consideration prior to September 30th, 2023. Motion #23-04 was passed at the March 20th, 2023 meeting appointing Wendy Wildman as CAO (copy of minutes attached). Bylaw to be addressed on this agenda.</i></p> <p>6. requirement for a property tax bylaw to be in accordance with the MGA (page 29): <i>Administration will prepare a proper property tax bylaw that will be presented to Council at either their June 26th or the their July Council meeting (we are still working on their 2023 draft operating and capital budget). Bylaw has been passed and will be forwarded with the next submission to the Province. COMPLETED</i></p> <p>7. requirement to establish a local and a composite assessment review board by bylaw (page 30): <i>Administration will propose to Council to contract assessment review board services from an outside agency (Capital Region Assessment Services Commission) and will prepare same and present to Council for consideration prior to September 30th, 2023. Approved CRASC at Organizational meeting, Bylaw to be addressed on this agenda. Bylaw will have to come to the November meeting as CRASC does not meet until September 15 to hear if they will accept us.</i></p> <p>8. requirement to establish a bylaw enforcement officer bylaw (page 31): <i>Administration will prepare same and present to Council for consideration prior to September 30th, 2023. Approved Tony Sonnleitner at the Organizational meeting, Bylaw to be addressed on this agenda.</i></p> <p>9. requirement to pass bylaws in accordance with the MGA (page 33): <i>Current Administration is aware of the requirement that bylaws must</i></p>
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*be unanimously passed (and the minutes reflect same) if bylaws are given all readings during one meeting. Administration will ensure this is the practice on the go forward. **Proper procedure will be followed on the go forward, COMPLETED.***

10. requirement to adopt an operating budget (page 36): *Current Administration is aware that the annual operating and capital budget must be passed by Council resolution and that the respective tax rate bylaw must align with said budget. Administration will ensure this is the practice on the go forward. The 2023 draft operating and capital budget will be presented to Council at their June 26th Council meeting (this is their first look at a 2023 draft budget). **Budget and tax rate bylaws were presented to Council and approved and will be forwarded to the Province with next submission. COMPLETED.***

11. requirement to adopt a capital budget (page 37): *Current Administration is aware that the annual operating and capital budget must be passed by Council resolution and that the respective tax rate bylaw must align with said budget. Administration will ensure this is the practice on the go forward. The 2023 operating and capital budget will be presented to Council at their June 26th meeting (this is their first look at the 2023 draft budget). **Capital budget was approved by Council and will be forwarded to the Province with next submission. COMPLETED.***

12. requirement to designate a financial institution (page 39): *Current Administration will ensure this is added as a standing item on the annual organizational meeting agenda. At the March 20th, 2023 meeting motion #23-05 was passed appointing the signing authorities but does not name the financial institution (copy of minutes attached). **Financial institution was approved at the Organizational meeting and will be forwarded to the Province in the next submission. COMPLETED.***

13. requirement for the municipality to appoint an auditor, ensure the audited statement are submitted to the ministry on time and approved by council (page 41): *Motion No. 62-19-12-22 passed at the December 19th, 2022 meeting appointed Doyle and company to complete the 2022 financial audit (copy of minutes attached). Current Administration will ensure this matter is a standing item on the annual organizational meeting agenda and recorded properly on the go forward. Current Administration is aware that audited financial statements are to be approved by Council and submitted to the*

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Province by April 30th of each year. While current Administration along with the Auditor strived for this in 2023 (for the 2022 statements) there were some financial records which took us time to find and balance. Our 2022 Audited Financial Statements were approved by motion #23-32 at the June 5th, 2023 Council meeting (copy of minutes attached) and submitted to the Province. Current Administration will strive to ensure better financial records are maintained and that the municipality meets its legislative obligations with respect to annual financial statements. **Council approved 2022 audited financial statements and these were forwarded to the Province, and then we had to revise those statements in order to receive grant funding for the playground project – these revised statements were approved at the August 21 Regular Council meeting. These new statements will be forwarded to the Province. However in both cases, these statements were approved AFTER the required deadline of April 30th so this item will remain deficient until next year when Council approves the 2023 Audited Financial Statements. We MUST ensure these statements are approved before the April 30 deadline in order to have this legislative gap resolved.**

14. requirement for the salary and benefits to include those of all designated officers (page 42): Current Administration located 3 Designated Officer bylaws (Assessor, Development Officer, Safety Codes), we will bring forward for Council's consideration the Bylaw Enforcement Officer Bylaw by September 30th, 2023. Administration will ensure the Auditor is aware that the salary and benefits of designated officers is included in the 2023 audited financial statements. **Next year when we are working with the Auditor to complete the 2023 Audited Financial Statements we will ensure those identified Designated Officers have their salaries disclosed on the financial statements. A Designated Officers bylaw will be brought to this meeting.**
15. requirement for the municipality to receive a management letter from the auditor (page 43): Attached is a copy of the December 15, 2022 letter from Doyle & Company to the Summer Village, we understand from the Auditor this letter was never signed by the previous CAO and returned to them. Current Administration will ensure future management letters are received, acknowledged, executed by the municipality, and returned. **Administration is working with the auditor to determine if the proper letter or discussion took place**

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		<p><i>with Council during the 2022 audit review, if not this will be addressed during the 2023 Audit Review.</i></p> <p>16. requirement for a municipality to implement a three-year operating plan and a five-year capital plan (page 44): <i>Current Administration is aware of this requirement and will prepare and present same to Council for consideration prior to September 30th, 2023. A 3 year operating plan was approved at the July Council meeting and will be provided to the Province in our next submission. The 5 year capital plan will be discussed with Council at this meeting.</i></p> <p>17. requirement to prepare an assessment roll (page 45) <i>Current Administration did find Bylaw 2008-04 appointing a Land and Building Assessment Officer (bylaw attached). Current Administration will review this and prepare a new bylaw and present same to Council for consideration prior to September 30th, 2023. A new bylaw to be presented at this meeting.</i></p> <p>18. requirement for the content of assessment notices to be in accordance with the MGA (page 48): <i>Current Administration will ensure the 2023 tax and assessment notices do include information on the fee required to file an assessment complaint, along with where the complaint is to be submitted. A copy of the 2023 tax and assessment will be forwarded to the Province in our next submission. COMPLETED.</i></p> <p>19. requirement for the content of tax notices to be in accordance with the MGA (page 49): <i>Current Administration will ensure the 2023 tax and assessment notices do include how to request a receipt for taxes paid and we will ensure the notices do align with the rates contained in the tax rate bylaw. A copy of the 2023 tax and assessment and our tax rate bylaws will be forwarded to the Province in our next submission. COMPLETED.</i></p> <p>20. requirement to certify the date of mailing the tax notices and advertise the sending of assessment notices (page 50): <i>Current Administration will ensure a designated officer does certify the date that tax notices were sent. A copy of the certification will be forwarded to the Province in our next submission. COMPLETED.</i></p> <p>21. requirement to establish a municipal development plan in accordance with the MGA (page 53): <i>Current Administration will propose to Council that a contractor be hired to prepare a MDP for the Summer Village, it is Administrations hope that a contractor will be able to start this process prior to December 31st, 2023. Council provided</i></p>
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			<p><i>Administration with a copy of 2021 MDP document. Administration was able to find in 2021 meeting minutes were notes were recorded regarding a pending survey and then survey results. No where in subsequent 2021 or 2022 minutes was the Municipal Development Plan document ever approved by Council. Administration has inquired with the Development Officer what he would charge to take the municipality through the process of public hearings and having this document approved. Timeline to have a strategy in place is December 31st.</i></p> <p>22. requirement to establish a land use bylaw in accordance with the MGA (page 54): <i>Current Administration will propose to Council that a contractor be hired to prepare a new Land Use Bylaw that addresses those matters addressed in your report, along with any other changes deemed necessary. Administration will hope to have a contractor in place and this new bylaw process commenced by December 31st, 2023. Administration has reached out to Development Officer Tony Sonnleitner regarding costs to go through a Land Use Bylaw review in conjunction with the MDP approval. Administration will reach out to another individual as well. Timeline to have strategy in place is December 31st.</i></p> <p>23. requirement to establish a subdivision and development appeal board (noted as page 58, should be page 59): <i>Current Administration will recommend to Council to contract this out (to Milestone Municipal Services). It is hoped this will be in place by September 30th, 2023. Council approved Municipal Planning Commission at their July organizational meeting, required bylaw to come to this meeting.</i></p> <p>24. requirement to list and publish policies related to planning decisions (noted as page 59, should be page 58): <i>Current Administration will review the website and ensure an up to date list and summary of council approved policies used to make planning decisions is on the website, review to take place by December 31st, 2023. The municipality has until December 31st to complete this review and update to our website.</i></p> <p>25. requirement for election officers to be appointed and sign the appropriate oath/statement (page 61): <i>Current Administration will ensure the returning officer and substitute returning officers for the next election are appointed and take the oath of office.</i></p>
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			<p><i>Administration will ensure this practice is followed during the next election. COMPLETED.</i></p> <p>26. requirement for candidates to submit campaign disclosure statements (page 65): <i>issue. Current Administration will present this information to Council prior to September 30th, 2023 and recommend the issuance of a late filing fee of \$500.00 for candidates who did not submit campaign disclosure statements by the prescribed due date. This matter to be presented to Council for consideration at this meeting.</i></p> <p>27. requirement for municipal emergency structure, appointments, and training to be in place (page 66): <i>Bylaw 2019-02 as referenced is with Lac Ste. Anne County, and it is our understanding Lac Ste. Anne County no longer provides this service and this bylaw should have been rescinded many years back. Current Administration recognizes the requirements within the emergency management program and will recommend to Council prior to September 30th, 2023 significant improvements be made to this function that would bring the municipality in alignment with the act. This matter to be presented to Council for discussion and direction at this meeting.</i></p> <p>28. requirement that appointments to the system library board does not exceed the legislative terms (page 68): <i>Current Administration will ensure an appointment to the Yellowhead Regional Library board is added to the annual organizational meeting agenda. This appointment was missed at the organizational meeting, but will be placed on this agenda for approval of Council.</i></p> <p>Items to be addressed at this meeting, and we have attached each respective page from the MAP review document providing the background for each of these legislative gaps:</p> <p>a) Bylaw 2023-01 - Code of Conduct Bylaw: attached is a Request for Decision as well as the noted Bylaw for Councils consideration.</p> <p><i>(that Bylaw 2023-01, being the Code of Conduct Bylaw for the Summer Village of Castle Island, be given first reading (as is or as amended)</i></p> <p><i>(that Bylaw 2023-01 be given second reading (as is or as amended)</i></p> <p><i>(that Bylaw 2023-01 be considered for third reading (as is or as amended)</i></p>
	Pages 10-24		

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<p>Pages 25-30</p>	<p><i>(that Bylaw 2023-01 be given third and final reading (as is or as amended))</i></p> <p>b) Bylaw 2023-02 - Chief Administrative Officer and Designated Officers Bylaw: attached is a Request for Decision as well as the noted Bylaw for Councils consideration.</p> <p><i>(that Bylaw 2023-02, being the Chief Administrative Officer and Designated Officer Bylaw for the Summer Village of Castle Island, be given first reading (as is or as amended))</i></p> <p><i>(that Bylaw 2023-02 be given second reading (as is or as amended))</i></p> <p><i>(that Bylaw 2023-02 be considered for third reading (as is or as amended))</i></p> <p><i>(that Bylaw 2023-02 be given third and final reading (as is or as amended))</i></p>
<p>Pages 31-40</p>	<p>c) Bylaw 2023-07 - Bylaw Enforcement Officer Bylaw: attached is Request for Decision as well as the noted Bylaw for Councils consideration.</p> <p><i>(that Bylaw 2023-07, being the Bylaw Enforcement Officer Bylaw for the Summer Village of Castle Island, be given first reading (as is or as amended))</i></p> <p><i>(that Bylaw 2023-07 be given second reading (as is or as amended))</i></p> <p><i>(that Bylaw 2023-07 be considered for third reading (as is or as amended))</i></p> <p><i>(that Bylaw 2023-07 be given third and final reading (as is or as amended))</i></p> <p>d) Designated Officers Bylaw (combined with b) above)</p>

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- e) 5 Year Capital Plan – on future capital projects – comments received from Council included: boat launch project \$50,000+; MSI Capital annual allocation \$29,895, CCBF annual allocation \$7,817.

(approve 5 year capital plan as directed by Council)

- f) Bylaw 2023-08 - Assessor Bylaw: attached is the noted Bylaw for Councils consideration.

(that Bylaw 2023-08, for the purpose of appointing an Assessor for the Summer Village of Castle Island, be given first reading (as is or as amended))

(that Bylaw 2023-08 be given second reading (as is or as amended))

(that Bylaw 2023-08 be considered for third reading (as is or as amended))

(that Bylaw 2023-08 be given third and final reading (as is or as amended))

Pages 42-46

- g) Bylaw 2023-09 - Subdivision and Development Appeal Board Bylaw: attached is the noted Bylaw for Councils consideration.

(that Bylaw 2023-09, for the purpose of establishing a Subdivision and Development Appeal Board for the Summer Village of Castle Island, be given first reading (as is or as amended))

(that Bylaw 2023-09 be given second reading (as is or as amended))

(that Bylaw 2023-09 be considered for third reading (as is or as amended))

(that Bylaw 2023-09 be given third and final reading (as is or as amended))

(that Emily House and Cathy McCartney be appointed Clerk of the Subdivision and Development Appeal Board)

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<p>Pages 47-60</p>	<p><i>(that the agreement between the Summer Village of Castle Island and Milestone Municipal Services for the provision of Subdivision and Development Appeal Board Services be approved and execution authorized with a sixty (60) termination clause and annual service fee of \$300)</i></p>
<p>Pages 61-77</p>	<p>h) Campaign Disclosure Statements – further to the 2021 Election, each candidate was to have filed their respective Candidates Campaign Disclosure Statement. From our municipal records we could not confirm same had been filed. Administration has provided these forms to Council for completion. These forms do not have to be submitted electronically, however must be retained by the Municipality. The caveat, outlined in the Local Authorities Election Act, RSA 2000, Chapter L-2, Section 147, Municipal Election Finance & Contribution Disclosure, is that the \$500 fine for not submitting the required form within the indicated period (on or before March 1st, immediately following a general election) must be paid to the Municipality (relevant section of the act is attached).</p> <p><i>(that each Council member complete and submit their respective 2021 Candidates Campaign Disclosure Statement forms to Administration, and further that the Municipality adhere to Section 147 of the Local Authority Elections Act and issue the respective fines)</i></p> <p><i>(some other direction as given by Council at meeting time)</i></p>
<p>Page 78</p>	<p>i) Municipal Emergency Management – attached is page 66 from the MAP review which deals with Emergency Management and notes the legislative requirements. As previously discussed with Council, Lac Ste. Anne County is no longer providing this service to the municipality and Bylaw 2019-02 will have to be rescinded. Administration has reached out to the group of 11 Summer Villages within Lac Ste. Anne County operating their emergency management plan to ascertain what it may look like if Castle Island was to join them. Regional Director of Emergency Management Janice Christiansen has offered to make a presentation to Council on their respective agency and committee. At the last Council meeting discussion took place with respect to Council approaching the Minister for an exemption to this legislative requirement.</p> <p><i>(direction as given by Council at meeting time)</i></p>

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		j)	Yellowhead Regional Library Board appointment of one Council member <i>(that _____ be appointed representative to the Yellowhead Regional Library, and that this appointment be added to the annual organizational meeting agenda)</i>
		k)	
		l)	
		m)	
6.	Council Reports:	a)	Mayor Kupchenko
		b)	Deputy Mayor Smith
		c)	Councillor Elkow <i>(accept Council reports for information)</i>
7.	Development Permits Report <i>Page 79</i>	a)	Development Officers Report <i>(accept Development Officers Report for information)</i>
8.	Inspection Group Permits		N/A
9.	Financial <i>Forwarded under separate cover</i>	a)	Revenue and Expense Statement to August 31 st , 2023. <i>(that Council approve the Revenue and Expense Statement to August 31st, 2023 as presented)</i>

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10.	<p><u>Correspondence</u> <i>Page 80</i></p> <p><i>Page 81</i></p> <p><i>Pages 82-86</i></p> <p><i>Pages 87-88</i></p>	<p>a) Summer Village of Birch Cove, August 29th, 2023 letter of Councillor Resignation & Byelection Results</p> <p>b) Summer Village of Sunrise Beach, August 28th, 2023 letter of Councillor Resignation and Byelection Results</p> <p>c) 23DP01-11, Plan 4021KS, Lot 16, construction of an accessory building</p> <p>d) 23DP02-11, Plan 4021KS, Lot 18, demolition/removal of an existing dwelling c/w deck, shed and septic holding tank</p> <p><i>(accept correspondence items a) through d) for information as presented)</i></p>
11.	<p><u>Chief Administrative Officer Report</u></p>	<p>a) Work on Municipal Accountability Program review continues</p> <p>b) Met with legal counsel and County on potential land purchase</p> <p>c) Website discussion</p> <p>d)</p> <p><i>(accept the Chief Administrative Officer report for information)</i></p>
12.	<p><u>Adjournment</u></p>	

Next Meetings:

SUMMER VILLAGE OF CASTLE ISLAND
 MINUTES OF THE ORGANIZATIONAL MEETING
 MONDAY, AUGUST 21ST, 2023 AT 5:00 P.M. in person AND via zoom
 Location: 2317 Twp Rd 545, Lac Ste. Anne County

	PRESENT	<p>Councillors: <u>Present:</u> Ian Kupchenko Jeff Elkow Calvin Smith (participated virtually from 5:15 p.m – 5:30 p.m. then in person 5:30 p.m. to end.)</p> <p>Administration: Wendy Wildman Diane Wannamaker, Administrative Assistant</p> <p>Public attendance (in person): 0</p> <p>Public via teleconference: 0</p>
1.	CALL TO ORDER	Wendy Wildman called the meeting to order 5:15 p.m.
2.	AGENDA 23-65	<p>MOVED by Mayor Kupchenko that the Agenda be approved as presented.</p> <p style="text-align: right;">CARRIED</p>
3.	MAYOR NOMINATION & APPOINTMENT 23-66	<p>Wendy Wildman called for nominations for Mayor.</p> <p>Jeff Elkow nominated Ian Kupchenko</p> <p>Wendy Wildman called for nominations for Mayor a second time.</p> <p>Wendy Wildman called for nominations for Mayor a third time.</p> <p>MOVED by Jeff Elkow that nominations for Mayor cease.</p> <p style="text-align: right;">CARRIED</p> <p>Councillor Kupchenko was declared Mayor and was administered the Oath of Office for Mayor.</p> <p>Mayor Kupchenko assumed the Chair.</p>
4.	DEPUTY MAYOR NOMINATION & APPOINTMENT	<p>Mayor Kupchenko called for nominations for Deputy Mayor.</p> <p>Mayor Kupchenko nominated Calvin Smith</p> <p>Mayor Kupchenko called for nominations for Deputy Mayor a second time.</p>

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 MINUTES OF THE ORGANIZATIONAL MEETING
 MONDAY, AUGUST 21ST, 2023 AT 5:00 P.M. in person AND via zoom
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	<p>23-67</p>	<p>Mayor Kupchenko called for nominations for Deputy Mayor a third time.</p> <p>MOVED by Jeff Elkow that nominations for Deputy Mayor cease.</p> <p style="text-align: right;">CARRIED</p> <p>Councillor Smith was declared Deputy Mayor and was administered the Oath of Office for Deputy Mayor.</p>
<p>5.</p>	<p>CONFIRMATION OF COUNCIL MEETING DATES & TIME 23-68</p>	<p>MOVED by Mayor Kupchenko that regular Council meetings be scheduled Tuesday, September 12th, 2023 and November 13th, 2023 beginning at 5:00 p.m. and thereafter for the 2nd Monday of every second month beginning the month of January, 2024 (January 8th, 2024) at 5:00 p.m. at the Administration office at 2317 Township Road 545, Lac Ste. Anne County.</p> <p style="text-align: right;">CARRIED</p>
<p>6.</p>	<p>CONFIRMATION OF BANKING SIGNING AUTHORITY 23-69</p>	<p>MOVED by Mayor Kupchenko that the signing authority be confirmed as follows:</p> <ul style="list-style-type: none"> • Two signatures are required • One signature to be any member of Council (Ian Kupchenko, Calvin Smith, Jeff Elkow) • One signature to be any member of Administration, (Chief Administrative Officer, Wendy Wildman or Administrative Assistant, Diane Wannamaker) <p style="text-align: right;">CARRIED</p>
<p>7.</p>	<p>CONFIRMATION OF BANKING AUTHORITY 23-70</p>	<p>MOVED by Councillor Smith that the banking authority for the Summer Village of Castle Island be confirmed as the Royal Bank of Canada.</p> <p style="text-align: right;">CARRIED</p>

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 MONDAY, AUGUST 21ST, 2023 AT 5:00 P.M. in person AND via zoom
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8.	CONFIRMATION OF CAO APPOINTMENT 23-71	<p>MOVED by Deputy Mayor Smith that the Chief Administrative Officer appointment be confirmed as Wendy Wildman of Wildwillow Enterprises Inc.</p> <p style="text-align: right;">CARRIED</p>
9.	CONFIRMATION OF AUDITOR APPOINTMENT 23-72	<p>MOVED by Councillor Elkow that the Auditor appointment be confirmed as Doyle and Company.</p> <p style="text-align: right;">CARRIED</p>
10.	CONFIRMATION OF SOLICITOR APPOINTMENT 23-73	<p>MOVED by Deputy Mayor Smith that the Solicitor appointment be confirmed as Patriot Law Group.</p> <p style="text-align: right;">CARRIED</p>
11.	CONFIRMATION OF SUBDIVISION & DEVELOPMENT APPEAL BOARD 23-74	<p>MOVED by Mayor Kupchenko that Milestone Municipal Services (Emily House) be confirmed as the Subdivision and Development Board subject to an Agreement being entered into to reflect same and the appropriate Bylaw being drafted and approved.</p> <p style="text-align: right;">CARRIED</p>
12.	CONFIRMATION OF ASSESSMENT REVIEW BOARD 23-75	<p>MOVED by Deputy Mayor Smith that the Assessment Review Board be confirmed as Capital Region Assessment Services Commission subject to an Agreement be entered into and a Bylaw being drafted to reflect same.</p> <p style="text-align: right;">CARRIED</p>

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 MONDAY, AUGUST 21ST, 2023 AT 5:00 P.M. in person AND via zoom
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13.	CONFIRMATION OF FOIPP COORDINATOR 23-76	MOVED by Mayor Kupchenko that the Freedom of Information and Protection of Privacy Coordinator be confirmed as the Chief Administrative Officer Wendy Wildman. <p style="text-align: right;">CARRIED</p>
14.	CONFIRMATION OF PLANNING & SUBDIVISION AUTHORITY 23-77	MOVED by Deputy Mayor Smith that as per agreement, the Planning & Subdivision Authority be confirmed as Municipal Planning Services – Jane Dauphinee subject to entering into an Agreement. <p style="text-align: right;">CARRIED</p>
15.	CONFIRMATION OF INTEGRITY COMMISSIONER 23-78	MOVED by Councillor Elkow that the Integrity Commissioner appointment be confirmed as Victory Message. <p style="text-align: right;">CARRIED</p>
16.	DESIGNATED OFFICERS 23-79	MOVED by Mayor Kupchenko that the Designated Officers be confirmed as follows, subject to entering into an agreement and approval of applicable bylaw: Development Officer – Tony Sonneleitner <p style="text-align: right;">CARRIED</p>
17.	CONFIRMATION OF COMMITTEE APPOINTMENTS 23-80	MOVED by Councillor Elkow that the Committee Appointments be approved as follows: a) North 43 Lagoon Commission (Ian Kupchenko - Representative) b) Summer Villages of Lac Ste. Anne County East

SUMMER VILLAGE OF CASTLE ISLAND
 MINUTES OF THE ORGANIZATIONAL MEETING
 MONDAY, AUGUST 21ST, 2023 AT 5:00 P.M. in person AND via zoom
 Location: 2317 Twp Rd 545, Lac Ste. Anne County

		(all of Council) c) West Inter Lake District Regional Water Services Commission d) Emergency Management (Calvin Smith) <p style="text-align: right;">CARRIED</p>
18.	MUNICIPAL OFFICE LOCATION 23-81	MOVED by Deputy Mayor Smith that the Municipal Office location be confirmed as Wildwillow Administration Office, 2317 Twp Rd 545, Lac Ste. Anne County, Alberta. <p style="text-align: right;">CARRIED</p>
19.	COUNCIL ACKNOWLEDGMENTS 23-82	MOVED by Mayor Kupchenko acknowledgement and receipt of the following documents: a) Municipal Government Act – Section 208(1) b) Council and Council Committee Procedural Bylaw 2011-02 c) Public Participation Policy and Public Participation Plan (in development) d) Council Code of Conduct Bylaw – Bylaw 2023-01 <p style="text-align: right;">CARRIED</p>
21.	ADJOURNMENT	The meeting adjourned at 5:53 p.m.

 Mayor, Ian Kupchenko

 Chief Administrative Officer, Wendy Wildman

SUMMER VILLAGE OF CASTLE ISLAND
REGULAR COUNCIL MEETING MINUTES
MONDAY, AUGUST 21ST, 2023
SUMMER VILLAGE ADMINISTRATION OFFICE
2317 TOWNSHIP ROAD 545, LAC STE. ANNE COUNTY & VIA ZOOM

	PRESENT	<p>Mayor: Ian Kupchenko Deputy Mayor: Calvin Smith Councillor: Jeff Elkow</p> <p>Administration: Wendy Wildman, Chief Administrative Officer Diane Wannamaker, Administrative Assistant</p> <p>Public attendance (in person): 0</p>
1.	CALL TO ORDER	Mayor Kupchenko called the meeting to order at 5:55 p.m.
2.	AGENDA 23-83	<p>MOVED by Deputy Mayor Smith that the August 21st, 2023 agenda be approved with the following additions:</p> <p>5.d) Weed Cutting 11. Closed Session – land purchase</p> <p style="text-align: right;">CARRIED</p>
3.	MINUTES 23-84	<p>MOVED by Mayor Kupchenko that the minutes of the July 17th, 2023 Regular Council meeting be approved as presented.</p> <p style="text-align: right;">CARRIED</p>
4.	APPOINTMENTS	N/A
5.	ACTION ITEMS 23-85 Bylaw 2023-05 Penalties on Unpaid Taxes	<p>MOVED by Mayor Kupchenko that Council give 1st reading to Bylaw 2023-05, a bylaw to establish penalties on unpaid taxes, 12% September 1st and 18% on December 31st.</p> <p style="text-align: right;">CARRIED</p>
	23-86	<p>MOVED by Deputy Mayor Smith that Council give 2nd reading to Bylaw 2023-05.</p> <p style="text-align: right;">CARRIED</p>

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23-87	<p>MOVED by Councillor Elkow that Council give unanimous consent to consider third reading to Bylaw 2023-05.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY</p>
23-88	<p>MOVED by Mayor Kupchenko that Council give 3rd and final reading to Bylaw 2023-05.</p> <p style="text-align: right;">CARRIED</p>
23-89	<p>MOVED by Mayor Kupchenko that Council support a letter of intent to Fire Rescue International and Onoway Regional Fire Services to maintain them as our service provider on a same or similar basis as the current agreement, once the current agreement expires.</p> <p style="text-align: right;">CARRIED</p>
23-90	<p>MOVED by Mayor Kupchenko that the Summer Village of Castle Island accept the undated letter received from Alberta Municipal Affairs second cycle schedule of the Municipal Accountability Program reviews between 2024-2027 for information.</p> <p style="text-align: right;">CARRIED</p>
23-91	<p>MOVED by Deputy Mayor Smith that Councillor Elkow work with Rick Arndt with regard to weed harvesting information and required permits for consideration in the 2024 summer season.</p> <p style="text-align: right;">CARRIED</p>
<p>6. COUNCIL REPORTS 23-92</p>	<p>MOVED by Mayor Kupchenko that the Council reports be accepted for information.</p> <p style="text-align: right;">CARRIED</p>
<p>7. DEVELOPMENT PERMITS</p>	<p>N/A</p>
<p>8. INSPECTION GROUP PERMITS</p>	<p>N/A</p>
<p>9. FINANCIAL 23-93</p>	<p>MOVED by Councillor Smith that Council approve the 3-year operating plan as presented.</p> <p style="text-align: right;">CARRIED</p>

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	23-94	<p>MOVED by Mayor Kupchenko that Council approve the revised draft 2022 Financial Statements as presented.</p> <p style="text-align: right;">CARRIED</p>
	23-95	<p>MOVED by Mayor Kupchenko that Council approve the Revenue and Expense Statement to July 31st, 2023 as presented.</p> <p style="text-align: right;">CARRIED</p>
9.	<p>CORRESPONDENCE 23-96</p>	<p>MOVED by Mayor Kupchenko that the following correspondence items be accepted for information:</p> <ul style="list-style-type: none"> ➤ Village of Alberta Beach, July 20th, 2023 letter advising the resignation of the past Mayor and appointment of Mayor and Deputy Mayor ➤ Yellowhead Regional Library – August 4th, 2023 letter and 2022 Annual Report <p style="text-align: right;">CARRIED</p>
10.	<p>CAO REPORT 23-97</p>	<p>MOVED by Mayor Kupchenko that the Chief Administrative Officer Report be accepted for information.</p> <p style="text-align: right;">CARRIED</p>
11.	<p>CLOSED SESSION 23-98 Legal FOIPP Section 27 – Land Purchase</p>	<p>MOVED by Mayor Kupchenko that pursuant to Section 197(2) of the Municipal Government Act and Section 17 of the Freedom of Information and Protection of Privacy Act (FOIPP) – Disclosure Harmful to Personal Privacy, that Council go into a closed meeting session at 6:23 p.m. to discuss the following item:</p> <ul style="list-style-type: none"> ➤ Legal – FOIPP Act Section 27 <p>The meeting recessed from 6:23 p.m. to 6:25 p.m.</p> <p>The following individuals were present for the Closed Session:</p> <p>Ian Kupchenko Calvin Smith Jeff Elkow Wendy Wildman Diane Wannamaker</p>



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	23-99	<p>MOVED by Mayor Kupchenko that Council come out of Closed Session at 6:44 p.m.</p> <p style="text-align: right;">CARRIED</p> <p>The meeting recessed from 6:44 p.m. to 6:48 p.m.</p>
	23-100	<p>MOVED by Mayor Kupchenko that Administration follow up with legal counsel and Lac Ste. Anne County as discussed at meeting time with respect to the potential land deal.</p> <p style="text-align: right;">CARRIED</p>
12.	ADJOURNMENT	The meeting adjourned at 6:50 p.m.

Mayor, Ian Kupchenko

Chief Administrative Officer, Wendy Wildman



Summer Village of Castle Island Request For Decision (RFD) 2023-4

Meeting:	Regular Council
Meeting Date:	September 12th, 2023
Originated By:	Dwight Moskalyk, Municipal Advisor
Title:	Bylaw 2023-01, Code of Conduct Bylaw – MAP Review Compliance Item #4
Agenda Item Number:	5(a) – Business

BACKGROUND/PROPOSAL:

Noted as a compliance gap in the 2022 Municipal Accountability Program (MAP) review (published on September 27th, 2022), the municipality has been tasked to prepare and pass a Code of Conduct Bylaw and confirm same has been completed to the assigned agent from Municipal Affairs.

In total there were 28 compliance gaps noted in the MAP review. In accordance with Administration's approved plan to address these gaps, the municipality will be working away at the list of items and getting them addressed over the next several meetings to bring the municipality into compliance with the Act. The Code of Conduct Bylaw is one of these items (noted as Item #4 in the MAP Review). Administration has drafted a Code of Conduct Bylaw for Council's consideration (attached).

This draft bylaw is based off of the similar Code of Conduct bylaws that were passed by regional peers in 2018 (when the Code of Conduct legislation was first required). The text and format of same has been vetted through other MAP reviews and has been accepted by Municipal Affairs as an acceptable bylaw for the intended purpose.

The primary MGA reference for this topic is, as listed in the draft bylaw, Section 146 (in Part 5).

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

The Code of Conduct legislation was introduced in an effort to give municipal council an extra element of enforcement on self-governance, in terms of how they conduct business and interact with stakeholders (other councillors, other communities, businesses and the electorate/public). The concept aims to ensure that a basic level of cordiality and respect is present in the conducting of municipal business, and that when this standard is not met appropriate recourse is available.

The bylaw creates a Code of Conduct (Schedule A), Establishes a Process for receiving and impartially reviewing/handling complaints (including the establishment of the Integrity Commissioner for the local authority), and sets out remedies for violations.

Actions required include:

- Review of Bylaw by Council (Pass with all required readings)

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- Engage and Appoint an Integrity Commissioner (Wildwillow has a staff position for this if you wish to use that service; once the IC is engaged Council will need to pass a motion to appoint/confirm same to the official corporate structure – and review same as part of all organizational meetings going forward)
- Sign the Bylaw, and have all Councillors sign the signed bylaw signaling their review and acceptance of the terms of same.

COSTS/SOURCE OF FUNDING (if applicable)

The cost to prepare and present the Bylaw are part of the MAP compliance budget. Costs associated with the appointment of the Integrity Commissioner will be subject to negotiation with service provider, Wildwillow or other, for that service and will form part of the annual budget going forward. Costs associated with an investigation, as outlined in the bylaw, become a municipal responsibility and will be covered by the municipal budget if/when costs arise (on a case by case basis, as needed).

RECOMMENDED ACTION:

1. Council review the proposed Code of Conduct Bylaw and give all required readings to pass the bylaw, as is or as amended to assigned bylaw number 2023-01, during the September 12th, 2023 meeting of council.
2. That Council engage Wildwillow Enterprises Inc for the provision of Integrity Commissioner Services, and assign and appoint Victoria Message as Integrity Commissioner for the Summer Village of Castle Island, as approved at the July organizational meeting.

Initials show support – Reviewed By:

CAO: *W. Wildman, CAO*

**A BYLAW OF THE SUMMER VILLAGE OF CASTLE ISLAND, IN THE
PROVINCE OF ALBERTA, TO ESTABLISH A CODE OF CONDUCT FOR
MEMBERS OF COUNCIL, COUNCIL COMMITTEES AND OTHER BODIES
ESTABLISHED BY THE COUNCIL**

WHEREAS Municipal Councils must, by bylaw, establish a code of conduct governing the conduct of Councillors, pursuant to the *Municipal Government Act, RSA 2000 Chapter M-26* as amended from time to time; and

WHEREAS Municipal Council may establish a code of conduct governing the conduct of members of council committees and other bodies established by the council pursuant to the *Municipal Government Act, R.S.A. 2000 Chapter M-26* as amended from time to time; and

WHEREAS the elected officials of the Summer Village of Castle Island recognize that they have an obligation to serve the public in a conscientious and diligent manner; understanding that the function of Council members is to seek the common good of the municipality as a whole and acknowledging that they are held to a higher standard of ethical behavior and conduct due to the trust that has been placed in them; and

WHEREAS, the Council for the Summer Village of Castle Island wishes to exercise its authority pursuant to the Municipal Government Act to enact a bylaw to provide for the Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council;

NOW THEREFORE the Council of the Summer Village of Nakamun Park, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. SHORT TITLE

- 1.1.** This Bylaw may be cited as the "Code of Conduct Bylaw".

2. DEFINITIONS

- 2.1.** "Act" means the *Municipal Government Act, R.S.A. 2000 Chapter M-26*, as amended from time to time.
- 2.2.** "Bylaw" means a bylaw of the Summer Village of Castle Island.
- 2.3.** "Chief Administrative Office," or "CAO" means the person appointed to the position of Chief Administrative Officer by Council.
- 2.4.** "Code of Conduct" means the Summer Village of Castle Island Code of Conduct for Members of Council, Council Committees and Other Bodies Established by Council.



- 2.5. *"Committee"* means a board, commission, authority, task force or any other public body established by Council.
- 2.6. *"Confidential Information"* means any information that is prohibited from being disclosed under Alberta's Freedom of Information and Protection of Privacy Act (FOI/PPA) and also includes any information received by a Member in confidence by virtue of their position on Council, a Council Committee or other body established by the Council, as well as matters discussed in meetings that have been closed to the public, unless those matters have subsequently been made public by Council.
- 2.7. *"Council"* means the Council of the Summer Village of Castle Island.
- 2.8. *"Integrity Commissioner"* or *"Commissioner"* means the individual appointed by Council to receive, assess, investigate and adjudicate complaints regarding breach of the Code of Conduct.
- 2.9. *"Member"* is intended to include both Members of Council and Members of Council Committees or other bodies established by the Council.
- 2.10. *"Member of Council"* means a duly elected Member of Council and includes the Mayor and Deputy Mayor.
- 2.11. *"Member of Council Committee or other body established by the Council"* means member of a committee, board, authority, task force or other body duly appointed by Council.
- 2.12. *"Summer Village"* means the Corporation or the Summer Village of Castle Island.

3. CODE OF CONDUCT

- 3.1. That the *Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council* is attached hereto as "Schedule A" and forms part of this bylaw.

4. PROCEDURE FOR COMPLAINTS, INVESTIGATIONS AND SANCTIONS

- 4.1. That the *Procedure for Complaints, Investigations and Sanctions Regarding Breach of the Code of Conduct*, is attached hereto as "Schedule B" and forms part of this bylaw.

5. AMENDMENTS

- 5.1. That amendments or additions to the *Code of Conduct for members of Council, Council Committees and Other Bodies Established by the Council* (Schedule A) or the *Procedure for Complaints, Investigations and Sanctions Regarding Breach of the Code of Conduct* (Schedule B) will require an amendment to this Bylaw.

6. INTERPRETATION

- 6.1.** Terms which are not defined in the Code of Conduct Bylaw will be given their ordinary meaning.
- 6.2.** Within the text of the Code of Conduct Bylaw:
- a)** use of a pronoun or determiner which indicates one gender shall include all genders unless the context requires otherwise, and
 - b)** use of the singular shall include the plural and the plural shall include the singular as the context requires.

7. SEVERABILITY

- 7.1.** It is the intention of the Council of the Summer Village of Castle Island that each section of this Bylaw should be considered as being separate and severable from all other sections. Should any section or part of this Bylaw be found to have been improperly enacted, then such section or part shall be regarded as being severable from the rest of this Bylaw and that the Bylaw remaining after such severance shall be effective and enforceable.

8. COMING INTO FORCE

This Bylaw shall come into effect upon the third and final reading and signing of this Bylaw

READ a first time this 12th day of September, 2023.

READ a second time this 12th day of September, 2023.

UNANIMOUS CONSENT to proceed to third reading this 12th day of September, 2023.

READ a third and final time this 12th day of September, 2023.

SIGNED this 12th day of September, 2023

Mayor, Ian Kupchenko

Chief Administrative Officer, Wendy Wildman

SCHEDULE A

THE SUMMER VILLAGE OF CASTLE ISLAND CODE OF CONDUCT FOR MEMBERS OF COUNCIL, COUNCIL COMMITTEES AND OTHER BODIES ESTABLISHED BY THE COUNCIL

1. PURPOSE AND PRINCIPLES

- 1.1. The purpose and intent of this Code of Conduct is to establish standards of conduct for Members of Council, Council Committees and other bodies established by the Council so that they may carry out their entrusted duties with diligence and impartiality while maintaining the highest standard of integrity.
- 1.2. The Code is intended to supplement existing superior legislation and municipal bylaws and policies that govern the conduct of Members of Council, Council Committees and other bodies established by the Council.
- 1.3. The key principles underlying this Code of Conduct are as follows:
 - a) The public should have confidence that the elected and appointed officials of the Summer Village of Castle Island operate from a basis of integrity, justice, courtesy and propriety and will carry out their duties in a fair, impartial and transparent manner;
 - b) Holding public office is a privilege and responsibility and Members shall put the interests of the residents and ratepayers of the municipality as a whole above personal interests;
 - c) Members should demonstrate respect for the law and for the policies, procedures and processes of the Summer Village of Castle Island;
 - d) Members have a duty to treat members of the public, representatives from other agencies or municipalities, each other and staff with respect and dignity and without abuse, bullying or intimidation;
 - e) Members of Council, Council Committees and other bodies established by the Council must exercise due care in the treatment of any Confidential Information obtained through their elected or appointed positions.

2. COMPLIANCE WITH CODE OF CONDUCT

- 2.1. This Code of Conduct applies to all Members of Council and Members of Council Committees and other bodies established by the Council and all Members must observe and comply with all provisions of the Code of Conduct as well as other policies and procedures established by Council which affect the Member.
- 2.2. Members of Council shall sign and agree to comply with the Code of Conduct at or prior to the first meeting of Council after their election to office.

- 2.3. Members of Council Committees or other bodies established by the Council of the Summer Village of who are not Members of the Summer Village of Castle Island Council or the Council of another municipality, shall sign and agree to comply with the Summer Village of Castle Island Code of Conduct on or before attending their first committee meeting. Members of Council Committees or other bodies established by the Council who are Members of a Council of another municipality will adhere to their own municipality's Code of Conduct for Members of Council.
- 2.4. Members of Council of the Summer Village of Castle Island, who are Members of another municipality's Council Committee or other body created by the Council of that municipality, are expected to adhere in their dealings with that committee to the Summer Village of Castle Island Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council.
- 2.5. Members of Council Committees or other bodies established by the Council who are not Members of a municipal council who fail to sign and agree to comply with the Code of Conduct may be required to relinquish their position on the Committee.
- 2.6. All Members shall respect the processes for complaints and investigations under the Code of Conduct and cooperate fully with these processes.
- 2.7. No Member shall threaten or undertake any act of reprisal against a complainant or a person providing information in the investigation of an alleged violation of the Code of Conduct.

3. GENERAL PERSONAL CONDUCT

- 3.1. Members shall strive for excellence in the performance of their duties of Council, Council Committees or other bodies established by the Council.
- 3.2. As representatives of the Summer Village of Castle Island, Members will, at all times, conduct themselves in all their affairs with integrity so as to reflect positively on the municipality and promote public confidence.
- 3.3. Members of Council shall carry out their duties with impartiality, putting the interests of the residents and ratepayers of the whole municipality above personal interests.
- 3.4. Members will take particular care to ensure that during meetings of Council, Council Committees or other bodies established by the Council, they do not make comments that could be offensive to other Members, staff or the public or that could be construed as sexist, racist or otherwise discriminatory.
- 3.5. Members will conduct municipal business and their duties in an open and transparent manner so that the public can understand the process and rationale that has been used to make decisions.



- 3.6.** Members of Council shall show respect for other Members of Council, for decisions and the decision-making process of Council and for Council procedures as outlined in the Summer Village of Castle Island Procedural Bylaw. Members of Council Committees or other bodies established by the Council who are Members of a Council of another municipality will adhere to their own municipality's Code of Conduct for Members of Council.
- 3.7.** Members of Council of the Summer Village of Castle Island, who are Members of another municipality's Council Committee or other body created by the Council of that municipality, are expected to adhere in their dealings with that committee to the Summer Village of Castle Island Code of Conduct for Members of Council, Council Committees and Other Bodies established by the Council.
- 3.8.** Members of Council Committees or other bodies established by the Council who are not Members of a municipal council who fail to sign and agree to comply with the Code of Conduct may be required to relinquish their position on the Committee.
- 3.9.** The venue for discussions on matters before Council, a Council Committee or other body established by the Council is within their respective meetings. Members shall not engage in debate with each other via public mediums such as letters to the editor, bios or social media.
- 3.10.** Members are expected to use good judgement as to what is appropriate use of electronic social media and must not communicate anything that could harm the reputation of the Summer Village of Castle Island. Providing personal comments on matters before Council, Council Committees or other bodies established by the Council on social media is inappropriate.
- 3.11.** All Members shall respect the processes for complaints and investigations under the Code of Conduct and cooperate fully with these processes.
- 3.12.** No Member shall threaten or undertake any act of reprisal against a complainant or a person providing information in the investigation of an alleged violation of the Code of Conduct.
- 3.13.** If a difference or conflict between Members is not easily resolved, processes outlined in the Procedure Bylaw and best practices in conflict resolution shall be employed in order to resolve the issue and maintain working relationships among Members.

4. OBLIGATIONS OF MEMBERS

- 4.1.** Members must conduct themselves in accordance with the requirements and obligations set out in municipal, provincial and federal legislation or regulations, including but not limited to the following:
- a)** Alberta Human Rights Act;
 - b)** Alberta Local Authorities Election Act;
 - c)** Canadian Human Rights Act;
 - d)** Criminal Code of Canada;

- e) Freedom of Information and Protection of Privacy Act;
- f) The Summer Village of Castle Island Procedural Bylaw;
- g) Municipal Government Act;
- h) Occupational Health and Safety Act, Regulation and Code, including the Summer Village of Castle Island Health and Safety Program.

- 4.2. As outlined in the Municipal Government Act, Members of Council have a duty to participate in council meetings, council committee meetings and meetings of other bodies to which they are appointed by Council. This duty includes an obligation to vote on all matters for which they are present, excepting any restrictions outlined in the Municipal Government Act including those outlined pertaining to conflict of interest situations.
- 4.3. All Members are expected to be suitably prepared for meetings of Council or any Committee or other body established by the Council on which they serve.
- 4.4. All Members must attend orientation or training sessions as offered by the municipality.

5. AVOIDANCE OF CONFLICTS OF INTEREST

- 5.1. Members of Council shall disclose any pecuniary or personal interest that may influence or appear to influence their decision in a matter that comes before the Council.
- 5.2. Members of a Council Committee or other body established by the Council shall disclose any pecuniary or personal interest that may influence or appear to influence their decision in a matter that comes before the Committee or other body on which they serve.
- 5.3. Members shall remove themselves from the proceedings regarding any matter in which they have a pecuniary interest. For clarity, as outlined in Section 172 of the Municipal Government Act, "proceedings" includes discussion and voting on the subject matter in a meeting and "remove" means both abstaining from voting and physically vacating the meeting room for the duration of the proceedings.
- 5.4. Members shall not influence or attempt to influence a decision in a matter that they have a pecuniary or personal interest which comes before Council, a Council Committee or other body established by the Council on which they serve.
- 5.5. Members shall not place themselves in a position of obligation to any person or organization which may benefit from special consideration or preferential treatment from Council, a Council Committee or other body established by the Council.
- 5.6. Members shall not allow their personal interests or connection to volunteer organizations to influence their impartiality with respect to the duties they

carry out as Members of Council, a Council Committee or other body established by the Council.

- 5.7. Members shall not engage in any activity that is incompatible with the ethical performance of their official duties in the public interest, as members of Council, as Council Committee or other body established by the Council.

6. USE OF MUNICIPAL ASSETS AND SERVICES

- 6.1. Members shall use municipal assets and services for activities relevant to their role as Members of Council, a Council Committee or other body established by the Council, and in accordance with any applicable municipal policy or procedure.
- 6.2. Members shall use municipal computers, smart phones or other related technology devices or systems, including email and internet, in accordance with the municipality's policies and procedures
- 6.3. Members of Council shall not use the property, land, facilities, equipment, supplies, services or other resources of the municipality for any election campaign or campaign-related activities, unless otherwise authorized by policy or bylaw or expressly in cases when the use of public assets is part of a public election forum open to all candidates and sanctioned by the municipality.
- 6.4. No Member of Council shall use the services of persons for election-related purposes during hours in which those persons are receiving compensation from the municipality.
- 6.5. No Member shall obtain personal or financial gain or advantage through the use of municipal assets or services or from municipally developed intellectual property.

7. USE OF INFLUENCE OF OFFICE

- 7.1. No Member shall use the influence of his or her position on Council, a Council Committee or other body established by the Council for any purpose other than for the exercise of his or her official duties.
- 7.2. Members shall not use their position to obtain employment or contracts with the municipality for themselves, family members or close associates.

8. ACCEPTANCE OF GIFTS OR BENEFITS

- 8.1. Acceptance of gifts or benefits by a Member shall be in accordance with federal and provincial legislation and must be accepted or reported in accordance with any Summer Village policy or procedure.
- 8.2. Members shall ensure that they do not place themselves in a position of obligation to any person or organization which may benefit from special consideration or preferential treatment from Council, a Council Committee or

other body established by the Council through the acceptance of gifts or benefits.

9. INTERACTIONS WITH MUNICIPAL STAFF

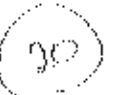
- 9.1.** Council's sole employee is the Chief Administrative Officer (CAO); Members of Council will respect the CAO's authority to direct staff.
- 9.2.** Members will treat municipal staff with dignity, understanding and respect and will adhere to any of the Summer Village of Castle Island policies, procedures or directives in order to ensure that the municipal work environment is free from discrimination, bullying and harassment.
- 9.3.** No Member shall use, or attempt to use, their authority for the purpose of influencing any staff member with the intent of interfering in staff's duties.
- 9.4.** No Member shall maliciously or falsely impugn or injure the professional or ethical reputation of staff and all Members shall show respect for the professional capacities of the staff of the municipality.
- 9.5.** No Members shall compel staff to engage in partisan political activities or subject staff to threat or discrimination for refusing to participate in such activities.

10. INTERACTIONS WITH OTHER AGENCIES OR MUNICIPALITIES AND THE PUBLIC

- 10.1.** In the performance of their duties, Members will treat representatives of other agencies or municipalities and members of the public with dignity, understanding and respect and will adhere to any and or all of the Summer Village of Castle Island policies, procedures or directives put in place to ensure that workplace environments are free from discrimination, bullying and harassment.

11. CONFIDENTIAL INFORMATION

- 11.1.** Personal information collected by the Summer Village of Castle Island will only be used for the purpose for which it was collected, and only disclosed if such disclosure complies with Alberta's Freedom of Information and Protection of Privacy Act (FOIPP).
- 11.2.** Members are encouraged to acquire an understanding of the principles of FOIPP.
- 11.3.** Members shall not release information subject to solicitor-client privilege without express authorization from Council unless required by law to do so.
- 11.4.** Members shall not release or divulge any matters discussed while in a closed meeting including any aspect of the closed meeting deliberations to anyone,



unless expressly authorized by Council or required by law to do so.

- 11.5.** Members who speak or write publicly are responsible for ensuring that they do not divulge Confidential Information.
- 11.6.** The responsibility for protecting Confidential Information includes the responsibility for ensuring that documents or digital information are not directly or indirectly made available to unauthorized persons.
- 11.7.** No Member shall use Confidential Information for personal gain or benefit, or for the personal gain or benefit of any other person or body.
- 11.8.** A Member's responsibility for maintaining confidentiality extends beyond the term of office or the period of appointment.

12. IMPLEMENTATION

- 12.1.** The Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council and the Procedure for Complaints Investigations and Sanctions Regarding Breach of the Code of Conduct will be adopted by bylaw as required by Section 146.1 of the Municipal Government Act, or as amended from time to time.
- 12.2.** Amendments or additions to the Code of Conduct or the Procedure for Complaints Investigations and Sanctions Regarding Breach of the Code of Conduct will require an amendment to the Code of Conduct Bylaw.
- 12.3.** Council will review the Code of Conduct on an annual basis at the Organizational Meeting to ensure it is current and remains relevant to the day-to-day conduct of Members.
- 12.4.** Council will appoint an Integrity Commissioner who will be responsible for accepting, assessing, investigating and adjudicating complaints or requests for investigation regarding breach of the Code of Conduct.
- 12.5.** The process for appointing the Integrity Commissioner will be the same process as for appointments to Council Committees or other bodies established by Council.
- 12.6.** The position of Integrity Commissioner will be a paid contract position, with an appropriate hourly rate of pay or daily per diem, to be established by Council at the time of appointment. The Commissioner may also be reimbursed for expenses approved by the Mayor, or the Deputy Mayor or any 2 members of Council who are not the subject of any complaint under investigation.
- 12.7.** The term for an Integrity Commissioner will be 4 years; a Commissioner may be re-appointed at the end of their first term but may not serve more than two (2) consecutive terms.
- 12.8.** If at any time it is determined by Council that the Integrity Commissioner has

conflict of interest or has acted in an unfair or unethical manner, Council may require the Commissioner to relinquish their position.

- 12.9.** Complaints and requests for investigations into allegations that a Member has breached the Code of Conduct will follow the procedure outlined in the *Procedure for Complaints Investigations and Sanctions Regarding Breach of the Code of Conduct*, Schedule B of the Code of Conduct Bylaw.

SCHEDULE B

THE SUMMER VILLAGE OF CASTLE ISLAND PROCEDURE FOR COMPLAINTS, INVESTIGATIONS AND SANCTIONS REGARDING BREACH OF THE CODE OF CONDUCT

Where a member of the public, a Member of Council, a Member of a Council Committee or other body established by the Council, or an employee of the Summer Village of Castle Island, has reasonable grounds to believe that a Member has breached this Code, a complaint or request for inquiry may be submitted in confidence to the Integrity Commissioner or to a designated alternate in the absence of the Commissioner.

All complaints or requests for inquiries must be in writing and should include:

- a) the complainant's name and contact information;
- b) the name of the Member(s) to whom the complaint relates;
- c) the nature of the alleged contravention;
- d) the specific provision(s) of the Code allegedly contravened;
- e) names of any witnesses to the alleged contravention;
- f) any other supporting documentation that will assist the Commissioner in evaluating the complaint.

The Commissioner may refuse to undertake an investigation if the complainant fails to provide sufficient documentation to support their complaint.

If after reviewing the complaint, if the Commissioner determines that the complaint is an allegation of a criminal nature consistent with the Criminal Code, the Commissioner will inform the complainant that the allegation must be made through the appropriate police service.

If the complainant is a Member or municipal staff, the Commissioner will review the complaint to determine if it falls under any of the Summer Village's harassment or respectful workplace policies, procedures or directives intended to ensure a working environment free of discrimination, bullying and harassment. If it does, the Commissioner will advise the complainant to contact the appropriate party (CAO, Manager or Supervisor) to initiate the process outlined in the applicable policy, procedure or directive.

Formal investigation of any complaint will be at the discretion of the Commissioner. If the Commissioner finds the allegations to be frivolous or unsubstantiated, he or she may decline to conduct an investigation and will inform the complainant of this decision.

If it is found that an investigation is warranted, the Member whose conduct is in question will be provided with a copy of the complaint and supporting documentation and be given the opportunity to provide a written response to the allegations being made.

Once the investigation is complete, the Commissioner will submit a written report which may include statements from both the complainant and the Member who is the subject of the complaint as well as a recommendation for appropriate sanctions (if any) to the Council of the Summer Village of Castle Island. The report will be discussed at a closed meeting session of Council. Neither the Member who is the subject of the complaint, nor

the complainant may attend this closed meeting session but they may submit written statements to the Commissioner for consideration and inclusion in the report to Council, if they choose to do so. Council (excluding the Member who is subject of the complaint) will then determine what sanctions (if any) will be imposed. In the event that all of Council are the subjects of the complaint, it will fall to the Commissioner to determine what sanctions (if any) will be imposed.

The Commissioner may recommend that Council impose any of the following sanctions:

- a) Require a written or verbal public apology;
- b) Require additional training on ethical and/or respectful conduct;
- c) Return of property or reimbursement of its value or of monies spent;
- d) Removal from membership of a Committee; Removal as chair of a Committee;
- e) Reporting the misconduct to Alberta Municipal Affairs or another appropriate authority;
or
- f) Other consequences as deemed appropriate and necessary but not including disqualification of a Member of Council.

The results of an investigation by the Commissioner and the imposition (or lack of the imposition) of sanctions by Council or the Commissioner have no appeal mechanism and are to be considered final.



Summer Village of Castle Island Request For Decision (RFD) 2023-5

Meeting:	Regular Council
Meeting Date:	September 12 th , 2023
Originated By:	Dwight Moskalyk, Municipal Advisor
Title:	Bylaw 2023-02, Establishment of the Office of CAO and Designated Officers Bylaw – MAP Review Compliance Item #5
Agenda Item Number:	5(b) – Business

BACKGROUND/PROPOSAL:

Noted as a compliance gap in the 2022 Municipal Accountability Program (MAP) review (published on September 27th, 2022), the municipality has been tasked to prepare and pass a Chief Administrative Officer Bylaw and confirm same has been completed to the assigned agent from Municipal Affairs.

In total there were 28 compliance gaps noted in the MAP review. In accordance with Administration's approved plan to address these gaps, the municipality will be working away at the list of items and getting them address over the next several meetings to bring the municipality into compliance with the Act. The Establishment of the Officer of Chief Administrative Officer and Designated Officers Bylaw addresses one of these items (noted as Item #5 in the MAP Review). Administration has drafted the referenced Bylaw for Council's consideration (attached).

This draft bylaw is based off of the Summer Village of Nakamun Park CAO and Designated Officers Bylaw, which has been vetted through its own MAP review and was found to meet the compliance expectations at the time (2021).

The primary MGA references for this topic is, as listed in the draft bylaw, Section 205 through 212 (in Part 6).

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

This bylaw format is slightly more intensive than the typical CAO bylaw. It covers the basics of establishing the CAO position and assigning certain duties and obligations to same. There are other versions in existence which are perhaps simpler and more to the point, and we can bring same forward if Council prefers. However, the advantage of the format as provided in this draft bylaw is that it also addresses the establishment and assigning of authorities to various other designated officers who are acting either through, on behalf of, or under independent legislation in conjunction with, municipal administrators – so that we can have the overarching discussion on municipal authorities concurrently. The alternative is to either set-out the establishment and regulation of these designated officer offices in separate bylaws, which can be a bit more tricky keep track of.

There is no right or wrong way, but let's start the discussion here and see where it goes.



Just a note, CAO and designated officers appointment and confirmation of appointment are reviewed in the organization meeting every year. This is a second opportunity to review the authorities addressed in this bylaw at the field/service delivery level.

COSTS/SOURCE OF FUNDING (if applicable)

The cost to prepare and present the Bylaw are part of the MAP compliance budget. There are no direct costs that are "new" for having passed this bylaw – with or without designated officer references. Any new services for the CAO or designated officers are determined in those respective service agreement negotiations and form part of the annual budget discussion.

RECOMMENDED ACTION:

1. Council review the proposed Establishment of the Office of Chief Administrative Officer and Designated Officers Bylaw and give all required readings to pass the bylaw, as is or as amended to assign bylaw number 2023-02, during the September 12th, 2023 meeting of council.
2. That Council engage Wildwillow Enterprises Inc for the provision of Chief Administrative Officer Services and assigns and appoints Wendy Wildman as the Chief Administrative Officer for the Summer Village of Castle Island.

Initials show support – Reviewed By:

CAO: *W. Wildman, CAO*

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**A BYLAW OF THE SUMMER VILLAGE OF CASTLE ISLAND, IN THE
PROVINCE OF ALBERTA TO ESTABLISH THE POSITIONS OF CHIEF
ADMINISTRATIVE OFFICER AND DESIGNATED OFFICERS.**

WHEREAS the *Municipal Government Act* provides that a council must establish by bylaw a position of chief administrative officer;

AND WHEREAS the *Municipal Government Act* provides that a council may by bylaw establish one or more positions to carry out the powers, duties or functions of a designated officer;

AND WHEREAS Council wishes to exercise its authority pursuant to the *Municipal Government Act* by establishing the positions of Chief Administrative Officer and designated officers;

NOW THEREFORE the Municipal Council of the Summer Village of Castle Island, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. TITLE

- 1.1. This Bylaw may be cited as the "Establishment of CAO and Designated Officers Bylaw".

2. INTERPRETATION

- 2.1. In this Bylaw, the following terms shall have the following meanings:
- a) "Bylaw" means this Designated Officer Bylaw;
 - b) "CAO" means the chief administrative officer for the Summer Village appointed pursuant to this Bylaw and as defined in the *Municipal Government Act*;
 - c) "Council" means the municipal council of the Summer Village;
 - d) "Designated Officer" has the same meaning as defined in the *Municipal Government Act*;
 - e) "FOIP" means the *Freedom of Information and Protection of Privacy Act*, RSA 2000 c F-25 and the regulations thereunder;
 - f) "*Municipal Government Act*" means the *Municipal Government Act*, RSA 2000, c M-26 and the regulations thereunder; and
 - g) "Summer Village" means the municipal corporation of the Summer Village of Castle Island.
- 2.2. Any references in this Bylaw to any statutes, regulations, bylaws or other enactments is to those statutes, regulations, bylaws or other enactments as amended or replaced from time to time and any amendments thereto.
- 2.3. Whenever a singular or masculine form of a word is used in this Bylaw, it shall include the plural, feminine or neutral form of the word as the context requires.

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2.4. The headings in this Bylaw do not form part of this Bylaw and shall not affect its interpretation.

3. CHIEF ADMINISTRATIVE OFFICER

- 3.1. The position of the CAO is hereby established.
- 3.2. The CAO shall be given the title "Chief Administrative Officer".
- 3.3. The CAO shall be appointed by resolution of Council and may be engaged by an employment or other contract. If applicable, all aspects of employment not addressed in the employment contract shall be addressed by the Summer Village personnel policies.
- 3.4. The CAO shall have all of the powers, duties and functions of a chief administrative officer as set out in the *Municipal Government Act*.
- 3.5. Without limiting the generality of section 3.4 of this Bylaw, the CAO is the head of the Summer Village within the meaning of *FOIP*.
- 3.6. Unless a Designated Officer is expressly appointed in this Bylaw or another bylaw of the Summer Village, the CAO has all the powers, duties and functions given to a Designated Officer under the Municipal Government Act or any other statute or enactment.
- 3.7. The powers, duties and functions assigned to the CAO by this Bylaw are in addition to any other powers, duties or functions assigned or delegated by Council to the CAO or to any other Summer Village employee.

4. DELEGATION BY CAO

- 4.1. The CAO is authorized to delegate and to authorize further delegations of any powers, duties and functions assigned to the CAO by Council under the *Municipal Government Act* and under this or any other bylaw to a Designated Officer or an employee or agent of, or contractor for, the Summer Village.
- 4.2. Without limiting the generality of section 4.1 of this Bylaw, the CAO is authorized to appoint a deputy CAO and delegate the CAO's powers, duties and functions to that deputy CAO and to authorize that deputy CAO to act as the CAO during absences of the CAO.
- 4.3. Without limiting the generality of section 4.1 of this bylaw, the following positions are authorized Designated Officers of the Summer Village:
 - a) Finance Officer
 - b) Peace Officer(s)
 - c) Planning and Development Officer(s)
 - d) Assessment Review Board Clerk
 - e) Municipal Assessor(s)
 - f) Subdivision and Development Appeal Board Clerk

- 4.4. Without limiting the generality of section 4.1 of this bylaw, the CAO is authorized to appoint an acting designated officer during an illness, scheduled absence or other incapacity of a designated officer.

5. APPLICATION

- 5.1. The delegation of Finance Officer as a designated officer shall include, but not be limited through this bylaw to additional powers assigned by the CAO or Council through other bylaws, the following authorities:

Section 213-MGA	Signing or authorizing of agreements, cheques and other negotiable instruments
Section 270-MGA	Opening and closing of accounts that hold municipal funds
Section 309(1.d)-MGA	Contents of assessment notices
Section 334(1.e)-MGA	Contents of tax notices
Section 336(1)-MGA	Certifying date of sending tax notices
Section 343(2)-MGA	Application of the tax payments
Section 350-MGA	Issuing Tax Certificates
Section 612-MGA	Certified Copies

- 5.2. The delegation of Peace Officers as a designated officer shall include, but not be limited through this bylaw to additional powers assigned by the CAO or Council through other bylaws, the following authorities:

Section 420(2)-MGA	Obtaining possessions of lands
Section 436.11-MGA	Obtaining possession of manufactured homes
Section 439(2)-MGA	Preparing and issuing distress warrants and seizing goods
Section 542-MGA	Entering on lands to inspect, remedy and enforce bylaws thereunder
Section 544-MGA	Applying to court for an order re:inspections
Section 545-MGA	Issuing orders to cease contravention of any bylaw
Section 350-MGA	Orders to remedy dangerous and unsightly properties

- 5.3. The delegation of Planning Officers and Development Officer as a designated officer shall include, but not be limited through this bylaw to additional powers assigned by the CAO or Council through other bylaws, the following authorities:

Section 623-MGA	Subdivision Authority, in the case of Planning Officers
Section 624-MGA	Development Authority, in the case of Development Officers

- 5.4. The delegation of Assessment Review Board Clerk as a designated officer shall include, but not be limited through this bylaw to additional powers assigned by the CAO or Council through other bylaws, the following authorities:

Section 456(1)-MGA	Duties of the clerk of Assessment Review Board
Section 461 & 462-MGA	Assessment Complaints
Section 469(1)-MGA	Notice of decision of Assessment Review Board
Section 483-MGA	Decision admissible on appeal

- 5.5. The delegation of Municipal Assessor(s) as a designated officer shall include, but not be limited through this bylaw to additional powers assigned by the CAO or Council through other bylaws, the following authorities:

Section 284.2-MGA Carry out duties and responsibilities of an assessor

- 5.6. The delegation of Subdivision and Development Appeal Board Clerk as a designated officer shall include, but not be limited through this bylaw to additional powers assigned by the CAO or Council through other bylaws, the following authorities:

Section 627.1(3)-MGA Duties of the clerk of the Subdivision and Development Appeal Board

6. GENERAL

- 6.1. Each provision of this Bylaw is independent of all other provisions. If any provision of the Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

7. COMING INTO FORCE

- 7.1 This Bylaw shall come into effect upon the third and final reading and signing of this Bylaw

READ a first time this 12th day of September, 2023.

READ a second time this 12th day of September, 2023.

UNANIMOUS CONSENT to proceed to third reading this 12th of September, 2023.

READ a third and final time this 12th day of September, 2023.

SIGNED this 12th day of September, 2023

Mayor, Ian Kupchenko

Chief Administrative Officer, Wendy Wildman



Summer Village of Castle Island Request For Decision (RFD) 2023-8

Meeting:	Regular Council
Meeting Date:	September 12th, 2023
Originated By:	Dwight Moskalyk, Municipal Advisor
Title:	Bylaw 2023-07, Bylaw Enforcement Officer Bylaw – 2022 MAP Review: Compliance Item #8
Agenda Item Number:	5(b) – Business

BACKGROUND/PROPOSAL:

Noted as a compliance gap in the 2022 Municipal Accountability Program (MAP) review (published on September 27th, 2022), the municipality has been tasked to prepare and pass a Bylaw Enforcement Officer Bylaw.

Administration has drafted Bylaw 2023-07, attached for consideration of same. Note this Bylaw is to be read in conjunction with the CAO and Designated Officers Bylaw, which grants related authorities (Bylaw Enforcement Officer) with supporting scope of office.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

Again we are borrowing the same template and framework for this bylaw as we use in many other communities, and which has been subject to MAP review in recent years (SVNP in 2020). The attached bylaw addresses the primary functions required under the Act:

- a) Establish the Position
- b) Assign Duties and Powers (a cross reference to the CAO and Designated Officer Bylaw again)
- c) Outline a fair and transparent complaint process as a check on enforcement powers, and an investigate and review and disciplinary process to handle complaints in a mechanism accessible to all parties.

As this is likely to be another one of those services addressed through outside contract services, you will likely be reading this in conjunction with, or through the lens of, an existing or potential service agreement. The bylaw is written very high level for this reason, allowing us to establish the basics required by the Act, but leaving the detail to the terms of the service agreement (which may have nuances that we need to yield to in, for example their review and disciplinary process, and do not want to frustrate by overstepping at our local level.

Bylaw Enforcement Officers are designated officers (see CAO and Designated Officer Bylaw) and as such you will want them to be named (now or as part of next Organizational Meeting), which is also a good time to have them complete/renew their require Oath of Office.

COSTS/SOURCE OF FUNDING (if applicable)



The cost to prepare and present the Bylaw are part of the MAP compliance budget. There are no direct costs that are "new" for having passed this bylaw – with or without designated officer references. Any new services for the CAO or designated officers or contract service providers are determined in those respective service agreement negotiations and form part of the annual budget discussion.

RECOMMENDED ACTION:

1. Council review the proposed Bylaw Enforcement Officer Bylaw and give all required readings to pass the bylaw, as is or as amended to assign bylaw number 2023-07, during the September 12th, 2023 meeting of council.
2. Council Approved and Authorize Execution of the Bylaw Enforcement Officer Agreement with _____ (if available).
3. Council appoint _____ as a Bylaw Enforcement Officer (or Officers) for the municipality, designate same as a designated officer (or Officers) and administer the Oath of Office.

Initials show support – Reviewed By: _____ CAO: <i>W. Wildman, CAO</i>
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A BYLAW OF THE SUMMER VILLAGE OF CASTLE ISLAND, IN THE PROVINCE OF ALBERTA, FOR THE ESTABLISHMENT AND REVIEW OF THE BYLAW ENFORCEMENT OFFICER POSTION WITHIN THE MUNICIPALITY

WHEREAS, PURSUANT TO Part 2 of the Municipal Government Act, being Chapter M-26 R.S.A 2000 and amendments thereto, Council may enact a Bylaw;

AND WHEREAS PURSUANT TO Part 13 Section 556 of the Municipal Government Act, being Chapter M26 R.S.A 2000 and amendments thereto, the municipality must pass a bylaw relating to the establishment, designation of powers and duties, and review of the position of a Bylaw Enforcement Officer;

AND WHEREAS the Council of the Summer Village of Castle Island deems it proper and expedient to pass such a Bylaw;

NOW THEREFORE the Council of the Summer Village of Castle Island, in the Province of Alberta, duly assembled, enacts as follows:

1. TITLE

- 1.1 This bylaw may be cited as "Bylaw Enforcement Officer Bylaw"

2. DEFINITIONS

- 1.1 "Bad Faith" means filing the complaint with intentional dishonesty or with the intent to mislead,
- 1.2 "Bylaw" means a Bylaw or any of the Bylaws of the Municipality,
- 1.3 "Bylaw Enforcement Officer" means a person appointed to the position of Bylaw Enforcement Officer For the Summer Village of Castle Island and who has taken the oath prescribed by the Oaths of Office Act,
- 1.4 "Chief Administrative Officer" means the Chief Administrative Officer of the municipality or their designate,

- 1.5 "Council" means the municipal council of the Summer Village of Castle Island,
- 1.6 "Frivolous" means a complaint made merely to harass or embarrass the responding party,
- 1.7 "Misuse of Power" of the Bylaw Enforcement Officer shall mean any one or more of the following:
- i. Failure to perform the duties of the office are required by law;
 - ii. Failure to carry out the duties and responsibilities granted to the position of Bylaw Enforcement Officer in their appointment to the office,
- 1.8 "Municipality" shall mean the Summer Village of Castle Island,
- 1.9 "Vexatious" means a complaint that has no basis in fact or reason, with its purpose to bother, annoy, and or embarrass the Bylaw Enforcement Officer or the Municipality.

3. ESTABLISHMENT OF THE POSITION

- 1.1 The Position of Bylaw Enforcement Officer for the Summer Village of Castle Island is hereby established.

4. POWERS AND DUTIES OF THE BYLAW ENFORCEMENT OFFICER

- 1.1 The Powers and Duties of the Bylaw Enforcement Officer for the Summer Village of Castle Island shall be:
- 1.2 To enforce the municipal bylaws with the boundaries of the municipality;
- 1.3 To follow the direction of the Chief Administrative Officer and to report the Chief Administrative Officer as required;
- 1.4 To response and investigate complaints related to animal control/dangerous animals, invasive animals, untidy/unsightly , noise, parking, traffic and various other municipal bylaws currently existing or as may lawfully arise, whether those complaints arise from the public or the

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municipality through the Chief Administrative Officer, or designate;

- 1.5 To conduct routine patrols of the municipality;
- 1.6 To issue notices, tickets, and/or tags, as may be appropriate;
- 1.7 To assist in the prosecution of bylaw contravention, including appearing in court to provide evidence as may be required;
- 1.8 To perform all other duties as may be assigned by the Chief Administrative Officer from time to time;
- 1.9 To take the Oath of Office as prescribed by the Oaths of Office Act upon being appointed to the office of Bylaw Enforcement Officer and to carry about their person at all such times when acting as Bylaw Enforcement Officer evidence in writing of their appointment and authorities;
- 1.10 The Bylaw Enforcement Officer will be a Designated Officer of the municipality for the purpose of enforcement of orders under section 545 and 546 of the Municipal government Act.

5. COMPLAINTS

- 1.1 In order to ensure a transparent and accountable bylaw enforcement mechanism within the municipality, as is required under the Municipal Government Act, the Summer Village of Castle Island hereby established the follow to receive, review and process complaints:
 - i. Any complaint pertaining to the misuse of power by the Bylaw Enforcement Officer shall be dealt with in accordance with the provisions set out in this section and shall be forwarded directly to the Chief Administrative Officer for review and action;
 - ii. All complaints shall be in writing and addressed to the Chief Administrative Officer;
 - iii. Upon receipt of any complaint, the complaint shall be immediately forwarded to the Chief Administrative Officer;



- iv. The Chief Administrative Officer shall provide to the complainant within thirty (30) days, in writing, acknowledgement that the complaint has been received;
- v. The Chief Administrative Officer shall notify the Bylaw Enforcement Officer involved in the complaint when appropriate. In situations where such notification may unduly influence or negatively impact an internal investigation or place the complainant in an unduly unfavourable position the Bylaw Enforcement Officer's notification may be delayed for a period of time at the discretion of the Chief Administrative Officer.

6. INVESTIGATIONS

- 1.1 In determining the validity of a Complaint, the Chief Administrative Officer, or their designate, shall conduct an investigation by the following method:
 - i. An interview shall be conducted with the complainant, any witness the Bylaw Enforcement Officer(s) involved, if they so consent, and any other person who may have knowledge relevant to the occurrence, and the statements of these people shall be taken for the record;
 - ii. The Bylaw Enforcement Officer(s) shall be allowed the opportunity to make a full response to the allegations and investigates. The response shall be in writing and directed to the Chief Administrative Officer;
 - iii. Upon receiving the Bylaw Enforcement Officer's response and any other information the Chief Administrative Officer believes necessary or appropriate in the circumstance to determine the facts, the Chief Administrative Officer shall either dismiss the complaint as unfounded or as unsubstantiated, or find that the Bylaw Enforcement Officer has misused their power;
 - iv. If the Chief Administrative Officer finds determined a misuse of power occurred, the appropriate corrective disciplinary measures shall be commenced.

- v. Upon conclusion of the investigation, the Chief Administrative Officer shall provide notice in writing within five (5) business days to the Bylaw Enforcement Officer of the allegations made and the finds of the investigation;
- vi. The Chief Administrative Officer may choose not to investigate a complaint if it is, in the opinion of the Chief Administrative Officer, that the Complaint falls into one of the noted categories, as defined in this Bylaw:
 - a. Frivolous,
 - b. Vexatious
 - c. Bad Faith
- vii. Where a Complaint is not investigated for any of the noted reasons under 6.1.1(vi.), above, the Chief Administrative Officer shall explain the rationale for this conclusion in writing and provide this to the Complainant, along with the advise that they may appeal this decision directly to Council for further review;
- viii. The Chief Administrative Officer may resolve complaints informally, arriving at a solution that is satisfactory to the Complainant and the Bylaw Enforcement Officer against whom the Complaint is directed. Written notice that the Complaint has been so resolved will be provided to the Complainant within five (5) business days.

7. DISCIPLINARY ACTION

- 1.1 If it has been determined that a misuse of power has been committed by the Bylaw Enforcement Officer, any one of the following measures may be taken by the Chief Administrative Officer:
 - i. A Warning;
 - ii. A Written Reprimand;
 - iii. Forfeiture of Hours of Work Accumulated Through Overtime, Not Exceeding Ten(10) Hours;
 - iv. Suspension From Duties Without Pay For A Period Not to Exceed Ten (10) Hours of Work;
 - v. Dismissal.

- 1.2 If the disciplinary action is dismissal, the Chief Administrative Officer may, at their sole discretion, offer the Bylaw Enforcement Officer the opportunity to resign from their office within a specified amount of time determined by the Chief Administrative Officer, rather than being dismissed, if the situation so warrants.
- 1.3 Where the Bylaw Enforcement Officer is to be dismissed, or permitted to resign:
 - i. That Action shall be held in abeyance, and
 - ii. The Bylaw Enforcement Officer shall be placed under suspension without pay, until a period of appeal to Council has lapsed or until the appeal has been concluded.
- 1.4 Where a Bylaw Enforcement Officer is found to have misused their power but on appeal is found that they have not misused their power, any disciplinary action imposed on the Bylaw Enforcement Officer shall be rescinded and any pay, benefits, or time forfeited or lost because of a suspension shall be returned to the Bylaw Enforcement Officer.
- 1.5 Where requested in writing by the Bylaw Enforcement Officer, the Employer shall provide the Bylaw Enforcement Officer with a copy of the transcript and any document and reports used in the Bylaw Enforcement Officer's hearing.
- 1.6 When a period of three (3) years has elapsed from the day an official warning or reprimand was issued to a Bylaw Officer, the official warning shall:
 - i. Be removed from the Bylaw Enforcement Officer's file and destroyed, and
 - ii. Not be used or referred to in any future proceedings respecting that Bylaw Enforcement Officer.
- 1.7 When a period of five (5) years has elapsed from the day the disciplinary action was imposed on a Bylaw Enforcement Officer, any record of the disciplinary proceedings respecting the discipline or contravention shall:
 - i. Be removed from the Bylaw Enforcement Officer's file and destroyed, and
 - ii. Not be used or referred to in any future proceedings respecting the Bylaw Enforcement Officer.



8. APPEAL PROCEDURES

- 1.1 A Bylaw Enforcement Officer may appeal in writing the decision of the Chief Administrative Officer within thirty (30) days from the day that the final notification is received by the Bylaw Enforcement Officer.
- 1.2 The Appeal shall be filed with the Mayor, or Chief Elected Official, of the Municipality.
- 1.3 Council shall hold a hearing into the appeal within forty-five (45) days of the receipt of the appeal by the Mayor.
- 1.4 Council shall give reasonable notice of the hearing to the appellant, to the Chief Administrative Officer and to such parties as considered to be affected by the hearing.
- 1.5 Council shall review the complaint and investigation report, and review any other relevant materials or related documents associated with the complaint.
- 1.6 Council, in considering the appeal, may dismiss the appeal; may allow the appeal and impose or vary the discipline, as outlined in Section 7.
- 1.7 Within thirty (30) days of concluding the appeal, the Mayor shall send written notice of Council's decision to the Bylaw Enforcement Officer and Complainant.
- 1.8 The written notice of decision must include reasons for Council's decision.
- 1.9 Council's decision regarding the appeal is final and conclusive with no further right of appeal to the court.

9. RESCINDING OF PRIOR BYLAW

- 1.1 THAT this Bylaw, Bylaw 2023-07, being an originating bylaw of this purpose for this municipality, does not repeal, rescind, nor amend any previously passed bylaw.

10. COMING INTO FORCE

1.1 This Bylaw shall become effective when it has received third and final reading and has been signed by the Mayor and Chief Administrative Officer.

READ a first time this 12th day of September, 2023.

READ a second time this 12th day of September, 2023.

UNANIMOUS CONSENT to proceed to third reading 12th day of September, 2023.

READ a third and final time this 12th day of September, 2023.

SIGNED this 12th day of September, 2023.

Mayor, Ian Kupchenko

C.A.O., Wendy Wildman

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**A BYLAW OF THE SUMMER VILLAGE OF CASTLE ISLAND IN THE PROVINCE
OF ALBERTA, FOR THE PURPOSE OF APPOINTING AN ASSESSOR FOR THE
MUNICIPALITY**

WHEREAS the Municipal Government Act, R.S.A. 2000, being Chapter M-26, requires a municipality to appoint a designated officer to the position of Assessor, and

WHEREAS Council has entered into an agreement with the Municipal Assessment Services Group Inc. for the provision of assessment services;

NOW THEREFORE, the Council of the Summer Village of Castle Island, in the Province of Alberta, duly assembled, enacts as follows:

- I. Appointment
 1. The person appointed by the Summer Village of Castle Island to the position of designated officer, to carry out the duties and responsibilities of Assessor under the Municipal Government Act will be Dan Kanuka of the Municipal Assessment Services Group Inc.
 2. That Bylaw 2008-04 be rescinded.

This Bylaw shall come into full force and effect on its final passing.

READ a first time on this 12th day of September, 2023.

READ a second time on this 12th day of September, 2023.

Unanimous Consent to Proceed to Third Reading on this 12th day of September, 2023.

Read a third and final time on this 12th day of September, 2023.

Signed and passed this 12th day of September, 2023.

Mayor Ian Kupchenko

Chief Administrative Officer Wendy Wildman



**A BYLAW OF THE SUMMER VILLAGE OF CASTLE ISLAND, IN THE
PROVINCE OF ALBERTA TO ESTABLISH A SUBDIVISION AND
DEVELOPMENT APPEAL BOARD.**

WHEREAS the *Municipal Government Act* section 627 provides that a council must establish a subdivision and development appeal board;

AND WHEREAS the *Municipal Government Act* section 628 details what must be included in any bylaw or agreement providing for the establishment and function of a subdivision and development appeal board and its administrative components;

AND WHEREAS Council wishes to exercise its authority pursuant to the *Municipal Government Act* by entering into an agreement to procure subdivision and development appeal board services,

NOW THEREFORE the Municipal Council of the Summer Village of Castle Island, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. TITLE

- 1.1. This Bylaw may be cited as the "Subdivision and Development Appeal Board Bylaw".

2. ESTABLISHMENT

- 2.1. That a board known as the Subdivision and Development Appeal Board (SDAB) of the Summer Village of Castle Island, hereinafter called the "Board" is hereby established;
- a) The Summer Village of Castle Island shall appoint a minimum of three (3) members to the Board by resolution of Council;
 - b) No person who is a Development Officer or a member of a Municipal Planning Commission shall be appointed to act as a member of the Board;
 - c) Each Board Member and the Clerk of the SDAB shall be appointed for a term not to exceed three (3) years and may be re-appointed upon the expiry of its members; more than one clerk may be appointed;
 - d) Any vacancy caused by the death, retirement or resignation of a member shall be filled by resolution of Council; and
 - e) A member shall not be disbanded or discharged without cause.
- 2.2. There must be three (3) members of the Board to constitute a quorum for the making of all decisions and for doing any action required or permitted to be done by the Board.

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- 2.3. A decision of the Board shall be made only by those members present at a meeting duly convened.
- 2.4. The decision of the majority of the members present at a meeting duly convened shall be deemed to be the decision of the Board.
- 2.5. The Board shall hold such meetings as are necessary to fulfill the Board's responsibility.
- 2.6. Hearings on appeals filed will be held at a location established by the Clerk.
- 2.7. The Summer Village of Castle Island will compensate the board members and clerk.
- 2.8. The Clerk shall prepare and maintain a record of written minutes of the business transacted at all meetings of the Board, copies of which shall be regularly filed with the Council of the Summer Village of Castle Island.
- 2.9. On or before January 1st each year the municipality must submit an annual report to the province containing information on the number of SDAB clerks and members they have appointed, and those who have completed and enrolled in the required SDAB training.
- 2.10. A member of any SDAB must not participate in a hearing unless the member has successfully completed a training program.
- 2.11. SDAB members must take a refresher course every three (3) years to stay current on appeal matters (such as changes in law, planning and/or administration).
- 2.12. Council must appoint one or more clerks. Clerks of an SDAB must be appointed as a designated officer, and they are not eligible for appointment if the training requirements are not successfully met.
- 2.13. Board members and clerks are required to undergo mandatory training based on a standard training program to be approved by the Minister of Municipal Affairs. All

SDAB members and clerks must successfully complete the SDAB training as approved by the Minister.

- 2.14. The SDAB Clerk administers and oversees the scheduling and recording of SDAB hearings. The training requirements and qualifications for SDAB clerks differ from the training requirements for SDAB members based on their different roles. SDAB clerks must take a refresher on the SDAB training every three (3) years to stay current with the roles and responsibilities of the position.
- 2.15. The rates for remuneration, traveling and other expenses of the Board Member and Clerk shall be the rates agreed to in the corresponding service agreement, as negotiated from time to time.
- 2.16. The Board shall elect a Chairman from the Board members in attendance at any required meeting.
- 2.17. The election of Chairman shall occur at the beginning of each meeting.

3. FUNCTION AND OPERATION

- 3.1. The Board shall hear appeals where a Development Authority or Subdivision Authority or Development Officer or Council:
 - a) refuses or fails to issue a development permit to a person within 40 days of receipt of the application;
 - b) issues a development permit subject to conditions;
 - c) issues an order under section 645 of the Municipal Government Act; or
 - d) issues a decision on a subdivision application.
- 3.2. The Board shall hear appeals from any other person affected by an order, decisions on subdivision and development applications of a Development or Subdivision Authority or development permit of a Development Officer.
- 3.3. The Board Secretary or a duly appointed officer of the Summer Village of Castle Island shall give at least five (5) working days notice in writing of the public hearing to:
 - a) the appellant;

- b) the Development or Subdivision Authority from whose order, decision or development permit the appeal is made; and
 - c) those owners required to be notified under the Land Use Bylaw and any other person that the Board Secretary or a duly appointed officer of the Summer Village of Castle Island considers to be affected by the appeal and should be notified.
- 3.4. In determining an appeal, the Board:
- a) shall comply with any regional plan, statutory plan, and subject to clause (c), any land use bylaw or land use regulations in effect and must have regard to but is not bound by the subdivision and development regulations;
 - b) may confirm, revoke or vary the order, decision or development permit or any condition attached to any of them or make or substitute an order, decision of its own; and
 - c) notwithstanding the development permit, that the proposed development does not comply with the land use bylaw or land use regulations if, in its opinion:
 - (i) the proposed development would not:
 - a. unduly interfere with the amenities of the neighborhood; or
 - b. materially interfere with or affect the use, enjoyment or value of neighboring properties; and
 - (ii) the proposed development or subdivision does not conflict with the use prescribed for that land or building in the Land Use Bylaw or Land Use regulations, as the case may be.
- 3.5. The Board shall give its decision in writing together with reasons for the decision within fifteen (15) working days of the conclusion of the hearing.

4. GENERAL

- 4.1. Each provision of this Bylaw is independent of all other provisions. If any provision of the Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- 4.2. This Bylaw rescinds any previous bylaw referencing the establishment of a subdivision and development appeal board in and for the Summer Village of Castle Island, and shall come into full force when it receives THIRD and FINAL reading and is duly signed.

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5. COMING INTO FORCE

This Bylaw shall come into effect upon the third and final reading and signing of this Bylaw

READ a first time this 12th day of September, 2023.

READ a second time this 12th day of September, 2023.

UNANIMOUS CONSENT to proceed to third reading this 12th day of September, 2023.

READ a third and final time this 12th day of September, 2023.

SIGNED this 12th day of September, 2023.

Mayor, Ian Kupchenko

Chief Administrative Officer, Wendy Wildman

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MEMORANDUM OF AGREEMENT

This Agreement dated this _____ day of _____, 20_____

BETWEEN:

The Summer Village Castle Island

Being municipal corporations pursuant to the *Municipal Government Act*, R.S.A. 2000 Chapter M-26

{collectively the "Municipality"}

-and-

Milestone Municipal Services Inc.

("Coordinator")

AN AGREEMENT TO PROVIDE FOR SUBDIVISION AND DEVELOPMENT APPEAL BOARD (SDAB) SERVICES

WHEREAS the Municipality is required to establish a Subdivision and Development Appeal Board (SDAB) and appoint Board Members and Clerk to the SDAB in accordance with the provision of the Municipal Government Act, R.S.A. 2000, c. M-26, as amended (the MGA)

AND WHEREAS the Municipality and Coordinator have reached agreement with respect to the terms and conditions under which the Coordinator will provide such SDAB services to the Municipality.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements contained herein, the Parties hereto covenant and agree each with the other as follows:

1) DEFINITIONS AND SCHEDULES

In this Agreement, unless the context provides otherwise, the following words or phrases will have the following meanings:

- 1.1 "Act" means the *Municipal Government Act*, R.S.A. 2000 Chapter M-26, as amended from time to time, together with all Regulations passed thereunder;
- 1.2 "Agreement" means this Agreement as the same may be amended from time to time and the expressions "herein", "hereof", "hereto", "above", "below" and similar expressions if used in any article, section or paragraph of this Agreement refer to this Agreement including the Schedules attached hereto and do not refer solely to a particular article, section or paragraph unless specifically stated herein;

- 1.3 "Board Member" means an individual appointed as a member to the Subdivision and Development Appeal Board (SDAB) and "Board Members" means all the individuals appointed as members to the Subdivision and Development Appeal Board (SDAB);
- 1.4 "Business Day" means a day other than a Saturday, Sunday or statutory holiday in the Province of Alberta;
- 1.5 "Bylaw" means the Subdivision and Development Appeal Board Bylaw adopted by the Municipality;
- 1.6 "Chief Administrative Officer" means the individual appointed as Chief Administrative Officer by Council of the Municipality in accordance with the Act or his/her designate;
- 1.7 "Clerk" means a person qualified and appointed as clerk to the SDAB in accordance with the Act;
- 1.8 "Coordinator" means Milestone Municipal Services Inc.;
- 1.9 "Council" means the duly elected body of the Municipality;
- 1.10 "Designated Officer" has the same meaning as in the Act;
- 1.11 "Force Majeure" means acts of God, strikes, lockouts or other industrial disturbances of a general nature affecting an industry critical to the performance of this Agreement, acts of the Queen's enemies, wars, blockades, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, arrests and restraints of rulers and people, civil disturbances, explosions, inability with reasonable diligence to obtain materials and any other cause not within the control of the Party claiming a suspension, which, by the exercise of due diligence, such Party shall not have been able to avoid or overcome; provided however, the term "Force Majeure" does not include a lack of financial resources or available funds or similar financial predicament or economic circumstances or any other event, the occurrence or existence of which is due to the financial inability of a Party to pay any amount that a prudent and financially sound entity in similar circumstances would reasonably be expected to pay to avoid or discontinue such event;
- 1.12 "Municipality" means a municipality which is a party to this Agreement;
- 1.13 "Party" means a party to this Agreement and "Parties" means two or more parties to this Agreement;
- 1.14 "Panel" means a panel of the SDAB consisting of three (3) or five (5) Members;
- 1.15 "Services" means the SDAB coordination and support services provided by the Coordinator pursuant to Schedule "A";
- 1.16 "Service Fee" means the annual Service fee and additional fees set out in Schedule "B"; and
- 1.17 The following schedules form part of this Agreement:

Schedule A - Services

Schedule B - Annual Service Fees and Additional Fees

2) **TERM**

- 2.1 The term of the Agreement commences on _____, 201., and shall continue until terminated by one or more Parties as follows (the "Term"):
- a) The Municipality may terminate its participation in this Agreement at any time by providing not less than sixty (60) days' prior written notice to the Coordinator. The Municipality shall forfeit the full amount of the Municipality's annual Service Fee paid or owing for that calendar year in which the notice of termination is effective.
 - b) The Coordinator may terminate this Agreement at any time by providing not less than six (6) months' prior written notice to the Municipality effective January 1 of the subsequent year.
 - c) This Agreement may be terminated at any time by the mutual written agreement of the Municipality and the Coordinator.
 - d) This Agreement will also cease upon:
 - i. the Coordinator's death;
 - ii. the Coordinator's incapacity for a continuous period of three (3) months to perform the essential functions this Agreement as determined by duly qualified physician agreed to by the Parties; or
 - ii. Dissolution of the Municipality with appropriate notice to Coordinator.
- 2.2 Notwithstanding Clause 2.1, neither the Municipality nor the Coordinator may terminate this Agreement during the first three years of the Term.
- 2.3 All amounts owing by one Party to another Party as at the effective date of termination shall be paid in accordance with the terms of this Agreement. The Coordinator shall issue a final invoice to the Municipality affected by a notice of termination within thirty (30) of the effective date of termination.

3) **MUNICIPALITY RESPONSIBILITIES**

Pre-Conditions to Receiving Service

- 3.1 The Municipality is entitled to receive Services pursuant to this Agreement upon completion of the following:
- a) the Municipality's Council has passed a SDAB Bylaw and the Municipality has provided a copy of the Bylaw to the Coordinator;
 - b) the Municipality's Council has appointed, by resolution, Board Members and Clerk from the list provided by the Coordinator to the Municipality and the Municipality has provide confirmation of the appointments to the Coordinator;

- c) the Municipality has provided payment in full to the Coordinator of the Service Fee for the first year of the Term.

Payment of Service Fees

- 3.2 During each calendar year of the Term, the Municipality shall pay the annual Service Fee to the Coordinator on or before January 31.
- 3.3 Upon receipt of an appeal to the SDAB, the Municipality is responsible to pay all administration and other fees identified in Schedule "B" in addition to the annual Service Fee.
- 3.4 In the event that a decision of the SDAB is subject to a leave to appeal application or merit hearing at the Court of Appeal, the Municipality shall be responsible to pay all actual costs incurred by the Coordinator in preparing and coordinating the filing of the SDAB's record with the Court of Appeal and such other matters that may be requested or required to support the SDAB's response to the application or merit hearing including the administration and other fees identified in Schedule "B" in addition to the annual Service Fee.
- 3.5 The Municipality shall pay all Service Fees in addition to the annual Service Fees to the Coordinator within Fifteen (15) days after receipt of an invoice from the Coordinator.

Legal Fees

- 3.6 If the Municipality or the Coordinator is of the opinion that legal services are required for the purpose of a specific appeal hearing to be conducted by the SDAB, the Chief Administrative Officer and the Coordinator shall consult and jointly coordinate the retention of appropriate legal counsel for the SDAB. Legal counsel shall only be retained to assist the SDAB with the approval of the Chief Administrative Officer of the Municipality. The Municipality is responsible to pay all legal fees within fifteen (15) days of receipt of the invoice from the Coordinator or the legal firm directly, as may be mutually determined by the Coordinator and Chief Administrative Officer.
- 3.7 If a SDAB decision is subject to a leave to appeal application or appeal to the Alberta Court of Appeal, the Municipality's Chief Administrative Officer and the Coordinator shall consult and coordinate the retention of appropriate legal counsel for the SDAB. The Municipality is responsible to pay all legal fees within fifteen (15) days of receipt of the invoice from the Coordinator or the legal firm directly, as may be mutually determined by the Coordinator and Chief Administrative Officer.

Recording Fees

- 3.8 If the Coordinator determines that audio or digital recording and/or transcript services are required for the conduct of a specific appeal, the Chief Administrative Officer and the Coordinator shall consult and jointly coordinate the arrangement of appropriate recording and/or transcript service for the SDAB. Recording and/or transcript services shall only be requested to assist the SDAB with the approval of the Chief Administrative Officer of the Municipality. The Municipality is responsible to pay all recording and/or transcript fees within

fifteen (15) days of receipt of the invoice from the Coordinator or the transcript firm directly, as may be mutually determined by the Coordinator and Chief Administrative Officer.

Annual Information Provision

- 3.9 On or before January 31 of every calendar year during the Term, the Municipality shall provide the following information to the Coordinator in writing:
- a) The applicable appeal fees in accordance with the applicable bylaw(s) of the Municipality; and
 - b) Copies of Certificates evidencing the Insurance requirements referred to in Section 9 of this Agreement.

Clerk and Administrative Support for the Board

- 3.10 The Municipality shall provide all documentation and information needed by the Clerk and SDAB for the conduct of an appeal hearing to the Coordinator within two (2) Business Days of the Municipality receiving the notice of appeal to the SDAB. The information to be provided to the Coordinator includes, but is not limited to (as applicable):
- a) the notice of appeal,
 - b) confirmation of receipt of the applicable appeal fee,
 - c) notice of decision being appealed,
 - d) copy of the Development Permit being appealed,
 - e) copy of the Stop Order being appealed,
 - f) copy of the original application together with all supporting documents, plans, studies, etc.,
 - g) current copies of all relevant statutory plans, conceptual schemes, non-statutory plans, Land Use Bylaw, policies and procedures relating to the matter that is the subject of the appeal,
 - h) copies of all relevant meeting minutes, staff reports, correspondence, circulation comments and other communications,
 - i) copy of advertisement of the decision being appealed,
 - j) any other record or information relevant to the appeal, and
 - k) the location of the venue for the appeal hearing.
- 3.11 The Coordinator shall be responsible to book a suitable venue for the conduct of the appeal hearing, taking into consideration the anticipated number of attendees to the appeal hearing.

The Municipality shall be responsible to pay for all booking and rental fees and other costs associated with the hearing venue.

Filing of Appeals to the SDAB

- 3.12 The Municipality shall publish on its website and advise on all written decisions issued by its Development Authority or Subdivision Authority and Stop Orders issued by its Development Authority that the decision or Stop Order may be appealed in accordance with the Act by filing a notice of appeal together with the applicable appeal fee with
- a) the Municipality to the attention of the Clerk of the Subdivision and Development Appeal Board.
- 3.13 The Municipality is solely responsible for ensuring compliance with any decision rendered by the SDAB.

4) COORDINATOR RESPONSIBILITIES

- 4.1 Subject to the Municipality's satisfaction of the conditions set out in Section 3.1 and the Municipality's payment of the Service Fees due and payable each year during the Term, the Coordinator shall provide Services to that Municipality in accordance with the terms and conditions of this Agreement.
- 4.2 The Coordinator shall review the Service Fees every three (3) years. If the Coordinator determines that a change is required to the Service Fees, the Coordinator will notify the Municipality in writing no later than June 30th of the proposed change to the Service Fee to be effective January 1 of the subsequent year.
- 4.3 The Coordinator shall ensure it maintains a reasonable list of members who are eligible to serve on the SDAB and who have received training in accordance with the Act at all times during the Term.
- 4.4 The Coordinator shall ensure it maintains a reasonable list of trained and qualified Clerks that are available to assist the SDAB during the Term.
- 4.5 The Coordinator shall provide a list of qualified Board Members and Clerk annually to the Municipality.
- 4.6 The Coordinator shall keep a record of all appeals filed in accordance with the Act for a period of not less than ten (10) years from the date of receipt of the notice of appeal. The Coordinator shall provide the Municipality with a copy of records pertaining to that municipality within Ten (10) Business Days after receipt of a request by the Municipality at the sole cost and expense of the Municipality.
- 4.7 The Coordinator shall retain paper records such as background information, correspondence, appeal notices and withdrawn appeals for a period of not less than ten (10) years from the date of receipt of such paper records. The Coordinator shall provide the Municipality with a copy of records pertaining to that municipality within Ten (10) Business Days after receipt of a request by the Municipality at the sole cost and expense of the Municipality.

- 4.8 The Coordinator shall keep a record of all Board Member and Clerk appointments and training and shall provide this information to the Municipality to report to Municipal Affairs from time to time as required by the Act.
- 4.9 The Coordinator, where requested and agreed to by the Municipality, shall retain legal services on behalf of the SDAB.
- 4.10 The Coordinator, where requested and agreed to by the Municipality, shall cause audio or digital recordings and transcripts of appeal hearings to be made.
- 4.11 The Coordinator shall notify the Municipality in writing of receipt of a notice of appeal and provide a copy of the notice of appeal to the Municipality within two (2) Business Days of receipt of the notice of appeal.
- 4.12 The Coordinator shall be responsible to coordinate all arrangements and perform all administrative functions related to the holding of the SDAB appeal hearing in accordance with the requirements of the Act including (as applicable):
- a) Scheduling the appeal hearing,
 - b) Coordinating not less than three (3) Board Members to sit on the Panel. At the option of the Municipality, the Coordinator shall coordinate five (5) Board Members to sit on the Panel,
 - c) Arranging for a Clerk for the appeal hearing,
 - d) Providing notice in writing of the hearing,
 - e) Forwarding all relevant documents and materials electronically to the Municipality to be made available for public inspection on the Municipality's website and at the Municipality's office,
 - f) Preparation of SDAB appeal hearing minutes and summary of the evidence heard by the SDAB,
 - g) Preparation of the SDAB notice of decision, and
 - h) Providing a copy of the SDAB's notice of decision to all relevant parties.
- 4.13 Where a SDAB decision is subject to a leave to appeal application or merit hearing at the Court of Appeal, the Coordinator shall coordinate the preparation and filing of the SDAB hearing Record with the Court of Appeal as well as any other matters that may be requested or required to support the SDAB's response to the leave to appeal application or merit hearing.

5) ALL PARTIES' RESPONSIBILITIES

- 5.1 Both the Coordinator and the Municipality shall make every reasonable effort to ensure that all information that will be or is intended to be used in a SDAB appeal hearing is complete and accurate and provided to the other Party in a timely fashion.

6) PRIVACY

- 6.1 All Parties acknowledge and agree that they are subject to the *Freedom of Information and Protections of Privacy Act (FOIPP)* and that they will only collect and release information in accordance with the provisions of FOIPP.
- 6.2 The Municipality shall ensure that any information of a confidential or protected nature which it provides to the Coordinator is clearly marked as such.
- 6.3 The Municipality shall ensure that their planning and development applications and forms of notice of appeal having the requisite acknowledgement and agreement pursuant to FOIPP that any party submitting an application or notice of appeal acknowledges and agrees that the information submitted by that party in support of its application or appeal shall be subject to release to the public.

7) DISPUTE RESOLUTION

- 7.1 If any dispute arises between the Municipality and the Coordinator with respect to the interpretation or application of the provisions of this Agreement, the Parties shall first attempt to resolve the dispute by direct negotiations between the Chief Administrative Officer of the Municipality and the Coordinator within thirty (30) days of receipt of notice of the matter in dispute. If the Chief Administrative Officer and the Coordinator cannot resolve the dispute, then such dispute will be referred to two elected officials from the Municipality and the Coordinator, who will then meet to discuss and attempt to resolve the matter in dispute in a timely fashion.
- 7.2 In the event the dispute cannot be resolved by the elected officials of the Municipality and the Coordinator within thirty (30) days of the dispute being referred to them, then, upon mutual consent of the Parties, the Parties may utilize the Alberta Municipal Affairs Mediation Services program to assist in resolving the dispute. The Parties shall bear their own costs of mediation.
- 7.3 In the event the dispute cannot be resolved through mediation, then the dispute will be determined by arbitration in accordance with the following:
 - a) The Parties will agree upon a single arbitrator (the "Arbitrator") and in the event that the Parties are unable to agree upon the Arbitrator, the matter will be referred to the Court of Queen's Bench of Alberta for the appointment of the Arbitrator;
 - b) The decision of the Arbitrator will be binding upon the Parties;
 - c) The cost of arbitration will be borne by the Party against which the award is made by the Arbitrator, unless the Arbitrator decides otherwise;
 - d) The Arbitrator will not alter, amend or otherwise change the terms and conditions of this Agreement;
 - e) Except as modified herein, the provisions of the *Arbitration Act* will apply to any arbitration conducted pursuant to this Agreement; and
 - f) Notwithstanding any provision contained herein to the contrary, if any dispute which

has been submitted to the Arbitrator has not been determined by the Arbitrator within 45 days of receipt of the notice to arbitrate, either Party at any time thereafter, but prior to the determination being made by the Arbitrator, will have the right of recourse to the Court of Alberta having jurisdiction for determination of the dispute, and upon the commencement of any action for such purpose the jurisdiction of the Arbitrator with respect of such dispute will cease.

8) RELEASE AND HOLD HARMLESS

- 8.1 With the exception of gross negligence or willful breach of this Agreement, the Bylaw or the Act, the Municipality agrees to release and hold harmless the Coordinator, officers, employees, contractors, volunteers, and agents together with the Clerks and Board Members (collectively referred to as the "Coordinator Parties") from and against all liabilities, losses, costs, damages, legal fees (on a solicitor and his own client full indemnity basis), disbursements, fines, penalties, expenses, all manner of actions, causes of action, claims, demands and proceedings, all of whatever nature and kind that the Municipality may sustain, pay or incur or which may be brought or made against all or any of them, and whether or not incurred in connection with any action or other proceedings or claims or demands made by third parties, with respect to any occurrence, event, incident or matter caused by, and/or arising as a direct or indirect result of or in connection with the performance or intended performance of the Coordinator Parties' obligations pursuant to the Act, Bylaw and this Agreement.
- 8.2 The provisions set forth in Section 8.1 will survive the expiration of the Term or the termination of this Agreement.

9) INSURANCE

- 9.1 Throughout the Term, the Municipality shall maintain, in full force and effect with insurers licensed in the Province of Alberta, the following insurance:
- a) Professional Liability Insurance with policy limits of not less than \$1,000,000 per claim \$2,000,000 per aggregate; and
 - b) General Liability insurance policy of not less than \$2,000,000 per occurrence. The Coordinator must be named as an additional insured.
- 9.2 Throughout the Term, the Coordinator shall maintain, in full force and effect with insurers licensed in the Province of Alberta, the following insurance:
- a) Professional Liability Insurance with policy limits of not less than \$1,000,000 per claim \$2,000,000 per aggregate; and
 - b) General Liability insurance policy of not less than \$2,000,000 per occurrence.

10) FORCE MAJEURE

10.1 If the Municipality or the Coordinator fail to meet their respective obligations hereunder within the respective time prescribed, and such failure is directly caused or materially contributed to by Force Majeure, such failure will be deemed not to be a breach of the obligations, provided that, in such event, the Municipality or the Coordinator will use their commercially reasonable efforts to put themselves in a position to carry out their obligations hereunder as soon as reasonably possible, to the extent that it is within their power.

11) NOTICES

11.1 All notices sent pursuant to the terms of this Agreement shall be served by one of the following means:

- (a) by single registered mail in a prepaid envelope. Notice shall be deemed received five (5) days after mailing. In the event of postal interruption, no notice sent by means of the postal system during or within seven (7) days prior to the commencement of such postal interruption or seven (7) days after the cessation of the postal interruption shall be deemed to have been received unless actually received;
- (b) by telecopier, e-mail or by any other like electronic method by which a written or recorded message may be sent, directed to the Party upon whom it is to be served at that address set out herein. Notice so served shall be deemed received on the earlier of:
 - i. upon transmission with answer back confirmation if received within the normal hours of the business day; or
 - ii. at the commencement of the next ensuing business day following transmission with answer back confirmation thereof if not received within the normal hours of the business day; or

11.2 Notices shall be sent to the following addresses:

To the Municipality at:

The Summer Village of Castle Island
Box 8
Alberta Beach, AB T0E 0A0
Phone: 780-967-0271
Email: svcastle@telus.net

To the Coordinator at:

Milestone Municipal Services Inc.
Box 1075
Onoway, AB T0E 1V0
Phone: (780) 691-4465
E-Mail: emily@milestonemunicipalservices.ca



12) ENTIRE AGREEMENT

- 12.1 This Agreement is the whole agreement between the Parties and replaces any prior Agreement existing between the parties.
- 12.2 This Agreement may not be modified, changed, amended or waived except by signed written agreement of the Parties.

13) UNENFORCEABILITY

- 13.1 If any portion of this Agreement is deemed to be illegal or invalid, then that portion of the Agreement will be deemed to be severed from the remainder of the Agreement, and the remainder of the Agreement will be enforceable.

14) ASSIGNMENT

- 14.1 This Agreement will not be assignable by the Municipality or the Coordinator to any other person, agency, firm or corporation without the prior written consent of the other Parties.

15) COUNTERPART AND ELECTRONIC SIGNATURES

- 15.1 This Agreement may be executed in any number of counterparts by the Parties. All counterparts so executed will be the same effect as if all Parties actually had joined in executing one and the same document. Any faxed or electronic (pdf) copy of a signature will be deemed to be an original signature.

MILESTONE MUNICIPAL SERVICES INC.



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SUMMER VILLAGE OF SUNRISE BEACH

SCHEDULE A – SERVICES

Our services focus on the organization and training of a qualified pool of Board Members and the administrative arrangements for receiving notices of appeal, coordinating and holding appeals and issuing decisions through a qualified pool of Clerks that provide support to the SDAB.

A. The Annual Services Fee (rate set out in Schedule B)

Services included:

- The recruiting and organizing of a pool of Board Members and Clerks available to sit on Panels to hear appeals.
- Arranging for training and certification of Board Members and Clerks.

Exclusions to Services:

- The provision of services directly related to holding an appeal on a particular matter is not included in the Annual Service Fee. These services are subject to additional fees in accordance with Schedule B.

B. Services Related to Holding an Appeal for Additional Fees (Rates set out in Schedule B)

The following will be offered by the Coordinator for Clerk and administrative support for a SDAB hearing:

- Receive notice of appeal from the Municipality and determine whether filing timelines have been met
- Coordinate a Panel of not less than three (3) Board members and, at the option of the Municipality, five (5) Board Members
- Schedule hearing date with appellant(s), respondent(s), Municipality and Board Members forming the Panel within 30 days from the date of receipt of the notice of appeal
- Coordinate the hearing venue with the Municipality
- Prepare appeal agenda package and arrange for distribution
- Prepare and send out notice of appeal in accordance with the Act and arrange for posting with the Municipality
- Make all relevant documents and materials respecting the appeal available for public inspection electronically on the Municipality's website and at the Municipality's office
- Attend hearing and assist Chairman with conduct of hearing
- Prepare record of proceedings
- Attend and assist Panel with deliberations and preparation of decision

- Distribution of decision to affected parties

C. Services Related to a Leave to Appeal Application to the Court of Appeal or a Court of Appeal Merit Hearing for Additional Fees (Rates set out in Schedule B)

The following services will be provided by the Coordinator where the Coordinator provided the Clerk and administrative support for the SDAB hearing and the SDAB's decision on that appeal is the subject of a leave to appeal application to or merit hearing at the Court of Appeal:

- a) coordinate legal counsel to represent the SDAB in consultation with the Chief Administrative Officer of the Municipality, and
- b) coordinate the preparation and filing of the SDAB Hearing Record with the Court of Appeal as well as any other matters that may be requested or required to support the SDAB's response to the leave to appeal application or merit hearing.

D. Other Service Offerings

The Coordinator may provide other services at such rates as the Parties may mutually agree to from time to time.

SCHEDULE B – SERVICE FEES AND OTHER FEES

1. **ANNUAL SERVICE FEE: \$300.00**

2. **ADDITIONAL FEES:**

- a. Clerk services will be charged to the Municipality at a rate of \$60/hour.
- b. Administrative support services to the SDAB and Clerk will be charged to the Municipality at a rate of \$60/hour.
- c. Court of Appeal fees: where the Coordinator is providing services relating to a leave to appeal application to or merit hearing at the Court of Appeal, these services will be charged to the Municipality at the rate of \$60/hr.
- d. Withdrawn Appeals: in instances where an appeal is filed and then withdrawn; the Municipality will be obligated to pay the hourly rates for the effort put into the file.
- e. Board Member Per Diems: in instances where an appeal proceeds to a hearing; the Municipality will be obligated to pay Board Member Per Diems in accordance with the following:

Up to 4 hours	Over 4 Hours and up to 8 Hours
\$170	\$340
- f. Meals and Accommodations: will be charged to the Municipality on a cost recovery basis with a maximum amount set by the Chief Administrative Officer of the Municipality in consultation with the Coordinator.
- g. Travel: will be charge to the Municipality at the Canada Revenue Agency Automobile Allowance Rate.
- h. Office/Print Supplies/Postage: will be charged to the Municipality on a cost recovery basis.
- i. Legal Services: will be charged to the Municipality on a cost recovery basis.
- j. Audio, Digital Recording and Transcript Services: will be charged to the Municipality on a cost recovery basis.
- k. Venue booking fees, rates and charges will be charged to the Municipality on a cost recovery basis.

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Right of appeal

146 An appeal against the decision of a judge lies to the Court of Appeal and the proceedings appertaining to it shall be as nearly as possible the same as in an appeal in other cases from a decision of the Court of King's Bench.

RSA 2000 cL-21 s146;AR 217/2022

Regulations

147 The Minister may make regulations respecting the form of any notices, orders or other proceedings to be issued, given, made or taken under this Part.

RSA 2000 cL-21 s147;2011 c14 s17

Part 5.1

Election Finances and Contributions Disclosure

Interpretation

147.1(1) In this Part,

- (a) "campaign expense" means 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, and includes an expense incurred for, or a non-monetary contribution in relation to,
 - (i) the production of advertising or promotional material,
 - (ii) 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,
 - (iii) the payment of remuneration and expenses to or on behalf of a person for the person's services as a chief financial officer or in any other capacity,
 - (iv) securing a meeting place,
 - (v) the conduct of election surveys or other surveys or research during a campaign period, or
 - (vi) the production of a review engagement required by this Act;
- (b) "campaign period" means

- (i) in the case of a general election, the period of time from January 1 to December 31 in a year in which a general election is held, and
 - (ii) in the case of a by-election, the period of time set by bylaw or resolution to 60 days immediately following the by-election;
- (c) "contribution" means any money, personal property, real property or service that is provided to or for the benefit of a candidate's election campaign without fair market value compensation from that candidate, but does not include a service provided by an individual who voluntarily performs the services and receives no compensation, directly or indirectly, in relation to the services or time spent providing the services;
- (d) "employee organization" means an organization, other than a trade union, that bargains collectively for employees;
- (e) "group" means an unincorporated group of individuals or corporations acting in concert for a common purpose and includes a trade union and an employee organization or any combination of individuals, corporations, trade unions or employee organizations;
- (f) "prohibited organization" means a corporation and an unincorporated organization, including a trade union and an employee organization;
- (f.1) "review engagement" means a review engagement as defined in the *Chartered Professional Accountants Act*;
- (g) "trade union" means an organization of employees that has a written constitution, rules or bylaws and has as one of its objects the regulation of relations between employers and employees.
- (2) The value of a contribution, other than money, provided to a candidate is the fair market value of the contribution at the time it is provided.
- (3) If any personal property, real property or service or the use of personal property or real property is provided to a candidate for a price that is less than the fair market value at the time it is provided, the amount by which the value exceeds the price is a contribution for the purposes of this Part.

(4) For the purposes of this section, the use of goods in a 2nd or subsequent election is a non-monetary contribution.

(5) In this section, "expense incurred" means an expense that is incurred, whether it is paid or unpaid.

2009 c18 s3; 2010 c9 s1; 2018 c23 s51; 2020 c22 s14

147.14 Repealed 2018 c23 s51.

Application of Part

147.12 This Part applies to candidates for election as a councillor in a municipality or as a trustee of a school board.

2018 c23 s51

Responsibility of contributors

147.13(1) A prospective contributor is responsible for ensuring, before making a contribution under this Act, that the contributor is not prohibited from making a contribution and is not making a contribution that is in excess of the limit prescribed by section 147.2(3).

(2) Every candidate and every person acting on behalf of a candidate shall make every reasonable effort to advise prospective contributors of the provisions of this Part relating to contributions.

2018 c23 s51

Limitations on contributions

147.2(1) Only an individual ordinarily resident in Alberta may make a contribution to a candidate.

(2) No prohibited organization and no individual ordinarily resident outside Alberta shall make a contribution to a candidate.

(3) Subject to subsection (4), no individual ordinarily resident in Alberta shall contribute in any campaign period an amount that exceeds

(a) \$5000 to any candidate for election as a councillor, and

(b) \$5000 to any candidate for election as a school board trustee.

(4) A candidate may contribute an amount of up to \$10 000 that is not reimbursed to the candidate from the candidate's campaign account by the end of the campaign period to the candidate's own campaign expenses.

(4.1) Any amount paid by a candidate for campaign expenses from the candidate's own funds that is not reimbursed to the candidate

from the candidate's campaign account by the end of the campaign period, including an amount referred to in subsection (4), is a contribution to the candidate's own campaign for the purposes of this Act.

(5) No candidate and no person acting on behalf of a candidate shall, directly or indirectly, solicit or accept a contribution if the candidate or person knows or ought to know that the prospective contributor is a prohibited organization or an individual ordinarily resident outside Alberta.

(6) No candidate and no person acting on behalf of a candidate shall solicit or accept a contribution if the candidate or person knows or ought to know that the amount of the contribution will exceed the amounts referred to in subsection (3).

2009 c10 s1;2010 c9 s1;2018 c23 s51;2020 c22 s15

147.21 Repealed 2018 c23 s51.

Acceptance of contributions

147.22(1) No person shall accept a contribution or incur a campaign expense unless the person has been nominated as a candidate.

(2) No candidate and no person acting for a candidate shall accept a contribution except during the campaign period.

(3) Subsections (1) and (2) do not apply to the following:

- (a) a person who accepts not more than \$5000 in the aggregate per year in contributions outside the campaign period;
- (b) a candidate who makes a contribution of not more than \$10 000 in the aggregate per year in the candidate's own campaign from the candidate's own funds.

2018 c23 s51;2020 c22 s16

Anonymous and unauthorized contributions

147.23 Any anonymous contributions and any contribution or portion of a contribution made in contravention of this Part accepted by a candidate or a person acting on behalf of a candidate must not be used or expended, and the candidate or the person acting on behalf of the candidate shall

- (a) return the contribution to the contributor if the contributor's identity can be established, or
- (b) if the contributor's identity cannot be established, pay an amount equivalent to the contribution to a registered charity

or to the local jurisdiction for which the candidate is running for election.

2018 c23 s51

Contributions not belonging to contributor**147.24(1)** No individual shall contribute to a candidate

- (a) funds not belonging to that individual, or
 - (b) funds that have been given or furnished to the individual by another individual or a prohibited organization for the purpose of making a contribution of those funds to a candidate.
- (2) No individual and no prohibited organization shall give or furnish funds to another individual for the purpose of having that other individual make a contribution of those funds to a candidate.
- (3) No candidate and no person acting on behalf of a candidate shall solicit or accept a contribution if the candidate or person knows or ought to know that the contribution is contrary to subsection (1).

2018 c23 s51

Duties of candidate**147.3(1)** A candidate shall ensure that

- (a) a campaign account in the name of the candidate or the candidate's election campaign is opened at a financial institution for the purposes of the election campaign at the time of nomination or as soon as possible after the total amount of contributions first exceeds \$1000 in the aggregate,
- (b) if a campaign account has been opened in accordance with clause (a), all contributions of money are deposited into the campaign account,
- (c) money in the campaign account shall only be used for the payment of campaign expenses,
- (d) contributions of real property, personal property and services are valued,
- (e) receipts are issued for every contribution and obtained for every expense,
- (f) records are kept of contributions and campaign expenses and are retained by the candidate for a period of 3 years

following the date on which disclosure statements were required to be filed under section 147.4, and

- (g) proper direction is given to the candidate's official agent and any other person who is authorized to incur campaign expenses and accept or solicit contributions on behalf of the candidate.

(2) A candidate shall not knowingly make a false or misleading statement in any disclosure statement or financial statement or other information required to be filed under this Part.

2009 c10 s3;2010 c9 s7;2015 c5 s120;2018 c93 s11

Fund-raising functions

147.31(1) In this section, "fund-raising function" includes any social function held for the purpose of raising funds for the candidate's election campaign by whom or on whose behalf the function is held.

(2) The gross income from any fund-raising function must be recorded by the candidate on whose behalf the function was held.

(3) If a fund-raising function is held by the sale of tickets by or on behalf of a candidate, the amount of the contribution is to be determined under clause (a) or under clause (b), at the option of the candidate:

(a) if the individual charge

- (i) is \$50 or less, it is not considered to be a contribution unless the individual who pays the charge specifically requests that it be so considered, in which case 1/2 of the amount is allowed for expenses and 1/2 is considered to be a contribution,
- (ii) is more than \$50 but not more than \$100, \$25 is allowed for expenses and the balance is considered to be a contribution, and
- (iii) is more than \$100, 25% of the amount is allowed for expenses and the balance is considered to be a contribution;

(b) the amount of the contribution is the difference between the price of the ticket and the fair market value of what the ticket entitles the bearer to obtain.

(4) The price paid at a fund-raising function in excess of the fair market value at that time for goods or services received is

considered to be a contribution to the candidate's election campaign.

2018 c23 s53

Receipts

147.32 Every candidate or a person acting on behalf of the candidate shall issue a receipt for every contribution accepted in a form acceptable to the local jurisdiction.

2018 c23 s51

Loans

147.33(1) A candidate

- (a) may borrow money only from a financial institution, and
- (b) shall record all loans and their terms and shall report accordingly to the relevant local jurisdiction.

(2) Only a person ordinarily resident in Alberta may make a payment on behalf of the borrower in respect of a loan to which subsection (1) applies.

(3) Any payment in respect of a loan to which subsection (1) applies made by a person referred to in subsection (2) becomes, for the purposes of this Act, including, without limitation, section 147.2,

- (a) a contribution by that individual, and
- (b) a contribution accepted by the borrower,

if the individual is not reimbursed by the borrower before the borrower is next required to file a disclosure statement.

(4) This section does not apply to the borrowing of money for purposes unrelated to the candidate's election campaign.

2018 c23 s51

Campaign expense limits

147.34 No candidate and no chief financial officer of a candidate shall incur campaign expenses that exceed, in the aggregate, the amounts determined by the regulations.

2018 c23 s51

Campaign disclosure statements

147.4(1) On or before March 1 immediately following a general election or, in the case of a by-election, within 120 days after the by-election, a candidate shall file with the secretary of the candidate's local jurisdiction a disclosure statement in the prescribed form, which must include

- (a) the total amount of all contributions received during the campaign period that did not exceed \$50 in the aggregate from any single contributor,
- (b) the total amount contributed, together with the contributor's name and address, for each contributor whose contributions during the campaign period exceeded \$50 in the aggregate,
- (c) the total amount of all contributions received as referred to in section 147.22(3),
- (d) the total amount from fund-raising functions,
- (e) the total amount of other revenue,
- (f) the total amount of campaign expenses,
- (g) an itemized campaign expense report setting out the campaign expenses incurred by the candidate,
- (h) the total amount paid by the candidate out of the candidate's own funds not reimbursed from the candidate's campaign fund,
- (i) the total amount of any campaign surplus, including any surplus from previous campaigns, and
- (j) the amount of any deficit.

(2) A candidate who has incurred campaign expenses or received contributions of \$50,000 or more shall file a review engagement with the disclosure statement referred to in subsection (1).

(3), (4) Repealed 2020 c22 s17.

(5) With respect to the period during which a candidate is nominated, this section applies to a candidate who withdraws as a candidate.

(6) If a candidate becomes aware that any of the information reported in the disclosure statement required under subsection (1) or the review engagement required under subsection (2) has changed or has not been completely or accurately disclosed, the candidate shall, within 30 days, submit a supplementary statement in the prescribed form to the local jurisdiction.

(7) The local jurisdiction must ensure that all documents filed under this section are available to the public during regular business hours for a period of 4 years after the election.

(7.1) A document made available to the public under subsection (7) must be made available in a partial or redacted form as necessary to ensure that the following are not disclosed:

- (a) the mailing address of the candidate;
- (b) any address provided for a contributor, except any portion of an address that names a municipality or a province;
- (c) any other candidate or contributor contact information not required by this section but included on a document filed with a local jurisdiction.

(7.2) If a document that does not comply with subsection (7.1) was made available to the public under subsection (7) before this subsection comes into force, the local jurisdiction must immediately withhold any further public access to the document and make the document available to the public in a partial or redacted form in accordance with subsection (7.1).

(8) to (10) Repealed 2020 c22 s17.

2009 c10 s3; 2010 c9 s1; 2015 c5 s121; 2018 c23 s51; 2020 c22 s17;
2022 c16 s7

Campaign surplus

147.5(1) If a candidate's disclosure statement shows a surplus, the candidate, within 60 days after filing the disclosure statement with the local jurisdiction,

- (a) shall, with respect to any amount that is \$1000 or more, donate an amount to a registered charity that results in the surplus being less than \$1000, and
- (b) may, with respect to any amount that is less than \$1000,
 - (i) retain all or any portion of that amount, and
 - (ii) donate all or any portion of that amount to a registered charity.

(2) A candidate who donates an amount to a registered charity in accordance with subsection (1)(a) or (b)(ii) shall, within 30 days after the expiration of the 60-day period referred to in subsection (1), file an amended disclosure statement showing that the surplus has been dealt with in accordance with this section.

(3) This section applies to a candidate whether or not the candidate is elected.

2009 c10 s3; 2010 c9 s1; 2015 c5 s122; 2018 c23 s51; 2020 c22 s18

Transitional — campaign surplus

147.51(1) Where, on September 1, 2020, an amount is held in trust under section 147.5(2) as it read on August 31, 2020, the candidate in respect of whom the amount is held in trust, no later than January 1, 2022,

- (a) shall, with respect to any amount that is \$1000 or more, donate an amount to a registered charity that results in the surplus being less than \$1000, and
- (b) may, with respect to any amount that is less than \$1000,
 - (i) retain all or any portion of that amount, and
 - (ii) donate all or any portion of that amount to a registered charity.

(2) If a local jurisdiction does not receive a direction under subsection (1) on or before January 1, 2022, the money becomes the property of the local jurisdiction.

(3) This section applies to money paid to a local jurisdiction pursuant to a court order under section 147.84(2).

2020 e22 s18

Campaign deficit

147.52(1) If a candidate's disclosure statement shows a deficit, the candidate shall eliminate the deficit within 60 days after filing the disclosure statement with the local jurisdiction.

(2) For the purpose of eliminating a deficit referred to in subsection (1), a candidate may, notwithstanding section 147.22(2), accept contributions in accordance with this Act during the period referred to in subsection (1).

(3) Subject to subsection (4), a candidate shall not accept a contribution of an amount that exceeds \$5000 from any individual for the purpose of this section.

(4) A candidate may make a contribution from the candidate's own funds that does not exceed \$10,000 to reduce a deficit shown on the candidate's disclosure statement for the purpose of this section.

(5) A candidate referred to in subsection (1) shall, within 30 days after the expiration of the 60-day period referred to in subsection (1), file an amended disclosure statement showing that the deficit has been eliminated.

2020 e22 s18

147.6 Repealed 2012 c5 s123.

Late filing

147.7(1) In this section, "filing deadline" means the day by which a disclosure statement referred to in section 147.4 is required to be filed with a local jurisdiction.

(2) A candidate who is required to file a disclosure statement under section 147.4 and fails to file that document by the filing deadline must pay a late filing fee of \$500 to the relevant local jurisdiction.

(3) A local jurisdiction shall not transmit a report in relation to a candidate under section 147.8 if the return is filed no later than 10 days after the filing deadline.

(4) If the late filing fee is not paid within 30 days after the date the fee was payable, the local jurisdiction shall send a notice to the candidate, indicating the amount of the late filing fee that is required to be paid.

(5) If a candidate who is sent a notice by the local jurisdiction under subsection (4) fails to pay the late filing fee set out in the notice, the local jurisdiction may file a copy of the notice with the clerk of the Court of King's Bench, and, on being filed, the notice has the same force and effect and may be enforced as if it were a judgment of the Court.

2009 c10 s3; 2012 c5 s124; 2018 c23 s51; AJR 217/2022

Effect of non-compliance in relation to disclosure statements

147.8(1) Subject to section 147.7, if a candidate fails to file a disclosure statement as required by section 147.4

- (a) in the case of an election of municipal councillors, the secretary shall transmit a report to that effect to council, which shall on its receipt make the report public, and
- (b) in the case of an election of school board trustees, the secretary of the school board shall transmit a report to that effect to the school board, which shall on its receipt make the report public.

(2) A candidate under subsection (1) may, within the 60-day period following the date on which the report under subsection (1) is made public, apply to the Court for relief.

(3) On hearing the application, the Court may

- (a) dispense with compliance with section 147.4, or any provision of it, if it considers that the non-compliance is due to circumstances beyond the control of the candidate and that it is not reasonably possible to comply with that section,
 - (b) extend the time for compliance with section 147.4, or any provision of it, if it finds mitigating reasons for non-compliance with the section,
 - (c) make any order that it considers appropriate to secure compliance with as much of section 147.4 as it considers reasonable in the circumstances, or
 - (d) refuse the application.
- (4) A candidate may apply to the Court under this section and name the municipality or the school board, as the case may be, as the respondent.
- (5) The decision of the Court is final and not subject to appeal.

2009 c10 s3;2010 c9 s1;2018 c23 s51

Prosecution

147.01 A prosecution under this Part may be commenced within 3 years of the commission of the alleged offence but not afterwards.

2018 c23 s51

Offences relating to contributions

147.82(1) A prohibited organization or a person acting on its behalf that contravenes section 147.2 is guilty of an offence and liable to a fine of not more than \$10 000.

(2) An individual who contravenes section 147.2 is guilty of an offence and liable to a fine of not more than \$5000.

(3) A candidate who contravenes section 147.22(1) or (2) is guilty of an offence and liable to a fine of not more than \$1000.

(4) A candidate or a person acting on behalf of a candidate who fails to return or pay an amount referred to in section 147.23(a) or (b) is guilty of an offence and liable to a fine of not more than \$5000.

(5) A prohibited organization or a person acting on its behalf that contravenes section 147.24 is guilty of an offence and liable to a fine of not more than \$10 000.

(6) An individual who contravenes section 147.24 is guilty of an offence and liable to a fine of not more than \$5000.

2018 c23 s51

Failure of candidate to comply with duties

147.83 A candidate who contravenes section 147.3 is guilty of an offence and liable to a fine of not more than \$1000.

2018 c23 s51

Failure to file

147.84(1) A candidate who fails to comply with section 147.4(1) or (2) by April 1 in the year following a general election, or, in the case of a by-election, within 150 days after the by-election, is guilty of an offence and liable to a fine of not more than \$5000.

(1.1) A candidate who fails to comply with the following sections within 30 days after the expiration of the period referred to in that section is guilty of an offence and liable to a fine of not more than \$5000:

- (a) section 147.4(6);
- (b) section 147.5(1) and (2);
- (c) section 147.52(1) and (5).

(2) If a candidate is found guilty of contravening section 147.4, the Court may, in addition to the penalty provided for in subsection (1), order the candidate to pay any surplus to the local jurisdiction as soon as possible.

(3) Repealed 2020 c22 s19.

2018 c23 s51; 2020 c22 s19

Expenses more than maximum

147.85 A candidate who contravenes section 147.34 is guilty of an offence and liable to a fine of not more than \$10 000.

2018 c23 s51

147.9 Repealed 2010 c9 s2.

Regulations and bylaw

147.91(1) The Minister may make regulations

- (a) determining campaign expense limits for the purpose of section 147.34;
- (b) respecting transitional matters relating to the coming into force of *An Act to Renew Local Democracy in Alberta* not

otherwise provided for in that Act, including remedying any confusion, difficulty, inconsistency or impossibility resulting from the enactment of that Act.

(2) An elected authority may pass a bylaw determining campaign expense limits for the purpose of section 147.34 in an amount that is less than the amount determined by regulation under subsection (1)

- (a) with respect to a general election, prior to December 31 of the year before the general election is held, and
- (b) with respect to a by-election, at least 180 days before the by-election at which the bylaw is to take effect.

2009 c10 s3;2018 c23 s51

147.92 Repealed 2018 c23 s51.

Transitional — definitions

147.93 In sections 147.94 to 147.96,

- (a) "former Act" means the *Local Authorities Election Act* as it read immediately before the Bill received first reading;
- (b) "the Bill" means the Bill to enact *An Act to Renew Local Democracy in Alberta*.

2018 c23 s51

Transitional — all candidates

147.94(1) In this section, "candidate" means a candidate for election as a municipal councillor and, subject to subsection (2), for election as a school board trustee.

(2) For the purpose of this section, an individual is a candidate for election as a school board trustee if, before the Bill receives first reading, the individual accepted contributions or incurred campaign expenses on or after January 1, 2018, for the purposes of a school board election campaign.

(3) Subject to subsection (4), section 147.95(4) and 147.96(4), if a candidate or a person acting on behalf of a candidate received a contribution on or after January 1, 2018 but before the date the Bill receives Royal Assent, other than a contribution used to eliminate a deficit shown on the candidate's disclosure statement for the most recent election campaign, the contribution is deemed to be collected in the next campaign period.

(4) If a candidate or a person acting on behalf of a candidate receives a contribution from a prohibited organization, trade union

or employee organization within the meaning of section 147.1 of the former Act on or after the date the Bill receives first reading but before the date it receives Royal Assent, the candidate, no later than 30 days after the Bill receives Royal Assent, shall

- (a) return the contribution to the contributor if the contributor's identity can be established, or
- (b) if the contributor's identity cannot be established, pay an amount equivalent to the contribution to a registered charity or to the local jurisdiction in which the individual is a candidate.

(5) If a candidate fails to comply with subsection (4), the candidate is deemed to have contravened section 147.2(5) as enacted by section 51 of *An Act to Renew Local Democracy in Alberta*.

(6) A candidate who fails to comply with subsection (4) is guilty of an offence and liable to a fine of not more than \$5000.

2018 c23 s51

Transitional — municipal candidates

147.95(1) In this section, "candidate" means a candidate for election as a municipal councillor.

(2) If during the campaign period that commenced January 1, 2018, money paid by a candidate in accordance with section 147.11 of the former Act before the Bill receives first reading equalled or exceeded \$4000, the candidate is not entitled to make any further contributions under section 147.2, as enacted by section 51 of *An Act to Renew Local Democracy in Alberta*.

(3) An individual ordinarily resident in Alberta who, before the Bill receives first reading, made contributions in 2018 to one or more candidates in accordance with section 147.2 of the former Act that in the aggregate equalled or exceeded \$4000 shall not make any further contributions to a candidate in 2018 under section 147.2, as enacted by section 51 of *An Act to Renew Local Democracy in Alberta*, and no candidate shall accept those contributions.

(4) On or after the day the Bill receives first reading but before the day it receives Royal Assent, if a candidate receives a contribution from a person who has, on or after January 1, 2018, already contributed \$4000 or more to one or more candidates, the candidate, no later than 30 days after the Bill receives Royal Assent, shall return any contribution in excess of \$4000 to the contributor, or pay an amount equivalent to the excess beyond \$4000 to a registered charity or to the local jurisdiction in which the individual is a candidate.

(5) If a candidate fails to comply with subsection (2), (3) or (4), or an individual fails to comply with subsection (3), the candidate or the individual, as the case may be, is guilty of an offence and liable to a fine of not more than \$5000.

2018 c23 s51

Transitional — school board trustee candidates

147.96(1) In this section, subject to subsection (2), "candidate" means a candidate for election as a school board trustee.

(2) For the purpose of this section, an individual is a candidate for election as a school board trustee if, before the Bill receives first reading, the individual accepted contributions or incurred campaign expenses on or after January 1, 2018, for the purposes of a school board election campaign.

(3) An individual ordinarily resident in Alberta who, before the Bill receives first reading, made contributions in 2018 to one or more candidates for school board trustee under the former Act that in the aggregate equalled or exceeded \$4000 shall not make any further contributions to a candidate in 2018 under section 147.7, as enacted by section 51 of *An Act to Renew Local Democracy in Alberta*, and no candidate shall accept those contributions.

(4) On or after the day the Bill receives first reading but before the day it receives Royal Assent, if a candidate receives a contribution from a person who has, since January 1, 2018, already contributed \$4000 or more to one or more candidates, the candidate, no later than 30 days after the Bill receives Royal Assent, shall return any contribution in excess of \$4000 to the contributor, or pay an amount equivalent to the excess beyond \$4000 to a registered charity or to the local jurisdiction in which the individual is a candidate.

(5) A candidate shall, no later than 90 days after the Bill receives Royal Assent,

- (a) file with the local authority a statement disclosing the total amount of all campaign contributions held by the candidate, and
- (b) pay any campaign surplus held by the candidate to the local authority.

(6) If an individual fails to comply with subsection (3), or a candidate fails to comply with subsection (4) or (5), the candidate or the individual, as the case may be, is guilty of an offence and liable to a fine of not more than \$5000.

(7) A bylaw made under section 118 of the former Act applies only with respect to campaign expenses accepted and campaign expenses incurred before the Bill receives first reading, and section 118(2.2) of the former Act continues to apply with respect to the examination of the statements of contributions and campaign expenses made under that section.

(8) Despite the repeal of section 118 of the former Act, a school board may make bylaws respecting the transition from its bylaw passed under section 118(2) of the former Act and the coming into force of *An Act to Renew Local Democracy in Alberta*, for the purposes of reporting contributions.

2018 c23 s31

(NOTE: Sections 147.93 to 147.96 are deemed to have come into force on November 5, 2018.)

Part 6 Offences

Prohibitions

148(1) No person shall

- (a) without authority supply a ballot to any person,
- (b) fraudulently put into a ballot box any paper other than a ballot that the person is authorized by this Act to deposit,
- (c) fraudulently take a ballot out of the voting station,
- (d) without authority destroy, take, open or otherwise interfere with any ballot box or packet of ballots then in use for the purpose of an election.

(2) No person shall

- (a) request a ballot in the name of some other person, whether the name is that of a person living or dead or of a fictitious person, or
- (b) having voted once, request at the same election a ballot in the person's own name.

(3) No person shall vote knowing that the person has no right to do so.

(3.1) No person shall obstruct any person carrying out an inquiry, investigation or examination under this Act or withhold from that person or conceal or destroy any books, papers, documents or

3.12 Emergency Management

1. Municipal Emergency Organization/Agency/Advisory Committee

Legislative requirements: *Emergency Management Act (EMA) 11, 11.1, 11.2*

1. Has the emergency management committee been established by bylaw?
2. Has an emergency advisory committee been appointed consisting of a member or members of council to advise on the development of emergency plans and programs?
3. Is an emergency management agency established by bylaw to act as the agent of the local authority in exercising the local authority's powers and duties under the EMA?
4. Has a director of the emergency management agency been appointed?
5. Has the director of emergency management received the required training (Basic Emergency Management, ICS-300, and Director of Emergency Management courses)?
6. Have municipal elected officials received the required training (Municipal Elected Officials course)?
7. Have municipal staff who have been assigned responsibilities respecting the implementation of the emergency plan received the required training (Basic Emergency Management and ICS-100 courses)?
8. Are there prepared and approved emergency plans and programs?

Comments/Observations: The Summer Village's Emergency Bylaw 2019-02 provides for the establishment of a regional emergency management agency. The bylaw establishes an emergency advisory committee and an emergency management agency. The bylaw establishes the procedures for exercising the local authority's powers and duties under the EMA.

Municipal officials have completed the municipal elected officials course. The emergency management bylaw requires that a DEM be appointed by council. Section 3(2) of the Local Authority Emergency Management Regulation requires the appointment of a DEM by bylaw or by position.

Meets Legislative Requirements: No

Recommendations/Action Items: The emergency management bylaw must provide for the appointment of a director of emergency management.

Resources: The Alberta Emergency Management Agency has developed a number of online tools at [Emergency and Disaster Preparedness](#) to assist municipalities which include resources to develop emergency plans, and training workshops. For questions and additional support pertaining to emergency management, contact the Alberta Emergency Management Agency at 310-0000 then 780-422-9000.

Municipal Response: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

Summer Village of Castle Island

Report to Council

Meeting: July 12, 2023 - Regular Council Meeting

Originated By: Tony Sonneleitner, Development Officer, Summer Village of Castle Island

Dear Council:

Thank you for appointing me to the position of Development Officer.

Development Permits:

23DP01-11

Plan 4021 KS;; Lot 16

Construction of an Accessory Building (8.9 SQ. M.).

Permit Effective: Sept 30, 2023.

23DP02-11

Plan 4021 KS;; Lot 18

Demolition / Removal of an Existing Dwelling c/w Deck, Shed and Septic Holding Tank.

Permit Effective: September 30, 2023.

Letters of Compliance:

None

Enforcement:

None

Regards,

Tony Sonneleitner, Development Officer
(780) 718-5479

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Summer Village of Birch Cove

Box 8, Alberta Beach, AB T0E 0A0

PH:(780)967-0271 FAX: (780)967-0431

www.birchcove.ca

August 29th, 2023

Lac Ste. Anne County

Town of Onoway

Town of Mayerthorpe

Village of Alberta Beach

Summer Villages of Castle Island, Sunrise Beach, Nakamun Park, Ross Haven, Sandy Beach, Silver Sands, South View, Sunset Point, Val Quentin, West Cove and Yellowstone

Re: Summer Village of Birch Cove Councillor Resignation & Byelection Results

The Summer Village of Birch Cove, at their June 15th, 2023 regular Council meeting received a letter of resignation from Councillor Eugene Dugan. A byelection was scheduled for August 5th, 2023. Nomination day was concluded on July 8th, 2023 and as no other candidates were forthcoming, Mr. Dean Preston was elected to Council by acclamation.

The Mayor remains as Steven Tymafichuk and Deputy Mayor as Dory Sample.

Please don't hesitate to contact the undersigned if you require further information.

Thank you.

Sincerely,

for Wendy Wildman

Chief Administrative Officer

WW/dw

c.c: Summer Village of Birch Cove Council

Box 8, Alberta Beach, AB T0E 1A0

Phone: 780-967-0271 email: cao@birchcove.ca

www.birchcove.ca

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Summer Village of Sunrise Beach

Box 1197

Onoway, Alberta

TOE 1V0

Email:

svsunrisebeach@wildwillowenterprises.com

Phone: (780) 967-0271

Fax: (780) 967-0431

August 28th, 2023

Lac Ste. Anne County

Town of Onoway

Town of Mayerthorpe

Village of Alberta Beach

Summer Villages of Birch Cove, Castle Island, Nakamun Park, Ross Haven, Sandy Beach, Silver Sands, South View, Sunset Point, Val Quentin, West Cove and Yellowstone

Ste. Anne Emergency Management Agency

Council and Admins:

Re: Sunrise Beach Councillor Resignation and Byelection Results

After the June 13th, 2023 regular council meeting, Councillor Everett Steenberg submitted a letter of resignation. The municipality then underwent a byelection and we are pleased to advise Mr. Brian Benning was declared elected as a result of the August 5th, 2023 byelection. We further advise Mr. Benning was officially sworn in as Councillor for the Summer Village of Sunrise Beach at the August 22nd, 2023 Council meeting. Mr. Jon Elhier remains Mayor, and Mr. Mike Benson remains Deputy Mayor.

Thank you.

Regards,

Wendy Wildman

Chief Administrative Officer

Summer Village of Sunrise Beach

cc: Summer Village of Sunrise Beach Council

Development Services
Summer Village of Castle Island

Box 2945, Stony Plain, AB., T7Z 1Y4

Phone (780) 718-5479 Fax (866) 363-3342 Email: pcm1@telusplanet.net

September 1, 2023

File: 23DP01-11

Re: Development Permit Application No. 23DP01-11
Plan 4021 KS;; Lot 16 : 18 Martin Road (the "Lands")
R – Residential – Single Family (Class A) : Summer Village of Castle Island

Preamble: This Development Permit is issued upon the basis that the boundary with the water of Lac Ste. Anne constitutes the Front Yard.

APPROVAL OF DEVELOPMENT PERMIT

You are hereby notified that your application for a development permit with regard to the following:

CONSTRUCTION OF AN ACCESSORY BUILDING (8.9 SQ. M.)

has been **APPROVED** subject to the following conditions:

- 1- All municipal taxes must be paid.
- 2- The applicant shall display for no less than twenty-one (21) days after the permit is issued, in a conspicuous place on the site or on streets abutting the site, the enclosed notice.
- 3- The applicant shall provide a certified copy of plan of subdivision to determine all easements and restrictive covenants on the parcel, and 8.5 X 11 copies of site plans of a quality satisfactory to the Development Officer.
- 4- The applicant shall provide dimensioned plans acceptable to Inspections Group Inc.
- 5- The applicant shall obtain and adhere to the requirements where applicable, from the appropriate authority, permits relating to demolition, building, electricity, plumbing and drainage, and all other permits required in connection with the proposed development.

Note: An Accessory Building with a floor area of less than 9.3 sq. m. is exempt from the requirement for a Building Permit.

- 6- The applicant shall be financially responsible during construction for any damage by the applicant, his servants, his suppliers, agents or contractors, to any public or private property.
- 7- The applicant shall prevent excess soil or debris from being spilled on public streets and lanes; and shall not place soil or any other material on adjacent properties without permission in writing from adjacent property owners.



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8- The improvements take place in accordance with the sketch submitted as part of the permit application, INCLUDING:

- **Front Yard setback shall be behind the front line of the Principal Building;**
- **Side Yard setback shall be a minimum of 2.0 metres or greater distance as required under Alberta Safety Codes Act;**
- **Rear Yard setback shall be a minimum of 3.0 metre; and**
- **The building shall be located within the Rear Yard and Rear half of the Lands.**

9- The exterior of a building must be completed within 1 year of the date of issuance of a building permit.

10- Applicant is responsible for grading the site of the proposed development to the design lot grades and direction(s) of drainage and for ensuring that surface runoff water does not discharge from the site to an adjacent property.

11- No person shall keep or permit to be kept in any part of a yard any excavation, storage or piling of materials required during the construction stage unless all necessary safety measures are undertaken. The owner of such materials or excavation must assume full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction.

12- The applicant is responsible for designing and constructing a building foundation drainage system adequate for the existing soil conditions.

Should you have any questions please contact this office at (780) 718-5479.

Date Application Deemed **September 1, 2023**

Complete

Date of Decision

September 1, 2023

Effective Date of

Permit

September 30, 2023

Signature of Development
Officer



Tony Sonneleitner, Development Officer for the Summer Village of Castle Island

cc Municipal Administrator, Summer Village of Castle Island

Note: An appeal of any of the conditions of approval may be made to the Subdivision and Development Appeal Board by serving written notice of appeal to the Clerk of the Subdivision and Development Appeal Board. Such an appeal shall be made in writing and shall be delivered either personally or by mail so as to reach the Clerk of the Subdivision and Development Appeal Board no later than twenty-one (21) days after the notice of decision. The appeal should be directed to this office (780) 718-5479 and should include a statement of the grounds for the appeal.

Development Services
Summer Village of Castle Island

Box 2945, Stony Plain, AB., T7Z 1Y4

Phone (780) 718-5479 Fax (866) 363-3342 Email: pcm1@telusplanet.net

NOTE:

1. *The issuance of a Development Permit in accordance with the notice of decision is subject to the condition that it does not become effective until twenty-nine (29) days after the date of the order, decisions or development permit is issued.*
2. *The Land Use Bylaw provides that any person claiming to be affected by a decision of the Development Officer may appeal to the Development Appeal Board by serving written notice of appeal to the Clerk of the Development Appeal Board within twenty-one (21) days after notice of the decision is given.*

IMPORTANT NOTES

1. *Any development proceeded with prior to the expiry of the appeal period is done solely at the risk of the Applicant even though an application for Development has been approved and a Development Permit has been issued. The period allowed for an appeal to be filed is twenty-one (21) days after a development permit is issued.*
2. *Any person claiming to be affected by a decision regarding an application for a development permit may appeal by serving written notice to the Clerk of the Development Appeal Board within twenty-one (21) days after a development permit or notice of decision was issued.*
4. *The applicant is reminded that compliance with this Permit requires compliance with all conditions affixed thereto.*
5. *A development permit is an authorization for development under the Land Use Bylaw, but is not an approval under any other regulations that may be applicable.*
6. ***In the interest of public safety and as required by the Safety Codes Act construction projects must be covered by the appropriate permits prior to commencement of construction (Demolition, Building, Electrical, Gas, Plumbing, Private Sewage, and Water). The issuance of these permits is under the jurisdiction of Agencies Authorized by Alberta Municipal Affairs to Issue Permits and Provide Compliance Monitoring.***

Within the municipal limits of the Summer Village of Castle Island, the authorized agency is Inspections Group Inc., and may be contacted at

Edmonton:

*12010 - 111 Ave.
Edmonton, Alberta T5G 0E6*

Phone: (780) 454-5048

Fax: (780) 454-5222

Toll-Free: (866) 554-5048

Toll-Free Fax: (866) 454-5222

Email: questions@inspectionsgroup.com



Development Services
Summer Village of Castle Island

Box 2945, Stony Plain, AB., T7Z 1Y4

Phone (780) 718-5479 Fax (866) 363-3342 Email: pcm1@telusplanet.net

7. *Development in proximity to gaslines, other pipelines, powerlines, or telephone lines require approvals from: The Gas Protection Branch - Alberta Labour, Alberta Energy Resources Conservation Board, Alberta Utilities and Telecommunications.*

8. *All plans submitted for the construction, or alteration, of a commercial or industrial building as specified under the Alberta Architects Act, shall be authorized by a registered architect or a professional engineer.*

Development Services
Summer Village of Castle Island

Box 2945, Stony Plain, AB., T7Z 1Y4

Phone (780) 718-5479 Fax (866) 363-3342 Email: pcm1@telusplanet.net

Public Notice

DEVELOPMENT APPLICATION NUMBER: 23DP01-11

APPROVAL OF DEVELOPMENT PERMIT

An application for a development permit for this property Plan 4021 K5; Lot 16 : 18 Martin Road with regard to the following:

CONSTRUCTION OF AN ACCESSORY BUILDING (8.9 SQ. M.)

has been **CONDITIONALLY APPROVED** by the Development Officer.

Any person who objects to the proposed use of the parcel may deliver to the Clerk of the Subdivision and Development Appeal Board a written statement of their objection to such use indicating the following:

1. His/ her full name and mailing address, for the delivery of any notices to be given with respect of the objection; and
2. The reasons for his/her objection to the proposed use.

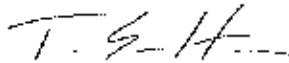
The statement must be received by the Clerk of the Subdivision and Development Appeal Board by no later than 4:30 pm on September 22, 2023.

Statements of concern with regard to this development permit should be addressed to:

Summer Village of Castle Island
Box 8
Alberta Beach, Alberta
T0E 0A0
Attention: Clerk of the Subdivision and Development Appeal Board

Should you have any questions please contact this office at (780) 718-5479

Date Application Deemed Complete	September 1, 2023
Date of Decision	September 1, 2023
Effective Date of Permit	September 30, 2023
Signature of Development Officer:	



Note: This permit does not come into effect until twenty-nine (29) days after the date of issuance.

Note: Any development undertaken prior to the expiry of the appeal period is done solely at the risk of the applicant. The period allowed for an appeal to be filed is twenty-one (21) days after a development permit has been issued.

Note: This permit is valid for a period of twelve (12) months from the date of issue. If at the expiry date of this period the development has not been commenced and carried out with reasonable diligence, this permit shall be null and void.

THIS IS NOT A BUILDING PERMIT

Development Services
Summer Village of Castle Island

Box 2945, Stony Plain, AB., T7Z 1Y4

Phone (780) 718-5479 Fax (866) 363-3342 Email: pcm1@telusplanet.net

September 1, 2023

File: 23DP02-11

Re: **Development Permit Application No. 23DP02-11**
Plan 4021 KS;; Lot 18 : 20 Martin Road (the "Lands")
R – Residential – Single Family (Class A) : Summer Village of Castle
Island

APPROVAL OF DEVELOPMENT PERMIT

You are hereby notified that your application for a development permit with regard to the following:

***DEMOLITION / REMOVAL OF AN EXISTING DWELLING
C/W DECK, SHED AND SEPTIC HOLDING TANK***

has been **APPROVED** subject to the following conditions:

- 1- All municipal taxes must be paid.
- 2- The applicant shall display for no less than twenty-one (21) days after the permit is issued, in a conspicuous place on the site or on streets abutting the site, the enclosed notice.
- 3- The applicant shall provide a certified copy of plan of subdivision to determine all easements and restrictive covenants on the parcel, and 8.5 X 11 copies of site plans of a quality satisfactory to the Development Officer.
- 4- The applicant shall obtain and adhere to the requirements where applicable, from the appropriate authority, permits relating to demolition, building, electricity, plumbing and drainage, and all other permits required in connection with the proposed development.
- 5- The applicant shall be financially responsible during construction / demolition for any damage by the applicant, his servants, his suppliers, agents, or contractors, to any public or private property.
- 6- The applicant shall prevent excess soil or debris from being spilled on public streets and lanes; and shall not place soil or any other material on adjacent properties without permission in writing from adjacent property owners.

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7- All improvements shall be completed within six (6) months of the effective date of the permit.

Should you have any questions please contact this office at (780) 718-5479.

Date Application Deemed **September 1, 2023**

Complete

Date of Decision

September 1, 2023

Effective Date of Permit

September 30, 2023

Signature of Development Officer



Tony Sonleitner, Development Officer for the Summer Village of Castle Island

cc Municipal Administrator, Summer Village of Castle Island

Note: An appeal of any of the conditions of approval may be made to the Subdivision and Development Appeal Board by serving written notice of appeal to the Clerk of the Subdivision and Development Appeal Board. Such an appeal shall be made in writing and shall be delivered either personally or by mail so as to reach the Clerk of the Subdivision and Development Appeal Board no later than twenty-one (21) days after the notice of decision. The appeal should be directed to this office (780) 718-5479 and should include a statement of the grounds for the appeal.

