

Town of Drumheller COUNCIL MEETING AGENDA

Monday, April 1, 2019 at 4:30 PM
Council Chamber, Town Hall
224 Centre Street, Drumheller, Alberta



Page

1. CALL TO ORDER
2. MAYOR'S OPENING REMARK
- 3 2.1. Proclamation April 7 to 13, 2019 as National Volunteer Week
[Proclamation National Volunteer Week](#)
3. ADOPTION OF AGENDA
4. MINUTES
- 4.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES
- 4 - 11 4.1.1. Regular Council Meeting Minutes of March 18, 2019
[Regular Council Meeting Minutes of March 18, 2019](#)
- 4.2. MINUTES OF MEETING PRESENTED FOR INFORMATION
- 4.3. BUSINESS ARISING FROM THE MINUTES
5. DELEGATIONS
- 5.1. Vance Neudorf - Badlands Amphitheatre Activities Update
6. REQUEST FOR DECISION REPORTS
- 6.1. CAO
- 12 - 17 6.1.1. Bylaw 01.19 being the Municipal Emergency Management Plan - second and third readings
[Bylaw 01.19 being the Municipal Emergency Management Bylaw - second and third readings](#)
- 18 - 23 6.1.2. Bylaw 02.19 being a bylaw for the purposes of respecting the safety, health and welfare of people, and the protection of people and property within the Town of Drumheller (Public Behavior Bylaw) - second and third readings
[Bylaw 02.19 being the Public Behaviour Bylaw - second and third readings](#)
- 24 - 26 6.1.3. Bylaw 05.19 being the Supplementary Tax Bylaw - second and third readings
[Bylaw 05.19 being a bylaw to authorize supplementary assessment tax - second and third readings](#)
- 27 - 28 6.1.4. Bylaw 07.19 being a bylaw to amend Penalty on Unpaid Taxes - second and third readings
[Bylaw 07.19 being a bylaw to provide for the imposition of penalties on unpaid taxes - second and third readings](#)
- 6.2. DEPUTY CAO / DIRECTOR OF CORPORATE SERVICES
- 6.3. DIRECTOR OF INFRASTRUCTURE SERVICES
- 6.4. DIRECTOR OF EMERGENCY / PROTECTIVE SERVICES
- 6.5. REVIEW OF STRATEGIC BUSINESS PLAN WORK PRIORITIES

7. PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

8. PUBLIC HEARING TO COMMENCE AT 5:30 PM

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- 8.1. The purpose of the Public Hearing is to consider Bylaw 03.19 being a bylaw to amend the Land Use Bylaw 10.08 by redesignating Plan 3587HX Block 47 Lot A (Civic Address: 703 - 2nd Avenue West - former Town Hall) from CS Community Service District to R-4 Residential District

[Report from Jeff Laurier, Senior Planner - Palliser Regional Municipal Services](#)

9. PUBLIC HEARING DECISIONS

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- 9.1. Bylaw 03.19 - second reading

[Bylaw 03.19 - second reading](#)

10. UNFINISHED BUSINESS

11. NOTICE OF MOTION

12. COUNCILLOR REPORTS

13. IN-CAMERA MATTERS

- 13.1. Land Matter: Legal Description Plan 7611000 Block 1 Lot A (*FOIPP Act* Section 23 Local Public Body Confidences)

- 13.2. Land Matter: Legal Description NW-12-29-20-W4M (*FOIPP Act* Section 23 Local Public Body Confidences)

- 13.3. Land Matter: Legal Description NW-31-28-19-W4M (*FOIPP Act* Section 23 Local Public Body Confidences)



DRUMHELLER

OFFICE OF THE MAYOR



WHEREAS the volunteer spirit that helped to build the Town of Drumheller is alive and strong today, and

WHEREAS volunteers are young, old, families, workers, retirees, men and women of all ages and backgrounds, and

WHEREAS the collective result of the work done by our Town's volunteers is that Drumheller is a more desirable place to live, and

WHEREAS the entire community benefits from the valuable contributions that volunteers make.

THEREFORE I, Mayor Heather Colberg, hereby proclaim April 7 to 13, 2019 as "National Volunteer Week" and urge my fellow citizens to recognize the crucial role played by volunteers in our community.

**Town of Drumheller
COUNCIL MEETING
MINUTES**

March 18, 2019, at 4:30 PM

Council Chamber, Town Hall
224 Centre Street, Drumheller, AB, T0J 0Y4



PRESENT:

MAYOR:

Heather Colberg

COUNCIL:

Kristyne De Mott

Jay Garbutt

Lisa Hansen-Zacharuk

Tony Lacher

Fred Makowecki

Tom Zariski

CHIEF ADMINISTRATIVE OFFICER:

Darryl Drohomerski

DEPUTY CAO/DIRECTOR OF CORPORATE SERVICES:

Barb Miller

DIRECTOR OF INFRASTRUCTURE SERVICES

Dave Brett

DIRECTOR OF PROTECTIVE / EMERGENCY SERVICES:

Greg Peters

COMMUNICATIONS OFFICER/ECONOMIC DEVELOPMENT OFFICER:

Julia Fielding

RECORDING SECRETARY:

Linda Handy

1. CALL TO ORDER

Mayor Heather Colberg called the meeting to order at 4:30 PM.

2. MAYOR'S OPENING REMARK

Mayor Colberg congratulated the Drumheller Dragons Hockey Team for their successful season.

Mayor Colberg announced the following community events:

Drumheller Chamber of Commerce Annual General Meeting on March 27th at 7:00 PM at BCF

Drumheller Music Festival from April 8 to 18, 2019

Volunteer Recognition Event - April 9th

Drumheller Legion - Jake's Gift on May 11th at 8:00 PM at the BCF

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Mayor welcomed Dave Brett as the Town's new Director of Infrastructure Services.

Mayor Colberg announced that the Council Committee of March 25th, 2019 will be cancelled.

3. ADOPTION OF AGENDA

MO2019.28 Hansen, Demott moved to adopt the agenda as presented. Carried unanimously.

4. MINUTES

4.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

4.1.1. Regular Council Meeting Minutes of February 19, 2019

MO2019.29 Lacher, Zariski moved to adopt the Regular Council Meeting Minutes of February 19, 2019 as presented. Carried unanimously.

4.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

Municipal Planning Commission Meeting Minutes of January 25, 2019

Municipal Planning Commission Meeting Minutes of February 14, 2019

4.3. BUSINESS ARISING FROM THE MINUTES

5. DELEGATIONS

6. REQUEST FOR DECISION REPORTS

6.1. CAO

6.1.1 2019 – 2021 Operating Budget Approval

D. Drohomerski advised that Administration is seeking adoption of the 2019 Tax Supported Operating Budget in accordance with Section 242(1) of the MGA. As a result of combined efforts, Administration worked hard to find a 5% reduction in operating costs and achieved a 4.9% reduction in expenses. Further to this, new asks from Council and Administration resulted in an addition of \$377,000 in operating costs. Reduction in expenses include: close the BCF on 6 general holidays (Good Friday, Easter Monday, Victoria Day, Heritage Day, Labour Day and Thanksgiving; reduce the BCF operating hours by closing 1 hour earlier per day (9:00 PM on weekdays, 7:00 PM on Saturday and Sunday; and reduce the operating season of the outdoor pool (to be open from last week of June to Labour Day) – these small operational adjustments resulted in close to \$30,000 in savings. As a result of these combined efforts, there will be a 1.9% increase to the municipal property tax requisition.

MO2019.30 Makowecki, Zariski moved to adopt the 2019 Tax Supported operating budget as presented reflecting a municipal property tax requisition of \$8,884,435.00.

Councillor Garbutt stated that the recommendations on efficiencies that would have the least impact with savings achieved came from Manager of the Recreation Facilities. He

further stated that he was pleased that Administration has provided the culture of new ways of doing things at lower operating costs. He also stated that the operating budget includes measures to bring Council compensation to an acceptable level resulting from a change imposed on wages for elected official from the Federal government. Councillor T. Zariski stated that this Council has seen more requests from organizations within the community than ever before in one year and Council has tried to come up with a way to support the asks by giving a hand where needed. Mayor Colberg stated that Council is proud of every department for cutting the operating costs. She further stated that these savings will help to implement Council's strategic plans and help the community to advance.

Vote on Motion: Carried unanimously.

6.1.2 Bylaw 17.18 being a bylaw for the purpose of implementing a non residential development incentive program for the Town of Drumheller – second and third readings

D. Drohomerski advised that an Open House was held on March 28th to introduce the tax incentive bylaws to the public. He stated that Bylaw 17.18 allows for a tax incentive for a one year waiver of municipal taxes for new development up to a maximum of \$25,000 or for renovations up to a maximum of \$50,000 new assessment. He further stated that the bylaw received first reading on November 26, 2018 and he recommended that Council proceed to second and third readings.

MO2019.31 Zariski, Lacher moved second reading of Bylaw 17.18. Carried unanimously.

MO2019.32 DeMott, Makowecki moved third reading of Bylaw 17.18. Carried unanimously.

6.1.3 Bylaw 19.18 being a bylaw for the purpose of waiving fees for new businesses in existing non residential vacant buildings within the Town of Drumheller – second and third readings

D. Drohomerski advised that Bylaw 19.18 received first reading on November 26, 2018 and would benefit the tenant not the building owner. He explained that the bylaw proposes to waive the business license fee and development fee for a tenant occupying a vacant building. He recommended that Council proceed to second and third readings.

MO2019.33 Hansen-Zacharuk, Makowecki moved second reading of Bylaw 19.18. Carried unanimously

MO2019.34 Makowecki, Garbutt moved third reading of Bylaw 19.18. Carried unanimously

6.1.4 Bylaw 22.18 being a bylaw for the purpose of implementing a non residential tax incentive program for owners of existing non residential vacant buildings within the Town of Drumheller – second and third readings

D. Drohomerski advised that Bylaw 22.18 received first reading on December 10, 2018 and proposes to provide a tax incentive for owners of existing non residential buildings

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that have been vacant for one year and the business owner provides proof of start-up of a new business. He further explained that cancellation of property tax in second year of business requires an application to Council. He recommended that Council proceed to second and third readings.

MO2019.35 Zariski, Lacher moved second reading of Bylaw 22.18. Carried unanimously.

MO2019.36 Garbutt, Lacher moved third reading of Bylaw 22.18. Carried unanimously.

6.1.5 Bylaw 01.19 being the Municipal Emergency Management Plan – first reading

D. Drohomerski stated Bylaw 01.19 has been updated in accordance with new legislation. He further stated that a draft was presented to Council on February 25, 2019 and the reference to David Thompson Health Region has been removed. He recommended that Council proceed to first reading of Bylaw 01.19.

MO2019.37 DeMott, Hansen-Zacharuk moved first reading of Bylaw 01.19. Carried unanimously.

6.1.6 Bylaw 02.19 being a bylaw for the purposes of respecting the safety, health and welfare of people, and the protection of people and property within the Town of Drumheller (Public Behavior Bylaw) – first reading

D. Drohomerski stated that Bylaw 02.09 results from sections of the former Community Standards Bylaw being removed that deals with public behavior rather than property standards. He further stated that the draft bylaw was presented to Council on February 11, 2019. He recommended that Council proceed to first reading of Bylaw 02.19.

MO2019.38 Lacher, Hansen-Zacharuk moved first reading of Bylaw 02.19. Carried unanimously.

6.1.7 Bylaw 04.19 being the Tourism Corridor Bylaw

D. Drohomerski presented Bylaw 04.19 being a bylaw for the purposes of establishing property standards at a higher level of care for properties along Drumheller's Tourism Corridor which includes properties within the downtown core and along Highways 9, 10, 575 and 838 (as identified on the attached map). He stated that the bylaw was originally presented to Council as a draft in February 11, 2019.

Further to a Public Consultation held on March 28th, he referred to the Tourism Corridor map and advised that an amendment is required to Priority Area 1 as follows:

Priority Area 1: Hwy 10 from 1st Avenue North / Rosedale Industrial Road to Mabbott Road (Rosedale);

Priority Area 2: Hwy 10 from Town of Drumheller Water Treatment Plant to Rosedale Industrial Road.

He further stated that concerns were brought forward by the public and they have been addressed. With regards to why signage provisions are needed, D. Drohomerski explained that signage under the LUB is for new development and enforcement under the LUB would involve stop orders. Signage requirements under the Community

Standards and Tourism Corridor Bylaws allows the Town to be proactive in dealing with infractions with remediation of the issues dealt with more quickly.

MO2019.39 Zariski, Lacher moved second reading of Bylaw 04.19 as amended.

Councillor L. Hansen-Zacharuk questioned whether Priority Area 1 should include 5th Street East as several events utilize this roadway including Gran Fondo and the July 1st Parade. D. Drohomerski advised that all properties not included in the Priority Area 1 Tourism Corridor are required to comply with the standards within the Community Standards Bylaw. He further explained that these routes can be included on the Tourism Corridor in the future should Council feel it is necessary. Councillor F. Makowecki stated that there appears to be confusion with the green space between businesses and whether these businesses fall under the Tourism Corridor. D. Drohomerski stated that if the properties are in the line of sight, they are included along the Tourism Corridor. Councillor T. Zariski explained that he spoke with residents at the Open House and said to them that the main routes tourists travel should be the Town's first impression routes. Councillor J. Garbutt concurred stating that with Council's vision comes some expectations to live up to the vision.

Vote on Motion: Carried unanimously

MO2019.40 Hansen-Zacharuk, Garbutt moved third reading of Bylaw 04.19 as amended. Carried unanimously.

6.1.8 Bylaw 05.19 being the Supplementary Tax Bylaw under Part 10 of the MGA – first reading

D. Drohomerski presented Bylaw 05.19 which authorizes supplementary assessment for improvements during the taxation year of an improvement. He further explained that in December, the assessor reviews development applications and assesses the development at the point of construction at that time, including machinery and equipment. He recommended that Council proceed to first reading.

MO2019.41 DeMott, Lacher moved first reading of Bylaw 05.19. Carried unanimously.

6.1.9 Rescind MO2019.23 and MO2019.24 pertaining to second reading of the Community Standards Bylaw 07.18

D. Drohomerski explained that Bylaw 07.18 did not receive first reading and as such two motions: MO2019.23 and MO 2019.24 would have to be rescinded bringing the bylaw back to draft and a new number assigned for 2019.

MO2019.42 Hansen-Zacharuk, Zariski moved to rescind MO2019.23. Carried unanimously.

MO2019.43 Garbutt, Hansen-Zacharuk moved to rescind MO2019.24. Carried unanimously.

6.1.10 Bylaw 06.19 being the Community Standards Bylaw – first reading

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D. Drohomerski advised that the Community Standards Bylaw was presented to Council in draft on December 3, 2018 and February 19, 2019. He recommended that Council proceed to first reading of Bylaw 06.19.

MO2019.44 Garbutt, Hansen-Zacharuk moved first reading of Bylaw 06.19. Carried unanimously.

6.1.11 Bylaw 07.19 being a bylaw to amend Penalty on Unpaid Taxes

D. Drohomerski presented Bylaw 07.19 with amended wording as recommended by Council that will allow bank transaction dates as the date received by the municipality. He further advised that any penalties imposed on September 1st will be waived due to hospitalization or death of a property owner, both subject to proof of evidence. He recommended that Council proceed to first reading.

MO2019.45 Zariski, Lacher moved first reading of bylaw 07.19. Carried unanimously.

6.1.12 Council Policy – Safety Policy

D. Drohomerski presented the Safety Policy which is reviewed and approved annually by Council.

MO2019.46 Lacher, Hansen-Zacharuk moved to approve Safety Policy C-01-19 as presented. Carried unanimously.

6.1.13 RFD – Appointment to the Economic Development Advisory Committee

D. Drohomerski stated that a vacancy exists on the Economic Development Advisory Committee resulting from the retirement of Mike Todor. Tony Ibrahim has submitted an application to serve in this capacity.

MO2019.47 DeMott, Makowecki moved to approve the appointment of Tony Ibrahim to the Economic Development Advisory Committee for a three year term to expire on the date of Council's Organizational Meeting in 2021.

MO2019.48 Garbutt, Hansen-Zacharuk moved to go in closed Council meeting at 5:15 PM under the *FOIPP Act* Section 23 -Local Public Body Confidences. Carried unanimously.

MO2019.49 Makowecki, Hansen-Zacharuk moved to revert to Regular Council Meeting at 5:21 PM. Carried unanimously.

Vote of MO2019.47: Carried unanimously.

6.1.14 RFD – Appointment to Heritage, Arts and Culture Committee

D. Drohomerski stated that Riddel Wiebe has submitted an application to serve on the Heritage, Arts and Culture Committee.

MO2019.50 Hansen-Zacharuk, Lacher moved to approve the appointment of Riddel Wiebe to the Heritage, Arts and Culture Committee with no fixed term. Carried unanimously.

6.2. DEPUTY CAO / DIRECTOR OF CORPORATE SERVICES

6.3 DIRECTOR OF INFRASTRUCTURE SERVICES

6.4 DIRECTOR OF EMERGENCY / PROTECTIVE SERVICES

6.5 REVIEW OF STRATEGIC BUSINESS PLAN WORK PRIORITIES

Community Profile / Promo Piece - J. Fielding advised that the profile has been reviewed and changes as recommended by Council have been made however a few more changes are needed. The profile will be sent to Council within the next few days. Economic Development Strategy Action Plan - Councillor F. Makowecki presented the Top 10 Priorities as brought forward by the Economic Development Advisory Committee as follows: 1) Hire Full Time Senior EDO (completed); 2) Secure a full time position for a Communications & Marketing Officer (completed); 3) Business Investment and Attraction Program – follow through with key actions identified in the plan – Community Profile and EcD Team and Concierge; 4) Land and Real Estate Inventory – improve relationship with realtors / developers; 5) Positive Image Campaign Perception Change Campaign / Good News Stories: actively influence internal and external perceptions of Town and community; improve citizen knowledge – engagement around town; coffee with Council; buy local / think local first campaign; and annual business walk; 6) Branding Exercise – consistent marketing materials, accurate data, sophisticated image – EcD website; 7) Develop Cost / Service Model and Develop consistency in business licensing requirements: request information on business license applications to serve your needs re: business information; and tax information sheet; 8) Carrot and Stick re: derelict buildings: building wraps to enhance appearance of empty buildings; potential incentives for beautification and architectural controls for downtown; 9) Take CAEP Municipal Business Friendliness Training; and 10) Tourism Business Awards & Re-ignite Signature Event: invite other communities/businesses to attend; invite culture and tourism – further relationships; and invite CATA, CAEP and Access Prosperity.

7. PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

8. PUBLIC HEARING TO COMMENCE AT 5:30 PM

9. PUBLIC HEARING DECISIONS

10. UNFINISHED BUSINESS

11. NOTICE OF MOTION

12. COUNCILLOR REPORTS

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Round table

Councillor L. Hansen-Zacharuk announced that Hope College's AGM will be held on March 26th and they will be looking for a new President. She asked residents if they are interested in this position to speak with her.

Councillor T. Zariski announced that a new SL4 supported living facility may be imminent.

Councillor F. Makowecki thanked everyone for their involvement in securing funding for flood mitigation application. Mayor Heather Colberg echoed Councillor Makowecki's words and extended a special thanks to Darwin Durnie and Michelle Tetreault for their efforts.

13. IN-CAMERA MATTERS

14. ADJOURNMENT

There being no further business, Mayor Colberg adjourned the meeting at 5:36PM.

Chief Administrative Officer

Mayor

**TOWN OF DRUMHELLER
MUNICIPAL EMERGENCY MANAGEMENT
BYLAW NUMBER 01.19**

WHEREAS the Council of the Town of Drumheller is responsible for the direction and control of its emergency response and is required, under the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000 to appoint an Emergency Management Committee and to establish and maintain a Municipal Emergency Management Agency; and

WHEREAS it is desirable in the public interest, and in the interests of public safety, that such a committee be appointed and such an agency be established and maintained to carry out Council's statutory powers and obligations under the said Emergency Management Act;

NOW, THEREFORE, THE COUNCIL OF THE TOWN OF DRUMHELLER DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Municipal Emergency Management Bylaw".
2. Definitions

"Act" means the Emergency Management Act, Chapter E-6.8, Revised Statutes of Alberta 2000;

"Chief Administrative Officer" shall mean a Municipal Official employed by the Town of Drumheller in the position of Chief Administrative Officer, or in his/her absence, the person appointed as Acting Chief Administrative Officer; or designate.

"Council" means the Council of the Town of Drumheller

"Disaster" means an event that has resulted or may result in serious harm to the safety, health or welfare of people, or in widespread damage to property;

"Emergency Management Committee" means the committee established under this Bylaw responsible for the development of municipal emergency programs and plans intended to coordinate prompt action or special regulation of persons or property to protect the safety, health and welfare of the population or to limit damage to property;

"Emergency" means a present or imminent event that requires prompt co-ordination of action or special regulation of persons or property to protect the health, safety or welfare of people or to limit damage to property;

"Municipal Emergency Management Agency" means the agency established under this Bylaw; and

"Municipal Emergency Plan" means the emergency plan prepared by the Director of Emergency Management to co-ordinate response to an emergency or disaster.

3. There is hereby established an Emergency Management Committee to advise Council on the development of Emergency plans and programs.
4. There is hereby established a Municipal Emergency Management Agency to act as the agent of Council to carry out its statutory powers and obligations under the Act. This does not include the power to declare, renew, or terminate a State of Local Emergency, nor the powers contained in Section 12 of this Bylaw.
5. Council shall
 - (a) by resolution, at the annual organizational meeting of Council, appoint the Mayor and two other members of council to serve on the Emergency Management Committee.
 - (b) provide for the payment of expenses of the members of the Emergency Management Committee;
 - (c) by resolution, appoint the Town Manager as the Director of Emergency Management. The Director of Emergency Management shall appoint up to three deputies who shall do those things required of the Director in that person's absence.
 - (d) ensure that Emergency plans and programs are prepared to address potential Emergencies or Disasters in the Town of Drumheller.
 - (e) approve the Town of Drumheller's Emergency plans and programs; and review the status of the Municipal Emergency Plan and related plans and programs at least once each year.
6. Council may
 - (a) by Bylaw borrow, levy, appropriate and expend, without the consent of the electors, all sums required for the operation of the Municipal Emergency Management Agency; and
 - (b) enter into agreements with and make payments or grants, or both, to persons or organizations for the provision of services in the development or implementation of Emergency plans or programs, including mutual aid plans and programs.
7. The Emergency Management Committee shall
 - (a) review the Municipal Emergency Plan and related plans and programs on a regular basis; and

- (b) advise Council, duly assembled, on the status of the Municipal Emergency Plan and related plans and programs at least once each year.
8. The Municipal Emergency Management Agency shall be comprised of one or more of the following:
- (a) the Director of Emergency Management;
 - (b) the Deputy Directors of Emergency Management;
 - (c) other administrative staff member (s) of the Town;
 - (d) the N.C.O in charge, R.C.M Police or designate;
 - (e) the Municipal Fire Chief or designate;
 - (f) the Public Information Officer or designate;
 - (g) the Towns Operations Manager or designate;
 - (h) the Towns Utility Manager or designate;
 - (i) the Towns Technical Services Manager or designate;
 - (j) the Towns Emergency Social Services coordinator or designate;
 - (k) the Alberta Health Service Ambulance Service Coordinator or designate;
 - (l) the field officers from the Alberta Emergency Management agency;
 - (m) the Alberta Health Services – Central Zone CEO or designate;
 - (n) the Drumheller Health Centre Manager or designate;
 - (o) the Golden Hills School Division Board Chairperson, Drumheller Valley Secondary school and Greentree school principals or designate;
 - (p) the Christ the Redeemer School Division Board Chairman and St. Anthony's school principal or designate;
 - (q) representative(s) from Alberta Human Resources & Employment;
 - (r) representative(s) from adjacent communities which have entered into mutual aid agreements;
 - (s) representative(s) from local business or business associations (e.g. Chamber of Commerce, Board of Trade);
 - (t) representative(s) from Alta Gas;
 - (u) representative(s) from TELUS;
 - (v) representative(s) from Alberta Agriculture, Food and Rural Development;
 - (w) representative(s) from Alberta Environmental Protection;
 - (x) representative(s) from Alberta Transportation;
 - (y) representative(s) from the Drumheller Institution;
 - (z) representative(s) from the Ministerial Association;
 - (aa) representative(s) from ATCO Electric;
 - (bb) representative(s) from the Royal Tyrrell museum;
 - (cc) anyone who may serve a useful purpose in the preparation or implementation of the Municipal Emergency Plan as Directed by the Director of Emergency Management determines.
9. The Director of Emergency Management shall
- (a) prepare and co-ordinate the Municipal Emergency Plan and related plans and programs for the Town of Drumheller;

- (b) act as director of Emergency operations, or ensure that someone is designated under the Municipal Emergency Plan to so act, on behalf of the Municipal Emergency Management Agency; and
 - (c) co-ordinate all Emergency services and other resources used in an Emergency;
or
 - (d) ensure that someone is designated to discharge the responsibilities specified in paragraphs (a), (b), and (c).
10. Council may, at any time when it is satisfied that an Emergency exists or may exist, by resolution, make a declaration of a State of Local Emergency. Such declaration may be completed by the mayor or acting mayor and, in the absence of these, two councilors.
11. When a State of Local Emergency is declared, the person[s] making the declaration shall
- (a) ensure that the declaration identifies the nature of the Emergency and the area of the Town in which it exists;
 - (b) cause the details of the declaration to be published immediately by such means of communication considered most likely to notify the population of the area affected; and
 - (c) forward a copy of the declaration to the Director of Emergency Management forthwith.
12. Subject to Section 19 of the Act, when a State of Local Emergency is declared and for the duration of the state of Emergency, the Director of Emergency Management may do all acts and take all necessary proceedings including the following:
- (a) put into operation an Emergency plan or program;
 - (b) acquire or utilize any real or personal property considered necessary to prevent, combat or alleviate the effects of an Emergency or Disaster;
 - (c) authorize or require any qualified person to render aid of a type the person is qualified to provide;
 - (d) control or prohibit travel to or from any area of the Town;
 - (e) provide for the restoration of essential facilities and the distribution of essential supplies and provide, maintain and co-ordinate Emergency medical, welfare and other essential services in any part of the Town;

- (f) order the evacuation of persons and the removal of livestock and personal property from any area of the Town that is or may be affected by a Disaster and make arrangements for the adequate care and protection of those persons or livestock and of the personal property;
 - (g) authorize the entry into any building or on any land, without warrant, by any person in the course of implementing an Emergency plan or program;
 - (h) cause the demolition or removal of any trees, structures or crops if the demolition or removal is necessary or appropriate in order to reach the scene of a disaster, or to attempt to forestall its occurrence or to combat its progress;
 - (i) procure or fix prices for food, clothing, fuel, equipment, medical supplies, or other essential supplies and the use of any property, services, resources or equipment within the Town for the duration of the State of Emergency;
 - (j) authorize the conscription of persons needed to meet an Emergency;
 - (k) authorize any persons at any time to exercise, in the operation of the Municipal Emergency Plan and related plans or programs, any power specified in Paragraphs (b) through (j) in relation to any part of the municipality affected by a declaration of a State of Local Emergency.
13. If the Director of Emergency Management acquires or utilizes real or personal property under subsection (12) or if any real or personal property is damaged or destroyed due to an action of the Director of Emergency Management in preventing, combating or alleviating the effects of an Emergency or Disaster, the Director of Emergency Management shall cause compensation to be paid for it.
14. When a State of Local Emergency is declared,
- (a) neither Council nor any member of Council, and
 - (b) no person appointed by Council to carry out measures relating to Emergencies or Disasters, are liable in respect of damage caused through any action taken under this Bylaw, nor are they subject to any proceedings by prohibition, certiorari, mandamus or injunction.
15. Notwithstanding Section 14,
- (a) Council and any member of Council, and
 - (b) any person acting under the direction or authorization of Council, is liable for gross negligence in carrying out their duties under this Bylaw.

16. When, in the opinion of the person[s] declaring the State of Local Emergency, an Emergency no longer exists in relation to which the declaration was made, they shall, by resolution, terminate the declaration.

17. A declaration of a State of Local Emergency is considered terminated and ceases to be of any force or effect when

- (a) a resolution is passed under Section 16;
- (b) a period of seven days has lapsed since it was declared, unless it is renewed by resolution;
- (c) the Lieutenant Governor in Council makes an order for a state of Emergency under the Act, relating to the same area; or
- (d) the Director of Emergency Management cancels the State of Local Emergency.

18. When a declaration of a State of Local Emergency has been terminated, the person[s] who made the declaration shall cause the details of the termination to be published immediately by such means of communication considered most likely to notify the population of the area affected.

19. This bylaw shall take effect on the date of the 3rd and final reading.

- 1) The Municipal Emergency Management Bylaw 11-11 is hereby repealed.

This Bylaw shall come into force and effect upon final passing.

Read a first time this 18th day of March, 2019

Read a second time this day of , 2019

Read a third time and finally passed this day of , 2019

TOWN OF DRUMHELLER

Mayor

Chief Administrative Officer

**TOWN OF DRUMHELLER
Public Behaviour Bylaw
Bylaw Number 02.19**

Being a Bylaw of the Town of Drumheller in the Province of Alberta for the purposes of respecting the safety, health and welfare of people, and the protection of people and property.

WHEREAS the *Municipal Government Act*, being Chapter M-26 or the revised Statutes of Alberta and amendments thereto, provide that the Council of a municipality may pass bylaws respecting safety, health and welfare of people and protection of people and property;

WHEREAS the *Municipal Government Act* authorizes a municipality to pass bylaws respecting the people, activities and things in, on, or near a public place or place that is open to the public;

AND WHEREAS it is desirable to establish a Bylaw to regulate problematic social behaviours that may have a negative impact on the enjoyment of public spaces within the municipal boundary;

NOW THEREFORE the Council of the Town of Drumheller, in the Province of Alberta, duly assembled, enacts the following:

PART 1 – INTERPRETATION

- 1.1 This Bylaw shall be cited as the “Public Behaviour Bylaw”.
- 1.2 Nothing in this Bylaw shall be interpreted as conflicting with any Provincial or Federal legislation.
- 1.3 Where any provision of this Bylaw conflicts with any Provincial or Federal legislation, the Provincial or Federal legislation shall take precedence.
- 1.4 Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw remain valid and in force.
- 1.5 Nothing in this Bylaw relieves a Person from complying with any provisions of any Provincial or Federal legislation or regulation, other bylaw or any requirement of any lawful permit, order or license.
- 1.6 All of the schedules attached to this Bylaw form a part of this bylaw.

PART 2 – DEFINITIONS

“Bullying” means the harassment of others by the real or threatened infliction of physical violence and attacks, racially or ethnically-based verbal abuse, name calling and gender-based put-downs, written or electronically transmitted, emotional abuse, extortion, stealing of money and possessions.

“Bylaw Violation Tag” is a ticket or summons issued for an allegation of a Bylaw infraction and is issued by a Peace Officer and only enforceable in the Town.

“Cannabis” as defined in the Cannabis Act.

“Cannabis Act” means Bill C-45, an Act respecting Cannabis and to amend the controlled Drugs and Substances Act, the Criminal Code and Other Acts’

“Cannabis Consumption” means to “smoke” or “vape” cannabis.

“Chief Administrative Officer” shall mean a Municipal Official employed by the Town of Drumheller in the position of Chief Administrative Officer, or in his/her absence, the person appointed as Acting Chief Administrative Officer; or designate.

“Council” means the Municipal Council of the Town of Drumheller.

“Court” shall mean any Provincial Court of Alberta.

“Defecate” means to discharge waste matter from the bowels.

“Electronic Smoking Device” means an electronic device used to deliver nicotine, cannabis, tobacco, or other substances to the person inhaling from the device, but not limited to an electronic cigarette, vaporizer, cigar, cigarillo or pipe.

“Fight” means any confrontation involving violent and physical contact between two or more people.

“Loiter” means a person(s) remaining in a place or location for no apparent purposeful activity.

“Notice” shall mean a notice issued pursuant to this bylaw to remedy a condition that is not in compliance with any provision of this bylaw.

“Peace Officer” shall mean a Community Peace Officer, Bylaw Enforcement Officer, Police of Jurisdiction or other person appointed by the Town and who is authorized to enforce Bylaws of the Town of Drumheller.

“Person” shall mean an individual person, a corporation, association, partnership or other recognized legal entity.

“*Provincial Offences Procedures Act*” means the Provincial Offences Procedures Act, R.S.A. 2000, Chapter P-34 and the regulations thereof, as amended or replaced from time to time.

“Public Place” means any place within the Town to which the public may have either express or implied access including, but not limited to, areas such as streets, sidewalks, pathways, trails, and any fixture or sculpture located in such area.

“Sidewalk” means that part of the highway especially adapted to the use of or ordinarily used by pedestrians and includes that part of a highway between the curb line or, where there is no curb line, the edge of the roadway, and the adjacent property line whether or not it is paved or unpaved.

“Spit” means to eject phlegm, saliva, chewing tobacco juice or any other substance from the mouth and/or nose.

“Smoke or Smoking” means inhaling or exhaling the smoke produced by burning a substance; holding or otherwise having control of any device or thing containing a lit substance.

“Tobacco” means a product composed in whole or in part of tobacco, including tobacco leaves and any extract of tobacco leaves, but does not include any product for use in nicotine replacement therapy.

“Tobacco Consumption” means to “smoke” or “vape” tobacco.

“Town” means the Town of Drumheller, a municipal corporation and, where the context so requires, the area included within the boundaries of the said municipal corporation.

“Urinate” means to discharge urine from the body.

“Vape or Vaping” means: inhaling or exhaling the vapor, emissions or aerosol produced from an electronic smoking device; holding or otherwise having control of an electronic device that is producing vapor, emissions or aerosol.

“Violation Ticket” means an offence notice issued by means of a Violation Ticket as described in Part 2 of the *Provincial Offences Procedures Act*.

PART 3 – PUBLIC OFFENCES

BULLYING

3.01 No Person shall bully any person in any Public Place.

3.02 No Person shall participate in or encourage by verbal or public means in the bullying of any person in any Public Place.

CANNABIS CONSUMPTION

3.03 No Person shall smoke or vape cannabis in a Public Place.

3.04 A person who is entitled to use Cannabis pursuant to the Access to Cannabis for Medical Purposes Regulations SOR/2016-230 is not subject to 3.03 of this bylaw, but must adhere to the Provincial Regulations that govern public consumption.

3.05 A person referred to in 3.04, must, on demand of a Peace Officer, produce documented authorization that allows possession and consumption usage for medicinal purposes.

FIGHTING, ASSEMBLY of PERSONS, and LOITERING

3.06 No Person shall participate in a fight or any physical or verbal confrontation in any Public Place.

3.07 No Person shall be a member of an assembly of three or more persons in any Public Place or any place to which the public is allowed access where a Peace Officer has reasonable grounds to believe the assembly will disturb the peace of the neighborhood, and any such Person shall disperse as requested by a Peace Officer.

3.08 No Person shall loiter and thereby obstruct any other Person in any Public Place.

SPITTING/URINATING/DEFECATE

3.09 No Person shall spit, urinate or defecate in any Public Place.

TOBACCO CONSUMPTION

3.10 No Person shall smoke or vape tobacco in a Public Place or within five (5) meters of an entrance to exit to the Public Place.

PART 4 – POWERS OF PEACE OFFICERS

ISSUANCE OF BYLAW VIOLATION TAG/PROVINCIAL VIOLATION TICKET

4.01 A Peace Officer is authorized to issue a Bylaw Violation Tag to any Person that the Peace Officer believes on reasonable and probable grounds has contravened any provision of this Bylaw.

- a) Notwithstanding any other provision of this Bylaw a Peace Officer is authorized to immediately issue a Province of Alberta Violation Ticket pursuant to the *Provincial Offences Procedures Act*.
- b) A Bylaw Violation Tag may be issued to a Person personally, or by mailing a copy to the person at his or her last known address.

- c) Nothing in this Bylaw shall prevent a Peace Officer from issuing a Bylaw Violation Tag or Provincial Violation Ticket for the mandatory court appearance of any person who contravenes any provision of this Bylaw.
- d) If the penalty specified on the Bylaw Violation Tag served to a Person is not paid within a prescribed time period then a Peace Officer is authorized to issue a Provincial Violation Ticket pursuant to the *Provincial Offences Procedures Act*.

GENERAL PENALTY PROVISION

4.02 Any Person who contravenes any provision of this Bylaw is guilty of a summary conviction offence punishable by a fine of not less than fifty dollars and not exceeding five thousand dollars or to imprisonment for a period not exceeding six (6) months or both. Mandatory minimum penalties for offences of this Bylaw are listed in Schedule 'A'.

4.03 Offences of a continuing nature shall be deemed to constitute a separate offence for each day or part of a day that the offence continues.

4.04 Any Person who is found in contravention of the same section of this Bylaw on more than one occasion will be liable to an increased penalty for that contravention if the Section violated in Schedule 'A' stipulates increased fines for second and third offences.

PART 5 - COMMENCEMENTS

This bylaw shall take effect on the date of the 3rd and final reading

The invalidity of any provision of this Bylaw shall not affect the validity of the remainder.

- 1) Cannabis Bylaw 10.18, Community Standards Bylaw 16-10 and Amendments are hereby repealed.

The Bylaw shall come into force and effect upon final passing.

Read a first time this 18th day of March, 2019

Read a second time this day of February, 2019.

Read a third time this day of February, 2019.

Mayor

Chief Administrative Officer

Schedule A

PUBLIC BEHAVIOUR BYLAW FINES

Bullying	3.01-3.02	\$ 500.00
a) Second and subsequent offences within 1 year		\$ 750.00
Cannabis Consumption	3.03	\$ 100.00
a) Second and subsequent offences within 1 year		\$ 250.00
Fighting in a Public Place	3.06	\$ 250.00
a) Second offence within 1 year		\$ 500.00
b) Third and subsequent offences within 1 year		\$ 750.00
Being a member of an assembly and failing to disperse as requested by a Peace Officer	3.07	\$ 250.00
a) Second offence within 1 year		\$ 500.00
b) Third and subsequent offences within 1 year		\$ 750.00
Loitering	3.08	\$ 250.00
a) Second offence within 1 year		\$ 500.00
b) Third and subsequent offences within 1 year		\$ 750.00
Spit/Urinate/Defecate	3.09	\$ 250.00
a) second offence within 1 year		\$ 500.00
b) Third and subsequent offences within 1 year		\$ 750.00
Tobacco Consumption	3.10	\$ 100.00
b) Second and subsequent offences within 1 year		\$ 250.00

***The fine for the first offence may be waived if the offender successfully completes and anti-bullying educational program approved by an accredited agency.

*The fine for the first offence may be waived if the offender successfully completes Community Service Hours as directed by the Town.

**TOWN OF DRUMHELLER
BYLAW 05.19**

BEING A BYLAW TO AUTHORIZE THE SUPPLEMENTARY ASSESSMENT FOR IMPROVEMENTS WITHIN THE TOWN OF DRUMHELLER FOR THE PURPOSE OF IMPOSING A TAX UNDER PART 10 OF THE MUNICIPAL GOVERNMENT ACT FOR THE 2019 TAX YEAR.

**THE COUNCIL OF THE TOWN OF DRUMHELLER, DULY ASSEMBLED
ENACTS AS FOLLOWS:**

1. In this Bylaw unless the context otherwise requires:
 - (a) "Act" means the Municipal Government Act;
 - (b) "assessor" means the assessor for the Town of Drumheller;
 - (c) "improvement" means:
 - (i) a structure,
 - (ii) any thing attached or secured to a structure, that would be transferred without special mention by a transfer or sale of the structure,
 - (iii) a designated manufactured home, and
 - (iv) machinery and equipment;
 - (d) "linear property" and other words and phrases defined in the Act have the meanings provided in the Act.
 - (e) "Town" means the Town of Drumheller;
2.
 - (a) The assessor is authorized to prepare the supplementary assessments contemplated in Part 9 Division 4 of the Act for the purpose of imposing a tax under Part 10 of the Act for the 2019 tax year.
 - (b) The improvement tax contemplated in Section 2(a) shall be imposed on all improvements.
 - (c) The assessor shall not prepare supplementary assessments for linear property.
3.
 - (a) The assessor shall prepare supplementary assessments for machinery and equipment used in manufacturing and processing if those improvements are completed or begin to operate in the year in which they are to be taxed under Part 10 of the Act.

- (b) The assessor shall prepare supplementary assessments for other improvements if:
 - (i) they are completed in the year in which they are to be taxed under Part 10 of the Act;
 - (ii) they are occupied during all or any part of the year in which they are to be taxed under Part 10 of the Act; or
 - (iii) they are moved into the Town during the year in which they are to be taxed under Part 10 of the Act and they will not be taxed in that year by another municipality.

 - (c) A supplementary assessment shall reflect:
 - (i) the value of an improvement that has not been previously assessed; or
 - (ii) the increase in value of an improvement since it was last assessed.

 - (d) Supplementary assessments shall be prepared in the same manner as assessments are prepared under Division 1 of Part 9 of the Act, but must be pro-rated to reflect only the number of months during which the improvement is complete, occupied, located in the municipality or in operation, including the whole of the first month in which the improvement was completed, was occupied, was moved into the municipality or began to operate.
4. Before the end of the year in which supplementary assessments are prepared, the municipality shall prepare a supplementary assessment roll in accordance with section 315 of the Act.
5. Before the end of the year in which supplementary assessments are prepared, the municipality shall:
- (a) prepare a supplementary assessment notice for every assessed improvement shown on the supplementary assessment roll; and
 - (b) send the supplementary assessment notices to the assessed persons

in accordance with section 316 of the Act.

AGENDA ITEM #6.1.3.

6. Town of Drumheller Bylaw No 02.18 is hereby repealed.
7. This Bylaw shall take effect on the day of the final passing thereof.

READ A FIRST TIME ON THE 18th day of March, 2019.

READ A SECOND TIME ON THE ____ day of April, 2019.

READ A THIRD AND FINAL TIME ON THE ____ day of April, 2019

MAYOR

CHIEF ADMINISTRATIVE OFFICER

TOWN OF DRUMHELLER

BYLAW 07.19

BEING A BYLAW OF THE TOWN OF DRUMHELLER TO PROVIDE FOR THE IMPOSITION OF PENALTIES ON UNPAID TAXES.

PURSUANT to Sections 344 (1) and 345 (1) of the Municipal Government Act, being Chapter M-26, R.S.A, February 1, 2019, as amended, Council for the Town of Drumheller, duly assembled, enacts as follows:

1. Taxes shall be paid on or before August 31st in the year in which they are levied.
2. Taxes not paid by August 31st in any year in which they are levied shall have a penalty of 5% imposed on them on September 1st in the year in which they are levied.
3. Tax payments made online, via telephone banking or through a banking institution will be deemed to have been received by the municipality on the bank transaction date.
4. Any penalties imposed on September 1st on current year taxes due to the hospitalization of a property owner during the last ten (10) days of August will be waived if the owner provides evidence of hospitalization to the Town within sixty (60) days.
5. Any penalties imposed on September 1st on current year taxes due to the death of a property owner during the month of August will be waived if the executor provides a valid death certificate to the Town within sixty (60) days of hospitalization.
6. Taxes not paid by October 31st in the year in which they are levied shall have a penalty of 5% imposed on them on November 1st in the year in which they are levied.
7. To any and all taxes remaining unpaid after the 31st day of December in any year, a penalty of three quarters of one percent (0.75%) calculated on the amount of unpaid taxes thereon shall be added on the 1st day of January of the next year and on the first day of each month thereafter.
8. Where supplementary taxes have been levied, any supplementary taxes remaining unpaid after March 31st of the following year shall be subject to a penalty of three quarters of one percent (0.75%) on the 1st day of April in the same year, and on the first day of each month thereafter.
9. That this bylaw comes in to effect for the 2019 taxation year.

AGENDA ITEM #6.1.4.

10. That Town of Drumheller Bylaw 03.02 be repealed.

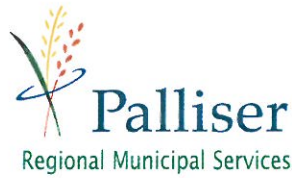
Read a first time this 18th day of March 2019.

Read a second time this _____ day of _____ 2019.

Read a third time and finally passed this _____ day of _____ 2019.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

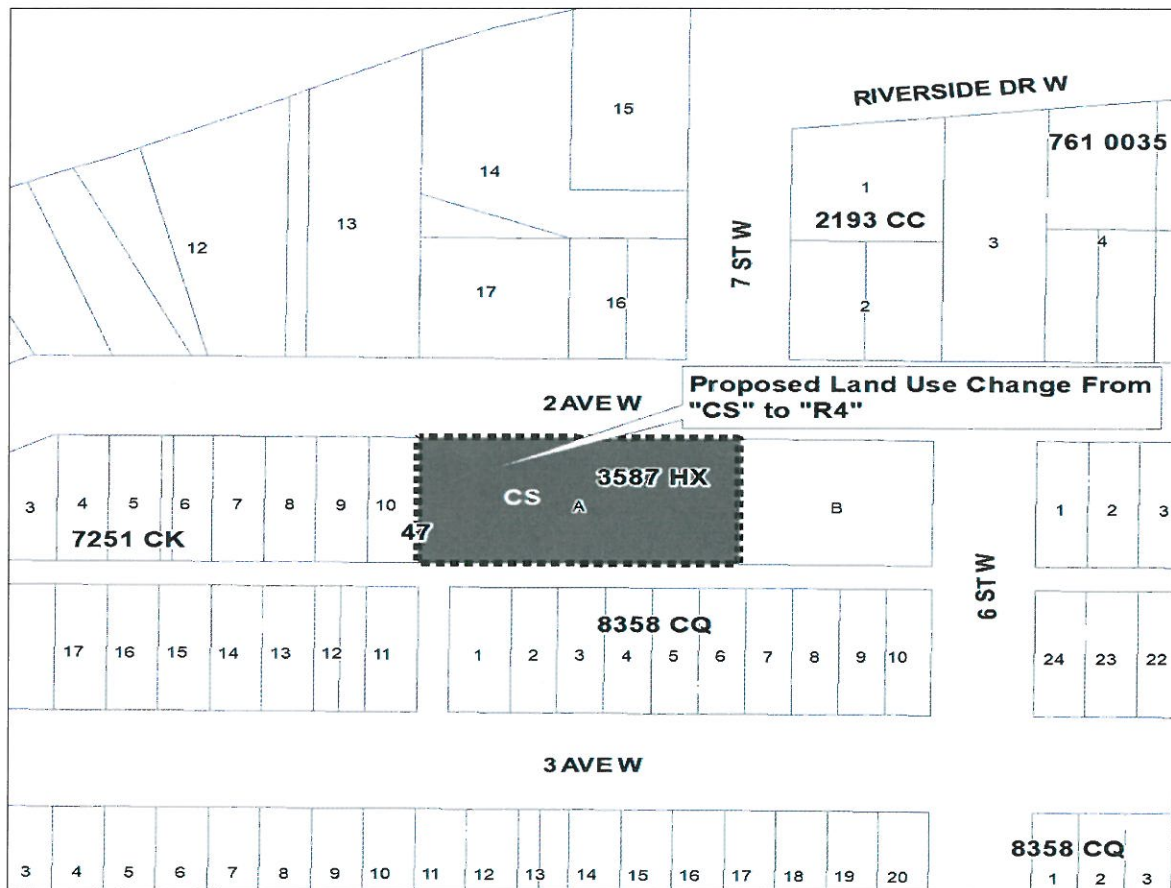


Date: April 1, 2019
To: Town of Drumheller Council
From: Jeff Laurien, Senior *Planner*
Re: Bylaw 03.19. – A Proposed Bylaw to Amend Land Use Bylaw 10-08

Purpose:

The purpose of Bylaw 03.19 is to consider an application to amend Land Use bylaw 10-08 by changing the land use classification for SW 11-29-20-W4, Plan 3587, Block 47, Lot A (Civic Address: 703 2nd Ave. W., Drumheller, AB).

An application was submitted by the landowner Keith Almberg to redistrict (rezone) this property from Community Service District (CS) to Residential District (R-4) as seen in the map below:





There is currently an existing building (old Town Hall) on the property. However, the future intended use of this property is to be as a multi-family residence. Changing the land use classification to Residential District (R-4) will permit all uses within the Residential District (R-4) as outlined within the Land Use Bylaw of the Town of Drumheller. The surrounding area contains various residential zoning categories and thus, this rezoning to R-4 is not anticipated to create any adverse impacts to the area.

Process- Statutory Requirements for Advertising:

The bylaw was granted first reading by Council on February 19, 2019. A Public Hearing Date was set for April 1, 2019, providing an opportunity for those individuals who deem themselves affected by the proposed amendment to address council.

Administration confirmed that newspaper advertising for the Public Hearing was completed in accordance with Sec. 606 (2) of the MGA which requires notice of the bylaw to be published at least once per week, for two consecutive weeks in the local paper prior to the Public Hearing date.

Additionally, notices of the proposed bylaw were sent directly to external referral agencies and property owners within 60 metres of the property, providing an opportunity for those who may be affected to comment on the proposed rezoning. The applicant submitted several letters from nearby residents in support of the application (see attached). At the time of writing of this staff report, to Palliser's knowledge, there have been no objections or concerns made in regard to the proposed bylaw.

Recommendation:

Palliser Regional Municipal Services has no concerns with the proposed rezoning of the subject property as presented. Therefore, it is recommended Town Council approve Bylaw 03.19.

Town of Drumheller

BYLAW NUMBER 03.19

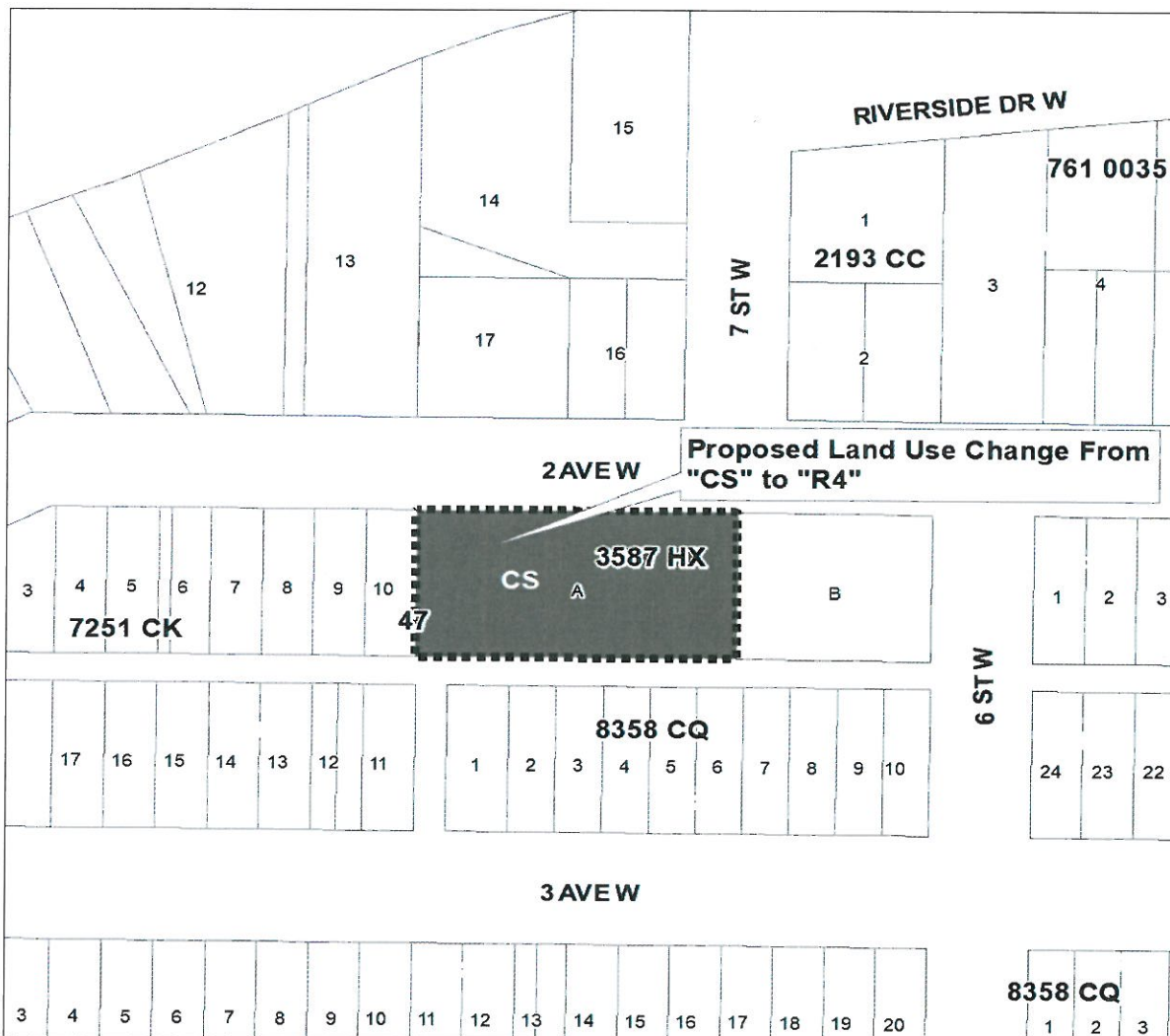
BEING A BYLAW TO AMEND LAND USE BYLAW 10-08 FOR THE TOWN OF DRUMHELLER IN THE PROVINCE OF ALBERTA.

WHEREAS pursuant to the provision of Section 639 of the *Municipal Government Act*, RSA 2000, Chapter M-26, the Council of the Town of Drumheller (hereinafter called the Council), has adopted Land Use Bylaw No. 10-08;

AND WHEREAS the Council deems it desirable to amend Land Use Bylaw 10-08; and

NOW THEREFORE the Council hereby amends Land Use Bylaw 10-08 as follows:

In Schedule A, Land Use Districts Map, redesignate SW 11-29-W4, Plan 3587, Block 47, Lot A in the Town of Drumheller, from CS (Community Services District) District to R-4 (Residential) District as shown on the plan below:



AGENDA ITEM #9.1.

READ A FIRST TIME THIS 19th DAY OF February, 2019

READ A SECOND TIME THIS __th DAY OF _____, 2019.

READ A THIRD TIME AND PASSED THIS __th DAY OF _____, 2019.

MAYOR

CHIEF ADMINISTRATIVE OFFICER