



TOWN OF DRUMHELLER
REGULAR COUNCIL MEETING

AGENDA

TIME & DATE: 4:30 PM – Monday January 9th , 2023

LOCATION: Council Chambers, 224 Centre St and ZOOM Platform and Live Stream on Drumheller Valley YouTube Channel

1. CALL TO ORDER

2. OPENING COMMENTS

3. ADDITIONS TO THE AGENDA

4. ADOPTION OF AGENDA

4.1 Agenda for January 9 2023 Regular Council Meeting

Proposed Motion: That Council adopt the agenda for the January 9, 2023 Regular Council meeting as presented.

5. MEETING MINUTES

5.1 Minutes for December 19, 2022, Regular Council as presented.

[Regular Council Meeting – December 19, 2022 - Minutes](#)

Proposed Motion: Move that Council approve the minutes for the December 19, 2022, Regular Council meeting as presented.

6. COUNCIL BOARDS AND COMMITTEES

6.1 Request for Decision: Municipal Planning Commission Applicant – Jason Jede

RFD

Proposed Motion: Move that Council approve the appointment of Jason Jede to the Town of Drumheller Municipal Planning Commission for a three-year term expiring January 31, 2026

DELEGATION

7. REPORTS FROM ADMINISTRATION

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

- 7.1 Request for Decision: Traffic Bylaw 10.22 – Second Reading and Discussion
Department: Emergency and Protective Services

RFD

Traffic Bylaw 10.22

Proposed Motion: Moves that Council give second reading to Traffic Bylaw 10.22 as presented.

- 7.2 Request for Decision: Line of Credit Borrowing Bylaw 01.23
Department: Corporate Services / Finance

RFD

Line of Credit Borrowing Bylaw

Appendix 2 – Debt Limit Calculation

Appendix 3 – Debt Management Policy C-02-04

Proposed Motion:

That Council give first reading to Line of Credit Borrowing Bylaw 01.23 as presented.

That Council give second reading to Line of Credit Borrowing Bylaw 01.23 as presented.

That Council give unanimous consent to third reading of Line of Credit Borrowing Bylaw 01.23

That Council give third reading to Line of Credit Borrowing Bylaw 01.23 as presented.

CORPORATE AND COMMUNITY SERVICES DEPARTMENT

- 7.2 Director of Corporate and Community Services

7.3 Manager of Recreation, Arts and Culture

7.3.1 Request for Decision: Community Assistance Grant Request for the Badlands Amp

[RFD](#)

[Community Assistance Application + Financials](#)

Proposed Motion: Moves that Council directs Administration to request that representation from the Badlands Amp attend the January 16, 2023 Committee of the Whole meeting to discuss the Community Assistance Grant application for \$25, 000

EMERGENCY AND PROTECTIVE SERVICES

INFRASTRUCTURE DEPARTMENT

8. CLOSED SESSION

Land Transactions and Personnel

FOIP 16 – Disclosure harmful to business interests of a third party

FOIP 17 – Disclosure harmful to personal privacy

Proposed Motion: That Council close the meeting to the public to discuss land transactions and personnel as per FOIP 16 – Disclosure harmful to business interests of a third party and FOIP 17 – Disclosure harmful to personal privacy

8. ADJOURNMENT

Proposed Motion: That Council adjourn the meeting.



MINUTES
TOWN OF DRUMHELLER
REGULAR COUNCIL

TIME & DATE: 4:30 PM – Monday, December 19, 2022

LOCATION: Council Chambers, 224 Centre St and ZOOM Platform and Live Stream on Drumheller Valley YouTube Channel Link

<https://www.youtube.com/watch?v=fc7Xdm27DIM>

IN ATTENDANCE

Mayor Heather Colberg

Councillor Patrick Kolafa

Councillor Crystal Sereda

Councillor Stephanie Price

Councillor Tony Lacher

Councillor Tom Zariski

Councillor Lisa Hansen-Zacharuk

Chief Administrative Officer: Darryl Drohomerski

(Online) Director of Corporate and Community Services: Mauricio Reyes

Director of Emergency and Protective Services – Greg Peters

Director of Infrastructure: Dave Brett

Flood Resiliency Project Director: Deighen Blakely

Communication Officer: Bret Crowle

Legislative Services: Denise Lines

Reality Bytes IT: Ashley Charles Bancroft-Uwins

1. CALL TO ORDER

The Mayor called the meeting to order at 4:30pm

2. OPENING COMMENTS

Thank you to the staff at Public Works staff for keeping our roads and sidewalk clear and safe in this cold weather.

3. ADDITIONS TO THE AGENDA

4. ADOPTION OF AGENDA

4.1 Agenda for December 19th, 2022 Regular Meeting

M2022.282 Moved by Councillor Lacher, Councillor Price;
that Council adopt the agenda for the December 19, 2022 Regular Council meeting as presented.

Carried unanimously

5. MEETING MINUTES

5.1 Minutes for December 5, 2022, Regular Council as presented.

M2022.283 Moved by Councillor Hansen-Zacharuk, Councillor Kolafa;
that Council approve the minutes for the December 5, 2022, Regular Council
meeting as presented.

Carried unanimously

5.2 2023 Regular Council and Committee of the Whole Meeting Schedule

Agenda attachment: 2023 Meeting Schedule

M2022.284 Moved by Councillor Kolafa, Councillor Zariski,
that Council approve the 2023 Regular Council and Committee of the Whole
Meeting Schedule as presented.

Carried unanimously

6. COUNCIL BOARDS AND COMMITTEES

7. DELEGATION

7.1 Drumheller Standing Committee on Health
AHS Reform Plan and the Drumheller Health Centre

Agenda attachment: Letter of Support

8. PUBLIC HEARINGS TO COMMENCE AT 5:30 PM

Mayor called for a break at 5:21pm

Time Stamp: <https://www.youtube.com/live/fc7Xdm27DIM?feature=share&t=3937>

8.1 Proposed Road Closure Bylaw 19.22 – 9th St NW (Hospital) – Flood Mitigation

[Link to RFD + Proposed Amending Bylaw 19.22](#)

1. Mayor Opens the Public Hearing at 5:31pm and Introduced the Matter
2. Presentation of Information – Proposed Road Closure Bylaw 19.22 – 9th St NW (Hospital) changed to a Public Utility Lot.
Darryl Drohomerski, CAO explained the purpose of the road closure.
3. Rules of Conduct for Public Participation

All the material related to Public Hearing will be documented and taken into consideration. The information from the public hearing will be submitted to Alberta Transportation.

4. Public Participation - Registered to Present Remotely - No
5. Public Participation – Pre - Registered to Present In Person - No
6. Public Participation - Written Submissions - No
7. Final Comments
8. Mayor to Call for Public Hearing to Close at 5:34pm.

8.2 Proposed Road Closure Bylaw 20.22 – East Coulee River Drive West

[Link to RFD + Proposed Amending Bylaw 20.22](#)

1. Mayor Opens the Public Hearing at 5:34pm and Introduced the Matter
2. Presentation of Information – Proposed Road Closure Bylaw 20.22 – East Coulee River Drive West.
Darryl Drohomerski, CAO explained the purpose of the road closure.

3. Rules of Conduct for Public Participation

All the material related to Public Hearing will be documented and taken into consideration. The information from the public hearing will be submitted to Alberta Transportation.

4. Public Participation - Registered to Present Remotely - No
5. Public Participation – Pre - Registered to Present In Person
Tony Miglecz – In Support of the Bylaw – Is a resident of Drumheller
T. Miglecz was concerned that access to that area would be restricted and attended the meeting to voice those concerns for the residents. He spoke with D. Drohomerski who explained that the road would remain open.
T. Miglecz said that he appreciated the information, that he wanted to speak in public to ensure that the information was communicated correctly.
6. Public Participation - Written Submissions – No
7. Final Comments
8. Mayor to Call for Public Hearing to Close at 5:40pm

8.3 Proposed Road Closure Bylaw 21.22 – East Coulee East

[Link to RFD + Proposed Amending Bylaw 21.22](#)

1. Mayor Opens the Public Hearing at 5:40pm and Introduced the Matter
2. Presentation of Information – Proposed Road Closure Bylaw 21.22 – East Coulee East
Darryl Drohomerski, CAO explained the purpose of the road closure.
3. Rules of Conduct for Public Participation
All the material related to Public Hearing will be documented and taken into consideration.
4. Public Participation - Registered to Present Remotely
5. Public Participation – Pre - Registered to Present In Person
Jim Krueger & Kellie Krueger – Opposed – Is a resident of Drumheller
K. Krueger described her experience with the area and that it doesn't flood. J. and K. Krueger walk to the river on that path and how K. Krueger's grandmother would take the ferry from East Coulee to Rosedale and this was the road to the ferry. The path is a part of their family history and would like it to remain the same.

Darryl Drohomerski explained that closing the road primarily consists of transferring the ownership of the property to the Town to build the berm. The berm will be an earthen structure and once completed, there will be pedestrian access.

K. Krueger is satisfied with the information and is fine with it if there is going to continue to be access to the river.

J. Krueger asked how high the berm would be and how far back it will go.
D. Drohomerski replied that it would be approximately 1.2 metres high
D. Blakely can further explain the size of the berm after the meeting.
6. Public Participation - Written Submissions - No
7. Final Comments
8. Mayor to Call for Public Hearing to Close at 5:49pm

9. REPORTS FROM ADMINISTRATION

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

- 9.1 Town of Drumheller Council
CAO Performance Evaluation
Thank you for the work you do.

M2022.285 Moved by Councillor Zariski, Councillor Price;
that Council approve the increase in salary of the Chief Administrative Officer,
Darryl Drohomerski from Step 3 to Step 4 based on his 2022 Performance
Evaluation.

Carried unanimously

CORPORATE AND COMMUNITY SERVICES DEPARTMENT

9.2 Director of Corporate and Community Services

9.2.1 Request for Decision: 2023 Utility Rate Bylaw 22.22

In the Request For Decision document and during the meeting, M. Reyes explained the
2023 Utility Rate Bylaw 2.22.

At the December 5, 2022, meeting, Council adopted the new utility rate model for years
2023 to 2027, which recommended rate increases of 3% for water and 6% for wastewater
annually. Furthermore, Council directed Administration to move the solid waste and
recycling services to utility operations starting in 2023. The proposed bylaw incorporates
all these changes with solid waste charges starting in March 2023.

For the first time, the bylaw includes the cost of a replacement cart.

Agenda attachment: RFD + Bylaw

M2022.286 Moved by Councillor Zariski, Councillor Lacher;
that Council give first reading to 2023 Utility Rate Bylaw 22.22 as presented.

Carried unanimously

M2022.287 Moved by Councillor Kolafa, Councillor Sereda;
that Council give second reading to 2023 Utility Rate Bylaw 22.22 as presented.

Carried unanimously

M2022.288 Moved by Councillor Zariski, Councillor Lacher;
that Council give unanimous consent to third reading of 2023 Utility Rate Bylaw
22.22.

Carried unanimously

M2022.289 Moved by Councillor Kolafa, Councillor Price;
that Council give third reading to 2023 Utility Rate Bylaw 22.22 as presented.

Carried unanimously

9.2.3 Request for Decision: 2023 Tax Supported Operating Budget and 4 Year Financial Plan

The proposed 2023 Operating Budget was presented to Council on December 5, 2022, and December 12, 2022, for direction, review, and consideration. With the information that has been communicated to Council they are satisfied with the 4.8% increase.

Council wishes to thank administration for their hard work.

Agenda attachments:

RFD

Appendix 1 - 2023 Operating Budget – Condensed

Appendix 2 - Summary of Significant Cost Increases

Appendix 3 – 2023 Tax Increases in Comparable Municipalities

Appendix 4 – 4 Year Financial Plan Summary

Appendix 5 – Detailed Budget and Plan

Appendix 6 – Grants to Organizations & Individuals

Appendix 7 – Contracted Services Breakdown

Appendix 8 – Library Budget Cost Recovery

Appendix 9 – 2019 – 2023 Town’s Contribution to Library Budget

Appendix 10 – RCMP Expense Breakdown

M2022.290 Moved by Councillor Lacher, Councillor Hansen-Zacharuk;
that Council adopt the 2023 Tax Supported Operating Budget having a municipal requisition of \$9,587,875 as presented.

Carried unanimously

9.2.4 Request for Decision: 2023 Fees Rates and Charges Bylaw 23.22

Each year Administration conducts a review of the service fees for all departments. Based on this review, Administration provides the following recommendations to Council on proposed changes to service fees. Starting in 2023, the schedule of fees will be incorporated in the Fees, Rates, and Charges Bylaw 23.22 as Schedule A. This practice is consistent with other municipalities.

In 2023, Administration recommends an increase of 2.5% in some fees. Other fees remain unchanged and are discussed further below. Administration also recommends that some fees be added to Schedule A.

Agenda attachment:

RFD

2023 Fees, Rates and Charges Bylaw

M2022.291 Moved by Councillor Lacher, Councillor Price;
that Council give first reading to the 2023 Fees, Rates and Charges Bylaw 23.22
as presented.

Carried unanimously

M2022.292 Moved by Councillor Sereda, Councillor Kolafa;
that Council give second reading to the 2023 Fees, Rates and Charges Bylaw
23.22 as presented.

Carried unanimously

Discussion items:

Fees from two other bylaws, Animal Control and Safety Codes were amended by
this bylaw.

Could the Ball Diamonds have an out of town service fee?

The fees associated with the Drumheller Municipal Airport are the biggest change
to the schedule. The intention is to alleviate the financial

M2022.293 Moved by Councillor Lacher, Councillor Hansen-Zacharuk;
that Council give unanimous consent to third reading of 2023 Fees, Rates and
Charges Bylaw 23.22

Carried unanimously

M2022.294 Moved by Councillor Sereda, Councillor Kolafa;
that Council give third reading to the 2023 Fees, Rates and Charges Bylaw
23.22 as presented.

Carried unanimously

EMERGENCY AND PROTECTIVE SERVICES

INFRASTRUCTURE DEPARTMENT

10. ADJOURNMENT

M2022.295 Moved by Councillor Sereda, Councillor Hansen-Zacharuk;
that Council adjourn the meeting. Time 5:51pm

MAYOR

CHIEF ADMINISTRATIVE OFFICER

REQUEST FOR DECISION

TITLE:	Municipal Planning Commission Appointment
DATE:	January 9, 2023
PRESENTED BY:	Darryl Drohomerski, Chief Administrative Officer
ATTACHMENT:	MPC Application for Jason Jede

SUMMARY:

The Municipal Planning Commission is composed of not less than three persons appointed by resolution of Council. Jason Jede has applied to serve on the Commission

RECOMMENDATION:

The Municipal Planning Commission members have reviewed the application and recommends to Council that Jason Jede be appointed for a three-year term ending January 31, 2026.

DISCUSSION:

Board and Committee volunteer roles create public participation opportunities and ensure transparency regarding Town business. As stated in Bylaw 32-08 terms of membership will be three years and a member may serve up to two consecutive terms

FINANCIAL IMPACT:

There is no financial impact to granting this request.

STRATEGIC POLICY ALIGNMENT:

This aligns with Council's priority of good and proper governance.

COMMUNICATIONS STRATEGY:

Appropriate boards are informed when Council makes member appointments.

PROPOSED COUNCIL MOTION:


That Council approve the appointment of Jason Jede to the Town of Drumheller Municipal Planning Commission for a three-year term expiring January 31, 2026

SECONDED:

Prepared By:

Antonia Knight
Antonia Knight
Development Officer in Training

Approved By:


Darryl Drohomerski
Chief Administrative Officer



TOWN OF DRUMHELLER BOARD / COMMITTEE APPLICATION FORM

Date: Oct 12/22

Board: Municipal planning committee

Name of Applicant: Jason Jede

Full Address:

[Redacted]

Phone Number

[Redacted]

Email:

[Redacted]

Do you have previous Board/Committee experience?

Yes

No

If yes, please list the Boards and the length of time you served.

[Empty box for listing previous boards and experience]

Briefly explain why you are interested in this position and what particular skills you will bring to this Committee or Board.

I have a certificate from the University of Alberta in Applied Land Use and Planning, I am also enrco Local Authority Administration at the University of Alberta.

I am interested in the possibility of helping develop and create a better Drumheller for future gener something sustainable and dynamic, a true gem in Alberta not just for the tourists but for residents

Signature

[Redacted signature]

If you have any questions please contact Denise Lines at 403-823-1339. Please email your completed form to dlines@drumheller.ca or submit it at Town Hall.

Personal information is being collected for the purpose of appointing individuals to Town of Drumheller public service boards under the the authority of Section 33 of the Freedom of Information and Protection of Privacy Act (FOIP). If you have any questions about the collection or use of your personal information, please contact the Town of Drumheller's FOIP Coordinator at 403-823-1339.

REQUEST FOR DECISION

TITLE:	Traffic Bylaw Public Consultation and Feedback Review
DATE:	02 January, 2023
PRESENTED BY:	Greg Peters
ATTACHMENT:	Traffic Bylaw Draft 10.22

SUMMARY:

On July 18, 2022 a draft of a new traffic bylaw was given first reading by Council. Public consultation sessions were held by members of the Town's Municipal Enforcement department on October 13 and November 17, 2022. Citizens provided responses to what is put forth in the draft of Bylaw 10.22 and offered opinions of the new rules proposed prior to, during and after the public meetings. Before the draft is changed the wishes of council in consideration of the public input is sought.

RECOMMENDATION: Council give second reading to Traffic Bylaw 10.22 as presented to open the discussion on the proposed changes.

DISCUSSION:

The traffic bylaw 01.03 presently in force is old and outdated. The appearance of the new draft bears little resemblance to the previous version. The current traffic bylaw refers to other provincial laws and regulations regarding vehicular traffic that no longer exist. The changes in the new bylaw if someone compares the old and new side by side are that the new bylaw is constructed more practically and clearly allowing for municipal enforcement to apply it. The previous one appears to have been compiled with the emphasis on the police to enforce it. Over the years, the police rarely if ever enforce the existing traffic bylaw. We will see that the version passed by council is brought to the attention of the new Staff Sergeant and his members for their information and action.

Regarding further changes we now have the benefit, for example, of having assistance in the heavy commercial truck permitting system inside the municipality now being monitored by Roadata. This a provincially approved contractor that is of tremendous help and this has the necessity of seeking a permit from the town for oversized and overweight loads. This previously occupied a large portion of the traffic bylaw but is no longer a practice needed.

KEY POINTS / STATUS

During the public consultations as well as input received by phone, personal and email interactions citizens have brought up most commonly the noted traffic concerns listed below:

- 1) School bus drivers and school divisions have voiced concerns with Section 27.1 relating to bus parking. Research indicates it is not the norm for school buses to park on the streets in their respective municipalities. That said, the school divisions in Drumheller and drivers feel a bylaw change would create extra strain on them. Some citizens were pleased to see this change though.
- 2) Concerns were raised over recreational vehicle parking in town. Sections 16.1 – 17.3 impose more robust regulations over the parking of RVs. Some commenters are pleased with the stricter laws, but others feel they are onerous and may negatively impact the

tourism industry. Namely, disallowing RV occupancy while they are parked on town roadways.

- 3) Citizens would like to see changes to how parking is controlled downtown. But there is no general consensus on what the public would like to see happen here. Lack of space was a recurring theme. Commenters have noted 2-hour parking is not enforced enough, but also feel that tighter regulations would pose a threat to business owners and locals. The idea of implementing paid parking was brought forward.
- 4) Many citizens feel parking on their streets is too limited during the tourist season. For example, residents of 1st Street West experience high volumes of tourist related traffic and may not be able to park in front of their homes during these times. Currently, there is no law to address this concern.
- 5) Off highway vehicle usage in town was a point of discussion. Sections 13.1-13.3 regulate off highway vehicle usage in town. Some members of the public feel aggrieved by the prohibition of off highway vehicle usage in town, but others feel the law is justified.
- 6) Citizens concerned over speeding in town was a common theme. Noted areas of concern are Highway 9 by Extra Foods, Highway 10 in general, and Riverside Drive. Sections 32.1-32.3 regulate the speed on town roadways. Municipal enforcement members that are peace officers have authority to address this concern through the bylaw but also can use their authority under the provincial Traffic Safety Act.

IMPLICATIONS

Bus parking

It appears that the most feedback received by municipal enforcement members over the past few weeks concerns school bus parking, and this has come from bus drivers and discussions with school authorities that deal with transportation matters. This topic resulted in the most concern being expressed with changes.

Research by this department has revealed that Olds, Stettler, Hanna, Strathmore, Carstairs, & Ponoka all restrict school bus parking through a section in their bylaw relating to "Heavy vehicles" Generally, heavy vehicles are over 10,000 pounds and exceed 10 meters in length and shall not park on town streets (weights & lengths do vary slightly depending on the community).

Authorities at Southland Transport were also consulted. This is the bus line that services St. Anthony's School. It was advised that the bus line services Brooks, Strathmore, Drumheller, and area. Drumheller is the only community where they have buses allowed to park on residential streets. It was also advised that this bus company only has 2 buses currently parked on streets in Drumheller. The rest of the buses park at a commercial truck service lot in the Town industrial area.

There are facilities for buses to park elsewhere. The exact numbers are still not clear as to how many can be accommodated if need be. Parking is available in the industrial area, as well as at schools serviced by the bus lines.

An official for Clearview Public School Division that services Stettler, Big Valley, Castor, Coronation, Byemoor, Halkirk, Erskine, Donalda, and Brownfield stated that all 14-16 buses that service the Town of Stettler park at a facility and it has been this way for 15+ years.

It was further advised that in the smaller communities in areas the buses pick up children at, buses do not park on public streets. Buses in small villages either park at the schools

themselves, or if the driver lives in a location where they can park the bus entirely on their own property, they do take them home. It was also advised that when this rule was put in place they did receive a lot of negative feedback from drivers.

An official with transport for the Wildrose School Division offered the following information. This school division services Rocky Mountain House, Caroline, David Thompson, Drayton Valley, and area. Their buses are not permitted to park on streets in residential areas overnight. Most of the bus drivers reside in the County and park their buses on their farms or acreages. Those who reside in hamlets or towns will make arrangements with other drivers or the town church/community center to park the bus there. In Rocky Mountain House, there is a compound which drivers must park in if they reside in Rocky Mountain House. During the day, buses can park where there is room on public streets provided they are not impeding visibility of other drivers.

Golden Hills School division transportation authorities were not in favor of any parking changes and felt it would impact their ability to retain qualified drivers and to field a suitable service in Drumheller.

An official with a local commercial truck service company advises they currently have arrangements with 3 different bus lines for overnight parking. They are willing to offer parking to more if a request made and the requirements of the request could be met on their property.

School buses being allowed to be parked on public streets is not the norm in the province. Being permitted to park a school bus in front of the residence of the driver is not a common practice either. Communities smaller than Drumheller do not allow school buses to park on the street and they are required to park at a facility or assigned parking lot.

Downtown Parking

Public consultation has not revealed a general consensus on how parking should be regulated in downtown Drumheller. The 2-hour parking currently in place is enforced on a case-by-case basis. Some business owners would like to see increased enforcement on the current 2-hour parking or large-scale changes in the form of paid parking.

Business owners have stated that they face challenges parking near their shops during tourist season due to increased traffic volume. Several businesses have private parking lots for their staff, but some store owners do not have this luxury. Essentially, lack of parking space has become a reoccurring theme.

The current draft of Bylaw 10.22 has not created any changes that address the lack of parking space downtown. Large scale changes in parking regulation would create a need for new infrastructure downtown and an increased enforcement schedule would generate a significant increase in the workload of municipal enforcement staff.

RV parking

Public consultation has revealed concerns with restrictions on RV parking on town streets. The proposed changes restricting parking for periods exceeding 72 hours align with the current provincial standards. One of the main changes is that RV's must park adjacent to the owner's residence when being left on streets. Such changes will help mitigate public complaints related to RV parking, as it is common for citizens to become aggrieved when RVs take up space on the street by their homes. Another prohibition in proposed Bylaw 10.22 is the disallowance of RV occupancy while they are parked on the street. Such restrictions will eliminate hazards and facilitate quieter and safer neighborhoods during the tourist season. This said, some commenters have noted such changes may discourage tourism in the valley.

Speeding & traffic violations

The concern that came up the most during traffic bylaw consultation is the high rates of speed in the valley and the lack of traffic enforcement. Noted areas of concern are the provincial highways located within Drumheller and town streets such as Riverside Drive, 7th Ave, 3rd Ave, & Newcastle Trail. Proposed Bylaw 10.22 sets speed limits in town at 50km/hr and this aligns with the provincial average. In conversations with infrastructure services, it was found that any changes in speed limits would come with significant costs related to the changing of signs and decreased efficacy of existing playground and school zones.

Other rules of the road violation concerns were voiced such as illegal U-turns and lack of compliance with existing traffic control devices. Many of the traffic concerns raised are addressed in Bylaw 10.22. Moreover, Town of Drumheller Peace Officers have enhanced authorities to enforce moving violations such as speeding. At this time, Peace Officer enforce traffic on a part time basis as time permits due to other responsibilities.

Off-Highway vehicle usage

Many residents feel that quads, snowmobiles, side by sides, and other off highway vehicles have no place on town streets. They feel they create disturbances and hazards within neighborhoods. However, other commenters have suggested the bylaw allow for their usage, as the landscape of the valley creates opportunities for their enjoyment. Proposed bylaw 10.22 aligns with the current provincial standards on off-highway vehicle usage.

FINANCIAL:

There are no significant costs in the construction of the new bylaw draft or continuance in applying the current bylaw.

STRATEGIC POLICY ALIGNMENT:

A new traffic bylaw is in keeping with good government and maintaining public safety.

COMMUNICATION STRATEGY:

The final version of the new Traffic Bylaw 10.22 shall be conveyed to all citizens on the town website and media releases.

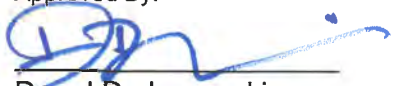
MOTION: Move that Council give second reading to Traffic Bylaw 10.22 as presented.

SECONDED:

Prepared By:

Greg Peters
Director of Emergency and Protective Services

Approved By:



Darryl Drohomerski
Chief Administrative Officer

TOWN OF DRUMHELLER
BYLAW NUMBER 10.22
DEPARTMENT: EMERGENCY AND PROTECTIVE SERVICES

Repeals 01.03

BEING A BYLAW OF THE TOWN OF DRUMHELLER FOR THE PURPOSES OF REGULATING AND CONTROLLING VEHICULAR, PEDESTRIAN AND ANIMAL TRAFFIC IN THE TOWN OF DRUMHELLER.

WHEREAS the Traffic Safety Act authorizes a municipality to regulate and control; Vehicle, Pedestrian, and animal traffic, Parking on the streets and on other property within the municipality;

WHEREAS the MGA enables a Council to pass Bylaws and delegate authority in respect of Highways under it's direction, control, management and transport thereon;

AND WHEREAS the purpose of the municipality includes providing services that in the opinion of Council are necessary and desirable for public safety;

NOW THEREFORE, the Municipal Council of the Town of Drumheller enacts as follows:

SECTION 1 - INTERPRETATION AND DEFINITIONS

- 1.1 This Bylaw may be cited as the Town of Drumheller Traffic Bylaw.
- 1.2 Nothing in this Bylaw relieves a Person from complying with any federal, provincial law or regulation or other Bylaw.
- 1.3 Where this Bylaw refers to a Person or thing with reference to gender or the gender neutral the intention is to read the Bylaw with the gender applicable to the circumstances.
- 1.4 References to the plural include the singular as applicable.
- 1.5 The words include, includes and including are to be read as not limiting the phrases of descriptions that precede them.
- 1.6 Any reference to specific laws already in force and applicable in the province of Alberta as at the same Time that this Bylaw was enacted will be stipulated and referred to as such in the Bylaw. Provincial laws will be referenced as to the relevant chapter of the Revised Statues of Alberta 2000, as amended from Time to Time including succeeding legislation. Federal laws will be referenced as to

- the relevant chapter of the Revised Statutes of Canada 1985 as amended from Time to Time including succeeding legislation.
- 1.7 Any reference in this Bylaw to a closure, section or part unless otherwise stipulated is a reference to a clause, section or part in this Bylaw.
- 1.8 Wherever a word is used in this Bylaw the meaning of that word is as specified in the definitions section of this Bylaw. Words not specified in the definitions section will have their regularly applied meaning in the English Language.
- 1.9 Any clause, section or part of this Bylaw that may be declared invalid for any reason by a court of competent jurisdiction will be disengaged from the Bylaw and other provisions of this Bylaw shall remain enforceable and valid.

DEFINITIONS - For purposes of this Bylaw, all definitions and interpretations of the Traffic Safety Act and all subsequent regulations shall apply, unless otherwise defined in this Bylaw, as follows:

- A. "Alley" means a Roadway which primarily serves to provide access to the rear of buildings and parcels of land.
- B. "Bicycle" and "Tricycle" means a Vehicle composed of two wheels held in a frame one behind the other, propelled by pedals and steered with handlebars attached to the front wheel.
- C. "Bus" means a large motor Vehicle, having a long body, equipped with seats or benches for passengers, usually operating as part of a scheduled service passenger Vehicle that is owned or operated as part of the municipal Bus system, a school board or contracted operator for a school board to transport students, or private entity.
- D. "Bylaw Enforcement Officer" means any regular member of the Royal Canadian Mounted Police, any Peace Officer or Municipal Enforcement Officer employed by the Town of Drumheller in accordance with the Municipal Government Act
- E. "C-can" or "Sea Can" means a specific type of portable storage container which is a metal freight container that is used for the temporary storage of materials and equipment.
- F. "Center Line" means the center of a roadway measured from the Curbs or, in the absence of Curbs, from the edges of the roadway,
- G. "Chief Administrative Officer" or "CAO" means the Person appointed by Council to be the CAO of the Town in accordance with Council Bylaw.
- H. "Commercial Vehicle" means a Vehicle operated on a Highway by or on behalf of a Person for the purpose of providing transportation but does not include a Private Passenger Vehicle.

I. “Council” means the Council of the Town of Drumheller, duly assembled and acting as such.

J.” Crosswalk” means:

- i) That part of a roadway at an Intersection included within the connection of the lateral line of the sidewalks on opposite side of the Highway measured from the Curbs, or in the absence of Curbs, from the edges of the roadway; or
- ii) Any part of a roadway at an Intersection of elsewhere distinctly indicated for Pedestrian crossing by Traffic Control Devices or by line or by other markings on the surface;

K. “Curb” means the concrete or asphalt edge of a Roadway, or the division point between a Roadway and a Boulevard or sidewalk.

L. “Dangerous Goods” means any product, substance or organism included by its nature or by the regulations to the Dangerous Goods Transportation and Handling Act in any of the classes listed in the Schedule to the Dangerous Goods Transportation and Handling Act.

M. “Electric Scooter” or “E-Scooter” means a Vehicle consisting of a footboard mounted on two wheels and a long steering handle, propelled by resting one foot on the footboards and pushing the other against the ground and that is assisted by an electric motor.

N. “Dangerous Goods Permit” means permits issued by the appropriate authority that evidences permission to transport Dangerous Goods on a Highway

O. “Dangerous Goods Route” means any roadway designated by the Town upon which Trucks are authorized to travel while carrying Dangerous Goods.

P. “Disabled Persons Vehicle” means a Vehicle that displays a disabled placard or license plate that issued or recognized by the Registrar of Motor Vehicle Services (or any Person who, on the directions of the Registrar, is acting on behalf of the Registrar of Motor Vehicle Services).

Q. “Emergency Vehicle” means:

- i) A Vehicle operated by a police service or a law enforcement service,
- ii) A fire-fighting or other type of Vehicle operated by the fire protection service
- iii) An ambulance operated by a Person or organization providing ambulance services;

R. “Fire Chief” means the Person appointed by the CAO as Fire Chief that is head of the Drumheller Fire Service or any other Person designated by the Manager to act on his behalf.

S. “Gross Weight” means:

- i) In respect of a single axle of a Vehicle, the total weight that a single axle transmits to a Highway;

- ii) In respect of an axle group of a Vehicle, the sum of the weights transmitted to a Highway by all the axles within the axle group.
- iii) In respect of a tire of a Vehicle, the total weight that the tire transmits to a Highway;
- iv) In respect to a Vehicle, the total weight of a Vehicle or combination of Vehicles calculated as the sum of the weights transmitted to a Highway through each of the axles.

T. “Heavy Vehicle” means a Commercial Vehicle, or a Vehicle with Trailer attached, having a maximum gross Vehicle weight of 4500 kg or more, or 12.5 meters in total length.

U. “Highway” means any thoroughfare, street, road, trail, avenue, parkway, viaduct, lane, Alley, square, bridge, causeway, trestle way or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or Parking of Vehicle, and includes:

- i) A sidewalk, including a boulevard adjacent to the sidewalk,
- ii) If a ditch lies adjacent to and parallel to the roadway, the ditch, and
- iii) If a Highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fence and the edge of the roadway as the case may be, but does not include a place declared by regulation not to be a Highway.

V. “Disabled Loading Zone” means a portion of a street set aside adjacent to a Curb designated for the exclusive use of Vehicles for the loading or unloading of disabled passengers and includes an area designated as such;

W. “Industrial Vehicle” means any Vehicle used for the loading or unloading of merchandise or other object from a Vehicle. This does not include manpower.

X. “Inoperative Vehicle” means any Vehicle which cannot be legally operated on the street because of lack of registration, lack of engine, transmission, wheels, windshield or any other part or equipment necessary to operate on public streets and/or Highways.

Y. “Intersection” means an at-grade junction where two or more roads meet or cross.

Z. “Mobile Unit” means any structure whether ordinarily equipped with wheels or not, that is constructed or manufactured to be moved from one point to another by being towed or carried and to provide living accommodation for or other use by one or more Persons.

AA. “Municipal Enforcement Officer” – see Bylaw Enforcement Officer

BB. “Municipal Government Act” means the Municipal Government Act of Alberta, RSA 2000, c. M-26, as amended, repealed or replaced.

CC. “Obstruction” means an encroachment, excavation, structure or other obstacle, which interferes or may be expected to interfere with sight lines, or the safe passage, maintenance or use of Highways or Public Places by Vehicles or Pedestrians.

DD. "Off-Highway Vehicle" is as defined in Section 117 of the Traffic Safety Act, R.S.A 2000, c. T-6, as amended, repealed, or replaced.

EE. “Owner” means the Person who owns a Vehicle and included any Person renting a Vehicle or having exclusive use of a Vehicle under a lease that has a term of more than 30 days or otherwise having the exclusive use of a Vehicle for a period of more than 30 days.

FF. “Parade or Procession” a public procession, especially one celebrating a special day or event and including marching bands and floats.

GG. “Park” means to allow a Vehicle (whether occupied or not) to remain standing in one place except;

- i) When standing temporarily for the purpose of and while actually engaged in loading and unloading of passengers; or
- ii) When standing in obedience to a Peace Officer or Traffic Control Device.

HH. “Parkland” means any grassed, cultivated or otherwise improved land used for the purposes of a Playground or recreation area, any public park, parkway or square. This definition shall not include golf courses.

II. “Peace Officer” means a member of the Royal Canadian Mounted Police (R.C.M.P), a Community Peace Officer appointed by the Solicitor General of Alberta in accordance with the Peace Officers Act R.S.A. 2006 Chapter p-3.5. or other federally or provincially designated Peace Officer in accordance with legislation

JJ. “Pedestrian” means a Person on foot and a Person in or on a mobility aid.

KK. “Person” includes any individual, corporation, society, association, partnership or firm.

LL. “Playground Area” means a section of a roadway that is denoted by Playground Area signage only.

MM. “Playground / School Zone” means a section of a roadway that is denoted by School Zone or Playground Zone signage and a Thirty (30) kilometer per hour (km/h) speed limit sign. Each sign will be posted with start Time and end Time and are in effect seven (7) days a week, Three-Hundred sixty-five (365) days a year.

NN. “Private Passenger Vehicle” means a Vehicle used solely for Personal transportation.

OO. “Public Place” means an indoor or outdoor area, whether privately or publicly owned, to which the public have access by right or by invitation, expressed or implied, whether by payment of money or not, but not a place when used exclusively by one or more individuals for a private gathering or other Personal purpose.

PP. “Roadata” means a commercial Truck online permitting system of service to both Alberta Municipalities and industry clients relating to the movement of heavy Trucks over rural roads and any travel on municipally owned Highways.

QQ. “Recreational Vehicle” means a Vehicle used or intended for primarily recreational use, and without restricting the generality of the foregoing, includes any motor home, holiday Trailer, Trailer, camper, tent Trailer, any van or Bus converted for use as a Recreational Vehicle, boat Trailer, ATV Trailer or noncommercial utility Trailer.

RR. “Residential Area” shall refer to lands districted as Residential, with Residential districts including those districts identified in the Land Use Bylaw, and shall include any Highways or public property abutting such districts.

SS. “Road Ban” means an axle weight restriction imposed by the Town in respect of a Highway, pursuant to this Bylaw.

TT. “School Bus” means a Bus that is used primarily to transport students to and from school.

UU. “Street Furniture” means items such as poles, Traffic Control Devices, waste receptacles, benches, Bus enclosures, trees, plants, grass, utilities, planters, Bicycle racks, newspaper boxes or any other similar property placed on a Highway or woonerf.

VV. “Taxi” means a licensed Vehicle for hire in the City to pick up and transport passengers, while on duty, whether or not passengers are embarked.

WW. “Temporary Construction Barricade” means any fencing, boarding or barrier required to enclose an Obstruction on a Highway or Public Place for the purpose of construction.

XX. “Time” means either Mountain Standard Time or Mountain Daylight Savings Time, whichever is proclaimed to be in effect by the Province of Alberta.

YY. “Track” or “Tracking” means to allow, cause or permit any substance or material of any nature or kind whatsoever to become loose, detached, blow, drop, spill, or fall from any Vehicle, accessories or tires onto any Highway.

ZZ. “Traffic Control Device” means any sign, signal, marking or device placed, marked or erected under the authority of this Bylaw or under the Traffic Safety Act of Alberta RSA 2000, c. T-6.

AAA. “Traffic Safety Act” means the Traffic Safety Act of Alberta RSA 2000, c. T-6, as amended, repealed or replaced.

BBB. “Trailer” means a Vehicle so designated that it;

- i) May be attached to or drawn by a motor Vehicle or tractor, and
- ii) Is intended to transport property or Persons, and includes a Vehicle defined by regulation as a Trailer but does not include machinery or equipment solely used in the construction or maintenance of Highways.

CCC. “TRAVIS Permit” means Transportation Routing and Vehicle Information System. Travis and Roadata issues a permit to travel through a municipality for oversize and overweight loads. Information is collected by the Province for a fee and allocates a portion back to the municipality for road damage and administration costs.

DDD. “Truck” means any Vehicle, other than a registered Disabled Persons Vehicle, Recreations Vehicle, School Bus or Transit Bus, that is:

- i) Greater than twelve (12) meters in length, or
- ii) Registered (in any jurisdiction) to operate at a maximum Gross Weight of 4500 kg or more.

EEE. “Truck Route” means Highways under the direct control of the province of Alberta and shall exclude all municipal streets and services roads adjacent to them.

FFF. “Vehicle” means a device in, on or by which a Person or thing may be transported or drawn on a Highway and includes a combination of Vehicles but does not include a mobility aid.

GGG. “Vendor Stand” means structure advertising, displaying or containing goods or services for sale.

HHH. “Violation Tag” means a tag or similar document issued by the Town pursuant to the Municipal Government Act.

III. “Violation Ticket” means a notice issued under Part two (2) or Part three (3) of the Provincial Offences Procedure Act as amended, replaced or repealed.

JJJ. “Waste Bin” or what is commonly referred to as a dumpster is a type of movable and portable metal waste container designed to be brought and taken away by a special collection Vehicle, or to a bin that a specially designed garbage Truck lifts, empties into its hopper, and lowers, on the spot.

SECTION 2 - TRAFFIC CONTROL DEVICE

2.1 No Person may act contrary to any Traffic Control Device situate on public property.

2.2 The Town may cause temporary Traffic Control Devices to be placed along a portion of a Highway or any other place, for the purpose of facilitating construction, maintenance, repair work or any other reason, including removal of snow and ice.

- 2.3 All temporary Traffic Control Devices carry the same authority and penalty as a permanent Traffic Control Devices.
- 2.4 Duly placed temporary Traffic Control Devices shall supersede any other Traffic Control Device located in the vicinity.
- 2.5 A Traffic Control Device may provide an effective Time period, for which the provisions of that temporary Traffic Control Device shall go into effect. No Person shall act or allow action in a manner contrary to that Traffic Control Device when the Time period is in effect.
- 2.6 No Person shall alter, move or in any way change any Traffic Control Device either permanent or temporary at any Time.
- 2.7 Subsection 2.6 of this Bylaw shall not apply to any Person, duly designated to alter a Traffic Control Device for the purposes of maintenance, construction or relocation. This exemption includes Town workers and emergency services.
- 2.8 No Person shall pass beyond a control point or otherwise disregard direction given them at any location as part of a response to an emergency event and so occupied by a Peace Officer, a Member of the Fire Department, flag Person or Traffic Control Device.

SECTION 3 – PARKING ON SIDEWALK AND BOULEVARD

- 3.1 Unless a Traffic Control Device permits or requires, a Vehicle shall not be Parked on a sidewalk or boulevard or any part of a sidewalk or boulevard.

SECTION 4 - EXEMPTION FROM PARKING PROVISIONS

- 4.1 Notwithstanding anything elsewhere contained in this Bylaw the provisions relating to stopping or Parking of Vehicles engaged in the course of their normal course of duty do not apply to:
 - i) Emergency Vehicles
 - ii) Service Vehicles used in conjunction with the servicing of public utilities including telephone systems, electric systems, natural gas systems and cablevision systems
 - iii) Municipal and other Government Public Works Vehicles
 - iv) Towing service Vehicles; while any such Vehicle is being used in work requiring that it be stopped or Parked at that location.

SECTION 5 - NO PARKING

- 5.1 A Vehicle shall not stop or be Parked on a Highway in any location identified as a zone where Parking is prohibited.
- 5.2 A Vehicle shall not be stopped on a Highway in any location identified as a zone where stopping is prohibited.
- 5.3 A Vehicle shall not be stopped on a Highway where the Vehicle will obstruct the flow of traffic.

SECTION 6 - CROSSWALKS

- 6.1 A Vehicle shall not be Parked:
- i) On a Crosswalk or any part of a Crosswalk; or
 - ii) Within five (5) meters of the near side of a marked Crosswalk.

SECTION 7 - STOP OR YIELD SIGNS

- 7.1 A Vehicle shall not be Parked within five (5) meters on either side of a stop sign.

SECTION 8 - INTERSECTIONS

- 8.1 Unless a Traffic Control Device permits or requires, a Vehicle shall not be Parked:
- i) At an Intersection within five (5) meters of the projection of the Curb or edge of the roadway;
 - ii) Within an Intersection other than immediately next to the Curb or edge of the roadway in a "T" Intersection; or
 - iii) Within 1.5 meters of an access to a garage, private road or driveway or a Vehicle crossway over a sidewalk.
 - iv) Beside any Curb or Traffic Control Device that displays yellow paint.

SECTION 9 - FIRE HYDRANTS

- 9.1 Except as permitted in this section a Vehicle shall not be stopped on a Highway within five (5) meters of a fire hydrant or, when the hydrant is not located at the Curb, within five (5) meters from the point on the Curb nearest the fire hydrant.

SECTION 10 - DOUBLE PARKING

- 10.1 A Vehicle shall not be Parked on the roadway side of a Vehicle that is Parked at the Curb or edge of the roadway.

SECTION 11 - DIVIDED HIGHWAY

11.1 A Vehicle shall not be Parked on that portion of the Highway that is to the left of the yellow line if the Highway is divided into two or more roadways by a boulevard, ditch or other physical barrier.

SECTION 12 - ALLEY PARKING

12.1 A Vehicle shall not be Parked in an Alley in a manner that obstructs the safe movement of vehicular traffic.

SECTION 13 – PARKLAND/ENVIRONMENTAL RESERVE/TOWN OWNED PROPERTY/OFF HIGHWAY VEHICLES

13.1 No Person shall operate or Park any Vehicle or off Highway Vehicle upon any Parkland, environmental reserve, skating rink, recreational area, tennis court, park, Playground or school ground or any Town owned property except as authorized by this Bylaw.

13.2 No Person shall operate an Off Highway Vehicle upon any Highway.

13.2 Subsection 13.1 of this Bylaw shall not apply to Vehicles or off Highway Vehicles operated during emergency response or Town authorized work by Town agents or contractors, police, Peace Officers or members of the fire department engaged in the performance of their authorized duties.

SECTION 14- MARKED SPACE

14.1 A Vehicle Parked on a Highway in a location marked by lines or otherwise shall be Parked entirely within the markings.

SECTION 15 - OBSTRUCTION

15.1 A Vehicle shall not be Parked on a Highway in a manner that blocks or obstructs:

- i) The movement of traffic on the Highway;
- ii) A doorway to a building, any Pedestrian walkway or handicap access to a sidewalk,
- iii) Access to any fire station, police station, hospital or other place where Emergency Vehicles require access.

15.2 Notwithstanding subsection 15.1 of this Bylaw, where the Obstruction is unavoidable due to mechanical failure, the operator will not be in breach of this Bylaw provided they take measures as soon as practicable to remove such Vehicle from the Highway.

- 15.3 No Person shall construct or place an Obstruction of any kind such as a large metal Waste Bin or what is commonly referred to as a dumpster or a C-Can, in, upon or above any Highway unless granted a Town permit.
- 15.4 In the event of an emergency or where the Obstruction is deemed to pose a danger to users of a Highway, the Town may cause the immediate removal of the Obstruction without notice shall be at the expense of the Person causing, placing or permitting the Obstruction on the Highway or Public Place.
- 15.6 The permit holder shall be required to produce the permit upon request of the CAO or authorized designate.
- 15.7 Where an Obstruction of any kind exists in, upon or above a Highway or Public Place and creates an unsafe condition, the Town shall be entitled to take such measures as are required for the protection of life or property.

SECTION 16 - RECREATIONAL VEHICLE RESTRICTIONS

- 16.1 A Recreational Vehicle shall not be Parked on a Highway unless it is Parked in a location completely adjoining the Recreational Vehicle Owner's residence as shown in the records of the Motor Vehicle Registry.
- 16.2 A Recreational Vehicle parked pursuant to this section:
- i) Shall not be Parked for more than seventy-two (72) consecutive hours; and
 - ii) Shall be removed to an off-Highway location for at least forty-eight (48) consecutive hours before it may be Parked again on a Highway,
 - iii) All extendable slides shall be collapsed.
- 16.3 A Recreational Vehicle Parked on a Highway shall not be occupied.
- 16.4 Notwithstanding anything else in this section, an Owner or operator of a Recreational Vehicle must not Park the Recreational Vehicle on any Highway in the Town in such a manner as to constitute a hazard to other Persons using the street.

SECTION 17 - UNATTACHED TRAILER PARKING

- 17.1 Notwithstanding any other provision of this Bylaw, a Trailer shall not be Parked on a Highway unless the Trailer is attached to a Vehicle by which it may be drawn.
- 17.2 A Trailer may be Parked on any Highway in the Town unattached to any Vehicle for up to a period of three days but the Trailer must be secured in place with wheel chocks, tongue support and any other reasonable measure to render it immobile and not a safety hazard. Such a Trailer must be Parked and occupy similar space to a motor Vehicle if Parked in the same location.

17.3 No Person shall use a Mobile Unit, or permit any other Person to use a Mobile Unit for overnight residency, where that Mobile Unit is located upon a Highway or upon public property unless that property has been designated by the Town for use as a Mobile Unit park or trailer court.

SECTION 18 - PARALLEL PARKING

18.1 A Vehicle Parked on a Highway shall be Parked with:

- i) The sides of the Vehicle parallel to the Curb or edge of the roadway, and
- ii) The right wheels of the Vehicle not more than five hundred (500) millimeters from the right Curb or edge of the roadway.

18.2 A motorcycle may be Parked:

- i) At an angle, other than perpendicular, to the Curb or edge of the roadway, and with:
- ii) A wheel of the motorcycle not more than five hundred (500) millimeters from the Curb or edge of the roadway, and
- iii) The motorcycle angled in the direction of travel authorized for the traffic lane that is adjacent to the lane on which the motorcycle is Parked.

18.3 Subsection (1) does not apply where angle Parking is permitted or required.

SECTION 19 - ANGLE PARKING

19.1 When:

- i) A sign indicates that angle Parking is permitted or required, and
- ii) Parking guide lines are visible on the roadway, a Vehicle shall be Parked with the Vehicle's sides between and parallel to any two of the guide lines.

19.2 When:

- i) A sign indicates that angle Parking is permitted or required, and
- ii) No Parking guide lines are visible on the roadway, a Vehicle shall be Parked with the Vehicle's sides at an angle of between thirty (30) and sixty (60) degrees to the Curb or edge of the roadway and

19.3 A Vehicle with a total length exceeding 5.8 meters shall not be Parked at an angle on a Highway.

SECTION 20 - IDLING VEHICLE

- 20.1 No Person shall Park any Vehicle with a motor running for more than twenty (20) minutes.
- 20.2 No Person shall Park any Vehicle with a motor running in such a manner or at such a location as to cause a disturbance.
- 20.3 A Vehicle shall not be deemed to be idling in contravention of section 20.1 if:
- i) A Vehicle idling due to traffic, an emergency or mechanical difficulty;
 - ii) Armored Vehicles engaged in the secure delivery and pick up of goods;
 - iii) Emergency Vehicles;
 - iv) Vehicles that must remain idling so as to power a heating or refrigeration system required for the preservation or maintenance of cargo;
 - v) Vehicles that must remain idling so as to power any tools or equipment required for or incidental to the provision of services by a municipality or public utility.

SECTION 21 - VEHICLE ON JACK

- 21.1 A Vehicle shall not be Parked and left unattended on a Highway if:
- i) The Vehicle is on a jack or similar device; and
 - ii) One or more wheels have been removed from the Vehicle or part of the Vehicle is raised without mechanical support and proper axle stands being implemented.

SECTION 22 - ABANDONED VEHICLE

- 22.1 Except as otherwise permitted under Bylaw, a Person shall not;
- i) Abandon a Vehicle on a Highway,
 - ii) Abandon a Vehicle on public or private property without the consent of the Owner or Person in possession or control of the property
- 22.2 A Vehicle that is;
- i) left standing on a Highway for more than seventy-two (72) consecutive hours, unless otherwise provided for in this Bylaw in the case of a Highway under the direction, control and management of the Council or the Municipality; or
 - ii) left standing on public or private property for more than seventy-two (72) consecutive hours without the consent of the Owner or Person in possession or control of the property;
- is deemed to have been abandoned at that location.

SECTION 23 – REMOVAL OF VEHICLES OR OBSTRUCTION

- 23.1** A Municipal Enforcement Officer may cause a Vehicle or Obstruction to be immediately removed or relocated and impounded by the Town when;
- i) A Vehicle is abandoned; or
 - ii) A Vehicle has been left unattended on a Highway in a manner that may obstruct the normal movement of traffic, or
 - iii) A Vehicle is Parked on a Highway in contravention of this Bylaw, including the provisions of any Traffic Control Device, or
 - iv) A Vehicle is Parked on a Highway in a manner that impedes or prevents access to a fire hydrant by fire suppression equipment, or
 - v) Is not displaying a subsisting license plate or a permit
 - vi) Is Parked on private property without the consent of the Owner of the property or on a Highway in a manner that obstructs any private driveway;
 - vii) Is left unattended on a Highway and, in the opinion of a Municipal Enforcement Officer, the Vehicle, its contents or any goods being carried by the Vehicle are liable to be stolen or tampered with;
 - viii) Is situated unattended at a location or in a condition so that, in the opinion of the Municipal Enforcement Officer, it constitutes a present or potential hazard to Persons or property;
 - ix) Vehicle is Parked in a manner that impedes advertised Town snow removal or contrary to advertised snow removal operations signage,
 - x) A Vehicle is Parked in a manner that impedes emergency or municipal operations, or
 - xi) An Obstruction of any kind has been placed, caused or permitted to be placed on a Highway, unless a permit authorizing placement of the Obstruction has been issued by the Town.
- 23.2** A Municipal Enforcement Officer may cause any Vehicle to be removed and taken to and stored in a suitable place when the Vehicle when the Municipal Enforcement Officer or a Peace Officer believes on reasonable and probable grounds that a Vehicle referred to in subsection 6.1 is worthless cause the Vehicle to be moved to a salvage yard or municipal dump for disposal or to be otherwise dealt with.

SECTION 24 - LOADING ZONES

- 24.1** A Vehicle shall not be Parked on a Highway in any location identified as a loading zone for a period of Time longer than that permitted by signage.
- i) Only Commercial Vehicles shall be Parked on a Highway in any location identified as a commercial loading zone.
 - ii) Only passenger Vehicles shall be Parked on a Highway in any location identified as a passenger loading zone.
 - iii) A Vehicle shall not be Parked on a Highway in any location identified as both a passenger and commercial loading zone for a period of Time longer than that

permitted for the passenger loading zone unless the Vehicle is a Commercial Vehicle.

SECTION 25 - EMERGENCY ACCESS

25.1 A Vehicle shall not be Parked on a Highway in any location identified as a fire lane, an emergency access zone or otherwise being for the use of Emergency Vehicles.

SECTION 26 - DISABILITY PARKING

26.1 A Vehicle shall not be Parked on a Highway in any location identified as being for the use of Persons with disabilities unless the Vehicle:

- i) Displays a valid disabled placard or license plate issued or recognized by the Registrar as designating a Vehicle as transporting, belonging to, or operated by, a disabled Person; and
- ii) Is being used for the transportation of a Person with a disability.

SECTION 27 - BUS PARKING

27.1 A Bus shall not be Parked on a Highway, Town owned Parking lot or Town owned property unless it is actively engaged in loading, unloading or awaiting passengers to board.

SECTION 28 - PARKING OVER PERMITTED TIME LIMIT

28.1 A Vehicle shall not be Parked on a Highway in any location identified as a Time limited zone for a period of Time in excess of the Time limit.

28.2 In order to determine the Time period over which a Vehicle has been Parked in a location where Parking is restricted to a specific Time limit, a Municipal Enforcement Officer may place an erasable chalk mark on the tread face of the tire of a Parked Vehicle.

28.3 When a Vehicle, that has been subject of a Violation Tag or a Provincial Violation Ticket issued for a contravention of Subsection 30.1 of this Bylaw, remains Parked beyond the expiration of the Time limit indicated on the Traffic Control Device for more than sixty (60) minutes past the Time of the issuance of the Violation Tag or Provincial Violation Ticket this Vehicle may be removed immediately by a Municipal Enforcement Officer.

SECTION 29 - PRIVATE PROPERTY WITH PUBLIC ACCESS

29.1 A Vehicle shall not be Parked on privately owned property to which Vehicles driven by members of the public generally have access unless the permission or authorization of

the Owner of the property or Person having possession or control of the property has been given for such Parking.

SECTION 30 - TOWN PROPERTY

- 30.1 No Person shall Park a Vehicle on a Town owned Parking lot in contravention of any Traffic Control Device indicating the terms, conditions or prohibitions governing the use of that Parking lot.
- 30.2 No Person shall Park or place any Vehicle or property owned by the Town of Drumheller in contravention of any law.
- 30.3 Any Vehicle or property so Parked or placed in contravention of section 30.1 and 30.2 is subject to immediate removal by a Municipal Enforcement Officer.

SECTION 31 - TAXI STAND

- 31.1 No Person shall stop or Park a Vehicle that is not a Taxi in a marked Taxi stand allotted to a company or in an open Taxi zone.
- 31.2 No operator of a Taxi shall stop or Park and leave the Taxi unattended for a period exceeding fifteen (15) minutes at any Taxi stand.

SECTION 32 - SPEED

- 32.1 Unless otherwise posted, no Person shall drive a Vehicle in any Alley at a speed in excess of fifteen (15) kilometers per hour(km/h).
- 32.2 No Person shall operate a Vehicle on any Highway within the Town of Drumheller at a speed in excess of fifty (50) kilometers per hour (km/h).
- 32.3 No Person shall drive any Vehicle in excess of thirty (30) kilometers per hour within a posted school zone or Playground Zone between the hours of 7:30 am and 9:00 pm, seven (7) days a week.
- i) Zones begin at the point where the Traffic Control Device indicating the School Zone or Playground Zone or the commencement of the School Zone or Playground Zone, and
 - ii) Ends at the point where the Traffic Control Device indicating a greater rate of speed or the end of the zone.

SECTION 33 - RIGHTS AND DUTIES OF PEDESTRIANS

- 33.1 Jay Walking or Pedestrian crossing Highways at undesignated locations,

- i) No Pedestrian shall cross, or attempt to cross, from one side of a Highway to another at any point other than within a Crosswalk.
- ii) A Pedestrian shall not cross, or attempt to cross, a Highway at a designated Crosswalk when a Traffic Control Device prohibits such crossing.
- iii) Notwithstanding Subsection 36.1 of this Bylaw Pedestrian may cross an Alley at any point provided the right away is yielded to Vehicles on the Alley.
- iv) Nothing in this Bylaw shall be construed as prohibiting the assembling of Persons for the purpose of watching an authorized Parade or Procession.

SECTION 34 - OBSTRUCTING HIGHWAY

- 34.1 No Person or group of people shall obstruct the entrance to any building from a Highway or to prevent or interfere with the free movement of other Persons using that Highway.
- 34.2 No Person or group of people shall so conduct themselves or otherwise position themselves on a Highway in such a manner as to prevent or interfere with the free movement of vehicular traffic upon the Highway.
- 34.3 No Owner or occupant of any premises shall allow any gate located on the premises to swing or project over any portion of a Highway.

SECTION 35 - HITCHHIKING

- 35.1 No Person shall stand upon or walk along a Highway for the purpose of soliciting a ride from the driver of any Vehicle.

SECTION 36 - ELECTRICAL CORDS AND WATER HOSES

- 36.1 No Person shall place, fasten, cross, or otherwise attach above any sidewalk, boulevard, or any other Town property, a cord or cable that may transmit electrical energy from private property to where a Vehicle may legally Park unless the electrical cord is at least 2.5 meters (or eight (8) feet) above the sidewalk.
- 36.2 No Person shall place, fasten, cross or otherwise attach a water hose on any sidewalk, boulevard or any other Town property.
- 36.3 No Person shall drive a Vehicle over an unprotected hose of the Town of Drumheller Fire Services that has been laid down on a roadway or a driveway unless an official of the Fire Department at the scene has directed the driver to do so.

SECTION 37 - SKATEBOARDS, ROLLERBLADES, CYCLISTS, ANIMALS, E- SCOOTERS AND ANIMAL POWERED VEHICLES

37.1 ANIMALS OR ANIMAL DRAWN VEHICLE ON HIGHWAY

The operator or Person responsible for any animal or animal drawn Vehicle operating on a Highway shall remain responsible for and in control of the animal and the animal drawn Vehicle at all Times including the disposal of any waste material. No animal or animal drawn Vehicle shall be operated on any sidewalk or any part of a trail system.

37.2 BICYCLES ON SIDEWALKS

No Person shall operate a Bicycle having a wheel diameter in excess of fifty (50) centimeters on any sidewalk.

37.3 SKATEBOARDS/ROLLERBLADES/E-SCOOTERS

No Person shall ride and or operate a skateboard, rollerblade, e-scooter or similar device in any Public Place, sidewalk or Highway where prohibited or, where permitted, in any manner so as to interfere with the safety of other Persons or in any manner that otherwise interferes with another Person's use of a sidewalk or Highway for its intended purpose.

37.4 SEIZURE OF DEVICE

Notwithstanding any other penalty imposed, where a Person contravenes Subsection 41.2 or 41.3 of this Bylaw, a Peace Officer may elect to seize and confiscate that Person's Bicycle, skateboard, roller blades, scooter, or similar device for a period not exceeding thirty (30) days. Anything seized pursuant to this Bylaw that is not claimed by its Owner within sixty (60) days of the last day of the period of seizure may be disposed of or otherwise dealt with in accordance with the Municipal Government Act.

SECTION 38 - HEAVY VEHICLES

38.1 No Person shall operate a Heavy Vehicle on any Highway that is not designated as a Truck Route.

i) Exemptions The following Persons shall not be deemed to be operating a Vehicle in contravention of this Bylaw if the Vehicle is being operated on the most direct and practicable route between the household or commercial location being serviced and the nearest Truck Route.

SECTION 39 - TRUCK WEIGHTS, DIMENSIONS, ENGINE RETARDER BRAKES, OVERSIZE PERMITTING

39.1 No operator of any motor Vehicle shall activate engine retarder brakes within the Town limits.

39.2 LENGTH RESTRICTIONS

- 1) A Vehicle or a Vehicle with a Trailer attached, with a total length exceeding 12.5 meters shall not be Parked on a Highway:
 - i) In a location adjoining residential property at any Time; or
 - ii) In a location not adjoining residential property at any Time after 7:00 p.m. and before 7:00 a.m.
- 2) This section does not apply if the Vehicle:
 - i) Is a Recreational Vehicle; or
 - ii) Is a Commercial Vehicle with the hazard warning lamps alight and in the process of loading or unloading goods.

39.3 WEIGHT RESTRICTIONS

- 1) A Vehicle, or a Vehicle with a Trailer attached, that is registered for a weight exceeding 4,500 kilograms, or that weighs more than 4,500 kilograms, shall not be Parked on a Highway:
 - i) In a location adjoining residential property at any Time; or
 - ii) In a location not adjoining residential property at any Time after 7:00 p.m. and before 7:00 a.m.
- 2) This section does not apply if the Vehicle:
 - i) Is a Recreational Vehicle; or
 - ii) Is a Commercial Vehicle with the hazard warning lamps alight and in the process of loading or unloading goods

39.4 In the absence of evidence to the contrary, a School Bus is presumed to have a Gross Weight exceeding 4,500 kilograms.

39.5 OVER DIMENSION PERMITS

- i) No Person shall operate or permit to be operated a Vehicle within the Town in excess of the size limits established under the Commercial Vehicle Dimension and Weight Regulation (AR 316/2002 of the Traffic Safety Act) as amended, repealed or replaced without first obtaining the required permit(s) from an authorized agency(s) to do so.
- ii) A Person operating or permitting the operation of an Over-Dimension Vehicle on a Highway with or without a lawful permit issued from an authorized agency(s), shall be responsible to reimburse the Town for all costs and expenses incurred in correcting any damages done to the Highway or any public works located in, over, under or adjacent to the Highway, resulting from the operation or movement of the over dimension Vehicle on that Highway.
- iii) In addition to reimbursing the Town for any repair costs of an Over Dimension violation, a fine may be issued to the offending party pursuant to offenses of this Bylaw.

39.6 All heavy Truck permits regarding overlength or overweight units seeking to travel within Town limits and not on a provincially designated Highway are administered on behalf of the Town by ROADATA services limited at 888-830-7623.

39.7 **ROAD BANS**

No Person shall operate a Vehicle on a Highway in contravention of the weight restrictions I imposed pursuant to a Road Ban issued under this Bylaw or any other temporary Road Ban in place.

39.8 **TRACKING**

- i) No Person shall drive, operate or permit to be driven or operated, any Vehicle or Industrial Vehicle of any nature or kind in such a manner as to Track any material upon a Highway.
- ii) Any Person who Tracks materials upon a Highway shall, in addition to any other penalty imposed under this Bylaw, reimburse the Town for all costs and expenses incurred in the clean-up and removal of the Tracked substances or materials.

39.9 **VEHICLE NOT EQUIPPED WITH RUBBER TIRES**

- i) No Person shall operate a Vehicle having metal spikes, lugs, Tracks, cleats, skids or bands projecting from the surface of the wheel or tire of the Vehicle, upon a Highway, unless a permit to do so has been issued by the CAO or designate.
- ii) This Bylaw does not apply to the use of studded tires.

39.10 **DANGEROUS GOODS**

- i) No Person shall Park a Vehicle or a Trailer used for the conveyance of Dangerous Goods upon a Highway.
- ii) Except as required in the normal course of making deliveries or receiving goods, no Person shall Park a Vehicle or Trailer used for the conveyance of Dangerous Goods closer than fifteen (15) meters to any building or structure.
- iii) Except as otherwise authorized by Provincial or Federal Statute or Regulation, all Vehicles and Trailers used in the conveyance of Dangerous Goods shall, at all Times, bear a warning placard identifying the contents of their Dangerous Goods.

39.11 **SECUREMENT OF LOADS**

- i) No Person shall operate a Vehicle on a Highway, or a Vehicle towing a Trailer upon a Highway containing a load unless the load is completely covered by a tarpaulin or other device or is secured in such a manner that no portion of the load can escape, blow, drop, spill or fall from the Vehicle onto a Highway or land adjacent thereto.
- ii) In the event that any load or any portion thereof, or other material being transported by a Vehicle or Vehicle towing a Trailer, becomes loose, detached, blows, drops, spills or falls from any Vehicle onto any Highway so as to become an Obstruction, the operator of that Vehicle shall immediately take all reasonable precautions to draw the attention of other users of the Highway to the presence of the Obstruction and shall take any required action to remove the Obstruction material(s) from the Highway as soon as safely possible.

SECTION 40 - ROADWAY CLOSURES, PARADES AND PROCESSIONS

40.1 Permit Required

- i) No Person shall organize, hold, lead, march, join or participate in any special event requiring a roadway closure, Parade or Procession that has not been authorized pursuant to a permit issued through the CAO.
- ii) No Person organizing, holding, leading or participating in a special event requiring a roadway closure, Parade or Procession shall engage in any conduct contrary to the conditions of the Permit and which may reasonably be expected to create a risk of harm to any Person or damage to private or public property.
- iii) A Person driving a Vehicle in a funeral procession, other than the lead Vehicle in the funeral procession, may, during day Time hours, drive the Vehicle into an Intersection without stopping the Vehicle if:
 - a) The Vehicle's headlamps are alight;
 - b) The Vehicle is travelling immediately behind the Vehicle in front of it in the funeral procession so as to form a continuous line of traffic; and
 - c) The passage into the Intersection can be made safely.
- iv) No driver shall interfere, obstruct or otherwise break through the column, ranks or group of Vehicles travelling together as part of a funeral procession.

40.2 Permit Application

- i) Any Person intending to hold a special event requiring a roadway closure, Parade or Procession within the Town shall, at least fifteen (15) business days prior to the

date of the intended event, submit a special event application in writing to the Town. The instructions of the Town of Drumheller Special Event policy shall be followed.

- 40.3 During any Parade or Procession, all Persons attending, but not participating in the Parade or Procession shall remain upon the sidewalk or otherwise clear of the Highway.
- 40.4 No Parade or Procession shall travel at an unreasonable rate of speed or obstruct any Highway for a period longer than may be scheduled included in the permit.

SECTION 41 - HIGHWAY CONSTRUCTION AND MAINTENANCE

- 41.1 No Person shall perform any construction or maintenance work on a Highway without written permission from, or entering into a contract with, the Town.
- 41.2 In addition to any other penalty imposed for undertaking construction or maintenance on a Highway without a permit, the Person responsible for that construction or maintenance work shall be required to reimburse the Town for all reasonable costs and expenses incurred as a result of the Person's actions.
- 41.3 Notwithstanding any other section of this Bylaw every Person(s) shall obey any temporary Traffic Control Device dutifully placed for any construction or maintenance required on Highways within the Town.

SECTION 42 - SNOW AND ICE CONTROL

- 42.1 No Person shall Park a Vehicle, or permit a Vehicle to be Parked on a Highway marked as a snow route when a snow route ban has been declared by the CAO or designate and is in effect until either a permanent or temporary Traffic Control Device have been removed. Snow removal bans start at 6:00 am of the day listed on the Traffic Control device and are in effect until the street has been cleared.
- 42.2 All Vehicles Parked on signed snow routes after the ban is in effect are subject to a Violation Ticket issued or immediate removal at the expense of the registered Owner of said Vehicle.
- 42.3 Snow removal signs will be placed in the area of the ban a minimum of twenty-four (24) hours prior to snow removal. Signs will display the day of the week snow removal operations will be conducted.
- 42.4 Reasonable public notice shall include and not be limited to: published notices in local newspapers, information available on the Town of Drumheller webpage, radio announcements on any local station, social media sites and the information contained therein or roadway signage placed in the proximity of anticipated removal work.

SECTION 43 – MICELLANIOUS

43.1 LITTERING

- i. No Person shall dump, discard, abandon or place any substance or thing on any Highway.

43.2 LOADING ACROSS SIDEWALK

- i. No Person shall load or unload goods or merchandise across a sidewalk or boulevard where loading and unloading facilities have been provided in the premises to which the goods or merchandise are being delivered or from which they are being taken or Parking.

43.3 STREET FURNITURE

- i) No Person shall climb upon, deface, damage or otherwise interfere with any Street Furniture, protection system, utility pole or system, or public works equipment located anywhere in the Town.

43.4 GRAFFITTI AND DEFACEMENT

- i) No Person shall deface, or make any advertisement, legend, poster or sign of any kind on any Highway, Traffic Control Device, utility pole, Street Furniture or Temporary Barricades.

43.5 DAMAGE TO PAINTED LINES ON HIGHWAY

- i) No Person shall drive or walk on or over a newly painted wet lines on any Highway where the wet paint is indicated by signs, flags or other warning devices.
- ii) No Person shall intentionally damage painted surfaces on any Highway.

43.6 MERCHANDISE ON SIDEWALKS AND STREETS

- i) No Person shall place any goods wares, merchandise or other articles of any kind upon any sidewalk, Highway or expose any goods, wares, merchandise or other articles outside of any shop, warehouse or building which shall project over any portion of sidewalk or street without first acquiring all appropriate permits from the Town. The provisions of this Bylaw shall not be construed to interfere with the moderate use of a portion of such street, or sidewalk for a reasonable Time, during the taking in or delivering of goods, wares, or merchandise.

SECTION 44 - REGISTERED OWNER RESPONSIBILITY

- 44.1 For the purposes of this Bylaw, an Owner shall mean the Person named on the certificate of registration for the subject Vehicle.
- i. Where a Vehicle is driven, used, Parked or left in contravention of any provision of this Bylaw, the Owner of the Vehicle shall be deemed responsible for the contravention and liable to the penalty provided herein,
 - ii. Unless the Owner proves to the satisfaction of the CAO or designate that, at the Time of the contravention, the Vehicle was not driven, used, Parked or left by that Owner, or any other Person acting under the Owner's consent, express or implied.

SECTION 45 - AUTHORITY OF THE CHIEF ADMINISTRATIVE OFFICER

- 45.1 Without restricting any other power, duty or function granted by this Bylaw the CAO may, but is not limited to, ordering the following in the Town in accordance with public safety and traffic management: the place and location of Traffic Control Devices, Crosswalk locations, Highway closures, traffic restrictions, speed and Parking signage, Vehicle and load prohibitions, and to
- i. Delegate any powers, duties or functions under this Bylaw to an employee of the Town.

SECTION 46 - ENFORCEMENT AND PENALTY

- 46.1 A Person who contravenes or fails to comply with a provision of this bylaw is guilty of an offence and shall be liable, upon summary conviction to the fine as set out in offenses of this Bylaw.
- 46.2 Any Person who interferes with or obstructs a Municipal Enforcement Officer in the execution of their duties under this Bylaw is guilty of an offence.
- 46.3 Where a Bylaw Enforcement Officer has reasonable grounds to believe that a Person has violated any provision of this Bylaw, that Bylaw Enforcement Officer may serve that Person with a violation by:
- i. Person service
 - ii. Registered mail; or
 - iii. By leaving it with a Person apparently over eighteen (18) years of age at the place of residency of the Person to whom the Violation Tag is addressed.
- 46.4 Where a Peace Officer has reasonable grounds to believe that a Person has violated any provision of this Bylaw that Peace Officer may serve that Person with a Violation

Ticket inaccordance with the provisions of the Provincial Offences Procedure Act.

- 46.5 A Peace Officer may serve either a Violation Tag or Violation Ticket.
- 46.6 A Bylaw Enforcement Officer who is not a Peace Officer or member of a police force may only serve a Violation Tag.
- 46.7 A Violation Tag or Violation Ticket issued pursuant to this Bylaw, shall specify the penalty in lieu of prosecution payable in respect of the contravention of this Bylaw as set out in the Town of Drumheller Fees schedule.
- 46.8 A Person who has been issued a Violation Tag or Violation Ticket pursuant to this Bylaw and has paid the penalty to the Town by the date specified, shall not be liable to prosecution for the subject of the contravention.
- 46.9 Nothing in this Bylaw shall prevent a Peace Officer from issuing a Violation Ticket for the mandatory Court appearance of any Person who contravenes any provision of this Bylaw, or from swearing an information.
- 46.10 When Court records the receipt of a voluntary payment pursuant to Provincial Offences Procedure Act, the act of recording the receipt of that payment constitutes acceptance of the guilty plea and also constitutes the conviction and the imposition of a fine in the amount of the specified penalty.
- 46.11 Nothing in this Bylaw shall be read or construed as:
- i) Preventing any Person from exercising their right to defend an allegation that the person has committed an offence.

SECTION 47 - VICARIOUS LIABILITY

- 47.1 For the purpose of this Bylaw, an act or omission by an employee or agent for a Person is deemed also to be an act or omission of the Person if the act of omission occurred in the course of the employee's employment with the Person, or in the course of the agent exercising the powers of or performing duties on behalf of the Person under their agency relationship.

SECTION 48 - SEVERABILITY

- 48.1 If a court of competent jurisdiction should declare any Section or Subsection of this Bylaw to be invalid, that Section or Subsection shall be severed from the remainder of the Bylaw, and the remaining provisions of this Bylaw shall continue to be valid and enforceable.

SECTION 49 - TRANSITION AND EXECUTION

1. This Bylaw shall repeal Bylaw No. 01-03 and all amendments thereto on the date of final passing.
2. This Bylaw shall come into full force and effect on the date of final passing.

READ A FIRST TIME THIS 18th DAY OF JULY, 2022.

READ A SECOND TIME THIS XX DAY OF XX, 2022.

READ A THIRD AND FINAL READING THIS XX DAY OF XX, 2022.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

PENALTY SECTION/FEES SCHEDULE

<u>Section</u>	<u>Offence Description</u>	<u>Penalty</u>
General Penalties	All bylaw sections not specified in this schedule.	\$50
2(1)	Fail to obey Traffic Control Device.	\$243
7(1)	Park within 5m of fire hydrant.	\$81
11(2)	Operate OHV in Parkland.	\$324
13(1)(iii)	Park obstructing emergency access.	\$243
19(1)	Vehicle on jacks or similar device.	\$81
19(2)	Vehicle on jack with wheel(s) removed.	\$81
20(2)	Abandoned Vehicle.	\$324
26	Park in fire lane.	\$243
27	Park in handicap zone.	\$243
41(2)	Use engine retarder brakes.	\$150
41(12)(i)	Unsecured load.	\$810
50(1)	Littering.	\$120
50(6)	Climb/interfere with Street Furniture.	\$324
50(7)	Graffiti/Defacement.	\$324

REQUEST FOR DECISION

TITLE:	Bylaw 01.23 – Line of Credit Borrowing Bylaw
DATE:	January 9, 2023
PRESENTED BY:	Mauricio Reyes, CPA, CMA, CAMP Chief Financial Officer Director of Corporate and Community Services
ATTACHMENT:	Appendix 1 – Bylaw 01.23 Borrowing Bylaw Appendix 2 – Debt Limit Calculation Appendix 3 – Debt Management Policy C-02-04

SUMMARY:

The Town of Drumheller has a bylaw for short-term borrowing authorizing Administration to borrow up to \$4 million for short-term financing. Currently, the Town has a \$2 million line of credit with Scotiabank.

Administration recommends Council authorize increasing the line of credit from \$4 million to \$10 million to accommodate short-term financing needs in 2023. Furthermore, Administration recommends maintaining the \$10 million line of credit until the completion of the Flood Mitigation project. Once the FMP is completed, the line of credit can be reduced to normal.

RECOMMENDATION:

Administration recommends Council give all three readings to Bylaw 01.23 – Line of Credit Borrowing Bylaw.

DISCUSSION:

The 2022 capital expenditures were nearly \$18 million and are expected to exceed this once all payables have been accounted for in the upcoming weeks. Of the total capital expenditures, nearly \$10 million relate to the Flood Mitigation Project.

The Flood Mitigation Project started in 2019 to design and build infrastructure to protect people and property in the Town of Drumheller. The project aims to build new berms and raise existing berms between 2020 and 2024.

Since the beginning of the Flood Mitigation Project, approximately \$27 million has been spent on construction costs and property acquisitions. The project is expected to be funded with provincial, federal, and municipal funds. Federal funding will be received through the Disaster Mitigation and Adaption Fund (DMAF grant). This grant program requires the municipality to pay upfront for project costs and submit claims for payment. Three claims have been submitted, but payment has not yet been received. Administration estimates the total receivable for DMAF to be between \$6 million and \$6.5 million at the end of 2022.

To fund capital expenditures, the Town has used operating cash funds and has decreased portfolio investments by over \$10 million in the last 12 months. Although the Town can continue to sell part of its portfolio investments, Administration does not endorse this option as it would negatively impact the investment income for 2023 as the portfolio holdings are liquidated.

The proposed bylaw has been drafted in accordance with section 256 of the Municipal Government Act.

FINANCIAL IMPACT:

Bylaw 01.23 will authorize Administration to borrow \$10.0 million on behalf of the Town and will be drawn as needed. The debt servicing costs from this borrowing will be funded through the operating budget.

Interest on the line of credit is accrued at the bank’s prime lending rate minus 0.75%. The prime rate at the writing of this report is 6.45% per annum.

STRATEGIC POLICY ALIGNMENT:

Good governance and fiscal sustainability.

COMMUNICATION STRATEGY:

As per section 256(3) of the Municipal Government Act, the bylaw does not need to be advertised as the borrowing term does not exceed 3 years. Once the bylaw is adopted, it will be posted on the Town’s website.

COUNCIL MOTION:

MOTION:
That Council give first reading to the Line of Credit Borrowing Bylaw 01.23 as presented.


That Council give second reading to the Line of Credit Borrowing Bylaw 01.23 as presented.

That Council give unanimous consent to third reading of the Line of Credit Borrowing Bylaw 01.23.

That Council give third reading to the Line of Credit Borrowing Bylaw 01.23 as presented.

Seconded:

Mauricio Reyes
Prepared by:
Mauricio Reyes, CPA, CMA, CAMP
Director of Corporate & Community Services


Approved By:
Darryl E. Drohomerski, C.E.T.
Chief Administrative Officer

TOWN OF DRUMHELLER
BYLAW NUMBER 01.23
DEPARTMENT: FINANCE

REPEALS BYLAW 11.20

A BYLAW OF THE TOWN OF DRUMHELLER for the Purpose of Borrowing Monies as Permitted by Section 256 of the Municipal Government Act.

WHEREAS the Council of the Town of Drumheller (hereinafter called the “Corporation”) in the Province of Alberta, considers it necessary to borrow certain sums of money for the purpose of:

Covering operating or capital expenses pending the collection of monies growing due.

Covering capital expenditures for projects waiting to be funded with long-term debt funding.

NOW THEREFORE pursuant to the provisions of *The Municipal Government Act, RSA 2000*, Chapter M-26 it is hereby enacted by the Council of the Corporation as a bylaw that:

1. The Corporation borrow from Scotiabank up to the principal sum of **\$10,000,000.00** repayable upon demand at a rate of interest per annum not to exceed the Prime Lending Rate from time to time established by Scotiabank, and such interest will be calculated daily and due and payable monthly on the last day of each and every month.
2. The Chief Elected Officer and the Chief Administrative Officer are authorized for and on behalf of the Corporation:
 - (a) to apply to Scotiabank for the aforesaid loan to the Corporation and to arrange with Scotiabank the amount, terms and conditions of the loan and security or securities to be given to Scotiabank;
 - (b) as security for any money borrowed from Scotiabank
 - (i) to execute promissory notes and other negotiable instruments or evidences of debt for such loans and renewals of all such promissory notes and other negotiable instruments or evidences of debts;
 - (ii) to give or furnish to Scotiabank all such securities and promises as Scotiabank may require to secure repayment of such loans and interest thereon; and
 - (iii) to execute all security agreements, hypothecations, debentures, charges, pledges, conveyances, assignments and transfers to and in favour of Scotiabank of all or any property, real or personal, moveable or immovable, now or

hereafter owned by the Corporation or in which the Corporation may have any interest, and any other documents or contracts necessary to give or to furnish to Scotiabank the security or securities required by it.

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

Taxes, reserves, grants, etc.

4. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in *The Municipal Government Act, RSA 2000*, Chapter M-26.
5. In the event that *The Municipal Government Act, RSA 2000*, Chapter M-26 permits extension of the term of the loan and in the event the Council of the Corporation decides to extend the loan and Scotiabank is prepared to extend the loan, any renewal or extension, bill, debenture, promissory note, or other obligations executed by the officers designated in paragraph 2 hereof and delivered to Scotiabank will be valid and conclusive proof as against the Corporation of the decision of the Council to extend the loan in accordance with the terms of such renewal or extension, bill, debenture, promissory note, or other obligation, and Scotiabank will not be bound to inquire into the authority of such officers to execute and deliver any such renewal, extension document or security.

CITATION

1. This bylaw shall be known as the Line of Credit Borrowing Bylaw 01.23

TRANSITIONAL

1. Town of Drumheller Bylaw No. 11.20 is hereby repealed.
2. This Bylaw comes into force on the date of the third and final reading.

READ A FIRST TIME THIS ___ day of _____, 2023.

READ A SECOND TIME THIS ___ day of _____, 2023.

READ A THIRD TIME AND PASSED THIS THIS ___ day of _____, 2023.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

Appendix 2
Debt Limit Calculation

	<u>Per Legislation</u>		<u>Per Council Policy C-02-</u>	
2021 debt limit (1)	\$ 32,036,352	100.0%	\$ 19,221,811	100.0%
Debt balance December 2022	\$ (6,367,676)	-19.9%	\$ (6,367,676)	-33.1%
2022 unused debt capacity before new loans	\$ 25,668,676	80.1%	\$ 12,854,135	66.9%
<u>Loans Authorized in 2022 but not yet taken</u>				
Loan - Pen Booster Upgrades	\$ (1,200,000)	-3.7%	\$ (1,200,000)	-6.2%
Loan - Flood Mitigation Project	\$ (5,000,000)	-15.6%	\$ (5,000,000)	-26.0%
2022 unused debt capacity remaining after authorizing new loans	\$ 19,468,676	60.8%	\$ 6,654,135	34.6%

Notes:

1. 2021 debt limit has been used as 2022 debt limit has not yet been calculated.



DRUMHELLER

COUNCIL POLICY



COUNCIL POLICY # C-02-04

DEBT MANAGEMENT

POLICY STATEMENT:

The Town of Drumheller will annually review and modify, if considered necessary, a Long-Term Capital Financing Strategy. Such a Strategy will include such things as the acquisition of debt, the orderly repayment of debt, "pay as you go" philosophy, and other alternatives for capital project funding other than debt, while achieving financial stability for the Municipality's annual operating requirements.

PROCEDURE:

The Council should, as part of its annual Strategy review, establish a maximum debt and debt service limit that is lower than the debt and debt-servicing limit established under the Municipal Government Act. This lower level should evaluate the overall financial situation of the municipality and the strategic plans that are in place. Possible limits are:

- Total debt will not exceed 60% of the debt limit established in the Municipal Government Act and regulations
- Total debt service costs will not exceed 60% of the debt service limit established in the Municipal Government Act and regulations
- Debt service costs for tax-supported debt will not exceed 20% of the taxes available for municipal purposes

The Municipality will maximize the use of alternative sources of funding such as grants, donations, user fees or reserves, for capital projects to minimize the requirement for debt.

Utility operations will operate as enterprise functions (financially self-sustaining) and all debt incurred for the utility functions will be repaid from utility rates.

The repayment term of the debt should try and match the expected life of the asset acquired; however, in no case will the maximum amortization period exceed the expected life of the asset. The maximum amortization period of the debt will not exceed thirty years unless authorized by the Council. The Corporate Services Director may recommend, to the CAO, a repayment term shorter than the expected life of the asset if it is financially advantageous to the Municipality.

The Corporate Services Director will set budget guidelines for the amount of debt and debt service costs that will be allowed in each year's financial plan.

Adopted by Council

Date: April 5, 2004

Mayor of Drumheller

Chief Administrative Officer

REQUEST FOR DECISION

TITLE:	Community Assistance Grant – Badlands Amphitheatre
DATE:	January 9, 2023
PRESENTED BY:	Darren Goldthorpe
ATTACHMENT:	Attachment A – Badlands Amphitheatre Community Assistance Grant Application

SUMMARY:

Administration would like the input from council for the grant request from Badlands Amphitheatre to support their annual operations fundraising campaign - Light up the Amp. for the winter 2023 season.

The Light up the Amp campaign makes it possible for the Badlands Amphitheatre to pay the ongoing hard costs of operation such as: utilities, salaries, site maintenance, ticket system, etc. during the winter months when ticket sales and donations significantly decrease January to March. The Badlands Amphitheatre has requested Community Assistance Grant funding to support their operation costs for the winter 2023 season. They provided a presentation to Council on December 12, 2022, regarding this request.

This project would benefit the community by assisting The Badlands Amphitheatre with operational support during this time period by allowing staff to continue their work planning and producing the 2023 season which will, in their estimate, bring in up to 20,000 visitors and 4 million tourism dollars to Drumheller during the 2023 year. The requested amount is \$ 25,000.

The Town of Drumheller Community Assistance Grant Program receives several applications for funding projects each year. The 2023 total annual amount of grant funds available for this program are \$15,000.00 cash and \$20,000.00 for in-kind work.

The options to respond to this request are:

1. Approve the request in the full amount of \$25,000.00 exceeding the 2023 approved budget amounts which leaves zero cash funds available for other 2023 applications.
2. Choose not to fund the request.
3. Request representative(s) from the Badlands Amphitheatre to attend January 16, 2023, Committee of the Whole to answer questions about this request from council.

RECOMMENDATION:

It is Administration's recommendation that Council approve Option 3 as presented. Request representative(s) from the Badlands Amphitheatre to attend January 16, 2023, Committee of the Whole to answer questions from council.

FINANCIAL IMPACT:

Funds for the Community Assistance Grant Program have been approved by Council through the 2023 Operating Budget.

The Town of Drumheller Community Assistance Grant Program receives several applications for funding projects each year. The 2023 total annual amount of grant funds available for this program are \$15,000.00 cash and \$20,000.00 for in-kind work.

In 2022, the Community Assistance Grant approved \$3,984.37 of \$4,540.45 in cash requests.

STRATEGIC POLICY ALIGNMENT:

This recommendation aligns with Council’s strategy of providing safe and inclusive recreation opportunities for residents and visitors, with the beautification initiative, as well as fiscal responsibility.

COMMUNICATION STRATEGY:

Once Council provides their decision on this matter, a letter outlining the decision will be provided to the Badlands Amphitheatre via email and regular mail.

Councillor _____

MOTION: Moves that Council directs Administration to request that representation from the Badlands Amp attend the January 16, 2023 Committee of the Whole meeting to discuss the Community Assistance Grant application for \$25,000.

SECONDED:

Councillor _____

Beth Caswell

Prepared by:
Beth Caswell
Administrative Assistant
Community & Corporate Services

Darren Goldthorpe

Reviewed by:
Darren Goldthorpe
Manager, Recreation, Arts
and Culture



Approved by:
Darryl Drohomerski, C.E.T.
Chief Administrative Officer



DRUMHELLER

COMMUNITY SERVICES



Schedule "A"

Community Assistance Program
Community Assistance Grant Application

ORGANIZATION INFORMATION

Organization Name: Canadian Badlands Passion Play Society (operating as the Badlands Amphitheatre)

Mailing Address: Box 457, Drumheller, T0J 0Y0

Contact Name: John Bruins, Board President, [REDACTED]

Business #: 403-823-2001

Charity Number: 131488223

Is your organization presently receiving any financial assistance from the Town of Drumheller?

No

Is your organization presently receiving any financial assistance from other municipalities or other levels of government, public agencies or other sources?

Yes – We are presently awaiting the final payment of the Federal Tourism Relief Fund for the construction of the Badlands Arts Centre.

PURPOSE AND NEED

Please describe what you are requesting. Include details such as timing, anticipated participation, etc. Describe the benefits of the project / activity in the community.

We are requesting funding towards our annual operations fundraising campaign - Light up the Amp.

The Light up the Amp campaign makes it possible for the Badlands Amp to pay the ongoing hard costs of operation (utilities, salaries, site maintenance, ticket system, etc.) during the winter months when ticket sales and donations decrease significantly (January to March).

Operational support during this time period benefits the community by allowing our Badlands Amphitheatre staff to continue their work on planning and producing the 2023 season which will, in turn, bring in up to 20,000 visitors and 4 million tourism dollars to Drumheller during the 2023

What are the goals and objectives of the proposed grant support? How will the success of the project or event be measured?

The goals of the Light up the Amp Campaign are to enable us to plan and execute the 2023 Badlands Amphitheatre season including:

- 9 performances of the 2023 Badlands Passion Play
- VanFest Weekend and Concert
- Great Big Weekend 2023 with two back-to-back Canadian Icons concerts
- Roots, Blues and Barbecue
- Lightfest 2023

The success of these events and their direct financial impact on the Town of Drumheller is measured in our post event surveys.

Describe the membership of your organization. How do you characterize your members / participants? (demographics)

Our 7 member Board of Directors represent Drumheller and other rural and urban locations in Alberta.

22% of the society members are residents of Drumheller. The remainder represent the province from Lethbridge up to Peace River.

The demographics of patrons who visit the Badlands Amphitheatre varies from event to event but in general terms Calgary is our largest market followed by rural Alberta and then Red Deer and Edmonton.

Describe the anticipated level of current and future volunteerism and fundraising in relation to your group.

The pandemic has significantly impacted both the numbers of volunteers who are available to be part of events as well as the giving from our established donors. These two changes have brought significant financial and labour challenges and we have moved to providing donations to other local charities in return for their members assisting in areas such as parking and concessions. With fewer donors and extra expense to pay for volunteers, we find ourselves going into the final month of the 2022 calendar year with limited funds left in all our bank accounts.

Please attach a copy of current financial statements to support your ask.

Attached to the email.

Describe what may happen if you do not receive grant funding, or if you receive less than the requested amount.

If we have a lack of operational funding in January to March of 2023 we will need to reduce staffing levels as of January 1, 2023. This in turn will reduce our planning of events in the coming year until such a time as the organization can rehire and move forward.

Are funds being sought from other sources to support this program or project?

The annual "Light up the Amp" operational fund campaign is sent out to our key vendors, our donor base and also to the local community. To date the campaign has raised 13,430 of its \$50,000 goal.

Grant Amount Requested:
\$25,000

Declaration Statement

We the undersigned representative(s) certify that this application is complete and accurate.

Name: John Bruins - Board President

A handwritten signature in black ink is written over a thick, solid black horizontal line that redacts the printed name. The signature appears to be 'John Bruins'.

December 12, 2022

CANADIAN BADLANDS PASSION PLAY SOCIETY
Financial Statements
Year Ended September 30, 2021



CANADIAN BADLANDS PASSION PLAY SOCIETY

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Year Ended September 30, 2021

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INDEPENDENT AUDITOR'S REPORT

To the Members of Canadian Badlands Passion Play Society

Qualified Opinion

We have audited the financial statements of Canadian Badlands Passion Play Society (the Society), which comprise the statement of financial position as at September 30, 2021, and the statements of revenues and expenditures, changes in net assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, except for the possible effects of the matter described in the *Basis for Qualified Opinion* section of our report, the accompanying financial statements present fairly, in all material respects, the financial position of the Society as at September 30, 2021, and the results of its operations and cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations (ASNPO)

Basis for Qualified Opinion

In common with many not-for-profit organizations, the Society derives revenue from fundraising activities the completeness of which is not susceptible to satisfactory audit verification. Accordingly, verification of these revenues was limited to the amounts recorded in the records of the Society. Therefore, we were not able to determine whether any adjustments might be necessary to fundraising revenue, excess of revenues over expenses, and cash flows from operations for the year ended September 30, 2021, current assets and net assets as at September 30, 2021. Our audit opinion on the financial statements for the year ended September 30, 2020 was modified accordingly because of the possible effects of this limitation of scope.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Society in accordance with ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our qualified audit opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with ASNPO, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Society's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Society or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Society's financial reporting process.

*An Incorporated Professional

(continues)



Independent Auditor's Report To the Members of Canadian Badlands Passion Play Society (continued)

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Society's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Society's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Society to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Three Hills, AB
June 17, 2022

White & Company
CHARTERED PROFESSIONAL ACCOUNTANTS



CANADIAN BADLANDS PASSION PLAY SOCIETY

Statement of Financial Position

September 30, 2021

	2021	2020
ASSETS		
CURRENT		
Cash	\$ 197,115	\$ -
Restricted cash (Note 4)	66	25
Accounts receivable	29,333	4,618
Inventory	11,362	9,025
Government assistance receivable	18,023	-
Goods and services tax recoverable	2,684	5,032
	258,583	18,700
CAPITAL ASSETS (Note 5)	1,504,536	1,237,016
LONG TERM INVESTMENTS (Note 6)	90,472	1,903
RESTRICTED INVESTMENTS (Note 7)	401	292
	\$ 1,853,992	\$ 1,257,911
LIABILITIES AND NET ASSETS		
CURRENT		
Bank indebtedness (Note 8)	\$ -	\$ 54,959
Accounts payable and accrued liabilities	17,720	7,526
Employee deductions payable	10,627	3,623
Deferred revenue (Note 9)	89,365	81,375
Current portion of long term debt (Note 10)	17,845	17,906
	135,557	165,389
LONG TERM DEBT (Note 10)	598,905	597,330
DEFERRED CONTRIBUTIONS (Note 11)	839,634	599,228
	1,574,096	1,361,947
NET ASSETS		
Unrestricted net assets	231,276	(126,903)
Restricted net assets	467	316
Invested in capital assets	48,153	22,551
	279,896	(104,036)
	\$ 1,853,992	\$ 1,257,911

ON BEHALF OF THE BOARD

 Director
 Director



The accompanying notes are an integral part of these financial statements.

CANADIAN BADLANDS PASSION PLAY SOCIETY**Statement of Revenues and Expenditures**

Year Ended September 30, 2021

	2021	2020
REVENUE		
Grants (Note 12)	\$ 440,437	\$ 68,787
Donations (Note 13)	344,815	288,528
Theatre production	117,860	108,347
Government assistance (Note 12)	73,647	37,221
Parking and rental	66,480	18,383
Concession and gift shop	20,720	6,690
Fundraising income	5,929	5,571
Other income	2,098	992
Membership income	1,080	1,085
Sponsorship income	250	650
	1,073,316	536,254
COST OF SALES		
Purchases	15,060	-
GROSS PROFIT	1,058,256	536,254
EXPENDITURES (Schedule 1)	651,348	558,762
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURES FROM OPERATIONS	406,908	(22,508)
OTHER REVENUE (EXPENDITURES)		
Amortization of deferred contributions (Note 11)	21,475	27,456
Gain on disposal of capital assets	2,200	4,139
Expense recoveries	645	-
Interest income	291	42
Loss on sale of marketable securities	-	(193)
Amortization of capital assets	(47,587)	(46,307)
	(22,976)	(14,863)
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENDITURES	\$ 383,932	\$ (37,371)

The accompanying notes are an integral part of these financial statements.

CANADIAN BADLANDS PASSION PLAY SOCIETY

Statement of Changes in Net Assets

Year Ended September 30, 2021

	Unrestricted Net Assets	Restricted Net Assets	Invested in Capital Assets	2021	2020
NET ASSETS - BEGINNING OF YEAR	\$ (126,903)	\$ 316	\$ 22,551	\$ (104,036)	\$ (66,665)
EXCESS OF REVENUE OVER EXPENDITURES	383,932	-	-	383,932	(37,371)
TRANSFER FROM UNRESTRICTED NET ASSETS (Note 14)	(25,753)	151	25,602	-	-
NET ASSETS - END OF YEAR	\$ 231,276	\$ 467	\$ 48,153	\$ 279,896	\$ (104,036)

The accompanying notes are an integral part of these financial statements.



CANADIAN BADLANDS PASSION PLAY SOCIETY

Statement of Cash Flows

Year Ended September 30, 2021

	2021	2020
OPERATING ACTIVITIES		
Excess (deficiency) of revenue over expenditures	\$ 383,932	\$ (37,371)
Items not affecting cash:		
Amortization of capital assets	47,587	46,307
Amortization of deferred contributions (Note 11)	(21,475)	(27,456)
Gain on disposal of capital assets	(2,200)	(4,139)
Loss on disposal of investments	-	193
	407,844	(22,466)
Changes in non-cash working capital:		
Accounts receivable	(24,715)	(2,793)
Inventory	(2,337)	-
Accounts payable and accrued liabilities	10,195	(18,923)
Income taxes payable	(18,023)	-
Deferred revenue	7,990	13,110
Goods and services tax payable	2,348	(1,715)
Employee deductions payable	7,004	538
	(17,538)	(9,783)
Cash flow from (used by) operating activities	390,306	(32,249)
INVESTING ACTIVITIES		
Purchase of capital assets	(315,108)	(401,984)
Proceeds on disposal of capital assets	2,200	-
Proceeds from deferred capital contributions	261,881	315,000
Purchase of long term investments	(88,569)	-
Purchase of restricted investments	(109)	-
Cash flow used by investing activities	(139,705)	(86,984)
FINANCING ACTIVITIES		
Proceeds from long term financing	10,000	44,333
Repayment of long term debt	(8,486)	(12,097)
Cash flow from financing activities	1,514	32,236
INCREASE (DECREASE) IN CASH FLOW	252,115	(86,997)
Cash (deficiency) - beginning of year	(54,934)	32,063
CASH (DEFICIENCY) - END OF YEAR	\$ 197,181	\$ (54,934)
CASH (DEFICIENCY) CONSISTS OF:		
Cash	\$ 197,115	\$ -
Restricted cash (Note 4)	66	25
Bank indebtedness (Note 8)	-	(54,959)
	\$ 197,181	\$ (54,934)

The accompanying notes are an integral part of these financial statements.

CANADIAN BADLANDS PASSION PLAY SOCIETY

Notes to Financial Statements

Year Ended September 30, 2021

1. BASIS OF PRESENTATION

The financial statements were prepared in accordance with Canadian accounting standards for not-for-profit organizations (ASNPO).

2. PURPOSE OF THE SOCIETY

Canadian Badlands Passion Play Society (the "Society") was of Alberta on December 12, 1991. As a registered charity the Society is exempt from the payment of income tax under Subsection 149(1) of the Income Tax Act.

The Society operates to advance the public's appreciation of the arts by providing high-quality artistic performances in the Badlands Amphitheatre in the Drumheller valley in the heart of the Canadian Badlands. The Society aims to advance education by providing instructional seminars on topics related to the performing and visual arts to aspiring actors and artists.

3. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Financial instruments policy

Financial instruments are recorded at fair value when acquired or issued. In subsequent periods, financial assets with actively traded markets are reported at fair value, with any unrealized gains and losses reported in income. All other financial instruments are reported at amortized cost, and tested for impairment at each reporting date. Transaction costs on the acquisition, sale, or issue of financial instruments are expensed when incurred.

The Society has the following financial instruments:

- Cash and bank indebtedness consisting bank deposits and credit facilities with a maturity date of less than three months measured at amortized cost.
- Accounts receivable consisting of amounts due from customers with a maturity date under twelve months measured at amortized cost.
- Long term investments consisting of investments with a maturity date beyond twelve months measured at amortized cost.
- Restricted investments consisting of investments with an actively traded market and a maturity date beyond twelve months measured at fair value.
- Accounts payable consisting of amounts due to vendors and bank with a maturity date under twelve months measured at amortized cost.
- Long term debt consisting of credit facilities with a maturity date beyond twelve months measured at amortized cost.

Cash and cash equivalents

Cash and cash equivalents includes restricted cash and bank indebtedness. Cash equivalents are investments in treasury bills and short term credit facilities that are valued at cost plus accrued interest. The carrying amounts approximate fair value because they have maturities at the date of purchase of less than three months.

Inventory

Inventory is valued at the lower of cost and net realizable value. The cost of the inventories include all costs of purchase, costs of conversion, and other costs incurred to bring the inventories to their present location and condition with the cost being determined on a first-in, first-out basis.

(continues)

WHITE & COMPANY
CHARTERED
PROFESSIONAL ACCOUNTANTS

CANADIAN BADLANDS PASSION PLAY SOCIETY

Notes to Financial Statements

Year Ended September 30, 2021

3. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Capital assets

Capital assets are stated at cost or deemed cost less accumulated amortization and are amortized over their estimated useful lives on a straight-line basis at the following rates:

Buildings	2.5%
Equipment	5%
Motor vehicles	10%
Computer equipment	33%
Furniture and fixtures	20%
Paving	5%
Jerusalem wall	2.5%
Site development	2.5%
Sound system	20%
Costumes	20%
Website	33%
Leasehold improvements	5%
Trailers	10%

The Society regularly reviews its capital assets to eliminate obsolete items. Government grants are treated as deferred contributions.

Capital assets acquired during the year but not placed into use are not amortized until they are placed into use.

Impairment of long lived assets

The Society tests for impairment whenever events or changes in circumstances indicate that the carrying amount of the assets may not be recoverable. Recoverability is assessed by comparing the carrying amount to the projected future net cash flows the long-lived assets are expected to generate through their direct use and eventual disposition. When a test for impairment indicates that the carrying amount of an asset is not recoverable, an impairment loss is recognized to the extent the carrying value exceeds its fair value.

Deferred contributions

Deferred contributions related to capital assets represent the unamortized portion of contributed capital assets. Recognition of these amounts as revenue is deferred to period when the related capital assets are amortized.

Net assets

Net assets consist of the following:

- Net assets invested in capital assets represents the Society's net investment in capital assets which is comprised of the unamortized amount of capital assets purchased with restricted funds.
- Internally restricted net assets are funds which have been designated for a specific purpose by the Society's Board of Directors.
- Unrestricted net assets comprise the excess of revenue over expenses accumulated by the Society each year, not of transfers, and are available for general purposes.

(continues)



CANADIAN BADLANDS PASSION PLAY SOCIETY

Notes to Financial Statements

Year Ended September 30, 2021

3. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES *(continued)*

Revenue recognition

Canadian Badlands Passion Play Society follows the deferral method of accounting for contributions.

Restricted contributions are recognized as revenue in the year in which the related expenses are incurred. Unrestricted contributions are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured. Endowment contributions are recognized as direct increases in net assets.

Restricted investment income is recognized as revenue in the year in which the related expenses are incurred. Unrestricted investment income is recognized as revenue when earned.

Revenues from theatre production are recognized as revenue when the productions are held.

Tuition and residence fees are recorded as revenue when the program is held.

Donations, concession and gift shop sales, fundraising events, memberships, rental, advertising and sponsorships, and all other revenues are recorded as revenue when earned, received, or receivable.

Government assistance

Government assistance for acquiring fixed assets and related to expenses is recorded as deferred contributions and are amortized on the same basis and according to the same rates as the related fixed assets or to income as eligible expenditures are incurred.

Government assistance is recorded when there is a reasonable assurance that the Society had complied with and will continue to comply with, all the necessary conditions to obtain the assistance.

Contributed services

The operations of the Society depend on both the contribution of time by volunteers and donated materials from various sources. The fair value of donated materials and services cannot be reasonably determined and are therefore not reflected in these financial statements.

Related parties

Related party transactions are in the normal course of operations and are measured at the exchange amount, which is the amount of consideration established and agreed to by the related parties.

Measurement uncertainty

The preparation of financial statements in conformity with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amount of assets and liabilities, disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the period. Such estimates are periodically reviewed and any adjustments necessary are reported in earnings in the period in which they become known. Actual results could differ from these estimates.

Examples of significant estimates include:

- The allowance for doubtful accounts.
- The allowance for inventory obsolescence.
- Providing for amortization of capital assets.
- The estimated useful lives of assets.
- The recoverability of tangible assets.
- The recoverability of long term investments.

CANADIAN BADLANDS PASSION PLAY SOCIETY

Notes to Financial Statements

Year Ended September 30, 2021

4. RESTRICTED CASH

Restricted cash is restricted to be utilized for annual principal payments on term debt and other purposes approved by the Society's Board of Directors.

	2021	2020
Royal Bank of Canada endowment	\$ 66	\$ 66
RBC Direct Investing cash	-	(41)
	\$ 66	\$ 25

5. CAPITAL ASSETS

	Cost	Accumulated amortization	2021 Net book value	2020 Net book value
Land	\$ 268,972	\$ -	\$ 268,972	\$ 156,972
Buildings	225,718	73,647	152,071	180,476
Equipment	39,023	36,742	2,281	4,232
Motor vehicles	116,800	69,068	47,732	59,412
Computer equipment	39,400	38,205	1,195	-
Furniture and fixtures	9,774	9,774	-	-
Leasehold improvements	61,163	47,483	13,680	-
Paving	55,784	28,488	27,296	28,880
Jerusalem wall	332,224	181,136	151,088	166,341
Site development	410,204	173,079	237,125	239,119
Sound system	97,574	97,574	-	-
Costumes	28,757	28,757	-	-
Website	7,500	7,500	-	-
Trailers	4,000	800	3,200	3,600
Buildings under construction	599,896	-	599,896	397,984
	\$ 2,296,789	\$ 792,253	\$ 1,504,536	\$ 1,237,016

6. LONG TERM INVESTMENTS

	2021	2020
Connect First Credit Union construction account	\$ 88,561	\$ (7)
Connect First Credit Union common shares	32	31
Westview Co-operative Association equity	1,879	1,879
	\$ 90,472	\$ 1,903



CANADIAN BADLANDS PASSION PLAY SOCIETY

Notes to Financial Statements

Year Ended September 30, 2021

7. RESTRICTED INVESTMENTS

Restricted investments are restricted to be utilized for annual principal payments on term debt and other purposes approved by the Society's Board of Directors.

	2021	2020
RBC Direct Investing investments	\$ 401	\$ 292

8. BANK INDEBTEDNESS

	2021	2020
Bank in overdraft position	\$ -	\$ 54,959

The Society has a credit facility with Connect First Credit Union bearing interest at prime plus 2.00% repayable in monthly interest only payments with a credit limit of \$50,000 (2020 - \$50,000), due on demand. As at September 30, 2021, the Society had an unused credit limit of \$50,000 (2020 - \$20,965).

As at September 30, 2021, the Connect First Credit Union prime rate was 2.45% (2020 - 2.45%).

9. DEFERRED REVENUE

Gift certificates with no expiry date are issued in lieu of tickets issued for cancelled theatre productions. The Society has the policy to carry the gift certificate liability for 24 months; however, any unused gift certificates prior to the 24 month period are still honoured and adjusted against ticket sales for the relevant period.

	2021	2020
Gift certificates issued	\$ 120,501	\$ 120,348
Gift certificate provision	(59,174)	(58,773)
Subtotal	61,327	61,575
Ticket vouchers	21,186	19,800
Deferred ticket sales	6,852	-
	\$ 89,365	\$ 81,375



CANADIAN BADLANDS PASSION PLAY SOCIETY

Notes to Financial Statements

Year Ended September 30, 2021

10. LONG TERM DEBT

	2021	2020
Connect First Credit Union loan bearing interest at 4.95% per annum, repayable in monthly blended payments of \$3,873. The loan matures on August 31, 2024 and is secured by a general security agreement, a first assignment of all rents and leases, and a first charge demand collateral/all purpose mortgage in the amount of \$633,000 on land and buildings.	\$ 576,750	\$ 585,236
Connect First Credit Union Canadian Emergency Business Account (CEBA) loan non-interest bearing with no terms of repayment until December 31, 2023. If the loan is repaid by December 31, 2023, 25% of the first \$40,000 and 50% of the next \$20,000 will be forgiven. If the loan is not fully repaid, it will be interest bearing at 5% and repayable in monthly blended payments.	60,000	40,000
Canadian Emergency Business Account (CEBA) loan forgiveness provision.	(20,000)	(10,000)
	616,750	615,236
Amounts payable within one year	(17,845)	(17,906)
	\$ 598,905	\$ 597,330

Principal repayment terms are approximately:

2022	\$ 17,845
2023	18,749
2024	580,156
	\$ 616,750

As at September 30, 2021, the Society land and building held as security had a carrying value of \$268,972 (2020 - \$156,972) and \$1,140,180 (2020 - \$983,920), respectively.

The Connect First Credit Union loan requires the Society to maintain an a debt service coverage ratio not less than 1.25:1. As at September 30, 2021, the Society was in compliance with this covenant.

The Society's credit facility also requires the Society to provide financial statements under a audit engagement within 120 days of the fiscal year end. For the fiscal year ending September 30, 2021, the Society was in breach of this financial reporting requirement. As a result of this breach of covenant, the bank has the right to demand repayment of the loan and, if repayment is not made, to seize the assets pledged as security for the loan.

CANADIAN BADLANDS PASSION PLAY SOCIETY

Notes to Financial Statements

Year Ended September 30, 2021

11. DEFERRED CONTRIBUTIONS

Deferred contributions consist of funds received for the purchase of capital assets and are recognized as revenue on the same amortization basis of the related capital assets as follows:

	2021	2020
Balance at the beginning of the year	\$ 599,228	\$ 315,823
Funds received during the year	136,881	-
Government grants received during the year	125,000	315,000
	861,109	630,823
Funds related to assets disposed of during the year	-	(4,139)
Amortization of deferred contributions	(21,475)	(27,456)
	\$ 839,634	\$ 599,228

12. GOVERNMENT GRANT AND ASSISTANCE

The Society receives the following government grants:

- Operating grant under the Community Performing Arts Organizations (CPAO) from the Alberta Foundation for the Arts.
- Canada Summer Job (CSJ) grant from the Government of Canada.
- Small and Medium Enterprise Relaunch grant from the Government of Alberta.
- Stabilizing grant from the Government of Alberta.
- Cooperative Investment Funding from Travel Alberta.

During 2021, the Society received the Canadian Emergency Wage Subsidy (CEWS) provided to all employers with a payroll account with the Canada Revenue Agency (CRA) that experienced a decrease in revenue as a result of the global pandemic due to the novel coronavirus (COVID-19). Management has filed the necessary reports indicating it is eligible to receive the wage subsidy and recognized the amounts in the same period the wages were incurred. If it were later determined that the Society was not eligible for the full amount received, the ineligible portion would have to be repaid to the CRA.

During 2021, the Society also received the Canadian Emergency Business Account (CEBA) interest-free loan with a forgivable portion provided to all active operating business that is a sole proprietorship, partnership or a Canadian-controlled private corporation (CCPC) that was in operation in Canada on March 1, 2020 with employment income paid in the 2019 calendar year between \$20,000 and \$1,500,000 or with non-deferrable expenses between \$40,000 and \$1,500,000. Management has filed the necessary applications with financial institutions indicating it is eligible to receive the loan and recognized the loan forgiveness subsidy amount in the same period the loan was received.

During 2021, the Society received the Canadian Emergency Rent Subsidy (CERS) provided to all Canadian businesses, non-profit organizations, or charities with a business number with the CRA on September 27, 2020 and a payroll account with the CRA on March 15, 2020 that experienced a decrease in revenue as a result of the COVID-19 pandemic. Management has filed the necessary reports indicating it is eligible to receive the rent subsidy and recognized the amounts in the same period the eligible expenses were incurred. If it were later determined that the Partnership was not eligible for the full amount received, the ineligible portion would have to be repaid to the CRA.



CANADIAN BADLANDS PASSION PLAY SOCIETY

Notes to Financial Statements

Year Ended September 30, 2021

13. NON-MONETARY TRANSACTIONS

During the year ended September 30, 2021, the Society received donations in kind. Revenue from these non-monetary transactions totalled \$129,443 (2020 - \$500), and are measured at the carrying amount of the services received. Expenses of \$Nil (2020 - \$Nil) associated with these transactions have been recorded in these accounts.

14. TRANSFER FROM UNRESTRICTED NET ASSETS

The transfer from unrestricted net assets consists of the following:

	Transfer to Restricted Net Assets	Transfer to Invested in Capital Assets	Transfer from Unrestricted Net Assets
Interest income	\$ 251	\$ -	\$ 251
Interest and bank charges	(100)	-	(100)
Purchase of capital assets	-	315,109	315,109
Proceeds on disposition of assets	-	(2,200)	(2,200)
Repayment of long term debt	-	8,486	8,486
Proceeds from long term debt	-	(10,000)	(10,000)
Proceeds from deferred capital contributions	-	(261,881)	(261,881)
Amortization of capital assets	-	(47,587)	(47,587)
Amortization of deferred contributions (Note 11)	-	21,475	21,475
Gains (losses) on disposal of assets	-	2,200	2,200
	<u>\$ 151</u>	<u>\$ 25,602</u>	<u>\$ 25,753</u>

15. CREDIT FACILITY

The Society has a credit facility with Connect First Credit Union, which includes a MasterCard with an approved credit limit of \$10,000 (2020 - \$10,000), which bears interest on unpaid balances. As at September 30, 2021, the Society has an unused credit limit of \$6,251 (2020 - \$10,000).

16. COMMITMENTS

Effective December 1, 2019, the Society entered into a commercial lease agreement with Martech Industries to rent a Quonset Shop for \$300.00 per month for a period of five (5) years. The agreement can be terminated by the Society with a thirty (30) day notice of default to the tenant.

17. CONTRACTUAL OBLIGATIONS

On June 15, 2013, the Society entered into a lease agreement with The Nacmine Community Association to lease a campground in Drumheller, Alberta, for \$2,500 per year with a 2% annual increase for a period of ten (10) years, renewable in increments of five (5) years after the agreement expires.

On February 25, 2020, the Society entered into an entertainment agreement with Tom Cochrane to headline the Canadian Icons in the Badlands; however, the engagement was postponed due to the global pandemic due to the novel coronavirus (COVID-19).

(continues)



CANADIAN BADLANDS PASSION PLAY SOCIETY

Notes to Financial Statements

Year Ended September 30, 2021

17. CONTRACTUAL OBLIGATIONS (continued)

During 2020, the Society entered into a commissioned script contract with Royal Sproul, Playwright, to develop, write & workshop a performance script for a term ending in 2023.

During 2020, the Society entered into a commissioned script contract with Bill Hamm, Composer, to develop, write & workshop a performance script for a term ending in 2023.

Contractual obligations payment schedule:

2022	\$	43,988
2023		12,047
	\$	<u>56,035</u>

18. FINANCIAL INSTRUMENTS

The Society is exposed to various risks through its financial instruments and has a comprehensive risk management framework to monitor, evaluate and manage these risks. The following analysis provides information about the Society's risk exposure and concentration as of September 30, 2021.

Credit risk

Credit risk arises from the potential that a counter party will fail to perform its obligations, there is a concentration of transactions carried out with the same party or if there is a concentration of financial obligations which have similar economic characteristics that could be similarly affected by changes in the economic conditions and result in financial losses for the Society. The Society is exposed to the following credit risks:

- Cash, bank indebtedness, and long term debt: Credit risk associated with the concentration of amounts held at a single financial institution is minimized substantially by ensuring the assets are invested in a major financial institution.
- Amounts receivable: Credit risk associated with amounts receivable from customers is minimized by the significant customer base that covers a large and diverse section of the business sector in Canada. The Society conducts regular reviews of its existing customers' credit performance and, if necessary, maintains an allowance for doubtful accounts for credit losses. Management believes that the concentration of credit risk associated in regards to amounts receivable due to operating in a small geographic area is limited due to the credit quality of the parties extended credit, as well as the large number of smaller customers.

Liquidity risk

Liquidity risk is the risk that an entity will encounter difficulty in meeting obligations associated with financial liabilities. The Society is exposed to this risk mainly in respect of its receipt of funds from its customers and other related sources, long term debt, and accounts payable.

Market risk

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. Market risk comprises three types of risk: currency rate risk, interest rate risk and other price risk. The Society is mainly exposed to interest rate risk.

(continues)



CANADIAN BADLANDS PASSION PLAY SOCIETY

Notes to Financial Statements

Year Ended September 30, 2021

18. FINANCIAL INSTRUMENTS (continued)

Interest rate risk

Interest rate risk is the risk that the value of a financial instrument might be adversely affected by a change in the interest rates. In seeking to minimize the risks from interest rate fluctuations, the Society manages exposure through its normal operating and financing activities. The Society is exposed to interest rate risk primarily through its floating interest rate bank indebtedness and fixed interest rate credit facilities.

All secured financial liabilities have a combined carrying amount of \$616,750 (2020 - \$670,195).

Additional risk

Unless otherwise noted, it is management's opinion that the Society is not exposed to significant other price risks arising from these financial instruments.

19. COMPARATIVE FIGURES

Some of the comparative figures have been reclassified to conform to the current year's presentation.

20. SUBSEQUENT EVENTS

In March 2020, the World Health Organization declared a global pandemic due to the novel coronavirus (COVID-19). The situation is constantly evolving, and the measures put in place are having multiple impacts on local, provincial, national and global economies.

Management is uncertain of the effects of these changes on its financial statements and believes that any disturbance may be temporary; however, there is uncertainty about the length and potential impact of the disturbance.

As a result, we are unable to estimate the potential impact on the Society's operations as at the date of these financial statements.



CANADIAN BADLANDS PASSION PLAY SOCIETY

Expenses

(Schedule 1)

Year Ended September 30, 2021

	2021	2020
Salaries and wages	\$ 298,282	\$ 167,604
Sub-contracts	73,640	90,603
Professional fees	47,918	28,558
Utilities	33,941	35,247
Insurance	28,950	19,671
Interest on long term debt	28,840	29,065
Repairs and maintenance	27,180	21,571
Office	20,976	11,026
Production personnel	17,558	25,359
Advertising and promotion	14,181	24,422
Employee benefits	11,352	9,415
Interest and bank charges	10,127	13,454
GST expense	7,428	7,586
Vehicle	5,587	5,656
Telephone	4,990	6,887
Production general	4,648	50,082
Supplies	3,250	-
Rental	2,929	520
Travel	2,602	4,275
Fundraising	2,240	2,375
Business taxes, licenses and memberships	1,486	604
Meetings and conventions	1,217	1,436
Volunteer co-ordination	1,200	1,846
Meals and entertainment	512	550
Property taxes	314	-
Production technical	-	950
	\$ 651,348	\$ 558,762

The accompanying notes are an integral part of these financial statements.