TOWN OF DRUMHELLER



REGULAR COUNCIL MEETING

AGENDA

TIME & DATE: 4:30 PM – Monday, June 17, 2024 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 the June 17, 2024 Regular Meeting of Council

Proposed Motion: That Council adopt the agenda for the June 17, 2024 Regular Meeting of Council as presented.

5. <u>MEETING MINUTES</u>

5.1 Minutes for the June 03, 2024 Regular Meeting of Council

Regular Council Meeting – June 03, 2024 – Minutes

Proposed Motion: That Council approve the minutes for the June 03, 2024 Regular Meeting of Council as presented

6. <u>REPORTS FROM ADMINISTRATION</u>

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

- 6.1 Flood Resiliency Project Director
- 6.1.1 Request-for-Decision: Resolution for Expropriation of a Partial Parcel for Berm Construction affecting Lot 7, Plan 9911430
 80 Railway Avenue, Rosedale

Request-for-Decision Resolution to Expropriate Notice of Intention to Expropriate Parcel Map – Schedule 'A' 6.1.1 Proposed Motion:

That Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to a portion of land described as Lot 7, Plan 9911430; Title Number 171 233 365

- 6.2 Chief Administrative Officer
- 6.2.1 Request-for-Decision: Bylaw 18.24

Request-for-Decision Bylaw 18.24 - Midlandvale Community Hall Road Closure

Proposed Motion:

That Council give first reading to Midlandvale Community Hall Road Closure Bylaw #18.24 and set the Public Hearing date for July 22, 2024.

6.2.2 Request-for-Decision: Bylaw #15.25

<u>Request-for-Decision</u> <u>Bylaw #15.25 – Safety Codes Permit Bylaw (2nd Reading)</u> <u>Bylaw #01.12 – Safety Codes Permit Bylaw (Current)</u>

Proposed Motion: That Council give 2nd reading to Safety Codes Bylaw #15.24.

Proposed Motion: That Council give 3rd reading to Safety Codes Bylaw #15.24.

EMERGENCY AND PROTECTIVE SERVICES

- 6.3 Acting Director of Emergency and Protective Services
- 6.3.1 Briefing: Paid Parking
- 6.3.2 Request-for-Decision: HS-C-01 Health and Safety Policy

<u>Request-for-Decision</u> <u>HS-C-01 – Health and Safety Policy (Proposed)</u> <u>C-09-21 – Health and Safety Policy (Current)</u>

Proposed Motion: that Council adopt the Health and Safety Policy HS-C-01

CORPORATE AND COMMUNITY SERVICES

6.4 Manager of Recreation, Arts and Culture

6.4.1 Request-for-Decision: Drumheller Sports Council Task Force Participants

Request-for-Decision

Proposed Motion:

That Council appoint the following individuals to the Drumheller Sports Council Task Force for the purpose of the development of the terms and reference, and the establishment of the Sports Council, for the duration of the Drumheller Sports Council Task Force, or until December 31, 2024:

Linda Traquair, Robert Visser, Kristi Murphy, Debra Walker, Rachel Graf, Ken Fournier, Krymsen Suelzle, Melanie Hardy and Blair Christianson

7. CLOSED SESSION

7.1.1 Third-Party Agreements and Strategic Planning

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

FOIP 23 – Local public body confidences

FOIP 24 – Advice from Officials

FOIP 25 – Disclosure harmful to economic and other interests of a public body

Proposed Motion:

That Council close the meeting to the public to discuss Third-Party Agreements and Strategic Planning as per FOIP 16 – Disclosure harmful to business interests of a third party; FOIP 23 – Local public body confidences; FOIP 24 – Advice from Officials And FOIP 25 – Disclosure harmful to economic and other interests of a public body.

Proposed Motion: That Council open the meeting to the public

8. ADJOURNMENT

Proposed Motion: That Council adjourn the meeting.



TOWN OF DRUMHELLER REGULAR COUNCIL MEETING

MINUTES

TIME & DATE: 4:30 PM – Monday, June 3, 2024 LOCATION: Council Chambers, 224 Centre St and ZOOM Platform and Live Stream on Drumheller Valley YouTube Channel

IN ATTENDANCE

Mayor Heather Colberg (Regrets) Councillor Patrick Kolafa Councillor Stephanie Price Councillor Tony Lacher (Regrets) Councillor Crystal Sereda Councillor Lisa Hansen-Zacharuk Councillor Tom Zariski Chief Administrative Officer: Darryl Drohomerski Director of Corporate & Community Services: Victoria Chan (Regrets) Acting Director of Infrastructure: Kevin Blanchett (Regrets) Dir. of Emergency and Protective Services: Greg Peters (Regrets) Flood Mitigation Project Manager: Deighen Blakely Reality Bytes IT: David Vidal Recording Secretary: Mitchell Visser

1. CALL TO ORDER

Deputy Mayor Sereda called the meeting to order at 4:30 PM.

2. OPENING COMMENTS

Council proclaimed that June 3rd - June 9th is Senior's week. There are events taking place this week to celebrate Seniors. There is Seniors Golf taking place Wednesday, June 5th in the morning at the Golf Course.

Last week was Alberta Rural Health Week. Congratulations to everyone at the Health Centre for everything that you do.

Please ensure planters outside of your business stay watered. If you have any questions, please contact the community business association or Kevin Blanchet at Public Works.

Deputy Mayor Sereda stated that she had the privilege of attending both convocations for the local high schools. Between the two schools, over \$100,000 was given in scholarships. All of these scholarships were given by local individuals or businesses. Thank you to all the local businesses that continue to support our community.

Council announced that the meeting on June 10, 2024 will be in a closed strategic planning session. Therefore, there will be no recording of council and the meeting will be closed to the public. We will be back on June 17th, 2024.

3. ADDITIONS TO THE AGENDA

No Additions to the Agenda.

4. ADOPTION OF AGENDA

- 4.1 Agenda for June 03, 2024 Regular Council Meeting
- M2024.184 Moved by Councillor Price, Councillor Kolafa that Council adopt the agenda for the June 03, 2024, Regular Council meeting as presented.

CARRIED UNANIMOUSLY

5. <u>MEETING MINUTES</u>

5.1 Minutes for the May 21, 2024 Regular Meeting of Council

Agenda Attachment: Regular Council Meeting – May 21, 2024 – Minutes

M2024.185 Moved by Councillor Kolafa, Councillor Price That Council approve the minutes for the May 21, 2024 Regular Meeting of Council as presented.

CARRIED UNANIMOUSLY

6. <u>COUNCIL BOARDS AND COMMITTEES</u>

6.1 Minutes: Drumheller and District Seniors Foundation (DDSF)

Agenda Attachment: Regular Meeting – April 18, 2024 – Minutes

M2024.186 Moved by Councilor Zariski, Councillor Hansen-Zacharuk that Council accept as information the Drumheller and District Seniors Foundation (DDSF) regular meeting minutes of April 18, 2024 as presented.

CARRIED UNANIMOUSLY

7. <u>REPORTS FROM ADMINISTRATION</u> Timestamp: <u>6:58</u>

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

7.1 Chief Administrative Officer

7.1.1 Request-for-Decision: Bylaw 16.24

Agenda Attachment: Request-for-Decision; Bylaw 16.24 - Newcastle West Lot 1 PUL, Lot 2 PUL, Lot 3 PUL

M2024.187 Moved by Councillor Hansen-Zacharuk, Councillor Price That Council give first reading to Bylaw 16.24 - Newcastle West Lot 1 PUL, Lot 2 PUL, Lot 3 PUL

CARRIED UNANIMOUSLY

M2024.188 Moved by Councillor Price, Councillor Kolafa that Council gives Second Reading to Bylaw 16.24 - Newcastle West Lot 1 PUL, Lot 2 PUL, Lot 3 PUL.

CARRIED UNANIMOUSLY

M2024.189 Moved by Councillor Kolafa, Councilor Zariski that Council give unanimous consent for Third Reading of Bylaw 16.24 - Newcastle West Lot 1 PUL, Lot 2 PUL, Lot 3 PUL.

CARRIED UNANIMOUSLY

M2024.190 Moved by Councillor Price, Councillor Hansen-Zacharuk that Council gives Third and final Reading to Bylaw 16.24 - Newcastle West Lot 1 PUL, Lot 2 PUL, Lot 3 PUL.

CARRIED UNANIMOUSLY

7.1.2 Request-for-Decision: Bylaw 17.24

Agenda Attachment: Request-for-Decision; Bylaw 17.24 - Newcastle West Lot 4 PUL, Lot 5 PUL

M2024.191 Moved by Councillor Kolafa, Councillor Hansen-Zacharuk that Council gives First Reading to Bylaw 17.24 - Newcastle West Lot 4 PUL, Lot 5 PUL

CARRIED UNANIMOUSLY

M2024.192 Moved by Councillor Price, Councillor Kolafa that Council gives Second Reading to Bylaw 17.24 - Newcastle West Lot 4 PUL, Lot 5 PUL.

CARRIED UNANIMOUSLY

M2024.193 Moved by Councilor Zariski, Councillor Price that Council give unanimous consent for Third Reading of Bylaw 17.24 - Newcastle West Lot 4 PUL, Lot 5 PUL.

CARRIED UNANIMOUSLY

M2024.194 Moved by Councillor Price, Councillor Hansen-Zacharuk that Council gives Third and final Reading to Bylaw 17.24 - Newcastle West Lot 4 PUL, Lot 5 PUL.

CARRIED UNANIMOUSLY

- 7.2 Flood Resiliency Project Director Timestamp: <u>16:40</u>
- 7.2.1 Request-for-Decision: Resolution for Expropriation of a Partial Parcel for Berm Construction affecting Plan Nacmine 7125DD, Block "B", Excepting that portion which lies to the east of a line drawn parallel with and one hundred and three (103) feet perpendicularly distant north westerly from the south easterly boundary of said block 44 2 Avenue, Nacmine

Agenda Attachment: Request-for-Decision; Certificate of Approval; Resolution of Council

M2024.195 Moved by Councilor Zariski, Councillor Hansen-Zacharuk that Council approve the Certificate of Approval and Resolution for Expropriation pertaining to a portion of the parcel of land described as Plan Nacmine 7125DD, Block "B", Excepting that portion which lies to the east of a line drawn parallel with and one hundred and three (103) feet perpendicularly distant north westerly from the south easterly boundary of said block; Title Number 061 102 801.

CARRIED UNANIMOUSLY

7.2.2 Request-for-Decision: Resolution for Expropriation of a Partial Parcel for Berm Construction affecting Plan Nacmine 7125DD, that portion of the south easterly thirty one and forty hundredths (31.40) metres in perpendicular width of Block "B" which lies to the north east of the south west twenty two and eighty six hundredths (22.86) metres of the said Block "B", excepting thereout: Subdivision Plan 9312239 containing 0.072 hectares (0.180 acres) more or less 287 1 Street, Nacmine

Agenda Attachment: Request-for-Decision; Certificate of Approval; Resolution of Council

M2024.196 Moved by Councillor Price, Councillor Hansen-Zacharuk that Council approve the Certificate of Approval and Resolution for Expropriation pertaining to a portion of the parcel of land described as Plan Nacmine 7125DD, that portion of the south easterly thirty one and forty hundredths (31.40) metres in perpendicular width of Block "B" which lies to the north east of the south west twenty two and eighty six hundredths (22.86) metres of the said Block "B", excepting thereout: Subdivision Plan 9312239 containing 0.072 hectares (0.180 acres) more or less; Title Number 001 142 256.

CARRIED UNANIMOUSLY

7.2.3 Request-for-Decision: Resolution for Expropriation of One Parcel for Berm Construction affecting Lot 18A, Block 10, Plan 9410239
 492 Railway Avenue, Rosedale

Agenda Attachment: Request-for-Decision; Certificate of Approval; Resolution of Council

M2024.197 Moved by Councillor Kolafa, Councillor Hansen-Zacharuk that Council approve the Certificate of Approval and Resolution for Expropriation pertaining to the parcel of land described as Lot 18A, Block 10, Plan 9410239; Title Number 201 030 219.

CARRIED UNANIMOUSLY

 7.2.4 Request-for-Decision: Abandonment and discharge of the Notice of Intention to Expropriate for the Partial Parcel for Berm Construction affecting: Lot 6A, Block 10, Plan 0610286 503 Railway Avenue, Rosedale

Agenda Attachment: Request-for-Decision; Request-for-Decision (Partial Acquisition), Resolution to Expropriate; Notice of Intention to Expropriate (February 26, 2024); Notice of Abandonment of Expropriation

M2024.198 Moved by Councilor Zariski, Councillor Hansen-Zacharuk

that Council directs Administration to abandon the Notice of Intention to Expropriate for partial taking signed and dated the 26th day of February 2024 pertaining to a portion of the parcel of land legally described as:

Lot 6A, Block 10, Plan 0610286; Title Number 061 036 718 +1.

and take all necessary steps and execute all necessary documents required by the Expropriation Act RSA 2000, Chapter E-13 as amended in furtherance of this abandonment.

CARRIED UNANIMOUSLY

7.2.5 Request-for-Decision: Resolution for Expropriation of One Parcel for Berm Construction affecting
 Lot 6A, Block 10, Plan 0610286
 503 Railway Avenue, Rosedale

Agenda Attachment: Request-for-Decision (Full Acquisition); Resolution to Expropriate; Notice of Intention to Expropriate (NOITE)

M2024.199 Moved by Councillor Hansen-Zacharuk, Councillor Price that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to the parcel of land described as Lot 6A, Block 10, Plan 0610286; Title Number 061 036 718 +1.

CARRIED UNANIMOUSLY

M2024.200 Moved by Councillor Kolafa, Councillor Price That Council rescind motion M2024.185, regarding the approval of the minutes for the May 21, 2024 Regular Council Meeting of Council.

CARRIED UNANIMOUSLY

M2024.201 Moved by Councilor Zariski, Councillor Price That Council approve the minutes for the May 21, 2024 Regular Council Meeting of Council as presented.

CARRIED UNANIMOUSLY

- 7.3 Development Officer Timestamp: <u>38:35</u>
- 7.3.1 Request-for-Decision: Safety Codes Bylaw #15.24

Agenda attachment: Request-for-Decision; Safety Codes Bylaw #15.24 (2nd Reading); Safety Codes Bylaw #01.12

M2024.202 Moved by Councillor Hansen-Zacharuk, Councillor Kolafa That Council give 2nd reading to Safety Codes Bylaw #15.24.

TABLED

M2024.203 Moved by Councillor Hansen-Zacharuk, Councillor Price To table the motion due to new information to allow administration to adjust and evaluate the new information, and that second reading, with changes, be brought forward to the next regular meeting of Council.

CARRIED UNANIMOUSLY

7.3.2 Request-for-Decision: Land Use Amending Bylaw #12.24

Agenda attachment: Request-for-Decision; Land Use Amending Bylaw #12.24 (3rd Reading); Land Use Bylaw #16.20 (Tracked Changes); Land Use Bylaw #16.20 (Original)

M2024.204 Moved by Councillor Price, Councillor Kolafa That Council give 3rd reading to the Land Use Amending Bylaw #12.24.

CARRIED UNANIMOUSLY

10. ADJOURNMENT

M2024.205 Moved by Councillor Hansen-Zacharuk, Councillor Price That Council adjourn the meeting.

CARRIED UNANIMOUSLY

Council adjourned the meeting at 5:22 PM

MAYOR

CHIEF ADMINISTRATIVE OFFICER



REQUEST FOR DECISION

| TITLE: | Drumheller Resiliency and Flood Mitigation Program – Resolution for Expropriation of a Partial Parcel for Berm Construction affecting Lot 7, Plan 9911430 80 Railway Avenue, Rosedale | |
|---------------|--|--|
| DATE: | June 17 th , 2024 | |
| PRESENTED BY: | Z: Deighen Blakely, P.Eng., Project Director Flood Resiliency Program | |
| | Resolution to Expropriate Notice of Intention to Expropriate Parcel Map – Schedule 'A' | |

SUMMARY:

Through the Drumheller Resiliency and Flood Mitigation Program, The Town of Drumheller is undertaking construction of structural flood mitigation in the form of berms. To proceed with construction of the Rosedale Berm starting in the spring of 2025, partial acquisition of land from this parcel is required. Negotiations with the impacted landowner began in October 2023 and have been on-going over the past several months. The subject partial acquisition property owner has not accepted our purchase offer of Fair Market Value, as determined by an appraisal, for the portion of the property needed for berm construction within the timelines given. As such, the next step in obtaining the land required for Rosedale Berm construction is expropriation. A Resolution Approving Expropriation must be passed by Council directing its officers and solicitors to take all necessary steps to compete the expropriation.

RECOMMENDATION:

Administration recommends that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to 80 Railway Avenue (9911430; ;7), as presented.

DISCUSSION:

Under Council Policy C-03-22 for Land Acquisition for the Drumheller Resiliency and Flood Mitigation Program, and the Provincial Grant Funding Agreement for 18GRSTR41, partial parcel acquisitions can be made at the higher of the appraised or assessed value. An offer has been made to the impacted property owners for the Rosedale Berm project on this basis and the offer has been rejected. Expropriation is the next step in acquiring the property needed to construct the berm.

FINANCIAL IMPACT:

The costs of the land purchase and associated legal fees for the proceedings are eligible for 100% funding under the Alberta Government 18GRSTR41 Grant. Alberta Environment and Protected Areas has indicated that they will not compensate for land acquisition over and above the appraised value of the land which has been their practice for all other flood mitigation projects undertaken in the Province. Damages awarded to plaintiffs due to expropriation of their property may be considered for funding on a case-by-case basis by the Alberta Government. Alberta Environment and Protected Areas' legal team will review the particulars behind any damage award before a decision on whether 18GRSTR41 can be used to support these costs. Any costs deemed ineligible will be the responsibility of the Town.

WORKFORCE AND RESOURCES IMPACT

Acquisition of land by means of expropriation versus by agreement requires significant additional Flood Office staff time to prepare expropriation documents for Council, present the documents, and

coordinate registration with Land Titles, estimated to be at minimum, two days of staff time per expropriation, assuming no objections are filed. Legislative Services staff also spend approximately a half day of time for expropriation to coordinate Council agendas, document signing and registrations at Land Titles. Additionally, the Town requires support from legal counsel and a professional surveyor, which results in additional costs to the Town and additional effort for coordination.

STRATEGIC POLICY ALIGNMENT:

Town Bylaw 11.21 states that Council's Vision is "through a proactive flood-mitigation strategy, we are committed to changing the channel on flood readiness with a sustainable plan to protect Drumheller from future flooding. Together, we will shape the future of our community by protecting our people, our property, our economic growth, our environment and our cultural heritage". Completing the expropriation is required to obtain the property necessary for the berm construction and will allow the Town free access to manage and maintain the new berms and associated infrastructure moving forward.

COMMUNICATION STRATEGY:

Direct notice of the intended expropriation will be provided to the affected property owners, and all parties with a registered interest in the subject lands, as soon as practicably possible given the legislated considerations and the registration delays at Land Titles. Concurrent with the affected property owners being served with Notice of the Intention to Expropriate, same will be advertised twice in the local newspaper 7-14 days apart, as contemplated in the Expropriation Act.

MOTION:

Councillor ______ moves that Council approve the Resolution for Expropriation and Notice of Intention to Expropriate pertaining to a portion of land described as Lot 7, Plan 9911430; Title Number 171 233 365

SECONDED:

Prepared by: Mia Bierd, Project Assistant DRFMO Project Assistant

Reviewed by: Deighen Blakely, P.Eng. DRFMO Project Director

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

EXPROPRIATION ACT R.S.A. 2000, Chapter E-13, as amended

RESOLUTION

REGARDING EXPROPRIATION FOR THE PURPOSE OF ACQUIRING A FEE SIMPLE ESTATE OVER CERTAIN LANDS LOCATED WITHIN THE TOWN OF DRUMHELLER

WHEREAS the **TOWN OF DRUMHELLER** is desirous of acquiring a fee simple estate for the purposes of facilitating the construction of flood mitigation works to protect surrounding lands from future flooding events in the following lands depicted on Schedule 'A' attached hereto and more particularly described as:

THAT PORTION OF:

"PLAN 9911430 LOT 7 CONTAINING 0.421 HECTARES (1.04 ACRES) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS"

INCLUDING:

FEE SIMPLE ESTATE WHICH LIES WITHIN:

PLAN AREA 'A' EXCEPTING THEREOUT ALL MINES AND MINERALS

(such lands to be the subject of the taking hereinafter referred to as "the Lands").

AND WHEREAS pursuant to the provisions of the *Municipal Government Act*, RSA 2000, c. M-26, as amended, the **TOWN OF DRUMHELLER** has the authority to acquire a fee simple estate with respect to the Lands by expropriation;

AND WHEREAS the **TOWN OF DRUMHELLER** deems it to be in the public interest and good that the estate in fee simple in the Lands be acquired by expropriation;

AND WHEREAS the **TOWN OF DRUMHELLER** is desirous of acquiring the Lands pursuant to the provisions of the *Expropriation Act*, RSA 2000, c. E-13, as amended;

NOW THEREFORE BE IT RESOLVED:

1. THAT the proceedings shall be commenced by the **TOWN OF DRUMHELLER**, its servants, officers or agents to expropriate the Lands, in fee simple estate.

2. THAT the officers, servants or agents of the **TOWN OF DRUMHELLER** and the solicitors for the **TOWN OF DRUMHELLER** be, and are hereby authorized and directed to do all things necessary to initiate, carry out and conclude the expropriation proceedings under the provisions of the *Expropriation Act*, or otherwise and they are hereby authorized and empowered to sign, seal, serve and publish the necessary documents to initiate, proceed with and conclude the said expropriation, as applicable.

EXPROPRIATION ACT R.S.A. 2000, Chapter E-13, as amended

RESOLUTION

REGARDING EXPROPRIATION FOR THE PURPOSE OF ACQUIRING A FEE SIMPLE ESTATE OVER CERTAIN LANDS LOCATED WITHIN THE TOWN OF DRUMHELLER

MOVED AND PASSED by Council this _____ day of _____, 2024.

TOWN OF DRUMHELLER

Heather Colberg, Mayor

Darryl Drohomerski, C.E.T., Chief Administrative Officer

THE EXPROPRIATION ACT RSA 2000, Ch. E-13 (Section 8)

NOTICE OF INTENTION TO EXPROPRIATE

1. TAKE NOTICE that the **TOWN OF DRUMHELLER** as Expropriating Authority intends to expropriate the following lands depicted on Schedule 'A' attached hereto and more particularly described as:

THAT PORTION OF: "PLAN 9911430 LOT 7 EXCEPTING THEREOUT ALL MINES AND MINERALS" INCLUDING:

FEE SIMPLE ESTATE WHICH LIES WITHIN: PLAN AREA 'A' EXCEPTING THEREOUT ALL MINES AND MINERALS

(such lands to be the subject of the taking hereinafter referred to as "the Lands")

- 2. The nature of the interest in the Lands intended to be expropriated is: the fee simple estate shown and marked as Area 'A' on Schedule 'A'.
- 3. The work or purpose for which the interest in the Lands is required is:

• Construction and/or enhancement of existing dikes, berms, retaining walls, erosion protection, overland drainage courses, storm water outfalls, control structures and associated appurtenances;

• for the retention and development of Natural Areas, Environmental Reserves, Municipal Reserves, Public Utility Lots, and other uses as approved by approval authorities; and

• access for purposes of construction and/or maintenance of the above.

- 4. Section 6 of the *Expropriation Act* provides that:
- "6(1) No person may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriate.
- (2) In any proceedings under this Act the owner may question whether the taking of the land, or the estate or interest therein, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority."
- 5. Section 10 of the *Expropriation Act* provides that:
- "10(1) An owner who desires an inquiry shall serve the approving authority with a notice of objection,
- (a) in the case of an owner served in accordance with section 8(2), within 21 days after service on the owner of the notice of intention; and
- (b) in any other case, within 21 days after the first publication of the notice of intention.
- (2) The notice of objection shall state:

- (a) the name and address of the person objecting;
- (b) the nature of the objection;
- (c) the grounds on which the objection is based; and
- (d) the nature of the interest of the person objecting.
- 6. A person affected by the proposed expropriation does not need to serve an objection to the expropriation in order to preserve his right to have the amount of compensation payable determined by the Alberta Land and Property Rights Tribunal or the Court, as the case may be.
- 7. The Approving Authority with respect to this expropriation is the **TOWN OF DRUMHELLER** located at 224 Centre Street, Drumheller, Alberta, T0J 0Y4

Dated at the Town of Drumheller, in the Province of Alberta, this _____ day of _____, 2024.

TOWN OF DRUMHELLER

Per:_

Heather Colberg, Mayor

(c/s)

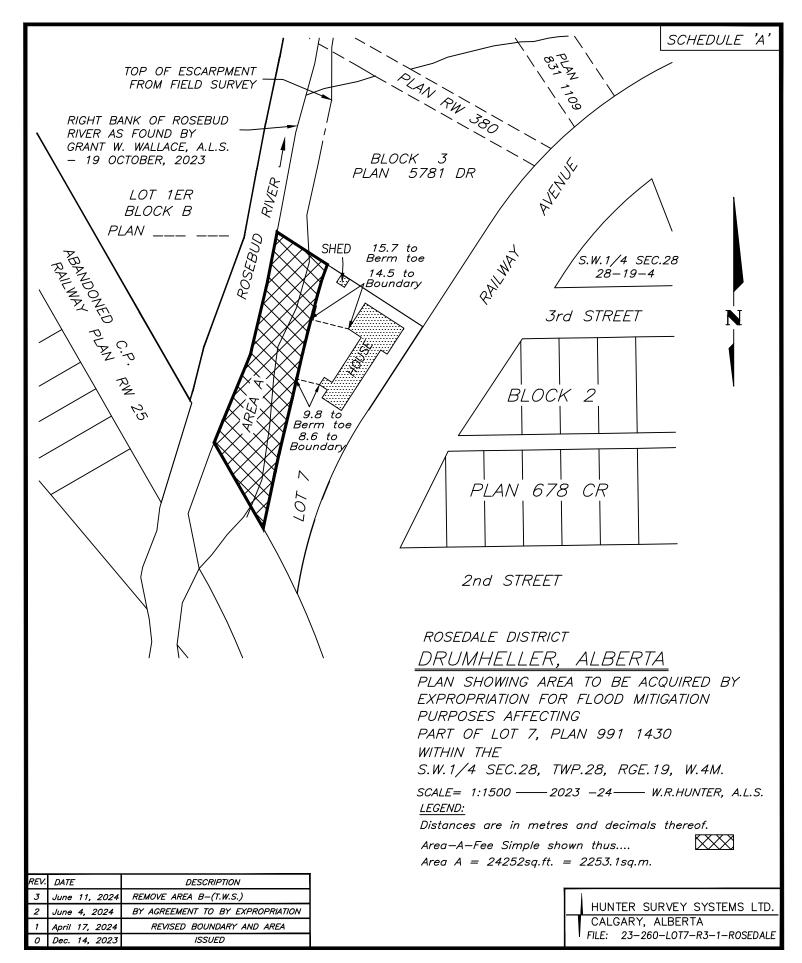
Per:____

Darryl Drohomerski, C.E.T., Chief Administrative Officer

The full name and address of the expropriating authority is:

TOWN OF DRUMHELLER

Attention: Darryl Drohomerski, C.E.T. Chief Administrative Officer 224 Centre Street Drumheller, AB T0J 0Y4 Phone: 403-823-1312 Fax: 403-823-7739 ddrohomerski@drumheller.ca





REQUEST FOR DECISION

| TITLE: | Bylaw #18.24 – Midlandvale Community Hall Road Closure | |
|---------------------|--|--|
| DATE: June 17, 2024 | | |
| PRESENTED BY: | Darryl Drohomerski, C.E.T., CAO | |
| ATTACHMENT: | ATTACHMENT: Bylaw #18.24 – Midlandvale Community Hall Road Closure | |

SUMMARY:

The Midlandvale Community Hall Association recently began construction of a new Outdoor Rink. During the process of applying for Development Permits, it was determined that a portion of the land being used for the Outdoor Rink Project, as well as their existing building, is on an unused municipal right-of-way.

As the undeveloped road allowance is no longer required or utilized for public travel, and because the land is required for the completion of the Outdoor Rink, the Town of Drumheller would like to permanently close a portion of the road allowance and sell the land to the Midlandvale Community Hall Association.

In accordance with Section 22 of the Municipal Government Act c.m-26, R.S.A, 2000:

- a) all roads in a municipality that are subject to the direction, control and management of a municipality must be closed by bylaw;
- b) the municipality must hold a public hearing in respect to the proposed bylaw; and,
- c) All road closure bylaws must be approved by the Minister of Transportation and Economic Corridors before it receives second reading.

RECOMMENDATION:

That Council gives first reading to Midlandvale Community Hall Road Closure Bylaw #18.24 and sets the Public Hearing date for Monday, July 22, 2024

DISCUSSION:

Similar to other municipalities, the administrative costs associated with closure of the road allowance will be the responsibility of the applicant. Terms related to the administrative fees and cost of the land will be discussed with the applicant.

FINANCIAL IMPACT:

The administrative costs associated with the road closure are estimated to be about \$2,000, with most of the cost attributed to the requirement to advertise in the local newspaper.

Request for Decision Page 2

STRATEGIC POLICY ALIGNMENT:

Council and Administration wish to correct any issues where private construction is or was undertaken on municipal land.

COMMUNICATION STRATEGY:

Notice of the proposed Road Closure and Public Hearing will take place via:

- a) newspaper ads in the Drumheller mail, running the weeks of July 3rd and July 10th;
- b) letters to adjacent proprietors within 200m of the proposed road closure; and,
- c) on the Town of Drumheller website as a media release on the Town calendar

MOTION:

That Council give first reading to Midlandvale Community Hall Road Closure Bylaw #18.24 and set the Public Hearing date for July 22, 2024.

Mitchell Visser

Prepared by: Mitchell Visser Manager of Legislative Services

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

TOWN OF DRUMHELLER BYLAW NUMBER 18.24 DEPARTMENT: DEVELOPMENT

Midlandvale Community Hall Road Closure

THIS IS A BYLAW of the TOWN OF DRUMHELLER, in the Province of Alberta for the purpose of closing portions of certain underdeveloped public Streets as depicted on:

SCHEDULE – A

and acquiring title to these lands in the name of the TOWN OF DRUMHELLER for retention or sale as Council may determine; in accordance with the Section 22 of the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta 2000, as amended.

WHEREAS; an application has been made by the Midlandvale Community Hall Association to have the subject public lane closed to public use and to consolidate this land with its adjacent titles; and

WHEREAS; this undeveloped portion of the lane created by subdivision plan No. 7291 C.G. within the S.E. 1/4 Section 9, in Township 29, Range 20, W. of the 4th. Meridian has never been developed, never used for public travel and will not be required for public road or other public purposes in the foreseeable future; and

WHEREAS; the Council of the Town of Drumheller is satisfied that this activity is in the best public interest and no one will be adversely affected by this road closure; and

WHEREAS; a notice of this Street closure was published in the Drumheller Mail once a week for two consecutive weeks; on and again on the last of such publications being at least five days before the day fixed for the passing of this Bylaw; and

WHEREAS; the Council of the Town of Drumheller held a public hearing on the day of , 2024 at their regular or special meeting of Council in which all interested parties were provided an opportunity to be heard;

NOW THEREFORE; be it resolved that the COUNCIL of the TOWN OF DRUMHELLER, in the Province of Alberta does hereby enact to close that portion of the undeveloped Lane depicted on the attached Schedule – 'A' which is more particularly described as:

THAT PORTION OF THE LANE IN BLOCK 4, PLAN 7291 C.G. THAT LIES NORTH OF THE EASTERLY PRODUCTION OF THE SOUTH BOUNDARY OF LOT 15.

EXCEPTING THEREOUT ALL MINES AND MINERALS

to public travel and acquiring titles to these lands in the name of the TOWN OF DRUMHELLER with a mailing address of; 224 Centre Street, DRUMHELLER, Alberta T0J 0Y4 pursuant to Sections 22 of the Municipal Government Act, being Chapter M-26, of the Revised Statues of Alberta 2000, as amended.

2024.

SHORT TITLE

This Bylaw may be cited as the "Midlandvale Community Hall Road Closure Bylaw"

TRANSITIONAL

This Bylaw takes effect on the day of the third and final reading.

READ AND PASSED THE FIRST TIME BY THE COUNCIL OF THE TOWN

DRUMHELLER this da

day of

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

DARRYL E. DROHOMERSKI, C.E.T. CHIEF ADMINISTRATIVE OFFICER

APPROVED BY: ALBERTA TRANSPORTATION and ECONOMIC CORRIDORS

Seal

2024.

MINISTER OF ALBERTA TRANSPORTATION and ECONOMIC CORRIDORS 127 LEGISLATURE BUILDING, 10800 - 97 AVENUE, EDMONTON, AB, T5K 2B6

READ AND PASSED THE SECOND TIME BY THE COUNCIL OF THE TOWN

DRUMHELLER this

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

day of

DARRYL E. DROHOMERSKI, C.E.T. CHIEF ADMINISTRATIVE OFFICER

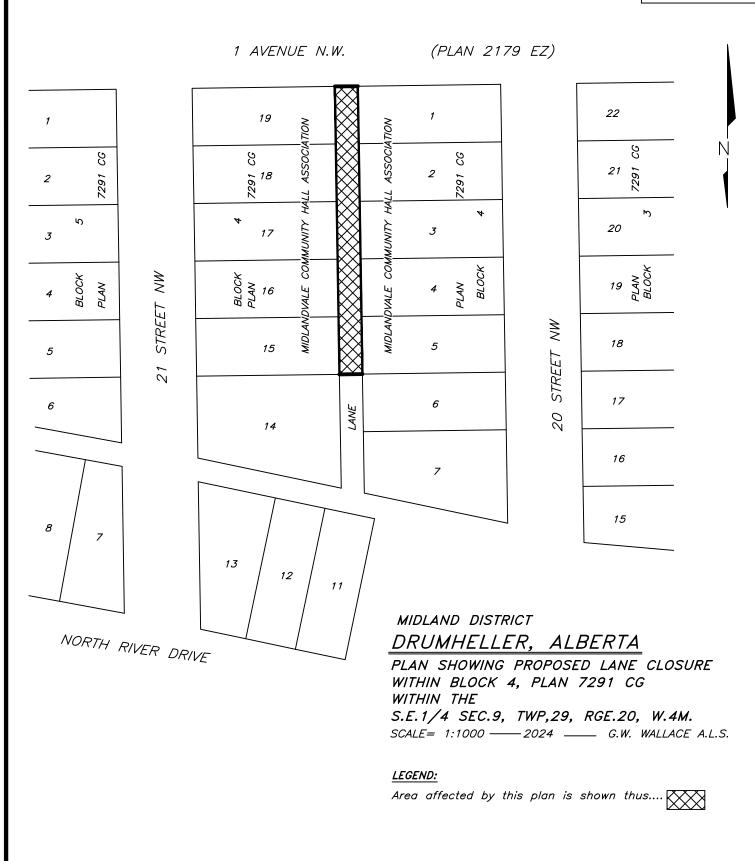
READ AND PASSED THE THIRD TIME BY THE COUNCIL OF THE TOWNDRUMHELLER thisday of2024.

MAYOR: HER WORSHIP; HEATHER COLBERG

Seal

DARRYL E. DROHOMERSKI, C.E.T. CHIEF ADMINISTRATIVE OFFICER

SCHEDULE 'A'



| | | | HUNTER WALLACE SURVEYS I |
|------|--------------|-------------|--------------------------|
| REV. | DATE | DESCRIPTION | DRUMHELLER, ALBERTA |
| 0 | May 29, 2024 | ISSUED | FILE: 24–106 |



REQUEST FOR DECISION

| TITLE: | Safety Code Bylaw #15.24 (2 nd Reading) | |
|---------------|--|--|
| DATE: | June 12, 2024 | |
| PRESENTED BY: | Darryl Drohomerski, C.E.T., CAO | |
| ATTACHMENTS: | HMENTS: Safety Code Bylaw #15.24 (2 nd Reading) | |
| | Safety Code By-law #01.12 | |

SUMMARY:

On June 3, 2024, Administration presented the 2nd reading for the Safety Codes Bylaw #15.24 to Council. Upon the 2nd reading Council did propose a request for some changes to Bylaw #15.24 at the meeting of June 3, 2024. Administration did an extensive review on the requested amendments from Council.

Since 2nd reading, Administration is recommending the following amendments:

| Section | Description | Type of Change |
|----------------|---|----------------|
| 2.1(h) | Removal of the Uniform in Quality Management Plan definition. | Removal |
| | The Town of Drumheller refers to specifically the Quality Management Plan, therefore eliminating the Uniform in the definition will ensure greater clarification for residents, developers and other stakeholders. | |
| 2.1(n) | Addition to Safety Codes Officer being employed either by the Town or an accredited agency, contracted by the Town, to enforce the Act. | Addition |
| | The clarification explains what ways the Town of Drumheller can appoint the position of the Safety Codes Officer and who can enforce the Act for the jurisdiction. | |
| 5.2 (a)(i-iii) | To omit confusion with the provisions for a building permit, the removal of this section will require all building undertakings to be issued a building permit, at the discretion of the Safety Codes Officer. | Removal |

RECOMMENDATION:

Council gives 2nd and 3rd reading to Safety Codes Bylaw #15.24.

DISCUSSION:

Administration reviewed all requests made from Council on June 3, 2024, discussion with the Permit Issuers and Planning and Development Department for the changes to Safety Codes Bylaw #15.24.

Request for Decision Page 2

The Town of Drumheller only references the Quality Management Plan when issuing permits, removing Uniform from the Quality Management Plan definition will reduce the possibility for concerns or questions.

The Safety Codes Officer can be contracted through a variety of streams, to ensure that the definition aligns with the potential employment of a Safety Codes Officer in the Town of Drumheller, the addition was made to improve clarity.

To remove red tape from the building permit process, the Safety Codes Officer can decide when the building permit requires a permit to be issued in order to start the undertakings of the building. This will ensure that applicants who are uncertain if they need a permit still proceed to the application process.

Some of the other suggestions that were presented on June 3 are about how the Town communicates the information to the public. A review of how this is presented on our Development and Permits web pages is currently underway.

FINANCIAL IMPACT:

Administration costs associated with amending this bylaw.

STRATEGIC POLICY ALIGNMENT:

Changes align with the goals established in the Municipal Development Plan and the Drumheller Valley Housing Strategy.

COMMUNICATION STRATEGY:

After 3rd and final reading, the Bylaw will be updated on our website, internal staff will be notified of the change and the planning and development webpage will be updated to reflect the changes in the Bylaw.

MOTION:

That Council give 2nd reading to Safety Codes Bylaw #15.24.

MOTION:

That Council give 3rd reading to Safety Codes Bylaw #15.24.

Connor Schweder

Prepared by: Administrative Intern

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

TOWN OF DRUMHELLER BYLAW NUMBER 15.24 DEPARTMENT: DEVELOPMENT AND PLANNING

A BYLAW OF THE TOWN OF DRUMHELLER IN THE PROVINCE OF ALBERTA, TO REGULATE THE PROVISIONS OF THE SAFETY CODES ACT FOR THE PURPOSE OF PERMITTING AS AN ACCREDITED MUNICIPALITY

WHEREAS, the Town of Drumheller has been designated as an accredited municipality by the Safety Codes Council of Alberta to administer and enforce the *Safety Codes Act*, RSA 2000, c S-1, and the codes established pursuant to this Act;

AND WHEREAS, pursuant to Section 66 of the *Safety Codes Act*, RSA 200, c S-1 an accredited municipality may pass bylaws respecting minimum maintenance standards for buildings and structures, fees for anything issued or any material or service provided, and respecting the carrying out of the power and duties of an accredited municipality;

AND WHEREAS, pursuant to Section 7 of the *Municipal Government Act*, RSA 2000, c M-26, a council may pass bylaws for municipal purposes respecting the following matters: the safety, health and welfare of people and the protection of people and property and for any services provided by or on behalf of the municipality;

AND WHEREAS, pursuant to Subsection 8(b) of the *Municipal Government Act*, RSA 2000, c M-26, a council may pass bylaws to deal with any development, activity, industry, business or thing in different ways, divide each of them into classes and deal with each class in different ways;

AND WHEREAS, pursuant to Subsection 8(c) of the *Municipal Government Act,* RSA 2000, c M-26, a Council may pass bylaws to provide for a system of licences, permits or approvals.

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

1. SHORT NAME

1.1 This Bylaw shall be cited as the "Safety Codes Permit Bylaw".

2. DEFINITIONS

- 2.1 For the purposes of the Bylaw, the following definitions shall apply:
 - a) "*Act*" means the *Safety Codes Act*, RSA 2000, c S-1, as amended from time to time and successor legislation;
 - b) "Bylaw" means the Safey Codes Permit Bylaw;
 - c) "*Construction Value*" means a total cost of all labour and materials required to build or construct the project for which the permit is requested or issued;
 - d) "Fee Schedule" means the Town of Drumheller Fees, Rates and Charges Bylaw 01.24,

as amended from time to time, and its successor legislation;

- e) "*Master Electrician*" means a person who is a holder of a Master Electrician Certificate issued by the Board of Certification;
- f) "*Occupancy*" means the use of intended use of a building or any part of a building for the shelter or support of individuals, animals, or property;
- g) "Owner" means a person who has care and control of an undertaking and includes a lessee, a person in charge, and a person who holds out that the person has the powers and authority of ownership, or who at the time being exercises the power and authority of ownership;
- h) "Quality Management Plan" means the Uniform Quality Management Plan for the Town;
- i) "Quality Management Plan Manager" means an employee of the Town responsible for the administration of the Quality Management Plan;
- j) "*Permit*" means the written authorization from the *permit issuer* to perform work regulated by this *Bylaw*, and may include permits for building, gas, electrical, plumbing, and private sewage;
- k) "Permit Issuer" means a Safety Codes Officer or a person designated to issue permits pursuant to the Act;
- I) "*Person*" means an individual, partnership, association, corporation, organization, business, cooperative, trustee, executor, administrator, or legal representative;
- m) "*Regulations*" means any regulations passed pursuant to the *Act*, including any codes adopted in such regulations;
- n) "Safety Codes Officer" means a certified building, electrical, plumbing, gas, or private sewage Safety Codes Officer pursuant to the Act and Regulations who is employed either by the Town or an accredited agency, contracted by the Town, to enforce the Act;
- o) "Single-Family Dwelling" means a house used or intended to be used by the owner of the building with habitable spaces;
- p) "Skilled Trades and Apprenticeship Education Act" means the Skilled Trades and Apprenticeship Education Act, SA 2021, c S-7.88, as amended from time to time and successor legislation;
- q) "*Town*" means the Town of Drumheller, a municipal corporation in the Province of Alberta, and includes the area contained within the corporate boundaries of the Town, as the context may require; and,
- r) "*Undertaking*" means the construction of a thing, control or operation of a thing, and process or activity to which the *Act* applies.

3. INTERPRETATION

3.1 Unless otherwise definded herein, the definitions contained in the Act and Regulations shall

have a similar meaning in this **Bylaw**.

- 3.2 Nothing in this **Bylaw** relieves a **person** from complying with any provision of any federal, provincial, or municipal law or regulation or any requirement of any lawful **permit**, order or licence.
- 3.3 The issuance of *permits*, or the carrying out of any inspections pursuant to this *Bylaw*, shall in no way be construed as a warranty by the *Town* of the fitness or suitability of any plans, designs or construction to meet the *owner's* purposes.
- 3.4 Each provision of this **Bylaw** is independent of all other provisions and if any provision is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this **Bylaw** remain valid and enforceable.
- 3.5 In this **Bylaw**, words in the singular include the plural and words in the plural include the singular.

4. SCOPE

- 4.1 This Bylaw applies to the issuance of permits respecting:
 - a) The construction, demolition, installation, alteration, repair, and removal of a building within the *Town*;
 - b) Occupancy or change in use of any building regulated by the Act within the Town; and,
 - c) The installation, alteration, or repair of electrical, plumbing, and gas equipment and systems regulated by the *Act* within the *Town*.

5. PERMITS REQUIRED

- 5.1 A *person* shall not start any *undertaking* for which a *permit* is required pursuant to the *Act*, the *Regulations*, or this *Bylaw* unless a valid and subsisting permit has been issued and is in effect.
- 5.2 A building *permit* is required to carry out work for any excavation, construction, change in *occupancy*, relocation, alteration, addition, repair, and demolition of any building or structure.
 - a) Notwithstanding Section 5.1, a building *permit* is not required to carry out the following:
 - i. Placement of a building that is manufactured in a plant that has a quality assurance program acceptable to the building administrator;
 - ii. Undertakings less than \$5,000 in construction value, unless deemed necessary by the Safety Codes Officer; or,
 - iii. Construction of retaining walls not exceeding 1 metre in height at the highest point.
- 5.3 An electrical *permit* is required to install, alter, or add to an electrical system except for:
 - a) Communication systems;

- Electrical installations to which the CSA Standard CAN/CSA M421-00(R2000) The Use of Electricity in Mines applies;
- c) Electrical installations related to an elevating device;
- d) Extra low voltage, Class 2 electrical circuits unless they are for any of the following:
 - i. safety control;
 - ii. locations described as hazardous in the Electrical Code;
 - iii. electro-medical purposes; and,
 - iv. lighting.
- e) The replacement of electrical equipment with units of a similar type if the replacement is made for the purpose of maintaining the system and does not modify the ratings or characteristics of the electrical installation.
- 5.4 A plumbing or private sewage *permit* is required to install, renew, or change any plumbing equipment or system except for:
 - a) Repairs or maintenance of a plumbing system or private sewage system; or,
 - b) The replacement of any fixture, water heater, faucet, valve, septic tank, or cistern provided there is no change to the piping system.

5.5 A gas *permit* is required to install, alter, or make an addition to any gas installation except:

- a) The replacement of a gas dryer or gas range if there is no design change made to the gas piping and venting system;
- b) Connection of a residential water heater or residential heating appliance with a similar type;
- c) Relocation, by a gas utility provider, of a meter from interior to the exterior of a building; or,
- d) New or replacement of a liquified petroleum tank with a capacity of not more than 300 litres including service line.
- 5.6 Notwithstanding this Section, if there is imminent serious danger to *persons* or property because of any thing, process or activity to which the *Act* applies or because of a fire hazard or risk of an explosion, a *person* may, without a *permit*, start an *undertaking* for which a *permit* is required pursuant to this *Bylaw* but that *person* must apply for a permit as soon as the danger, fire hazard or risk of explosion has been remedied.

6. PERMIT ELIGIBILITY

- 6.1 A *permit issuer* may issue a *permit* in the building discipline to the following:
 - a) A *person* having the appropriate certificate to carry out the *undertaking* as required by the *Skilled Trades and Apprenticeship Education Act*;

- b) An **owner** who resides or intends to reside in a **single-family dwelling** for the installation of building systems in the dwelling; or,
- c) An **owner's** agent.
- 6.2 A *permit issuer* may issue a *permit* in the electrical discipline to the following:
 - a) A *master electrician* for any electrical system within the scope of the *master electrician's* certification;
 - b) A restricted *master electrician* for any electrical system within the scope of the restricted *master electrician's* certification;
 - c) A rural wireman for an electrical undertaking in a residence, farm building or similar structure, in an area of Alberta prescribed by an administrator, if the service ampacity does not exceed 100 amperes and 300 volts single phase;
 - d) An **owner** who resides or intends to reside in a **single-family dwelling** for the installation of building systems in the dwelling;
 - e) An *owner* of a farm building served by a single-phase electrical system;
 - f) An *owner*, operator or designate of a power line construction company or an electrical utility for the construction of an overhead or underground power system governed by the Alberta Electrical Utility Code; and,
 - g) A sign installation technician to perform electrical undertakings within the scope of the technician's duties as permitted by the *Skilled Trades and Apprenticeship Education Act*.
- 6.3 A *permit issuer* may issue a permit in the gas discipline to the following:
 - a) A gasfitter as defined in the Skilled Trades and Apprenticeship Education Act;
 - b) An **owner** who resides or intends to reside in a **single-family dwelling** if the gas system serves the dwelling;
 - c) An *owner* of a farm building if the gas system serves the farm building;
 - d) A *person* who has satisfactorily completed a course of training acceptable to the Administrator for the installation of liquefied petroleum tanks;
 - e) A *person* who has satisfactorily completed a course of training acceptable to the Administrator for the installation of natural gas secondary lines; or,
 - f) A sheet metal worker as definded in the Skilled Trades and Apprenticeship Education Act if the permit is for the replacement of a furnace in a single-family dwelling including, if applicable, the replacement of the gas piping downstream of the shut off valves for the furnace.
- 6.4 A *permit issuer* may issue a *permit* in the plumbing discipline to the following:
 - a) A plumber as defined in the Skilled Trades and Apprenticeship Education Act;

- b) An **owner** who resides or intends to reside in a **single-family dwelling** if the plumbing system serves the dwelling;
- c) An owner of a farm building if the plumbing system serves the farm building; or,
- d) A *person* holding a valid private sewage installer certificate of competency, in respect of a portion of a plumbing system that is:
 - i. located outside the building; or,
 - ii. required for the treatment, flow control or pressure delivery of wastewater from a plumbing system that discharges into a municipal sewage collection system.
- 6.5 A *permit issuer* may issue a *permit* in the private sewage discipline to the following:
 - a) A certified private sewage system installer;
 - b) an **owner** who resides or intends to reside in a **single-family dwelling** for any private sewage system if the private sewage system serves the dwelling; and,
 - c) an **owner** of a farm building for any private sewage system if the private sewage disposal system serves the farm building.

7. PERMIT APPLICATION

- 7.1 In addition to to any other requirement, every **person** applying for a **permit** pursuant to the **Act**, the **Regulations**, or this **Bylaw** must provide to the **permit issuer**:
 - a) A completed application for the appropriate discipline;
 - b) Plans and specifications as required by the *permit issuer*;
 - c) The construction value of the proposed undertaking;
 - d) Any fees or charges outlined in the *fee schedule*; and,
 - e) Any additional information deemed necessary by the *permit issuer* for purposes of evaluation or processing of the application.

8. ISSUANCE OF PERMIT

- 8.1 The *permit issuer* shall issue a *permit* pursuant to the *Act*, the *Regulations*, or this *Bylaw* only when:
 - a) The *undertakings* described in the permit application, meets the requirements of the **Act**, the **Regulations**, and this **Bylaw**;
 - b) The plans and specifications submitted in the application meet the requirements of the *Act*, the *Regulations*, and this *Bylaw*; and,
 - c) Any outstanding fees and charges as outlined in the *fee schedule* are paid in full.
- 8.2 The permit issuer may place a valuation on any undertakings for the purpose of

calculating the required fee.

8.3 The *permit issuer* may impose any terms and conditions on any *permit* issued under this *Bylaw* as are deemed necessary to ensure compliance with the purpose and intent of the *Act*, this *Bylaw*, and any other legislative requirements.

9. PERMIT HOLDER OBLIGATIONS

- 9.1 A *person* to which a *permit* has been issued must:
 - a) Comply with the terms and conditions of the *permit*;
 - b) Call for inspections as outlined in the *Town's Quality Management Plan* and the *permit* conditions;
 - c) Comply with all inspection conditions and recommendations;
 - d) Undertake the construction, process, or activity in accordance with the *Act*, the *Regulations*, and this *Bylaw*;
 - e) Make at their own expense, the tests necessary to prove compliance with a *permit* or this *Bylaw* and shall promptly file a copy of all such tests or inspection reports with the appropriate *Safety Codes Officer*;
 - f) Ensure that all approved plans and specifications are available at the construction site at all resonable times for inspection by a **Safety Codes Officer**;
 - g) Ensure that a *permit* for the building discipline is posted, or other identified at the construction site;
 - h) Be responsible for any cost to repair any damage to public property or works located that occur as a result of the *undertaking* for which the *permit* was required; and,
 - i) Ensure the civic address for the property for which the *permit* was issued is clearly visible from the roadway to which the property is address.

10. REVISIONS & RE-EXAMINATION

- 10.1 The *permit issuer* may accept a revision to the construction for which a *permit* has been issued and determine the appropriate fee to be charged for the service.
- 10.2 Documents submitted with an application for a *permit* are incomplete or contain errors or omissions, the application may be rejected by the *permit issuer*. The documents may be re-submitted for further re-examinations upon payment in full of the required fee.
- 10.3 Any documents submitted which are incomplete and do not form the basis of the *permit* issued may be destroyed by the *permit issuer*.

11. TRANSFER

11.1 A *person* shall not transfer a *permit* to any other *person* unless the transfer has been authorized in writing by the *permit issuer*.

12. REFUSAL TO ISSUE, SUSPENSION, OR CANCELLATION

- 12.1 In addition to any powers pursuant to the *Act*, the *permit issuer* may refuse to issue a *permit*, and the *Safety Codes Officer* may revoke, suspend, or cancel a *permit* that has been issued, if:
 - a) An addition or alteration is made to an ongoing *undertaking* which renders it unsafe or reduces the level of safety below that which is intended in the *Act* or this *Bylaw*;
 - b) The *permit* was issued on the basis of incorrect, inadequate or insufficient information;
 - c) Payment in full has not been received for any applicable fee outlinded in the *fee schedule*;
 - d) There is a contravention of any condition under which the *permit* was issued; or,
 - e) The *permit* was issued in error.

13. PERMIT TERM AND EXTENSION

- 13.1 A *permit*, other than an *occupancy permit*, shall expire according to the expiry date, and terms and conditions set in the *permit*.
 - a) In the absence of an expiry date, a *permit* will expire in conformance with the *Act* and *Regulations*.
- 13.2 A *permit issuer* may extend a *permit* for a fixed period of time that they consider appropriate, if:
 - a) A written request from the permit holder is submitted;
 - b) The required fee outlined in the fee schedule is paid in full; and,
 - c) The existing *permit* has not been closed, expired, or revoked.
- 13.3 A *permit* that has expired may be reinstated by the *permit issuer* at the written request of the applicant within 30 days of expiry of the *permit* provided that:
 - a) No changes are made to the original *undertaking* orignally applied for; and,
 - b) The required fee outlined in the *fee schedule* have been paid in full.
- 13.4 A closed *permit* may be re-opened in the following circumstances:
 - a) The *permit* was closed in error;
 - b) Within thirty (30) days after the *permit* was closed, provided the *permit* has not expired; or,
 - c) At the *permit issuer's* sole discretion if the *permit* has been closed for more than thirty (30) days.

14. OCCUPANCY PERMIT

- 14.1 No *person* shall occupy, or allow the *occupancy* of, or use of, any building or portion thereof until:
 - a) A final inspection has occurred in all applicable disciplines; and
 - b) The building *Safety Codes Officer* has deemed the building or portion thereof ready to use or occupy via a final inspection report.
- 14.2 No *person* shall allow a change in use, tenancy or the *occupancy* classification is permitted without approval of a building *Safety Codes Officer*.
- 14.3 A **Safety Codes Officer** shall have the right to inspect the **occupancy permit** at any reasonable time.

15. INSPECTIONS

15.1 Any inspection conducted by the **Safety Codes Officer** shall be conducted in accordance with the **Town's Quality Management Plan**.

16. FEES AND BONDS

- 16.1 Every application for a *permit* required pursuant to this *Bylaw* must be accompanied by any applicable fees or charges as outlined in the *fee schedule*.
- 16.2 If any *undertaking* is commenced prior to a *permit* being issued pursuant to this *Bylaw*, the amount payable for the *permit* shall be double the cost of the fee as outlined in the *fee schedule*.
- 16.3 An additional fee is payable if an additional inspection is required for any of the following reasons:
 - a) The municipal address of the parcel for which the *permit* was issued is not displayed; or,
 - b) When an inspection has been previously arranged, and:
 - i. the **Safety Codes Officer** is unable to access the building during the scheduled inspection;
 - ii. the *undertaking* is not ready for an inspection upon arrival of the *Safety Codes Officer*; or,
 - iii. A previously identified deficiency has not been corrected.
- 16.4 The *Quality Management Plan Manager* may require a *person* to file a bond prior to the issuance of any *permit*.
 - a) Any bond required pursuant to this Section must be in the form and amount satisfactory to the *Quality Management Plan Manager* and shall be issued by a licensed Alberta bond issuer.

17. REFUNDS

- 17.1 A *person* who has paid a fee for a *permit* may cancel, withdraw or surrender the *permit* to the *permit issuer*, and make an application in writing for a refund.
 - a) The *Town* will maintain a holdback of 50% for any refunds issued.
 - b) The Safety Code Levy is non-refundable regardless of amount.
 - c) No refund of a fee shall be made if:
 - i. the *permit* has been revoked or has expired;
 - ii. the *occupancy*, relocation, construction, or demolition of the building or the installation of the mechanical equipment systems has commenced;
 - iii. an extension of the *permit* has been granted; or,
 - iv. an inspection has been completed.

18. SAFETY CODE OFFICER AUTHORITY

- 18.1 A **Safety Codes Officer** may exercise any and all powers given to him or her under the **Act**, and without restricting the generality of the foregoing is empowered to order:
 - a) The removal or demolition of any building or part thereof constructed in contravention of this **Bylaw**;
 - b) The removal or disconnection of any electrical, plumbing, or gas work *undertaken* in contravention of this *Bylaw*; and,
 - c) The cessation of any **occupancy** if any unsafe condition exists because of work being **undertaken** or not completed.

19. OFFENCE

19.1 Any *person* who contravenes the *Act* or regulations made pursuant thereto, including this *Bylaw*, shall be guilty of an offence under the *Act*.

20. GENERAL

- 20.1 The onus of proving that the *permit issuer* has issued a *permit* in relation to any *undertaking* otherwise regulated, restricted or prohibited by this *Bylaw* is on the person alleging the existence of such a *permit*.
- 20.2 The onus of proving that a *person* is exempt from the provisions of this *Bylaw* requiring a *permit* is on the *person* alleging the exemption.

21. TRANSITION

21.1 This **Bylaw** shall come into force and effect when it receives third reading and is duly signed.

21.2 Bylaw 01.12 is hereby repealed.

READ A FIRST TIME THIS __DAY OF MARCH, 2024

READ A SECOND TIME THIS __ DAY OF MARCH, 2024

READ A THIRD AND FINAL TIME THIS __ DAY OF APRIL, 2024

MAYOR

CHIEF ADMINISTRATIVE OFFICER

TOWN OF DRUMHELLER BY-LAW 01.12

Being a By-law of the Town of Drumheller respecting Safety Codes Services.

Council of the Town of Drumheller enacts as follows:

- (1) This By-law may be cited as the "Safety Codes By-law".
- (2) Words used in this By-law shall have the same meaning as ascribed to them in the Safety Codes Act.
- (3) No person shall commence the construction or demolition of any building unless that person is authorized to do so by a permit issued pursuant to the Safety Codes Act, Regulations and this By-law.
- (4) No person shall commence the installation, repair or alteration to any electrical system, gas system, plumbing system or heating/air conditioning system unless that person is authorized to do so by a permit issued pursuant to the Safety Codes Act, Regulations and this By-law.
- (5) Permits may be issued to:
 - (a) A contractor with a current Town of Drumheller business license and those in possession of a certificate of competence in accordance with the Tradesman Qualifications Act, where required.
 - (b) A homeowner to perform work in or within his own owner occupied single family dwelling.
- (6) The fees which shall be paid for permits issued and inspections hereunder are those contained in Schedule "A" attached to and forming part of the By-law.
- (7) The minimum construction value factors contained in Schedule "B" shall be used to estimate construction values for the calculation of Safety Code Permit fees.
- (8) Commence of construction prior to obtaining a permit may result in a fine or a permit fee doubling in required amount.
- (9) An applicant for a permit hereunder shall complete and file with the Town of Drumheller, an application form prescribed by him together with such plans, site plans and specifications and copies thereof as the Safety Codes Officer requires.
- (10) No person, firm or corporation shall use or occupy all or any portion of a new building, or all or any portion of an existing building where there is a change of occupancy for that portion of a building to be occupied unless the owner of the building shall have prior thereto obtained from the Town an occupancy permit issued pursuant to this By-law.

Page 2

- (11) Any person convicted of a breach of any provision of the Safety Codes Act shall be liable on conviction to a penalty outlined in the Safety Codes Act.
- (12) Council may amend Schedule "A" and "B" by resolution.
- (13) By-law 12.01 is hereby repealed.
- (14) This by-law comes into force upon the final passing hereof.

READ A FIRST TIME this 16th day of January, 2012.

READ A SECOND TIME this 16th day of January, 2012.

READ A THIRD AND FINAL TIME this 30th day of January, 2012.

Mayor hief Administrative Officer

TOWN OF DRUMHELLER BYLAW 01.12 SCHEDULE "A" SAFETY CODES FEES

BUILDING PERMIT FEES

• See Annual Service Fee Schedule

SAFETY CODES

NOTES:

- Safety Codes Council Levies are not included in permit fees.
- A fax/photo copy fee may be applied to permit where applicable
- A method of payment must accompany all permits before they will be processed. Methods of payment include cash, cheques, visa or master card
- Cancellation and refund of a permit refund and amount to be determined at the time of cancellation (minimum hold back 33%). No refund will apply after a time lapse of three months of date of issuance.

TOWN OF DRUMHELLER BYLAW 12.01 SCHEDULE "B" (effective February 1, 2012) PROJECT VALUE DETERMINATION FACTORS

Residential Occupancies

The project value, when determining the building permit fee, must include all costs associated with the construction of the residential dwelling excluding the cost of the land and any landscaping.

Commercial and Industrial Occupancies

The project value, when determining the building permit fee, must include the costs of all engineering, design, materials, and labour of the following components. These components are regulated by the Alberta Building Code and must be reviewed in accordance with the Safety Codes Act.

SITE

- Temporary buildings and services (tents, skids, stick-built structures, relocatable structures, modulars, sea cans etc.)
- Building access for emergency response vehicles
- Fire hydrants, fire pumps
- · Deep services for firewater, hydrants, plumbing, gas for building heat
- Storage of water supply for fire fighting (tanks, ponds reservoirs etc .--- if required)
- Other buildings, equipment shelters or facilities for fire fighting

BUILDING/STRUCTURE

- Foundation including site preparation
- Building structure including means of egress (elevators, stairs, landings, catwalks etc.)
- Exterior building envelope (cladding, doors, windows, overhead doors etc.)
- Interior platforms, floor and wall assemblies including fire separations
- Fire-resistance rating of building structural assemblies
- Smoke control

Structural support of tanks, process equipment, building services etc.

MECHANICAL

- Heating, ventilation & air conditioning
- Smoke and fire control (dampers, duct smoke detection etc.)
- Plumbing system (fixtures, drainage facilities etc.)
- Boilers, furnaces, pumps, and other fuel fired building appliances

ELECTRICAL

- Interior and exterior lighting
- Emergency lighting & exit signs
- Fire alarm & detection systems
- Emergency power supply (batteries, chargers, DC bus)
- Auxiliary power/outlets
- Telephone, radio, data, and security systems

FIRE PROTECTION

- Automatic fire suppression systems (sprinklers)
- Localized or alternate suppression systems (foam, deluge systems etc.)
- Standpipe and hose systems
- Portable fire extinguishers
- Gas detection, emergency shut down, etc. (industrial projects)

EQUIPMENT

- Project value must include the total value of all equipment, appliances, fixtures and other appurtenances
 required for the operation of the building.
- Process equipment that is directly used to produce the end product in industrial buildings should not be used in determining total project value.

LABOUR

- All costs associated with construction labour throughout the project
- All costs associated with engineering, design & consulting services throughout the project

MINIMUM CONSTRUCTION VALUE FACTORS

(effective February 1, 2012)

| Minimum Construction Value Factors | Per Square foot | Per Square Meter |
|---|---------------------------|---------------------|
| As of May 1, 2010 | | |
| Residential Housing | | |
| Single Family | \$150.00 | \$1,612.50 |
| Basement Development | \$40.00 | \$430.00 |
| Multi-Family (3 storeys or less) | \$170.00 | \$1,827.50 |
| Multi-Family (more than 3 storeys) | \$155.00 | \$1,666.25 |
| Townhouses or Rows | \$170.00 | \$1,827.50 |
| Garages (attached or detached) | \$35.00 | \$376.25 |
| Carport | \$35.00 | \$376.25 |
| Renovations | \$75.00 | \$806.25 |
| Apartments | | TAUDO AA |
| Concrete Construction | \$135.00 | \$1,451.25 |
| Masonry and Wood Construction | \$135.00 | \$1,451.25 |
| Basement Parkade | \$90.00 | \$967.50 |
| Above-Ground Parkade | \$90.00 | \$967.50 |
| Commercial (Offices, Restaurants, Service Stations, Strip | Malls, Warehouses) | |
| Concrete Construction | \$135.00 | \$1,451.25 |
| Masonry Construction | \$135.00 | \$1,451.25 |
| Masonry and Wood or Steel Construction | \$135.00 | \$1,451.25 |
| Steel Construction | \$135.00 | \$1,451.25 |
| Wood Construction | \$120.00 | \$1,290.00 |
| Renovations | \$120.00 | \$1,290.00 |
| Churches, Hotels, Schools | | SPACE BELLEVILLE |
| Concrete Construction | \$135.00 | \$1,451.25 |
| Masonry and Wood or Steel Construction | \$135.00 | \$1,451.25 |
| Nood Construction | \$120.00 | \$1,290.00 |
| Hospitals | | NY BARANA AND AND A |
| Concrete Construction | \$270.00 | \$2,902.50 |
| Masonry and Wood or Steel Construction | \$245.00 | \$2,633.75 |
| Vood Construction | \$215.00 | \$2,311.25 |
| ndustrial | len antes se transmission | |
| Call Superior Safety Codes Inc. at 1-866-999-4777 | | |



REQUEST FOR DECISION

| TITLE: | HS-C-01 – Health and Safety Policy | |
|---------------|--|--|
| DATE: | June 17, 2024 | |
| PRESENTED BY: | Greg Peters, Director of Emergency & Protective Services | |
| ATTACHMENTS: | TTACHMENTS: HS-C-01 – Health and Safety Policy (New) | |
| | C-09-21 – Health and Safety Policy (Old) | |

SUMMARY:

In 2023, the Alberta Municipal Health & Safety Association (AMHSA) revised questions in the audit tool used for COR Audits. To receive full marks for the Health & Safety Policy, the policy needs to contain:

- 1. Signature of the current senior manager
- 2. A declaration of management commitment to health and safety that addresses physical, psychological, and social well-being,
- 3. General health and safety responsibilities of managers, supervisors, workers, and contractors,
- 4. The expectation that employees will comply with applicable legislation and the organization's own health and safety standards.

The current policy states that "Safety is the direct responsibility of all managers, supervisors, employees, and contractors." However, Administration believes it is necessary to expand on these responsibilities.

RECOMMENDATION:

That council approves the revised Health & Safety Policy as presented.

DISCUSSION:

N/A

FINANCIAL IMPACT:

N/A

STRATEGIC POLICY ALIGNMENT:

The Town of Drumheller is legally required to align it's polices and procedures with the standards of the Occupational Health and Safety Act, Regulation and Code.

COMMUNICATION STRATEGY:

Once approved, the revised policy will be posted electronically and distributed to all department with instructions to remove the old policy and to display the new policy in a conspicuous area where workers have ease of access to it, and where it is likely to come to the attention of the workers.

MOTION:

Moves that Council adopt the Health and Safety Policy HS-C-01

Prepared by: Greg Peters Director of Emergency & Protective Services

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



COUNCIL POLICY

| NAME: | POLICY NUMBER: |
|------------------------|----------------|
| Health & Safety Policy | HS-C-01 |
| DEPARTMENT: | SUPERSEDES: |
| Health & Safety | C-09-21 |
| DATE APPROVED: | REVISION DATE: |
| June 14, 2024 | |

1. POLICY STATEMENT

The Town of Drumheller is committed to its health & safety program and will take all reasonable and practical measures to protect all employees, contractors, visitors, patrons, volunteers, and physical assets from accidental loss, damage, or injury.

In fulfilling this commitment to protect both people and property, management will provide and maintain a safe and healthful work environment committed to promoting the physical, psychological, and social well-being of all employees, contractors, and visitors.

2. PURPOSE

The employer, supervisors, and workers at the Town of Drumheller are responsible and accountable for the Town's health and safety performance. Active participation by everyone, every day, in every job is necessary for health and safety excellence.

3. SCOPE

This policy applies to all employees of the Town of Drumheller.

4. **DEFINITIONS**

- 4.1. "Act" means the Occupational Health and Safety Act, S.A, O-2.2 2020, as amended from time to time, and its successor legislation
- 4.2. *"Regulation"* means the *Occupational Health and Safety Regulation, A.R, 184/2021,* as amended from time to time and its successor legislation.
- 4.3. "*Code*" means the current version of the Occupational Health and Safety Code, as established by the Province of Alberta.

5. **RESPONSIBLITIES**

- 5.1. The employer will:
 - a) Take every reasonable precaution to ensure the workplace is safe;
 - b) Inform employees of any potential hazards in the workplace;
 - c) Train employees on how to safely use, handle, store and dispose of hazardous substances and how to handle emergencies;

- d) Ensure workers use any necessary personal protective equipment;
- e) Immediately report all critical injuries to the government department responsible for Occupational Health and Safety (OH&S); and,
- f) Appoint a competent supervisor who sets the standards for performance, and who ensures safe working conditions are always observed.
- 5.2. Supervisors will:
 - a) Make sure that workers work in compliance with the Act, Regulation and Code;
 - b) Make sure that workers use any equipment, protective devices or clothing the employer requires;
 - c) Inform workers about any workplace health and safety hazards that the supervisor is aware of;
 - d) Give workers written instructions on measures and procedures to be followed for their own protection, if prescribed by regulation; and,
 - e) Take every precaution reasonable in the circumstances to protect workers.
- 5.3. The Health & Safety Committee will:
 - a) Function as an advisory body;
 - b) Identify hazards and obtain information about them;
 - c) Recommend corrective actions;
 - d) Assist in resolving work refusal cases;
 - e) Participate in incident investigations and workplace inspections; and,
 - f) Make recommendations to the management regarding actions required to resolve health and safety concerns.
- 5.4. Contractors will:
 - a) Ensure the health and safety of persons at or near the workplace.
 - b) Co-ordinate activities between employers and self-employed persons.
 - c) Communicate health and safety information between employers and self-employed persons.
 - d) Ensure all the measures and procedures required by the *Act, Regulation and Code* are carried out; and,
 - e) Ensure every employee, self-employed person, and employer at the workplace complies with the *Act, Regulation and Code.*

- 5.5. Workers will:
 - a) Work in compliance with the *Act, Regulation and Code*;
 - b) Use personal protective equipment and clothing as directed by the employer;
 - c) Report workplace hazards and dangers to the supervisor or employer;
 - d) Work in a safe manner as required by the employer and use the prescribed safety equipment;
 - e) Take reasonable care to ensure their own health and safety and the health and safety of others while working; and,
 - f) Cooperate with the employer, supervisor, or any other person to protect workplace health and safety.
- 5.6. In addition, the employer, supervisors, and workers will:
 - a) Cooperate with any person exercising a duty imposed by the Act, Regulation or Code;
 - b) Comply with the *Act, Regulation and Code* and the Town of Drumheller health & safety standards; and,
 - c) be familiar with the rights, duties and requirements of the *Act, Regulation and Code* as it relates to their work.

6. TRANSITIONAL

- 6.1. This policy comes into effect on the day it is signed by the Chief Administrative Officer and Mayor of Drumheller.
- 6.2. This policy repeals Policy C-09-21.
- 6.3. This policy shall be reviewed at least once every three (3) years

CHIEF ADMINSTRATIVE OFFICER

MAYOR

REVISIONS



COUNCIL POLICY # C-09-21 SAFETY POLICY

Supersedes # C-01-19

1. PURPOSE

The Town of Drumheller is committed to the protection of all its employees, contractors, visitors, patrons, volunteers, and physical assets from accidental loss, damage, or injury.

In fulfilling this commitment to protect both people and property, management will provide and maintain a safe and healthful work environment committed to promoting the physical, psychological, and social well-being of all employees, contractors and visitors.

The Policy is in compliance with legislative requirements and will strive to eliminate any foreseeable hazards which may result in property damage, accidents or personal injury / illness.

2. POLICY STATEMENT

Employees and contractors will be responsible for minimizing accidents within our facilities and on municipal property. Employees, contractors and visitors will follow safe work practices and procedures.

Safety is the direct responsibility of all managers, supervisors, employees, and contractors.

All work will comply with federal, provincial, and municipal safety requirements.

Employees and contractors will be familiar with the Occupational Health and Safety Act and Regulations.

This policy does not take precedence over the Alberta Occupational Health and Safety Act and Regulations.

Date: December 13, 2021

DEPUTY. MAYOR

CHIEF ADMINISTRATIVE OFFICER



REQUEST FOR DECISION

| TITLE: | Drumheller Sports Council Task Force Participants | |
|--|---|--|
| DATE: | June 17, 2024 | |
| PRESENTED BY: Rick Ladouceur Manager of Recreation, Arts & Culture | | |
| ATTACHMENT: | Drumheller Sports Council Task Force Applications | |

SUMMARY:

The concept of the Drumheller Sports Council was derived from the 2023 Parks & Recreation Master Plan, for the purposes of advising the Town of Drumheller's Council in matters pertaining to Sports Development in the Drumheller Valley.

RECOMMENDATION:

The Administration is recommending the following appointments to the Drumheller Sports Council Task Force. One of the goals for the Task Force is to develop the Terms of Reference for the Sports Council by November 2024 for Council's approval.

DISCUSSION:

Based on Council decision on May 6, 2024, a call for Expressions of Interest for Task Force Members was made to multi-facility members and community sport organizations. By the end of May 2024, eight people have expressed interest in participating in the Drumheller Sports Council Task Force.

They are as follows:

Linda Traquair, Alberta 55 plus Provincial Board Member - Secretary Robert Visser, Drumheller Baseball Association - President Kristi Murphy, Drumheller Mixed Slo Pitch - President Debra Walker, Drumheller Curling Association - President Rachel Graf, Adult Volleyball League Representative Ken Fournier, Head Coach Drumheller Football Team Krymsen Suelzle, Drumheller Football President & Trainer Melanie Hardy, Canadian Badlands Aquatics Club Board Member Blair Christianson, Owner of the Jr. A Dragons

For more information, Task Force Expression of Interest applications are attached.

Notification of the Task Force members will be announced after Council's approval. They will be advised of the deliverables, meeting dates, timelines in June 2024.

The time commitment for the Task Force is from June to November 2024. It will include an introductory meeting in June, and a one-day (10:00am – 3:00pm) in-person meeting, and follow-up meetings on weekdays between 5:00pm. to 7:00pm. The exact day and timing for the follow-up meetings will be determined by the Task Force members at the first meeting.

The Task Force will develop the Terms of Reference for the Sports Council, while will address key criteria including member accountability, group diversity, and stakeholder representation.

FINANCIAL IMPACT:

It is understood the position on the Task Force is voluntary with no financial remuneration. The Manager of Recreation, Arts & Culture will provide the administrative support to the Task Force, and the costs will be absorbed internally from the operating budget of the Recreation, Arts & Culture, as financial impact.

STRATEGIC POLICY ALIGNMENT:

The Task Force will assist the development and establishment of the Sports Council to create an important forum for identifying sports-related concerns and opportunities. Regular communication with the Town of Drumheller's Council will be established to ensure that the recommendations align seamlessly with the Town of Drumheller strategic goals.

COMMUNICATION STRATEGY:

Communications brief will be developed to announce the members to the public of the Drumheller Sports Council Task Force, as part of the Master Plan outcomes & execution.

MOTION:

That Council appoint the following individuals to the Drumheller Sports Council Task Force for the purpose of the development of the terms and reference, and the establishment of the Sports Council, for the duration of the Drumheller Sports Council Task Force, or until December 31, 2024:

Linda Traquair, Robert Visser, Kristi Murphy, Debra Walker, Rachel Graf, Ken Fournier, Krymsen Suelzle, Melanie Hardy and Blair Christianson

Prepared By:

Reviewed By:

Rick Ladouceur

Victoria Chan

Rick Ladouceur

Manager of Recreation, Arts, and Culture Victoria Chan CPA, CGA, LL. B

Director of Corporate and Community Services, Chief Financial Officer Approved By:

Darryl Drohomerski, CET Chief Administrative Officer