

REQUEST FOR DECISION

TITLE:	Advertising Bylaw and Circulation and Advertisement Standards Policy
DATE:	August 26, 2024
PRESENTED BY:	Mitchell Visser, Manager of Legislative Services
ATTACHMENTS:	(Draft) Bylaw #24.24 – Advertising Bylaw (Draft) Policy DP-C-03 – Circulation and Advertisement Standards

SUMMARY:

Section 606 of the *Municipal Government Act, RSA 2000, c M-26* establishes requirements for advertising bylaws, resolutions, meetings, public hearings and other municipal advertisements. Section 606 requires that these items must be:

- a) published at least once a week for 2 consecutive weeks in at least one newspaper or other publication circulating in the area to which the proposed bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held,
- b) mailed or delivered to every residence in the area to which the proposed bylaw, resolution or other thing relates, or in which the meeting or hearing is to be held, or
- c) given by a method provided for in a bylaw under section 606.1.

as both option a) and option b) can be considerably costly in terms of both financial resources and staff time, and because of the increased reliance by the general public on electronic advertisements, Administration is interested in establishing an Advertisement Bylaw in accordance with Section 606.1.

Section 606.1 allows a council to, by bylaw, provide for one or more methods, which may include electronic means, for advertising proposed bylaws, resolutions, meetings, public hearings and other things referred to in section 606. An Advertising Bylaw allows the Town of Drumheller to be more flexible in where it advertises bylaws, resolutions, meetings, public hearings and other items identified in Section 606.

In addition to the Advertising Bylaw, Administration would like to create guidelines on how and where to advertise certain municipal documents through the creation of the attached draft policy. This policy would provide guidance for the advertisement of road closures, development permits, planning documents and public hearings.

To clarify, while the Advertising Bylaw grants the Town the legislative flexibility to choose various advertising mediums, the Circulation and Advertisement Standards Policy outlines the specific guidelines on how these documents should be advertised.

In accordance with Section 606.1(3) Council must conduct a public hearing before making an advertising bylaw.

RECOMMENDATION:

Council pass first reading set a public hearing for September 23, 2024 to discuss Bylaw #24.24 – Advertising Bylaw and Policy DP-C-03 – Circulation and Advertisement Standards.

DISCUSSION:

N/A

FINANCIAL IMPACT:

As per the guidelines of Policy DP-C-03 – Circulation and Advertisement Standards, “Any notice that is published in an accredited local newspaper in a condensed or limited format, provided that the advertisement in the accredited local newspaper contains the necessary information to locate the complete notice on the Town Website.”

While the majority of advertisements will continue to be posted in the local newspaper, some of these advertisements may be posted in a condensed format, with the full advertisement listed on the Town of Drumheller website. This will save significant financial resources due to the large size of advertisements, such as road closures or public hearings.

STRATEGIC POLICY ALIGNMENT:

Alignment with the Municipal Government Act and the Town of Drumheller Land Use Bylaw. This Bylaw and Policy will encourage good governance by establishing minimum standards for advertising and through the efficient use of municipal resources.

COMMUNICATION STRATEGY:

A Public Hearing is required to be held before proceeding with the Bylaw. Following the completion of the Public Hearing, a communications strategy will be developed that will include both traditional and non-traditional marketing channels. These include the following:

- Two minutes on the Town (Radio);
- Town Page (Newspaper);
- Media Release;
- Social Media; and
- Digital Signage (Recreation Facilities).

MOTION M2024.267: Moved by Councillor Lacher, Councillor Zariski

That Council gives First Reading to Bylaw #24.24 – Advertising Bylaw and Policy DP-C-03 – Circulation and Advertisement Standards and sets a public hearing date for September 23, 2024, to discuss. CARRIED UNANIMOUSLY

mvisser

Prepared by:
Mitchell Visser,
Manager of Legislative
Services



Approved by:
Darryl Drohomerski,
Chief Administrative
Officer

TOWN OF DRUMHELLER
BYLAW NUMBER 22.24
DEPARTMENT: LEGISLATIVE SERVICES

A BYLAW OF THE TOWN OF DRUMHELLER IN THE PROVINCE OF ALBERTA, TO ESTABLISH ALTERNATIVE METHODS FOR PUBLIC NOTIFICATIONS AND ADVERTISING

WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000, c M-26, a Council must give notice of certain bylaws, resolutions, meetings, public hearings, or other things by advertising in a newspaper or other publication circulating in the area, or mailing or delivering a notice of to every residence of an affected area;

AND WHEREAS, pursuant to section 606.1(1) of the *Municipal Government Act*, a council may, by bylaw, provide for one or more methods, which may include electronic means, for advertising proposed bylaws, resolutions, meetings, public hearings and other things referred to in section 606 of the *Municipal Government Act*;

AND WHEREAS, the Council of the Town of Drumheller is satisfied that the advertising methods set out in this Bylaw are likely to bring a matter to the attention of substantially all residents in the relevant area;

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 "Advertising Bylaw."

2. DEFINITIONS

2.1 For the purposes of the Bylaw, the following definitions shall apply:

- a) "*Accredited Local Newspaper*" means a newspaper that:
 - i. focuses on news coverage on events and happenings within the *Town*;
 - ii. is typically published in print format at least once per week; and
 - iii. is of general circulation within the *Town*, and is available for distribution for the majority of the residents of the *Town*.
- b) "*Act*" means the *Municipal Government Act*, RSA 2000, c M-26, as amended from time to time and successor legislation;
- c) "*Bylaw*" means this Advertising Bylaw, as amended from time to time, and successor legislation;
- d) "*Social Media*" means and online communication through which users may share information, and more specifically may refer to Facebook, X, Instagram, YouTube and similar applications; and
- e) "*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.

3. METHODS OF ADVERTISING

3.1 Any public notice required to be advertised under section 606 of the *Act* of a bylaw, resolution, meeting, public hearing or other thing may be given, in accordance with the timelines prescribed in section 606 of the *Act*, by any or all of the following means:

- a) Published in an *accredited local newspaper*; and/or
- b) Electronically by posting the public notice prominently on the *Town's* official website; and/or
- c) Mailing or delivering notices to all affected parties; and/or
- d) Posting the public notice prominently on the bulletin board at Town Hall located at 224 Centre Street, Drumheller, Alberta.

3.2 Advertisements posted on the *Town's* official website may be promoted on the *Town's social media* channels or through any other method deemed appropriate by the Town of Drumheller.

4. SEVERABILITY

4.1 Every provision of this *Bylaw* is independent of all other provisions and if any provision of this *Bylaw* is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this *Bylaw* shall remain valid and enforceable.

5. TRANSITION

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

5.2 Bylaw 01.12 is hereby repealed.

READ A FIRST TIME THIS 26th DAY OF August, 2024

READ A SECOND TIME THIS ___ DAY OF _____, 2024

READ A THIRD AND FINAL TIME THIS ___ DAY OF _____, 2024



[Handwritten signature]

MAYOR

[Handwritten signature]

CHIEF ADMINISTRATIVE OFFICER

ADMINISTRATION POLICY

NAME: Circulation and Advertisement Standards	POLICY NUMBER: DP-C-03
DEPARTMENT: Development & Planning	SUPERSEDES: Policy #2-95
DATE APPROVED: August 26, 2024	REVIEW DATE: August 26, 2027

1. POLICY STATEMENT

The Town of Drumheller is committed to ensuring equitable circulation and notification processes that inform affected landowners and provide the opportunity for landowners to participate in the development of the *Town*.

2. PURPOSE

To establish standards for public circulation and advertisement of *Statutory document* amendments; *Planning applications*, Public Hearings, Development Permit Notices of Approval, *Municipal Planning Commission (MPC)* Hearing and *Subdivision and Development Appeal Board (SDAB)* Hearings.

3. SCOPE

3.1. This policy applies to the:

- a) *Chief Administrative Officer* and their delegates,
- b) Communications Officer;
- c) *Development Officer*, and
- d) *Subdivision Authority*.

4. DEFINITIONS

4.1. For the purposes of the Policy, the following definitions shall apply:

- a) "*Accredited Local Newspaper*" means a newspaper that:
 - i. Focuses on news coverage on events and happenings within the *Town*;
 - ii. Is typically published in print format at least once per week;
 - iii. Is of general circulation within the *Town* and is available for distribution for the majority of the residents of the *Town*.
- b) "*Adjacent Parcel*" means a parcel that is contiguous or would be contiguous if not for a public road, railway, reserve land, utility right-of-way, river, or stream.

- c) “*Advertising Bylaw*” means the Town of Drumheller Advertising Bylaw #24.24, as amended from time to time, and its successor legislation;
- d) “*Act*” means the *Municipal Government Act*, RSA 2000 c. M-26 as amended from time to time, and its successor legislation;
- e) “*Chief Administrative Officer*” or “*CAO*” means the Chief Administrative Officer of the Town of Drumheller, or their designates;
- f) “*Council*” means the Council of the *Town of Drumheller*;
- g) “*Council & Committee Meeting Procedure Bylaw*” means the Council & Committee Meeting Procedure Bylaw #04.21, as amended from time to time, and its successor legislation;
- h) “*Development Officer*” means the Development Officer of the *Town of Drumheller*, or their designates;
- i) “*Intermunicipal Development Plan*” means a high-level statutory plan jointly agreed to by the *Town* and neighbouring municipalities on how to proceed with planning and development matters that impact the neighbouring boundary;
- j) “*Land Use Bylaw*” or “*LUB*” means the Town of Drumheller Land Use Bylaw #16.20, as amended from time to time, and its successor legislation;
- k) “*Municipal Planning Commission*” or “*MPC*” means the *Town’s* Municipal Planning Commission established pursuant to the *Act* and municipal bylaw;
- l) “*Other Land Use District*” means the following land use districts, as identified in the Land Use Bylaw:
 - i. The Employment District;
 - ii. The Tourism Corridor District;
 - iii. The Countryside District;
 - iv. The Rural Development District; and
 - v. The Badlands District.
- m) “*Planning Application*” means any application to subdivide land, re-designate land, or identify land in a concept plan or master site development plan;
- n) “*Residential Land Use District*” means the following Land Use Districts, as identified in the *Land Use Bylaw*:
 - i. The Neighbourhood District;
 - ii. The Neighbourhood Centre District;
 - iii. The Downtown District.
- o) “*Subdivision and Development Appeal Board*” or “*SDAB*” means the Subdivision and Appeal Board, a body established by *Council* pursuant to the *Act* that functions as an appeal body for development permit decisions, subdivision decisions, and stop orders;

- p) “*Subdivision Authority*” means the persons appointed pursuant to the *Act* that have been authorized to exercise subdivision powers on behalf of the *Town*;
- q) “*Statutory Documents*” means an *Intermunicipal Development Plan*, *Municipal Development Plan*, *Area Structure Plan* or *Area Redevelopment Plan*;
- r) “*Town of Drumheller*” or “*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 of Drumheller, as the context may require.

5. RESPONSIBILITIES

- 5.1. *The Chief Administrative Officer, Development Officer, and the Subdivision Authority* are responsible for adhering to all circulation and notification requirements outlined in this Policy.

6. JURISDICTION

- 6.1. All *Town* circulation and advertisement standards meet the requirements established by the *Act* or other statutes and associated regulations.
- 6.2. Any applicable *Intermunicipal Development Plan* and privacy legislation supersedes this Policy.

7. GENERAL REGULATIONS

- 7.1. The following regulations shall apply to all public circulations:
 - a) Any properties located wholly or partially within the circulation area shall be included in the circulation of the subject application.
 - b) The distance is to be measured from the property line of the subject application parcel; and
 - c) Where the circulation area reaches a property within a cul-de-sac, all properties in the cul-de-sac are included in the circulation and notification area.
- 7.2. All circulation distances not mandated by the *Act* may be increased at the discretion of the *Chief Administrative Officer, Development Officer, and/or the Subdivision Authority*; any changes to the circulation distances must include a map of the proposed circulation area.
- 7.3. Any notice that is published in an *accredited local newspaper* in a condensed or limited format, provided that the advertisement in the *accredited local newspaper* contains the necessary information to locate the complete notice on the *Town Website*.
- 7.4. Any advertisements conducted by the Town of Drumheller shall be done in accordance with the *Advertising Bylaw*.

8. COUNCIL MEETINGS

- 8.1. At a minimum, the Town will publish the list of regular Council meetings in an accredited local newspaper on an annual basis.
- 8.2. Changes to the meeting time, date or place, or the advertisement for special meetings, will be done in accordance with the *Council & Committee Meeting Procedure Bylaw*.

9. PUBLIC HEARINGS

9.1. When the Town of Drumheller is required to hold a Public Hearing in accordance with the *Act* or any other enactment, the *Town* shall:

- a) Publish the *Notice of Public Hearing*, with the associated Bylaw or any other relevant document, on the Town of Drumheller Website;
- b) Publish the date of the Public Hearing on the Town of Drumheller Municipal Calendar; and
- c) Publish the *Notice of Publish Hearing* for at least two (2) consecutive weeks in an *accredited local newspaper*.

9.2. All Public Hearings related to a Road Closure Bylaw must be mailed out to all affected residents within a 200-metre radius of the road closure.

10. DIGITAL SIGNS

10.1. In accordance with Section 4.1.17 of the *Land Use Bylaw (LUB)*, Notification shall be sent to all properties within a 100-metre radius of the proposed placement of an illuminated or digital sign.

11. DEVELOPMENT PERMITS

11.1. In accordance with Section 5.16.1 of the *LUB* and Section 642 of the *MGA*, when a decision is made by the Development Authority regarding a Development Permit, the Notice of Decision shall be delivered to the applicant on the same day that the written decision is given, in a manner deemed acceptable to the Approving Authority, including via email.

11.2. If the permit is approved:

- a) the permit will be posted on the Town of Drumheller Website on the same day that the decision is made; The general public has twenty-one (21) days to appeal the decision with the *SDAB* from the date that the decision is made;
- b) the Notice of Approved Development will be circulated and advertised according to *Schedule A – Development Permit Circulation and Advertisement*.

12. PLANNING APPLICATIONS

12.1. A Council must hold a public hearing for all planning bylaws prior to second reading, in accordance with section 692 of the *Act*.

12.2. Notification for subdivision applications will be given by mailing of the notice to each adjacent parcel owner, in accordance with Section 653 of the *Act*.

12.3. Notification requirements for a *SDAB* hearing on a development permit application will be done in accordance with the requirement for the subject permit, as outlines in *Schedule A - Development Permit Circulation and Advertisement Schedule*.

12.4. Notification of a *SDAB* hearing for a subdivision application will be given with at least five (5) days written notice, in accordance with Section 679 and Section 680 of the *Act*, to the following:

- a) The applicant for subdivision approval;
- b) The owners of adjacent parcels;
- c) The subdivision authority that made the decision;
- d) Adjacent municipalities, if the parcel is adjacent to the municipalities or subject to the Town of Drumheller's Intermunicipal Collaboration Frameworks;
- e) Any school board to whom the application was referred; and
- f) Any Government department that was given a copy of the application pursuant to the subdivision and development regulations.

12.5. Notification for district rezoning will be given by mailing notice to each adjacent parcel owner, in accordance with Section 692(4) of the *Act*.

13. ADDITIONAL REQUIREMENTS

13.1. In instances where a circulation or notification area includes landowners in an adjacent municipality, the **Chief Administrative Officer, Development Officer** and/or **Subdivision Authority** will attempt to procure the addresses for the affected landowners to mail to them a circulation package or Notice of Approval.

14. RELATED DOCUMENTS

- 14.1. Town of Drumheller *Land Use Bylaw*
- 14.2. Town of Drumheller *Advertising Bylaw*
- 14.3. Town of Drumheller *Council and Committee Meeting Procedure Bylaw*
- 14.4. Schedule A – Development Permit Circulation and Advertisement
- 14.5. Schedule B – Other Circulation and Advertising Requirements

15. TRANSITIONAL

- 15.1. This Policy comes into effect on the day it is signed by Town of Drumheller Council.
- 15.2. This Policy repeals Policy #2-95 – Advertising Council and Committee Meetings

MAYOR

CHIEF ADMINISTRATIVE OFFICER

SCHEDULE A
DEVELOPMENT PERMIT CIRCULATION AND ADVERTISEMENT

			Use Type		
			Permitted Use	Discretionary Use	Variance
Use Category	Residential Land Use District	Residential	Website; Post in Paper; Adjacent parcels	Website; Post in Paper; Circulate 100 metres	Website; Post in Paper; Circulate 100 metres
		Lodging	Website; Post in Paper; Adjacent parcels	Website; Post in Paper; Circulate 100 metres	Website; Post in Paper; Circulate 100 metres
		Commercial	Website; Post in Paper; Adjacent parcels	Website; Post in Paper; Circulate 200 metres	Website; Post in Paper; Circulate 200 metres
		Institutional	Website; Post in Paper; Adjacent parcels	Website; Post in Paper; Circulate 200 metres	Website; Post in Paper; Circulate 200 metres
	Other Land Use Districts	Residential	Website; Post in Paper; Adjacent parcels	Website; Post in Paper; Circulate 200 metres	Website; Post in Paper; Circulate 200 metres
		Lodging	Website; Post in Paper; Adjacent parcels	Website; Post in Paper; Circulate 200 metres	Website; Post in Paper; Circulate 200 metres
		Commercial	Website; Post in Paper; Adjacent parcels	Website; Post in Paper; Circulate 350 metres	Website; Post in Paper; Circulate 350 metres
		Institutional	Website; Post in Paper; Adjacent parcels	Website; Post in Paper; Circulate 350 metres	Website; Post in Paper; Circulate 350 metres
		Agricultural	Website; Post in Paper; Adjacent parcels	Website; Post in Paper; Circulate 350 metres	Website; Post in Paper; Circulate 350 metres

SCHEDULE B
OTHER CIRCULATION AND ADVERTISING REQUIREMENTS

Application Type	Method of Advertising
Road Closure Public Hearing	Website; Newspaper; Circulate 200 metres
Planning Applications	Website; Newspaper, Adjacent Parcels
Digital Sign	Circulate 100 metres

DRAFT