



Town of Bowden
Box 338, 2101 20th Ave
Bowden, Alberta, T0M 0K0

Town of Bowden – Province of Alberta

COUNCIL COMMITTEE BYLAW

05 /2021

A Bylaw of the Town of Bowden, in the Province of Alberta, pursuant to the provisions of the Municipal Government Act, being Chapter M-26 of the revised statutes of Alberta 2000 and amendments thereto, for the purpose of the establishment and function Council Committees.

Whereas section 145(a) of the Municipal Government Act, RSA2000, Chapter M-26 states that a council may pass bylaws in relation to the establishment and functions of Council Committees and other bodies,

And whereas, Council deems it desirable to enact a bylaw to establish Council Committees to advise, support and facilitate Council on matters relevant to Council mandates.

1 SHORT TITLE

This Bylaw may be known as, and cited as, the "Council Committee Bylaw".

2 DEFINITIONS

In this Bylaw (and the attached Schedules) the following definitions apply:

CAO (Chief Administrative Officer)

Is the person appointed by the Council into the position of Chief Administrative Officer for the Town of Bowden in accordance with the MGA (or his / her designate) and is the administrative head of the Municipality.

Council

Means the duly elected Municipal Council of the Town of Bowden.

Councillor

Means duly elected persons to Council and includes the chief elected official / mayor.

Council Committee

Means a Committee, Board or Commission appointed by Council and which may consist entirely of Councillors or a combination of Councillors and Members at Large.

Meetings

Means open public meetings of Council Committees held in accordance with Section 195 of the MGA.

Member

Means either a Councillor or a “member at large” appointed by Council to a Council Committee.

Members at Large

Means a member of the public appointed by Council to a Council Committee.

MGA

Means the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time).

Municipality

Means the Town of Bowden, a municipal corporation within the Province of Alberta.

Terms of Reference

Is a statement of the legality and purpose of a Council Committee as defined in this Bylaw.

Town

Means the municipal corporation of the Town of Bowden.

Words (interpretation)

- a) “may” is to be construed as permissive and empowering.
- b) “must” is to be construed as imperative.
- c) “shall” is to be construed as imperative.
- d) “should” is to be construed as a recommended.

3 PURPOSE

In accordance with Section 145(a) of the Municipal Government Act to:

- i. establish Council Committees to advise, support and facilitate Council on matters relevant to Council mandates,
- ii. to provide Councillors, members at large and the public with terms of reference as to the function and responsibilities of each Council Committee.

4 APPLICABILITY**4.1**

This Bylaw applies to all Council Committees and members of Council Committees.

4.2

Council Committees are responsible and accountable only to Council.

4.3

The establishment of Council Committees is enacted through this Bylaw.

The Terms of Reference (ie: function or purpose) for each Council Committee is defined within schedules set out within this Bylaw.

4.4

An amendment or variation of the function or operation of a Council Committee from that set out in the Terms of Reference requires amendment of this Bylaw through resolution approved by Council in a Regular or Special Council meeting with the provision that the amendment does not conflict with any requirement of the MGA or any other Act, Regulation, or enactment.

5 POWERS OF COUNCIL COMMITTEES

5.1

A Council Committee may function:

- i. by receipt of requests from Council
- ii. by receipt of requests from the CAO
- iii. by Committee initiative.

5.2

Council Committees may pass no resolutions other than a motion to report to or make recommendations to a regular or special meeting of Council.

5.3

A Council Committee does not have the power to commit the Municipality to any action, or financial or legal liability.

5.4

A Council Committee does not have the power to form other ad hoc committees, sub committees or task forces without the permission of Council by resolution.

6 REPORTING TO COUNCIL

6.1

A Councillor, and / or alternate Councillor(s), appointed to a Council Committee is responsible for ensuring that Council is kept informed on the activities of that Council Committee.

6.2

Written reports must reflect the actual meeting of Council Committee (as minuted) and must reflect the majority position of the Council Committee.

7 PUBLIC PRESCENCE AT MEETINGS

The proceedings and deliberations of a Council Committee must be conducted in public (Sections 197 & 198 of the MGA applies) except where the information is protected from disclosure under the provisions of the Freedom of Information and Protection of Privacy Act, RSA2000, Chapter F-25 (as amended over time) and as enacted in the Council Procedural Bylaw.

8 MEMBERSHIP

8.1

Council Committees may consist of: (section 146 of the MGA):

- i. entirely of Councillors
- ii. a combination of Councillors and other persons
- iii. entirely of persons who are not Councillors (subject to section 154(2) of the MGA) which states that:
"The chief elected official (the Mayor) is a member of all Council Committees and all bodies to which Council has the right to appoint members under this Act unless the Council provides otherwise".

8.2

Membership will be defined within the Terms of Reference for each Council Committee as stated within this Bylaw.

8.3

Councillors appointed to a Council Committee will be determined by Council in the annual Organizational Meeting of Council.

8.4

A Council Committee will consist of at least one appointed Councillor and one alternate Councillor (ie: a minimum of 2 members).

9 TERM

9.1

Councillors who are appointed members of a Council Committee will normally hold office for a period of one year (in order to ensure rotation of members).

Council will appoint (or reappoint) Councillor members each year at the annual Organizational Meeting of Council (or if circumstances require at a Regular Council Meeting).

Council may reappoint Councillors if there is no interest from another member of Council or if the Committee requires the experience of a specific Councillor to function efficiently.

9.2

Members at Large will normally hold office for a 2-year term or as decided by all members of the Council Committee.

9.3

In the event of a member vacancy occurring prior to the expiry of a term the new person appointed to fill the vacancy will hold office for the remainder of that term.

9.4

Where membership of a Council Committee requires members to achieve a required standard of training this must be done in accordance with any statutory requirement or enactment.

10 MEETINGS

10.1

Section 197 of the MGA and the Council Procedural Bylaw applies which states that all Council Committee meetings must be held in public.

10.2

A Council Committee must give at least 24 hours' notice of a Council Committee meeting or a change in the location of time of a Council Committee meeting.

10.3

Notice will be deemed to have been properly given if posted for public viewing at the Town Administration Office and / or the Town's website.

10.4

A majority of the Council Committee members shall constitute a quorum at a Council Committee meeting.

When the Mayor is present at a Council Committee meeting the Mayor forms part of the quorum and when present is entitled to vote.

10.5

All members of the Council Committee, including the Chair, are required to vote on any motion before the Council Committee. In the event of a tie, the motion will be defeated.

11 TERMS OF REFERENCE

11.1

The Terms of Reference for each Council Committee shall be reviewed by Council within the first year of an electoral term or as frequently as necessary in order to accurately reflect the mandate of the Council Committee as conferred upon it by Council.

11.2

The Terms of Reference for each Council Committee shall set out as a minimum:

- i. a legality statement,
- ii. the purpose of the Council Committee,
- iii. membership / composition of the Council Committee,
- iv. frequency of meetings,
- v. reporting requirements.

12 SEVERABILITY

Every provision of this Bylaw is independent of all other provisions. 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.

Nothing in this Bylaw relieves a person from complying with the provision of any Federal, Provincial or Municipal enactment or regulation or the requirement of any lawful permit, order or licence.

13 BYLAW PRECEDENCE

This Bylaw supersedes and takes precedence over all previously passed Bylaws relating to the establishment and function of Council Committees.

Bylaw **07 / 2020** and all amendments thereto are hereby repealed.

Bylaw **06 / 2007** and all amendments thereto are hereby repealed.

Schedules attached to this Bylaw:

Schedule A List of Council Committees

Schedule B Terms of Reference for each Council Committees as listed in Schedule A

All schedules form part of this Bylaw.

This Bylaw will come into effect on the final day of passing and signature thereof.

Read a first time in open council this 12th day of April 2021,

Read a second time in open council this 12th day of April 2021,

and finally passed by unanimous consent of the Councilors' present.

Read a third time in open council this 26th day of April 2021,



Robb Stuart, Mayor



Greg Skotheim, Chief Administrative Officer

Council Committee Bylaw

SCHEDULE A List of Council Committees

A1

Committees

- Economic Development Committee
- Intermunicipal Development Committee
- Emergency Advisory Committee
- Bylaw Enforcement and Development Control Committee
- Personnel Committee
- Special Events & Cultural Committee

A2

Boards & Associations

- Public Library Board
- Bowden & District Cemetery Association

A3

Commissions

- Municipal Planning Commission

Council Committee Bylaw

SCHEDULE B Terms of Reference for Council Committees

B1

Economic Development Committee

Legality

The Town of Bowden Economic Development Committee is established in accordance with Section 145 of the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time) that states that a Council may pass bylaws in relation to the establishment and functions of Council Committees and other bodies and as enacted by this Bylaw.

Purpose

The Economic Development Committee is an advisory committee to Council.

Its purpose is to:

- i. identify, investigate, analyze, and report to Council on matters affecting or having the potential to affect, the growth, prosperity and economic wellbeing of the community,
- ii. plan and develop strategies and policies to develop a successful business climate and encourage economic investment in the Town,
- iii. liaise with Town residents and Town businesses with regard to any programs or initiatives to further develop business awareness, or to enhance growth or economic development,
- iv. liaise with Town Administration on the provision of funds where budgeted for.

Membership

The Economic Development Committee consists of three appointed Councillors and up to two members at large as appointed by Council.

Meetings

The Economic Development Committee will meet with other community organizations, businesses, developers, vendors, consultants, the CAO and other individuals as required or deemed necessary in order to achieve its aims, ongoing responsibilities and requirements.

Reporting

Written reports and minutes for the Economic Development Committee meetings shall be submitted as soon as reasonably possible to a regular meeting of Council.

Council Committee Bylaw

SCHEDULE B Terms of Reference for Council Committees

B2

Intermunicipal Development Committee

Legality

The Town of Bowden Intermunicipal Development Committee is established in accordance with Section 145 of the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time) that states that a Council may pass Bylaws in relation to the establishment and functions of Council Committees and other bodies and as enacted by this Bylaw.

The Town of Bowden Intermunicipal Development Plan is enabled under the provisions of Part 17 of the MGA (as amended over time) and as enacted by this Bylaw and by a jointly passed Bylaw with Red Deer County, Bylaw 05/2009 (as amended over time).

The Intermunicipal Development Plan provides for a common coordinated approach to land use planning strategies, subdivision, and land development in fringe areas of land lying within the boundaries of the two municipalities.

The aim is to produce a Plan that reduces potential development conflicts, addresses community concerns and provides a framework for ongoing consultation and cooperation regarding areas of mutual concern, eg: the conservation of natural areas, long range planning, infrastructure development, provision of services and future land annexation.

Purpose

The purpose of the Intermunicipal Development Committee is to:

- i. ensure that the Intermunicipal Development Plan is developed in accordance with regulations prescribed in the Municipal Government Act and in accordance with any orders made by the Minister,
- ii. ensure that the stated objectives and policies of the Intermunicipal Development Plan are realized,
- iii. review, update and amend the Intermunicipal Development Plan as situation and future need arises,
- iv. maintain an understanding of the requirements of the MGA (Part 17), the Town of Bowden Land Use Bylaw, and any other Act, Regulation, or enactment appropriate to effectively conduct the affairs of the Committee.

Membership

Membership of the Intermunicipal Development Committee consists of three appointed Councillors.

Meetings

The Intermunicipal Development Committee will meet as deemed necessary according to either need or statutory requirement.

Reporting

Written reports or minutes for the Intermunicipal Development Committee meetings shall be submitted as soon as reasonably possible to a regular meeting of Council.

Council Committee Bylaw

SCHEDULE B Terms of Reference for Council Committees

B3

Emergency Advisory Committee

Legality

The Town of Bowden Emergency Advisory Committee is established under the requirement of the Emergency Management Act Revised Statutes of Alberta 2000 Chapter E-6.8. (as amended over time) and as enacted by this Bylaw.

The general duties, rights and powers of the Emergency Advisory Committee are defined by the Town of Bowden Municipal Emergency Management Bylaw 03 / 2020 (as amended over time)

Purpose

The purpose of the Emergency Advisory Committee is to:

- i. ensure that the Town provides resource to satisfy the requirements of the Emergency Management Act RSA2000, Chapter E-6.8 (as amended over time),
- ii. review the Joint Municipal Emergency Plan at least once a year and make recommendations to Council of any proposed changes to the Plan or emergency programs or services,
- iii. liaison with the Director of Emergency Management in matters relating to the direction and control of duties and responsibilities and to ensure that emergency plans and programs are prepared, tested and implemented in accordance with any Provincial statute or regulation,
- iv. recommend a Director of Emergency Management.

Membership

The Emergency Advisory Committee consists of three appointed Councillors and other persons and bodies as stated in the Town of Bowden Municipal Emergency Management Bylaw 03 / 2020.

Meetings

The Emergency Advisory Committee will meet as a minimum once every 12 months or as required or deemed necessary.

Reporting

Written reports or minutes for the Emergency Advisory Committee meetings shall be submitted as soon as reasonably possible to a regular meeting of Council.

Council Committee Bylaw

SCHEDULE B Terms of Reference for Council Committees

B4

Special Events & Cultural Committee

Legality

The Town of Bowden Special Events & Cultural Committee is established in accordance with Section 145 of the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time) that states that a Council may pass Bylaws in relation to the establishment and functions of Council Committees and other bodies and as enacted by this Bylaw.

Purpose

The purpose of the Special Events & Cultural Committee is to:

- i. organize, coordinate promote & execute Town recreational and cultural community events, eg: Annual Bowden Parade, Canada Day, Movie in the Park, Igloo Daze, etc,
- ii. liaise and assist other organizations in the planning and coordination of community events,
- iii. liaise and communicate with residents and community groups regarding events, programs, and activities,
- iv. liaise with Town Administration where assistance is required in the provision of additional resource and on the planning & communication of events, eg: FCSS programs,
- v. recommend to Council the appointment of members of the Board,
- vi. provide Council with a yearly Board Plan and annual financial budget.

Membership

The Special Events & Cultural Committee consists of three appointed Councillors and members at large (representatives from Town Administration, Town and area residents, and volunteers).

Meetings

The Special Events & Cultural Committee will meet with other community organizations, Town Administration and other individuals as required or as deemed necessary.

Reporting

Written reports or minutes for the Special Events & Cultural Committee meetings shall be submitted as soon as reasonably possible to a regular meeting of Council.

Council Committee Bylaw

SCHEDULE B Terms of Reference for Council Committees

B5

Bylaw Enforcement & Development Control Committee

Legality

The Town of Bowden the Bylaw Enforcement & Development Control Committee is established in accordance with Section 145 of the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time) that states that a Council may pass Bylaws in relation to the establishment and functions of Council Committees and other bodies and as enacted by this Bylaw.

Purpose

The purpose of the Bylaw Enforcement & Development Control Committee is to:

- i. in conjunction with the CAO and the Town's Bylaw Enforcement Officer(s) investigate matters relating to community policing, bylaw grievances and / or enforcement of Bylaws,
- ii. conduct a periodic review of the terms and content of the Red Deer County Peace Officer / Bylaw Enforcement Services Agreement,
- iii. maintain an understanding of all municipal Town Bylaws in particular those relevant to the preservation and maintenance of the public peace.

Membership

The Bylaw Enforcement & Development Control Committee consists of one appointed Councillor, one alternate Councillor, the CAO, and the Town Bylaw Officer(s).

Meetings

The Bylaw Enforcement & Development Control Committee will meet as required or deemed necessary.

Reporting

Written reports or minutes for the Bylaw Enforcement & Development Control Committee meetings shall be submitted as soon as reasonably possible to a regular meeting of Council.

Council Committee Bylaw
SCHEDULE B Terms of Reference for Council Committees

B6

Personnel Committee

Legality

The Town of Bowden Personnel Committee is established in accordance with Section 145 of the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time) that states that a Council may pass Bylaws in relation to the establishment and functions of Council Committees and other bodies and as enacted by this Bylaw.

Purpose

The purpose of the Personnel Committee is to:

- a) provide a forum to deal with any grievance brought against the CAO,
- b) assist Council in the appointment of persons to carry out the function of the CAO.

Membership

The Personnel Committee consists of the Mayor, and two appointed Councillors.

Meetings

The Personnel Committee will meet as required or as deemed necessary.

Reporting

Written reports or minutes for the Personnel Committee meetings shall be submitted as soon as reasonably possible to a regular meeting of Council.

Council Committee Bylaw

SCHEDULE B Terms of Reference for Council Committees

B7

Public Library Board

Legality

The Town of Bowden Public Library Board is established in accordance with Section 145 of the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time) that states that a Council may pass Bylaws in relation to the establishment and functions of Council Committees and other bodies and as enacted by this Bylaw.

The general duties, rights and powers of Town of Bowden Public Library Board are defined in the Town of Bowden Municipal Library Board Bylaw 11-2002 (as amended over time).

Purpose

The purpose of the Public Library Board is to:

- i. ensure the effective management, regulation and control of the Town library and its services,
- ii. ensure that funds are received, spent and audited in a proper manner and that financial accounts are maintained, audited and presented to Council,
- iii. ensure that library services are conducted in accordance with the policy and directives of the Parkland Regional Library Board and any statutory or regulatory requirements, eg: the Regional Library Agreement
- iv. liaise with the Parkland Regional Library Board on all matters as required,
- v. liaise and communicate with residents and community groups regarding any programs or initiatives concerning the operation, management, or control of the Town library or any revisions to service levels or fees,
- vi. liaise with the CAO with regard to the care and maintenance of the Town library building and on any other matter requiring Town Administration intervention,
- vii. maintain an understanding of the requirements of all relevant legislation, including, but not limited to, the Libraries Act, the Alberta Libraries Regulation, the Town of Bowden Municipal Library Bylaw, and the values and objectives of any documented service commitments, eg: the Bowden Public Library Service Priorities report.

Membership

One appointed Councillor and one alternate Councillor to form part of the Bowden Public Library Board.

Meetings

The Bowden Public Library Board will meet at least 6 times every calendar year.

Special Meetings will take place as required or deemed necessary by the Chair of the Bowden Public Library Board.

Reporting

Written reports or minutes for the Public Library Board meetings shall be submitted as soon as reasonably possible to a regular meeting of Council.

Council Committee Bylaw **SCHEDULE B Terms of Reference for Council Committees**

B8

Bowden & District Cemetery Association

Legality

The Bowden & District Cemetery Association is established in accordance with Section 145 of the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time) that states that a Council may pass Bylaws in relation to the establishment and functions of Council Committees and other bodies and as enacted by this Bylaw.

Council is the governing body of the Bowden & District Cemetery Association, established under the requirement of the Province of Alberta Cemeteries Act, Revised Statutes of Alberta 2000 Chapter C3, (as amended over time).

The general duties, rights and powers of Council & Town Administration are defined in the Town of Bowden Cemetery Bylaw 10-2012 (as amended over time) that provides for the control and management of the Cemetery.

The Bowden & District Cemetery Association is an advisory body whose purpose is to assist and oversee the care and administration of the Cemetery.

Purpose

The purpose of the Bowden & District Cemetery Association is to:

- i. to ensure that the future operation of the Cemetery is controlled, managed, and maintained through a program of perpetual care (preservation, improvement, embellishment, and maintenance),
- ii. ensure that Cemetery care funds are received, spent, and audited in a proper manner,
- iii. ensure that Cemetery services are conducted in accordance with any statutory or regulatory requirements including, but not limited to; the Cemeteries Act, the Burial of the Dead Act, and the Vital Statistics Act (as amended over time),
- iv. liaise with the CAO in order to ensure that the day-to-day operation of the cemetery is conducted in accordance with the requirements of the Cemetery Bylaw including cemetery services, cemetery supplies and maintenance and record keeping obligations,
- v. liaise and communicate with residents and community groups regarding any programs or initiatives concerning the operation, management, control, of the Cemetery or any revisions to services or fees.

Membership

One appointed Councillor and one alternate Councillor form part membership of the Bowden & District Cemetery Association.

Meetings

The Bowden & District Cemetery Association will meet at least six times every calendar year. Additional meetings will take place as required or deemed necessary.

Reporting

Written reports or minutes for the Bowden & District Cemetery Association meetings shall be submitted as soon as reasonably possible to a regular meeting of Council.

Council Committee Bylaw

SCHEDULE B Terms of Reference for Council Committees

B9

Municipal Planning Commission

Legality

The Municipal Planning Commission is established under the requirement of the Municipal Government Act Revised Statutes of Alberta 2000 Chapter M26 that authorizes Council to enact a Bylaw to prohibit or regulate or control the use and development of land and buildings within the Municipality.

The powers and responsibilities of the Municipal Planning Commission are defined by the MGA Part 17 Planning & Development, Division 3 and the Town of Bowden Land Use Bylaw 08 / 2012 (as amended over time).

Purpose

The purpose of the Municipal Planning Commission is to:

- i. exercise all the powers and perform all the duties prescribed to it in the Municipal Government Act and the Land Use Bylaw,
- ii. act as the authority for any applications assigned to it by Council or by Red Deer County Planning Officers, under the Land Use Bylaw or any other statutory obligation or responsibility or need and make decisions as required,
- iii. make recommendations to Council of any proposed changes to the Intermunicipal Collaboration Framework agreement, or funding arrangements,
- iv. hold public meetings and liaise with community groups and residents where required either by Statute, Bylaw or need,
- v. maintain an understanding of the requirements of the MGA (Part 17 regarding Planning & Development), the Town of Bowden Land Use Bylaw and any other Act, Regulation, or enactment appropriate to effectively conduct the affairs of the Commission.

Membership

Membership of the Municipal Planning Commission consists of all members of Town Council.

Meetings

The Municipal Planning Commission will meet as required according to need or statutory requirement.

Reporting

Written reports and minutes for Municipal Planning Commission meetings shall be submitted as soon as reasonably possible to a regular meeting of Council.