



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

Town of Bowden – Province of Alberta

COUNCIL COMMITTEE BYLAW

09 / 2022

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:

Alternate

Means an elected official appointed to a Council Committee in the capacity of a backup or reserve in case the appointed official is unable to attend a meeting.

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 / Elected Official

Means all duly elected persons to Council and includes the chief elected official (Mayor).

Council Committee

Means a Committee, Board, Association 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 volunteer 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 (mandatory),
- d) "should" is to be construed as recommended,
- e) "including but not limited to" means when listing a number of items, does not limit the bylaw term to only those words or those items listed.

3 PURPOSE

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 procedures 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 Schedule B of 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

Councillors (appointed or alternate) to a Council Committee are 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 members 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 (members at large),
- iii. entirely of persons who are not Councillors.

8.2

In addition to any appointment(s) made the chief elected official (the Mayor) is a member of all Councillor Committees and all bodies to which Council has the right to appoint members.

8.3

Membership will be defined within the Terms of Reference for each Council Committee as set out within Schedule B of this Bylaw.

8.4

Councillors appointed to a Council Committee will be determined by Council in the annual Organizational Meeting of Council (or anytime by resolution of Council).

8.5

A Council Committee will consist of at least one appointed Councillor as defined within Schedule B of this Bylaw.

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 by motion and resolution at a Regular Council Meeting).

Council may reappoint the same Councillor(s) to a Committee if there is no new 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 approved by Council resolution, or, as required by other enactment or authority.

9.3

In the event of a member vacancy occurring prior to the expiry of a term of office 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 applies which states that all Council Committees must conduct their meetings in public.

10.2

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

10.3

Notice (of a meeting or change in meeting) will be deemed to have been given if posted for public viewing at the Town Administration Office and / or if posted on the Town's website pursuant to section 606.1(1) of the Municipal Government Act, RSA2000, Chapter M-26 (as amended over time) and the Town of Bowden Advertising Bylaw 10 / 2021 (as amended over time).

10.4

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

When the Chief Elected Official (the Mayor) is present at a Council Committee meeting the Chief Elected Official 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,
- vi. any other relevant or required term / provision.

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 or Provincial 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 and a Library Board.

Bylaw **05 / 2022** 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 14th day of November 2022,

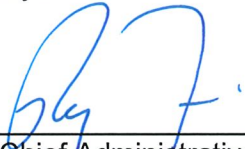
Read a second time in open council this 14th day of November 2022,

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

Read a third time in open council this 14th day of November 2022,



Robb Stuart, Mayor



Rudy Friesen, Chief Administrative Officer

Council Committee Bylaw

SCHEDULE A List of Council Committees

A1

Committees

- Intermunicipal Development Committee
- Emergency Advisory 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

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 and minutes of 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

B2

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 all elected officials (Committee as a Whole) and other persons and bodies as stated in the Town of Bowden Municipal Emergency Management Bylaw 03 / 2020 (as amended over time).

Meetings

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

Reporting

Written reports and minutes of 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

B3

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, including but not limited to, the 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 all elected officials (Committee as a Whole) and other members at large as required (representatives from Town Administration, Town and area residents, and volunteers).

Meetings

The Special Events & Cultural Committee will meet as required or deemed necessary.

Reporting

Written reports and minutes of 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

B4

Public Library Board

Legality

- i. 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.
- ii. The Town of Bowden Public Library Board is required to satisfy the provisions of the Libraries Act RSA2000 Chapter L-11 and the Libraries Regulation 141/1998 (as amended over time).

Purpose

The purpose of the Public Library Board, subject to Council approval, is to:

- i. ensure the effective management, operation and control of the Town library, its services, and resources.
- ii. obtain adequate funding and prepare a budget for Library expenditures.
- iii. ensure that funds are received, spent, and audited in a proper manner and that financial accounts are maintained, audited, and presented to Council,
- iv. effectively communicate with Town Council,
- v. liaise with the CAO with regard to the care and maintenance of the library building and on any other matter requiring Town Administration intervention,
- vi. ensure that the library operates in accordance with statutory enactment, principally the Libraries Act (RSA 2000 Chapter L-11) and the Libraries Regulation (as amended over time)
- vii. create and maintain a Plan of Service and other policies as required by statutory enactment,
- viii. ensure that library services and operations are conducted in accordance with formulated policies and agreements,
- ix. liaise with the Parkland Regional Library Board on operational matters as required,
- x. appoint, appraise, and dismiss librarians and employees in accordance with budgeted financial constraints, and all applicable regulatory & legal responsibilities including the Employment Standards Code & Regulation and the Occupational Health & Safety Act.
- xi. liaise and communicate with residents and community groups (as required or deemed necessary) regarding any programs or initiatives concerning the operation of the Town library,
- xii. maintain an understanding of the requirements of all statutory legislation, issues, library general trends and developments and all required service delivery commitments.

Meetings

- i. The Bowden Public Library Board will meet at least 3 times every calendar year at a time and place designated by the Chairperson.
- ii. Other meetings can take place as required or deemed necessary by the Chairperson.
- iii. An Organizational Meeting will be held in November each year as soon as possible after the annual Organizational Meeting of Council in order to confirm the appointment and terms of office for Library Board members.
- iv. A Quorum must exist for all meetings. A majority of the members of the Library Board constitutes a Quorum.

Board Membership

Membership of the Bowden Public Library Board will consist of:

- i. A minimum of one, and no more than two, appointed Councillor(s).
- ii. no fewer than 5 and no more than 10 members appointed by Council and who must be residents of either the Town of Bowden or Red Deer County.
- iii. Members will appoint a Chairperson and other officers annually at the Organizational Meeting.
- iv. The Chairperson cannot be a member of Council.
- v. The Board shall decide on the date of appointment of all members and submit this to Council for approval by resolution.
- vi. A member of the Board is eligible to be reappointed for only 2 consecutive terms of office, unless at least 2/3 of Council passes a resolution stating that the member may be appointed as a member for more than 3 consecutive terms.
- vii. All persons appointed to the Public Library Board should attend all meetings in accordance with the provisions contained within the Libraries Act.
A person is disqualified from remaining a member of the Board if the person fails to attend, without authorization 3 consecutive regular meetings of the Board.
- viii. Council may at any time review the membership of the Board and may for any reason it considers appropriate revoke the appointment of any member.
- ix. A person who is an employee of the Public Library Board is not eligible to be a member of the Board but is entitled to attend Public Library Board meetings.

Reporting & Records

- i. All minutes, resolutions and bylaws of the Public Library Board shall be permanently recorded and shall be signed by the Board Chairperson and the Secretary.
- ii. Written reports or minutes of the Public Library Board meetings shall be submitted as soon as reasonably possible to a regular meeting of Council.
- iii. Any substantive changes in organizational relationships, service goals, or future plans must be reported to Council as soon as reasonably possible.
- iv. A proposed financial operating budget (and supporting documentation) for the forthcoming calendar year must be submitted to Council no later than December 1 in each year.
- v. The operating budget must clearly state the amount of the local appropriation requested from the Town and any substantive changes or commitments in financial requirements.
- vi. Council should review the Budget in the last scheduled Regular Council Meeting held in December each calendar year and approve either in full or part.
- vii. An independently produced financial report must be submitted to Council immediately after its completion.

Council Committee Bylaw

SCHEDULE B Terms of Reference for Council Committees

B5

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 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, subject to Council approval is to:

- i. 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 Town of Bowden Cemetery Bylaw 09 / 2020 (as amended over time) including but not limited to, 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 & Records

Written reports and minutes of the Bowden & District Cemetery Association shall be permanently recorded and signed by the Board Chairperson and the appointed Councillor and submitted as soon as reasonably possible to a regular meeting of Council.

Audited financial statements must be submitted to Council as soon as possible after the Annual General Meeting of the Bowden & District Cemetery Association.

Council Committee Bylaw

SCHEDULE B Terms of Reference for Council Committees

B6

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 04 / 2021 (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 Town of Bowden Land Use Bylaw (as amended over time),
- 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 enactment, 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 (Council as a Whole).

Meetings

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

Reporting

Written reports and minutes of the Municipal Planning Commission meetings shall be prepared as soon as reasonably possible after each meeting of the Municipal Planning Commission and submitted to the Chairperson and CAO for signing.