

SUMMER VILLAGE OF WAIPAROUS
BY-LAW NO. 140-19

**Being A Bylaw Of The Summer Village of Waiparous In The Province of Alberta,
To Amend Procedural Bylaw 130-16.**

WHEREAS, the Municipal Government Act, being Chapter M-26.1 of the Revised Statutes of Alberta, 2000, hereinafter referred to as the "M.G.A." provides for the establishment of Council Committees and other bodies, procedure and conduct of Council, Council committees and other bodies established by Council and the conduct of Councilors and members of Council committees and other bodies established by Council; and

WHEREAS, the M.G.A. provides for organizational and procedural matters of Council, Council committees and Councillors;

NOW THEREFORE, the Council of the Summer Village of Waiparous, duly assembled, enacts as follows:

1.0 Bylaw 130-16 shall be amended to add the following:

Section 12.0 Public Hearings Procedure

- 12.1. Notwithstanding any other section of this bylaw, Sections 12.2 through 13.5 apply to public hearings.
- 12.2. Public Hearings are a statutory requirement in accordance with Section 230 of the MGA whereby when this or another enactment requires Council to hold a public hearing on a proposed bylaw or resolution, the public hearing must be held, unless another enactment specifies otherwise,
 - a) before second reading of the bylaw, or
 - b) before council votes on the resolution.
- 12.3. If a public hearing is held on a proposed bylaw or resolution, Council must conduct the public hearing during a regular or special council meeting.
- 12.4. The Summer Village will give notice of a Public Hearing by:
 - a) posting the notice on the Summer Village website,
 - b) placing an advertisement in a newspaper published at least once a week for 2 consecutive weeks, having general circulation in the area prior to the public hearing date, and
 - c) mail or deliver a notice to every residence in the area to which the proposed bylaw, resolution or other thing relates
- 12.5. Detailed procedures for Public Hearings are available in Schedule A, attached.
- 12.6. Any person, group, or representative of a person or group who is providing a verbal presentation at a public hearing shall be physically present.

- 12.7. The presiding officer shall ensure all members of the public present at a public hearing feel safe to participate by requiring those present to:
- a) Speak respectfully,
 - b) Refrain from using any offensive or disrespectful language,
 - c) Directly address the item without repetition or reference to matters irrelevant to the public hearing
 - d) Maintain order and quiet,
 - e) Refrain from interrupting any speech or action of members of council or any other member of the public that is addressing council, and
 - f) Refrain from displaying placards or signs supporting a particular outcome of the topic under discussion
- 12.8. After considering the representations made to it about a proposed bylaw or resolution at a public hearing and after considering any other matter it considers appropriate, the Council may:
- a) pass the bylaw or resolution,
 - b) make any amendment to the bylaw or resolution it considers necessary and proceed to pass it without further advertisement or hearing, or
 - c) defeat the bylaw or resolution.

Section 13.0 Public Hearing Records

- 13.1. Following the adjournment of a public hearing the municipal clerk shall prepare:
- a) A record of public submissions, and
 - b) Minutes of the public hearing.
- 13.2. The record of public submissions shall include:
- a) Written submissions received from administration, the applicant, and members of the public, and
 - b) An electronic copy of the video recording of the meeting, if one was made.
- 13.3. A member of the public wishing to have a written submission included in the record of public submissions shall ensure one copy of the submission is received by the Chief Administrative Officer between the time council sets a date for a public hearing and the close of the public hearing.
- 13.4. Where a person provides more than one identical or largely identical written submission, only one will be included in the record of public submissions.
- 13.5. The minutes of a public hearing shall record:
- a) The names of administration and the applicant, or representatives of the applicant, who presented at the hearing; and

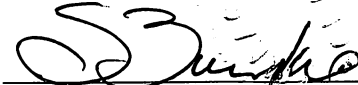
- b) The names of the members of the public who provided written and/or verbal submissions along with a general indication of support or opposition, but not a summary of the presentations and/or a copy of any written materials provided.

Bylaw 130-16 is hereby amended.

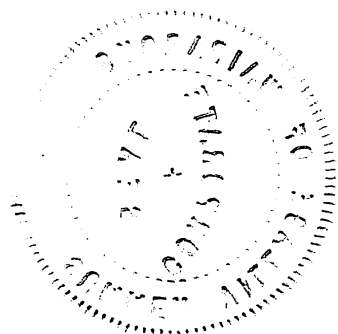
This Bylaw shall come into full force and effect at the date of its final reading.

Read a first, second and third time this 27th day of June, 2019



Mayor

Chief Administrative Officer



BYLAW NO. 140-19
SCHEDULE A
PUBLIC HEARING PROCEDURES

CALL HEARING TO ORDER

1. Chair / Vice Chair to call the public hearing to order.
2. Chair may introduce all Members of Council and Administrative Staff.

EXPLAIN PURPOSE OF HEARING AND PROCEDURES

3. Chair to advise those present that:
 - a. the Council is here to listen to the information presented, and to make a decision on the matter that is the subject of the hearing;
 - b. This is a formal hearing and is not a debate. Everyone wishing to speak will be given an opportunity to speak once to the matter.
 - c. The Chair shall call upon those individuals who added their name to the Speakers List in the order recorded. An individual who does not identify themselves on the Speakers List will not be given the opportunity to speak.
 - d. Presenters are to stay within a FIVE (5) minute time limit on the presentation and are encouraged when speaking to keep the presentation to the point, and refrain from restating points raised by previous speakers if possible.
 - e. Each presenter must first state their name, address and their interest in this matter, including whether in support or non-support.

HEARING TO COMMENCE

4. The Hearing is to commence as follows:
 - a. Chair to call on designated staff member to introduce the subject (or bylaw) of the hearing.
 - b. Chair to call on the Chief Administrative Officer (or designate) to read any relevant correspondence received.
 - c. Chair and Members of Council may ask for clarification relating to the subject (or bylaw).

PRESENTATIONS

5. Chair to call on applicant(s) to speak to the application, if applicable.
6. Chair to call on any individual(s) who recorded their names on the Speakers List to speak in in the order they were recorded.
7. Chair and members of Council may call on technical and administrative staff to provide information/clarification for Council.
8. The Chief Administrative Officer will read aloud the names of anyone who supplied written comments.

FINAL COMMENTS

9. Chair may invite administration an opportunity to provide closing comments

CLOSE OF HEARING

10. Chair announces that this concludes the public hearing.

COUNCIL DECISION

11. Following the conclusion of the public hearing, Council will discuss comments made by the public and render a decision on the subject (or bylaw). No further public comment can be received.