

TOWN OF DRUMHELLER
BYLAW NUMBER 17.25
DEPARTMENT: LEGISLATIVE SERVICES

AMENDING BYLAW FOR BYLAW #04.21

A BYLAW OF THE TOWN OF DRUMHELLER, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE AMENDMENT OF BYLAW #04.21, A BYLAW TO DEFINE CERTAIN DUTIES OF THE COUNCIL AND DESIGNATED OFFICERS OF THE TOWN OF DRUMHELLER.

WHEREAS pursuant to the provisions of the *Municipal Government Act, RSA 2000, c. M-26*, Section 145, a Council may pass bylaws respecting the establishment, function, and procedures of Council, Council Committees and other bodies established by the council;

AND WHEREAS pursuant to the *Municipal Government Act*, the Town of Drumheller has adopted *Council & Committee Meeting Procedure Bylaw #04.21*;

AND WHEREAS Section 199(2.1) of the *Municipal Government Act* now requires that every council provide, by bylaw, for public hearings under Part 17 to be conducted by electronic means;

AND WHEREAS the Town of Drumheller deems it necessary to amend *Council & Committee Meeting Procedure Bylaw #04.21* to align with this legislative requirement and provide for the option of electronic participation in public hearings;

NOW, THEREFORE the Council of the Town of Drumheller in the Province of Alberta, enacts as follows:

1. CITATION

1.1 This Bylaw shall be cited as the Town of Drumheller "Amending Bylaw for Bylaw #04.21."

2. AMENDMENTS

2.1 The following amendments shall be made to Bylaw #04.21:

- a) In Section 2(i):
 - i) the sentence "Committee of the Whole" consists of the Town of Drumheller Council', shall be changed to "Committee of the Whole" or "COTW" consists of the Town of Drumheller Council.
- b) Section 3.4 is repealed in its entirety.
- c) Section 7.7, relating to the conduct of public hearings, is repealed in its entirety.
- d) Section 14, as described in Schedule 'A' of this Bylaw, is hereby added in its entirety.

3. SCHEDULES

3.1 Schedule 'A' forms part of this Bylaw.

4. SEVERABILITY

4.1 If any portion of this Bylaw is found to be invalid, that portion shall be severed from the remainder of the Bylaw and shall not invalidate the whole Bylaw.

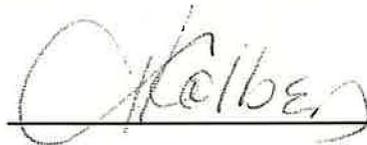
5. TRANSITIONAL

5.1 This Bylaw comes into full force and effect upon third and final reading.

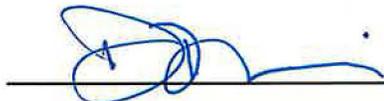
READ A FIRST TIME THIS 7th DAY OF April, 2025.

READ A SECOND TIME THIS 7th DAY OF April, 2025.

READ A THIRD AND FINAL TIME THIS 22nd DAY OF April, 2025.



MAYOR



CHIEF ADMINISTRATIVE OFFICER

SCHEDULE 'A'

14. Public Hearings

- 14.1. In accordance with Part 7 of the *Municipal Government Act*, a Public Hearing shall be held when required by the *MGA* or another enactment, or when directed by Council.
- 14.2. A Public Hearing shall be held at a regular or special meeting of Council and will commence at 5:30 p.m., unless otherwise directed by a resolution of Council.
- 14.3. A Public Hearing shall be held before second reading of a proposed bylaw or before Council makes a decision by resolution.
- 14.4. Any person, group of persons, or person representing them who claims to be affected by the proposed bylaw, resolution, or other subject of the Public Hearing will be eligible to present at a Public Hearing, either electronically or in person, and may also provide a written submission, given they adhere to the procedures of the Public Hearing identified within this Bylaw
- 14.5. Public Hearings shall be advertised in accordance with the Town of Drumheller *Advertising Bylaw* and shall include information on the deadlines to be followed by anyone wishing to provide a submission to the Public Hearing.
- 14.6. Notwithstanding section 14.5 of this Bylaw, a Public Hearing will be advertised:
 - a) for two (2) consecutive weeks in an accredited local newspaper; and
 - b) through any other methods identified in the *Advertising Bylaw*, as deemed necessary.
- 14.7. In accordance with Section 199 of the *Municipal Government Act*, all Public Hearings shall be conducted both electronically and in person at Town Hall; any member of the public may provide a verbal submission electronically at a Public Hearing provided they register at least four (5) calendar days prior to the hearing. The registration should include their name, whether they are in support or in opposition of the proposed bylaw, resolution, or other subject of the Public Hearing, and whether they are a resident of the Town of Drumheller.
- 14.8. All written submission must be received at least five (5) calendar days prior to the date of the Public Hearing for inclusion in the agenda.
- 14.9. All written submissions shall include:
 - a) the name of the signatories;
 - b) state if the signatories are in favour or opposed to the subject matter;
 - c) whether or not the signatories are residents of the Town of Drumheller; and
 - d) how each signatory is affected by the subject matter of the Public Hearing.

14.10. Written submission containing personal attacks, derogatory or defamatory statements, statements that promote discrimination against a person or class of persons, or statements that are likely to expose a person or class of persons to hatred or contempt will not be accepted.

14.11. Any person who wishes to present an in-person verbal submission at a Public Hearing shall register to speak prior to the hearing on a designated sign-in sheet, which shall include their name, whether they are in support or in opposition of the proposed bylaw, resolution, or other subject of the Public Hearing, and whether they are a resident of the Town of Drumheller.

14.12. The order of business for the Public Hearing shall be as follows:

- a) Council shall make a motion to open the Public Hearing, which shall note the time that the Public Hearing is opened.
- b) The Mayor shall state the purpose of the Public Hearing.
- c) The CAO shall introduce the proposed Bylaw, resolution, or other subject and shall briefly speak on the intended purpose.
- d) The Mayor shall outline the rules of conduct for the Public Hearing.
- e) Council shall hear the presentation(s) from the public in support of the bylaw, resolution or other subject matter;
- f) The Mayor shall ask three (3) times whether anyone else wishes to present in support of the proposed bylaw, resolution, or other subject matter.
- g) Council shall hear the presentation(s) from the public in objection of the proposed bylaw, resolution, or other subject matter;
- h) The Mayor shall ask three (3) times whether anyone else wishes to present in objection of the bylaw, resolution or other subject matter.
- i) The CAO shall be given the opportunity to respond to any comments received from the parties in opposition.
- j) Council shall be given the opportunity to ask questions of clarification from either the parties in support, the parties in opposition, or the CAO.
- k) The Mayor shall make a motion to close the Public Hearing and shall note the time that the Public Hearing is closed.

14.13. The following rules of conduct shall be followed during the Public Hearing:

- a) All persons shall address their presentation to the Mayor and shall only address Council with the permission of the Mayor.

- b) Presentations shall be given in the order in which they are called.
 - c) All materials associated with the Public Hearing will form part of the minutes of the regular or special council meeting in accordance with Section 216.4(6) of the Municipal Government Act and will become part of the public record.
 - d) Only material associated with the proposed bylaw, resolution, or other subject matter for which the Public Hearing was called will be considered at the Public Hearing.
 - e) No person shall speak for more than five (5) minutes and no group shall speak for more than ten (10) minutes, exclusive of the time required to answer questions from Council, unless the presentation has been extended by a decision of the Mayor in order to ensure the integrity of the Public Hearing.
 - f) Any person addressing Council shall:
 - i state their name;
 - ii whether they are in support or opposition of the Bylaw, resolution, or other subject matter;
 - iii whether they are a resident of the Town of Drumheller; and
 - iv how they are affected by the proposed Bylaw, resolution, or other subject matter;
 - g) Council may not debate the Bylaw, resolution, or other subject matter at the Public Hearing and may only ask questions for clarification.
 - h) The Mayor shall have the authority to end a presenter's electronic participating in a Public Hearing if, in the opinion of the Mayor, it is disruptive or inappropriate to the proceedings.
 - i) Respect for staff, Council, and the public shall be maintained; the Mayor may expel any member of the public from the Public Hearing for improper conduct, in accordance the Section 216(3) of the *Municipal Government Act*.
- 14.14. Council members who are absent for the entirety of the Public Hearing must abstain from voting on the matter in future sessions of Council.
- 14.15. Council members who are absent for a part of the Public Hearing may abstain from voting on the matter in future sessions of Council.
- 14.16. In order to ensure procedural fairness, no person shall address Council regarding a matter subject to a Public Hearing after the conclusion of that Public Hearing.