



CITY OF FORT SASKATCHEWAN AGENDA

Regular Council Meeting Tuesday, May 9, 2017 – 6:00 P.M. Council Chambers – City Hall

- 6:00 P.M.**
1. **Call to Order** Mayor Katchur
 2. **In-Camera Session**
 - 2.1 **Growth Study Update** Troy Fleming (verbal)

FOIP, Section 21(1), Harmful to Intergovernmental Relations
 3. **Approval of Minutes of April 25, 2017 Regular Council Meeting** (attachment)
 4. **Delegations**

Those individuals in attendance at the meeting will be provided with an opportunity to address Council regarding an item on the agenda, with the exception of those items for which a Public Hearing is required or has been held. Each individual will be allowed a maximum of five (5) minutes.
 5. **Presentation:**
 - 5.1 **Second Fire Station Build Timeline** James Clark (attachment)
 6. **Unfinished Business**
 7. **New Business**
 - 7.1 **Reschedule July 11, 2017 Regular Council Meeting** Brenda Molter (attachment)
 - 7.2 **Deferral of Off-Site Levy Payments for Fort Industrial Estates Stage 6** Dean McCartney (attachment)
 - 7.3 **Election Campaign Provisions Policy GOV-012-C** Brenda Molter (attachment)
 8. **Bylaws**
 - 8.1 **Bylaw C11-17 – Elections Bylaw – 3 readings** Brenda Molter (attachment)
 - 8.2 **Bylaw C12-17 – Election Signage Bylaw – 3 readings** Brenda Molter (attachment)

9. Notice of Motion

In-Camera Session

9.1 Code of Conduct Matter

(verbal)

Council Code of Conduct Bylaw C6-16, and
FOIP, Section 24(1)(b)(i), Advice from Officials

9.2 Councillor Code of Conduct

Coun. Garritsen
(attachment)

10. Points of Interest

11. Councillor Inquiries

12. Adjournment



**CITY OF FORT SASKATCHEWAN
MINUTES**

REGULAR COUNCIL

Tuesday, April 25, 2017 - 6:00 p.m.
Council Chambers – City Hall

Present:

Members of Council:

Mayor Gale Katchur
Councillor Birgit Blizzard
Councillor Sheldon Bossert
Councillor Frank Garritsen
Councillor Stew Hennig
Councillor Arjun Randhawa
Councillor Ed Sperling

Administration:

Troy Fleming, Acting City Manager
John Dance, General Manager, Corporate Services
Brenda Rauckman, General Manager, Community & Protective Services
Brenda Molter, Director, Legislative Services
Jeremy Emann, Chief Financial Officer
Richard Gagnon, Director, Infrastructure Management
Wendy Kinsella, Director, Corporate Communications
Reade Beaudoin, Digital Media Coordinator
Sheryl Exley, Recording Secretary

1. Call to Order

Mayor Katchur called the regular Council meeting of April 25, 2017 to order at 6:00 p.m.

R72-17

MOVED BY Councillor Garritsen that the April 25, 2017 regular Council Meeting agenda be amended by deleting item #11 "In-Camera."

In Favour: Gale Katchur, Frank Garritsen, Stew Hennig, Arjun Randhawa,
Birgit Blizzard, Sheldon Bossert, Ed Sperling

CARRIED UNANIMOUSLY

2. Approval of Minutes of April 11, 2017 Regular Council Meeting

R73-17

MOVED BY Councillor Blizzard that the minutes of the April 11, 2017 In-Camera and regular Council meeting be adopted as presented

In Favour: Gale Katchur, Frank Garritsen, Stew Hennig, Arjun Randhawa,
Birgit Blizzard, Sheldon Bossert, Ed Sperling

CARRIED UNANIMOUSLY

3. Delegations

The following individual was in attendance to speak in favour of Property Tax Bylaw C8-17:

- David Coleman, Fort Saskatchewan Chamber of Commerce

The following individuals were in attendance to speak against Property Tax Bylaw C8-17:

- Brian Kelly, business owner and member of the Fort Saskatchewan Chamber of Commerce
- Howard Johnson, business owner

Howard Johnson, business owner also spoke regarding the delegations portion of Council Meetings and felt that there should be no restrictions on the ability for residents to speak at Council Meetings.

The following were in attendance to speak in support of the proposed Governance Review:

- Nicki Allan, resident
- John Zabiuk, resident
- John Mather, resident
- Jennifer Lucas, resident
- Heather Fex Verhoeven, resident
- Tom Hutchison, resident

4. Presentation

4.1 Friends of the Traders

Gord Thibodeau from Friends of the Traders was in attendance to provide a presentation on the feasibility of an Alberta Junior Hockey League (AJHL) team relocating to the City of Fort Saskatchewan.

Councillor Bossert raised a "Point of Order" to the Chair and requested that item #8.1 Governance Review be the next item addressed.

The Chair ruled in favour of changing the agenda order to address the Governance Review.

8. Notice of Motion

8.1 Governance Review

R74-17

MOVED BY Councillor Sperling that Council direct Administration to retain the services of Strategic Steps Inc., to conduct a comprehensive Governance Review of the City of Fort Saskatchewan, not to exceed \$25,000 and to be funded from the Financial Stabilization Reserve. Ed Sperling

In Favour: Stew Hennig, Arjun Randhawa, Sheldon Bossert, Ed Sperling

Against: Gale Katchur, Frank Garritsen, Birgit Blizzard

CARRIED

5. Unfinished Business

5.1 Repealing of Council Policies

Presented by: Brenda Molter, Director, Legislative Services

R66-17

MOVED BY Councillor Garritsen that Council repeal the following Council policies:

- GEN-015-A – Internet Access
- GEN-019-A – Use of Wireless Communication Devices While Operating Mobile Equipment
- GEN-020-A – Computer and Network Resources Acceptable Use
- HUM-001-A – Employee Recognition Award Program
- HUM-015-A – Local Authorities Pension Plan
- HUM-024-A – Respectful Workplace
- HUM-026-A – Attendance Management
- SAF-001-A – Health & Safety
- SAF-016-A – Drug & Alcohol
- SAF-017-A – Joint Occupational Health & Safety Committee
- GEN-004-C – Camping in Temporary/Overflow Locations
- GEN-009-C – Memorials
- GEN-018-C – Electronic Message Sign
- HUM-002-C – Administrative Group Benefits
- HUM-016-C – Service Awards
- HUM-025-C – Opted Out and Excluded Group Benefits
- GOV-003-C – Facility Users Insurance Requirements

In Favour: Gale Katchur, Frank Garritsen, Stew Hennig, Arjun Randhawa,
Birgit Blizzard, Sheldon Bossert, Ed Sperling

CARRIED UNANIMOUSLY

6. New Business

6.1 2016 Audited Consolidated Financial Statements

Presented by: Jeremy Emann, Chief Financial Officer and Carlie Persson, Lead Engagement Partner, PricewaterhouseCoopers LLP

R75-17

MOVED BY Councillor Blizzard that Council receive and authorize for release the 2016 Audited Consolidated Financial Statements as presented.

In Favour: Gale Katchur, Frank Garritsen, Stew Hennig, Arjun Randhawa,
Birgit Blizzard, Sheldon Bossert, Ed Sperling

CARRIED UNANIMOUSLY

6.2 2016 Operating Budget Update

Jeremy Emann, Chief Financial Officer presented Council with information on the 2016 operating budget annual surplus.

6.3 Appointment of Assessment Review Board Members

Presented by: Brenda Molter, Director, Legislative Services

R76-17

MOVED BY Councillor Randhawa that Council appoint the following individuals, as members of the Assessment Review Board for a term ending December 31, 2017:

Bennett, Judy
Chartrand, Darlene
Chauvet, Paul
Dennett, Jack
Graff, Russell
Groszko, Tina
Hennig, Stewart
Knowles, Richard
Normandeau, Guy
Ralph, Raymond
Ross, Dianne

In Favour: Gale Katchur, Frank Garritsen, Stew Hennig, Arjun Randhawa,
Birgit Blizzard, Sheldon Bossert, Ed Sperling

CARRIED UNANIMOUSLY

7. Bylaws

7.1 Bylaw C8-17 - 207 Property Tax Bylaw - 3 readings

Presented by: Jeremy Emann, Chief Financial Officer

R77-17

MOVED BY Councillor Sperling that Council amend the 2017 budget by allocating \$219,493 of additional growth assessment revenue to the Financial Stabilization Reserve.

In Favour: Gale Katchur, Frank Garritsen, Stew Hennig, Arjun Randhawa,
Birgit Blizzard, Sheldon Bossert, Ed Sperling

CARRIED UNANIMOUSLY

MOVED BY Councillor Sperling that Council maintain the tax split of 59% for non-residential and 41% for residential as approved at the December 13, 2016 regular Council meeting.

Councillor Sperling withdrew his motion.

R78-17

MOVED BY Councillor Sperling that Council give first reading to Bylaw C8-17, providing for the collection of 2017 property taxes.

In Favour: Gale Katchur, Frank Garritsen, Stew Hennig, Arjun Randhawa,
Birgit Blizzard, Sheldon Bossert, Ed Sperling

CARRIED UNANIMOUSLY

R79-17

MOVED BY Councillor Sperling that Council amend Bylaw C8-17 to maintain the tax split of 59% for non-residential and 41% for residential as approved at the December 13, 2016 regular Council meeting.

In Favour: Stew Hennig, Arjun Randhawa, Sheldon Bossert, Ed Sperling

Against: Gale Katchur, Frank Garritsen, Birgit Blizzard

CARRIED

R80-17

MOVED BY Councillor Sperling that Council give second reading to Bylaw C8-17, providing for the collection of 2017 property taxes, as amended.

In Favour: Stew Hennig, Arjun Randhawa, Sheldon Bossert, Ed Sperling

Against: Gale Katchur, Frank Garritsen, Birgit Blizzard

CARRIED

R81-17

MOVED BY Councillor Sperling that Council provide unanimous consent to proceed with third and final reading to Bylaw C8-17, providing for the collection of 2017 property taxes.

In Favour: Gale Katchur, Frank Garritsen, Stew Hennig, Arjun Randhawa, Birgit Blizzard, Sheldon Bossert, Ed Sperling

CARRIED UNANIMOUSLY

R82-17

MOVED BY Councillor Sperling that Council give third reading to Bylaw C8-17, providing for the collection of 2017 property taxes.

In Favour: Stew Hennig, Arjun Randhawa, Sheldon Bossert, Ed Sperling

Against: Gale Katchur, Frank Garritsen, Birgit Blizzard

CARRIED

7.2 Bylaw C10-17 - Cemetery Bylaw - 3 readings

Presented by: Richard Gagnon, Director, Infrastructure Management

R83-17

MOVED BY Councillor Blizzard that Council give first reading to Bylaw C10-17, which regulates the operation of the Fort Saskatchewan Cemetery.

In Favour: Gale Katchur, Frank Garritsen, Stew Hennig, Arjun Randhawa, Birgit Blizzard, Sheldon Bossert, Ed Sperling

CARRIED UNANIMOUSLY

R84-17 MOVED BY Councillor Blizzard that Council give second reading to Bylaw C10-17, which regulates the operation of the Fort Saskatchewan Cemetery.

In Favour: Gale Katchur, Frank Garritsen, Stew Hennig, Arjun Randhawa, Birgit Blizzard, Sheldon Bossert, Ed Sperling

CARRIED UNANIMOUSLY

R85-17 MOVED BY Councillor Blizzard that Council provide unanimous consent to proceed with third and final reading to Bylaw C10-17, which regulates the operation of the Fort Saskatchewan Cemetery.

In Favour: Gale Katchur, Frank Garritsen, Stew Hennig, Arjun Randhawa, Birgit Blizzard, Sheldon Bossert, Ed Sperling

CARRIED UNANIMOUSLY

R86-17 MOVED BY Councillor Blizzard that Council give third reading to Bylaw C10-17, which regulates the operation of the Fort Saskatchewan Cemetery.

In Favour: Gale Katchur, Frank Garritsen, Stew Hennig, Arjun Randhawa, Birgit Blizzard, Sheldon Bossert, Ed Sperling

CARRIED UNANIMOUSLY

8. Notice of Motion

Councillor Garritsen gave notice that he will introduce the following motion at the May 9, 2017 regular Council meeting:

“That Council sanction Councillor Bossert in accordance with Bylaw C6-16 – Code of Conduct for failure to protect the reputation of the community and Council through his actions of submitting expense and honorarium claims to the City of Fort Saskatchewan that were not valid; and further that the following actions be taken:

1. Limit travel/representation on behalf of Council.
2. Removal from his Board and Committee appointments.”

9. Points of Interest

Members of Council were given the opportunity to bring forward information that would be of interest to the public.

10. Councillor Inquiries

Members of Council were given the opportunity to ask questions and provide concerns and comments.

11. Adjournment

The regular Council meeting of April 25, 2017 adjourned at 9:02 p.m.

Mayor

Director, Legislative Services

CITY OF FORT SASKATCHEWAN

Second Fire Station Build Timeline

Purpose:

To provide the Council with information as to the proposed timeline for design, construction and opening of the second fire station.

Background:

In 2013 the Fire Department engaged Fire Underwriters to prepare and present a Fire Insurance Grade Update Report. This Report recommended that with the current growth of the City that "The City of Fort Saskatchewan should complete a study concerning the benefits of moving to 2 fire halls in order to reduce road response travel times and obtain further credit within this portion of the Fire Insurance Grading".

In 2015 Darkhorse Emergency Services was engaged to conduct a Fire Station Location Study and provide a fire station location tool that could be used in selecting an appropriate site for a second fire station. This information was presented to the Mayor and Councillors at the May 17, 2016 Workshop.

With the use of the fire station location tool, a site was selected and purchased in November of 2016. The site, located just east of Heartland Ford, has been signed "Future home of Fire Station 2" in order to inform neighbouring properties and the public for the future use of the property.

Now that the site has been selected and purchased, the question of where a second fire station needs to be built has been answered. The question as to when the second fire station should be built can now be explored.

With the location of the second fire station now known, and utilizing the Department's record management system, the City has been divided into two fire station service areas (map attached) to monitor call volumes by service area. Records show that in the past five years the call volume for the two fire station service areas is 47% and 53%, with the higher percentage being the second fire station service area.

In a community of our size, research shows best practice for a fire station service area is approximately 360 calls per service area per year. For the City this equates to a total call volume of approximately 720 calls per year. In 2016 the Department responded to 376 calls.

In the past 15 years the Department's call volume growth has averaged 15% per year, and over the past five years, on average the Department has experienced a 7% growth per year. The following table outlines a projected growth based on 15% and 7% per year.

Year	15% growth per year	7% growth per year	Recommended Action
2016	376	376	
2017	432	402	
2018	497	430	
2019	572*	461	*Design the second station with 2021 opening
2020	658	493	
2021	756	527	
2022	870	564	
2023	1000	604	
2024		646*	*Design the second station with 2026 opening
2025		691	
2026		740	

The above table lays out two very likely scenarios that will be monitored going forward to predict the timeline for design, construction and opening of the second fire station. Should call volume growth increase or decrease in the future, the timeline will be adjusted accordingly.

Attachment:

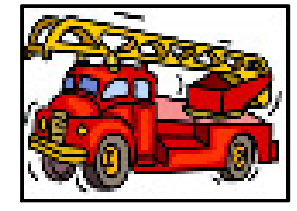
Approximate Fire Hall Service Areas Map

Prepared by:	James Clark Fire Chief	Date: April 10, 2017
Approved by:	Brenda Rauckman General Manager, Community and Protective Services	Date: May 2, 2017
Reviewed by:	Troy Fleming Acting City Manager	Date: May 4, 2017
Submitted to:	City Council	Date: May 9, 2017



Approximate Fire Hall Service Areas

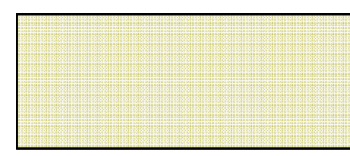
Legend



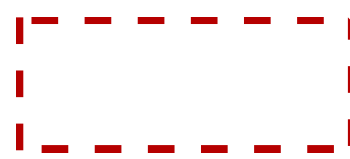
Fire Hall Locations



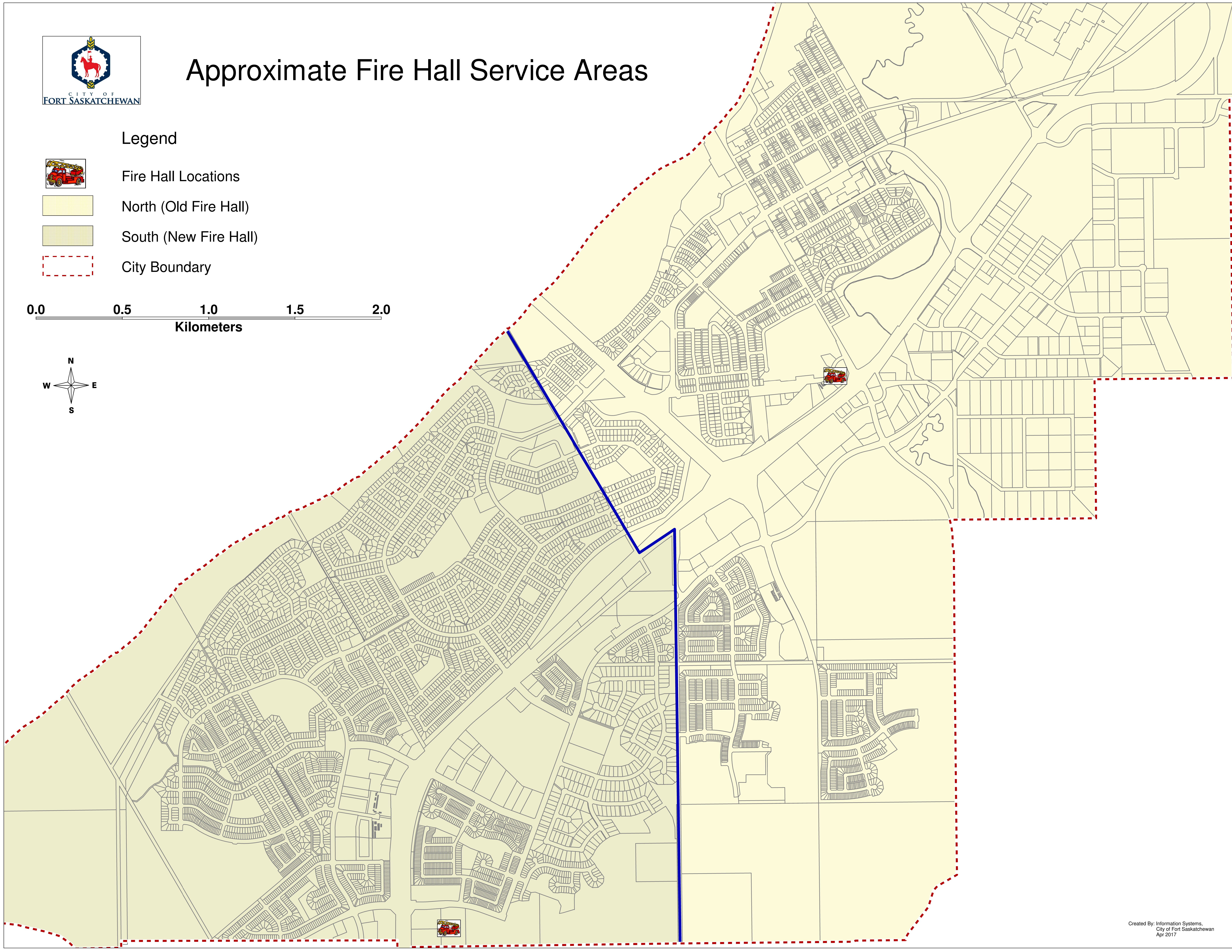
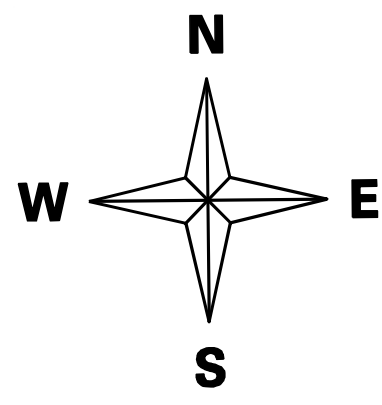
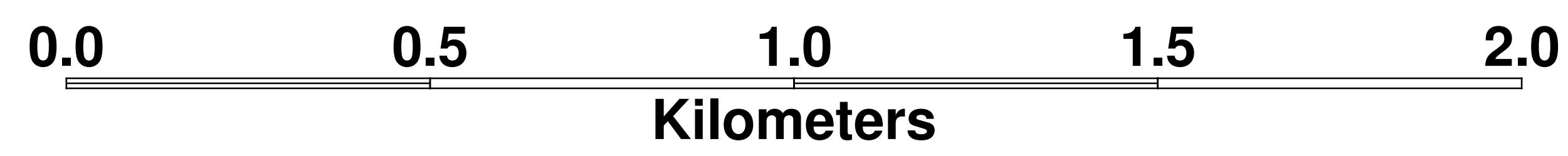
North (Old Fire Hall)



South (New Fire Hall)



City Boundary



CITY OF FORT SASKATCHEWAN

Reschedule July 11, 2017 Regular Council Meeting

Motion:

That Council reschedule the Tuesday, July 11, 2017 regular Council meeting to Monday, July 10, 2017 commencing at 6:00 p.m. in Council Chambers.

Purpose:

The purpose of this report is to determine if Council wishes to consider rescheduling the Tuesday, July 11, 2017 regular Council meeting, due to a scheduling conflict with a Habitat for Humanity event.

Background:

The Habitat for Humanity Jimmy and Rosalynn Carter Build is scheduled to take place in Edmonton and Fort Saskatchewan the week of July 10th through July 14th, with a number of special events taking place that week. To allow members of Council the opportunity to participate in the Habitat Housewarming Event scheduled for Tuesday, July 11th, it will be necessary to reschedule the regular Council meeting to Monday, July 10th.

A notice advertising the rescheduling of the July 11, 2017 regular Council meeting will be published in the local newspaper.

Recommendation:

That Council reschedule the Tuesday, July 11, 2017 regular Council meeting to Monday, July 10, 2017.

File No.:

Prepared by:	Sheryl Exley Legislative Officer	Date: May 2, 2017
Approved by:	Brenda Molter Director, Legislative Services	Date: May 2, 2017
Reviewed by:	Troy Fleming Acting City Manager	Date: May 3, 2017
Submitted to:	City Council	Date: May 9, 2017

CITY OF FORT SASKATCHEWAN

Deferral of Off-Site Levy Payments for Fort Industrial Estates Stage 6

Motion:

That Council approve the deferral of Off-Site Levy payments for Stage 6 of the Fort Industrial Estates subdivision for the development area identified in Schedule "A" of Development Agreement DA-2009-02.

Purpose:

For Council to consider extending deferred levy payments in Fort Industrial Estates Stage 6 until December 31, 2018.

Background:

Development Agreement DA-2009-02 covers the Light Industrial Development Area in Fort Saskatchewan that is currently being developed by TAG formerly Trans America Group. The area is located south of Highway 15, bounded in the east by East Gate Business Park, and west by Strathcona County. The Development Agreement was first endorsed on September 2, 2009 with six subsequent addendums.

In 2010, the Developer began preparing the Stage 3 Development Agreement addendum. At the time, Off-Site Levy Bylaw C33-07 required that all levy payments were required in two installments; the first payment of 50% was due upon signing, and the second 50% installment was due one year later. The Developer submitted a request to Council that the Off-Site Levy Bylaw be amended to include a clause that levy payments be deferred until the time of lot sale. This request was approved by Council on May 11, 2010.

In July 2010, Council approved a deferral request for Fort Industrial Estates Stage 3 (DA-2008-02; Addendum 2), allowing 100% of the levy payment to be deferred until the time of lot sale.

In June 2014, Council approved a second deferral request allowing 100% of the levy payments to be deferred until the time of lot sale or the date of December 31, 2016.

On March 21, 2017 TAG Developments submitted a letter asking to extend the deferred levy payment until the time of lot sale or December 31, 2018. The extension will give TAG the opportunity to market the lots and construct show suites. This will allow them to showcase office spaces to new businesses and potential purchasers.

Plans/Standards/Legislation:

TAG's request is in line with current Off-Site Levy Bylaw C1-14. The Bylaw contains the following clauses on the application of the levy:

3(h)(iii) the deferred portion of the Off-Site Levy shall be a maximum of FIFTY (50%) PERCENT of the Off-Site Levy payable, and the maximum period for deferral shall be one (1) year from the date of entry into the Development Agreement; or

3(h)(iv) any other form of payment deferral for the Light/Medium Industrial Development Area as approved by Council.

Financial Implications:

Deferral of payment to the Industrial Levy may result in the Levy not having enough funds accumulated at the time that identified levy projects are triggered for construction. The result would be the developers fronting levy projects and receiving credit when additional development occurs. Alternately, the City would need to fund required levy projects from reserves which may affect the City's borrowing limits. Ultimately, the funds would be paid back from the Industrial Levy once enough funds were collected from developers triggered by the sale of industrial lots.

Recommendation:

That Council approve the deferral of Off-Site Levy payments for the development area identified in Schedule "A" of Development Agreement DA-2009-02.

Attachments:

1. Appendix A - Letter from Trans America Group Ltd. requesting deferral of Levy payments
2. Appendix B - DA-2009-02 Schedule "A" – Development Area
3. Appendix C - Aerial Map

File No.: Deferral of Levy payments in Fort Industrial Estates Stage 6 Development

Prepared by:	Matthew Siddons Current Planner, Planning & Development	Date: April 28, 2017
Approved by:	Dean McCartney Acting Director, Planning & Development	Date: May 1, 2017
Reviewed by:	Troy Fleming Acting City Manager	Date: May 3, 2017
Submitted to:	City Council	Date: May 9, 2017



1603, 10104 – 103 Avenue
 Edmonton, AB T5J 0H8
 PH 780-486-3919
 FX 780-484-6227
 www.tag.ca

March 21, 2017

10005 102 Street
 Fort Saskatchewan, AB
 T8L 2C5

Attention: Mr. Mark Morrissey, Director of Economic Development

Re: Request for extension of Deferred Levies Payments

Dear Mark:

Further to our letter of June 4, 2014 please accept this as an official request to defer levie payments in our Fort Industrial Estates Stage 6 Development.

To date, we have sold 2 lots in this stage representing 4.60 ha of the 18.15 ha subdivision. To this extent, we request an extension of the deferred levie payment agreement from December 31, 2016 to December 31, 2018 which will allow us to ensure continued capital investment in the area.

We request the same terms apply whereby the proportionate levie amount for each lot be paid to the City once TAG Developments sells the lots and upon the transfer of title to each lot purchaser. The municipality will remain secured by having the Development Agreement registered on title until all monies associated with that lot are paid to the City, at which time the City will provide a discharge of the Development Agreement registered on title of the particular lot.

We further note that Block 7 was registered as 4 lots instead of the 2 identified in the original development agreement addendum and we request amending the individual lot areas and levie contribution for these lots, as follows, in effort to match payment to what is registered at land titles:

Block	Lot	Size (ha)	Rate/ha	Contribution
Block 7	Lot 6	0.868	\$68,568.00	\$ 59,517.02
Block 7	Lot 7	0.868	\$68,568.00	\$ 59,517.02
Block 7	Lot 8	0.849	\$68,568.00	\$ 58,214.23
Block 7	Lot 9	0.849	\$68,568.00	\$ 58,214.23
				<u>\$235,462.51</u>

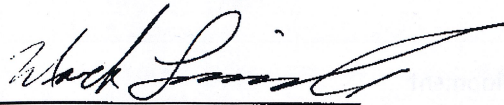
This is within \$411 of the original levie payments identified in the development agreement addendum due to rounding changes during registration.

This extension will give us the opportunity to continue to market these lots for sale and use these funds to invest into our Heartland buildings by constructing show suites. This will give us the opportunity to showcase office space in Fort Saskatchewan in an effort to attract new businesses to the industrial park.

We look forward to reviewing this proposal with you. Please do not hesitate to contact me if you have any questions.

Sincerely,

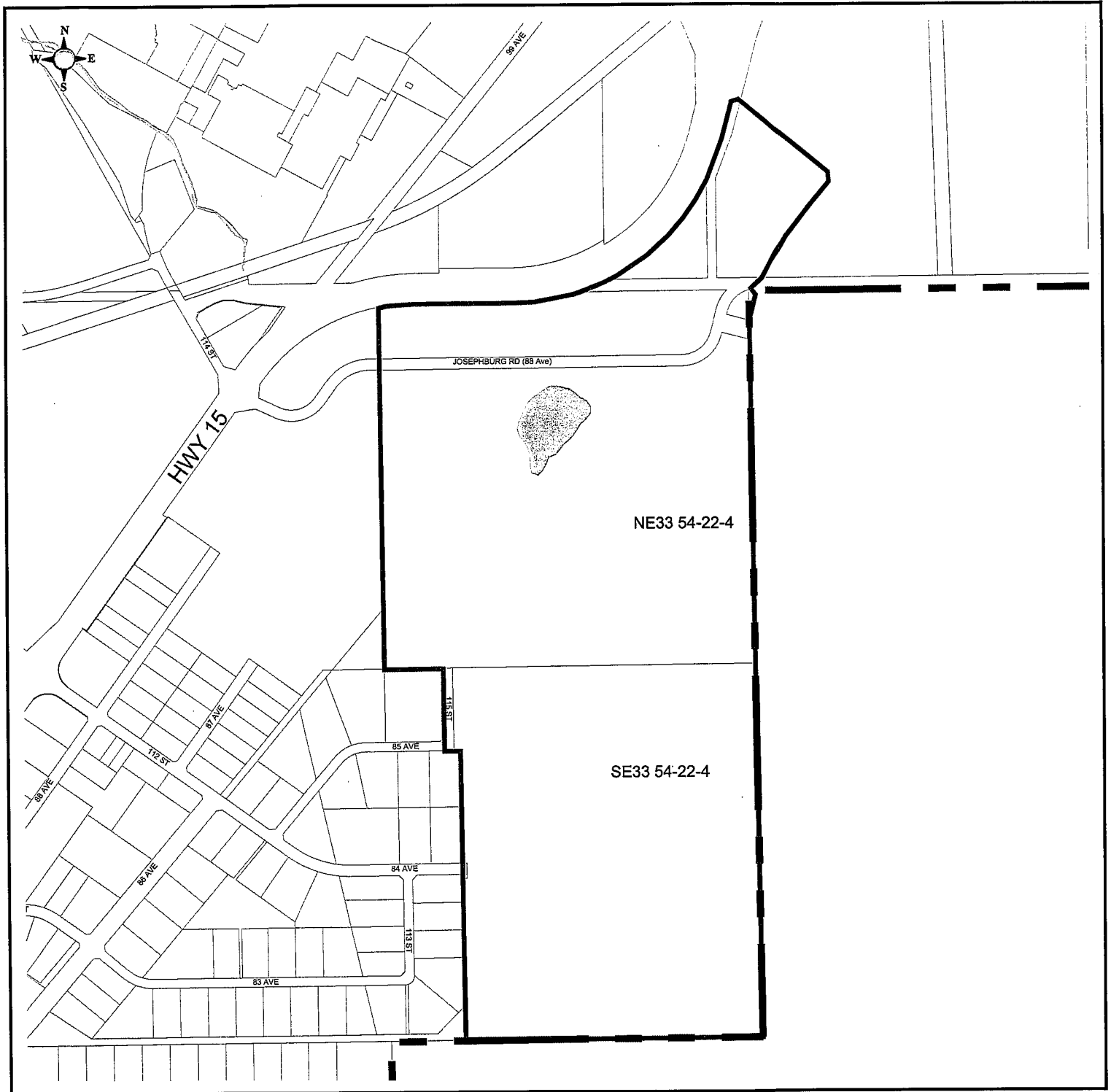
TAG DEVELOPMENTS LTD.



Mark Tanasichuk

VICE PRESIDENT DEVELOPMENT

Schedule "A" Development Area



 Subject Area

APPENDIX C



 **Subject Area**

DISCLAIMER: The information shown is for reference only. The City of Fort Saskatchewan disclaims all responsibility for the accuracy, completeness, timelines and merchantability of information show. Use this information at your own risk



CITY OF FORT SASKATCHEWAN

Election Campaign Provisions Policy GOV-012-C

Motion:

That Council adopt Election Campaign Guidelines Policy GOV-012-C.

Purpose:

To present Council with information and a request to approve Election Campaign Provisions Policy GOV-012-C, which provides clarity on the provisions for Council members, Administration, and the public related to election campaigning.

Background:

This Policy has been developed to assist members of Council, potential election candidates, Administration, and the general public on the expectations, restrictions, and abilities available for election campaigning.

Council does not have an existing document similar in nature, and the Policy will assist with clarity and transparency related to election campaigning. The intent of the Policy is to address a gap which currently exists in the organization.

Additionally, the Policy helps to ensure that a level playing field exists between incumbents and new candidates, for the duration of election campaigns.

Highlights of the Policy are noted below:

1. A detailed Definitions section has been included, to assist with clarity of the Policy.
2. Plain language has been used throughout the document.
3. Clearly defines the expectations for current members of Council, candidates, and Administration related to involvement in an election campaign.

Recommendation:

That Council adopt Elections Campaign Guideline Policy GOV-012-C.

Attachments:

Elections Campaign Guidelines Policy GOV-012-C

Prepared by: Brenda Molter
Director, Legislative Services

Date: May 2, 2017

Reviewed by: Troy Fleming
Acting City Manager

Date: May 2, 2017

Submitted to: City Council

Date: May 9, 2017

ELECTION CAMPAIGN PROVISIONS

Date Issued: May 9, 2017

Mandated by: City Council

Current Revision: May 9, 2017

Cross Reference:

Next Review: January 1, 2020

Responsibility: City Manager

PURPOSE

To instill public confidence in the City's electoral process by clearly defining parameters for the use of City facilities and City resources during election campaigns. These parameters will assist to ensure that all Candidates have access to the same information, and that all members of the Administration remain neutral throughout an election campaign period.

POLICY

Members of Council and Administration shall act in ways that ensure the public has confidence in the municipal elections, and that City resources are not used in any way to unfairly benefit any Candidate or campaign.

DEFINITIONS

1. "Administration" shall mean any member of staff employed by the City of Fort Saskatchewan.
2. "Candidate" shall mean an individual running for the position of Mayor or Councillor in a municipal election or by-election, and who has submitted valid nomination papers to the City in accordance with the *Local Authorities Election Act*.
3. "City" shall mean the City of Fort Saskatchewan.
4. "City Facilities" shall mean any City-owned or City-leased building, office, structure or parking lot, and any property developed or used by the City as a public park, sports field, playground, or recreational area.
5. "City Manager" shall mean the Chief Administrative Officer pursuant to the *Municipal Government Act*.
6. "City Resources" shall mean resources (including human resources) paid for or acquired with City funds, and includes but not limited to, City staff time, equipment, technology, financial assets and non-financial assets (for example, vehicles, material, paper or electronic documents, tools, electronic equipment, i.e., fax machines, photocopiers, printers, computers, cell phones, telephones, and phone numbers), City funds, promotional material, Internet services (including e-mail and social media), and intellectual property, such as City logos, crests, or slogans.

7. "Council" shall mean the current municipal Council of the City of Fort Saskatchewan.
8. "Election" shall mean:
 - a. a municipal election, by-election, or vote on a question, held in accordance with the *Local Authorities Election Act*;
 - b. an election held pursuant to the *School Act* for the Province of Alberta, and
 - c. elections as required for provincial or federal office.
9. "Election Day" shall mean the date of voting for the City's municipal election or by-election.
10. "LAEA" shall mean the *Local Authorities Elections Act* for the Province of Alberta.
11. "Nomination Day" shall mean the date when individuals submit their nomination papers indicating their intent to run in a municipal election or by-election (4 weeks prior to Election Day).
12. "Social Media" shall mean freely accessible, third-party hosted, interactive technologies used to produce, post and interact through text, images, video, and audio to inform, share, promote, collaborate, or network.

GUIDING PRINCIPLES

1. The City shall balance the need for freedom of expression and assembly of Candidates with its legal responsibility to ensure no unfair advantage exists for any Candidate or a supporter of a question on a ballot during an election.
2. This Policy is applicable for all municipal elections and by-elections, as well as a vote on a municipal bylaw or question.
3. The City's election processes are governed by the *Local Authorities Election Act* (LAEA), as well as any other related City bylaws.
4. While applicable legislation may include provisions which regulate the conduct of Candidates and Administration, there is opportunity for the City to ensure documentation is in place to further ensure that its election practices reflect fairness, accountability, and transparency.

Communication:

5. Following the submission of nomination papers, responses to Candidate campaign requests or for general information shall be distributed to all Candidates. The intent of this provision is to ensure that all Candidates have access to and are provided with the same information at the same time.

Council:

6. Members of Council are elected in the capacity of Mayor or Councillor, and serve in that capacity until such time as newly elected Council members are sworn in, resign, or are disqualified.
7. No member of Council shall use or link the City's website or devices to any campaign-related material or websites. City content, graphics, logos or other branding, shall not be used for any campaign-related material.

8. Members of Council shall not use City devices for campaign or campaign-related purposes. Any social media accounts used for campaign purposes must be set-up on personal devices.
9. While holding the office of Mayor or Councillor for the City, no member of Council shall use City funds for any purpose relating to a campaign, campaign period, or campaign-related activities, including funding or resources required for any form of media advertising for the purpose of discussing or promoting the election process.

Access to City Facilities & City Resources:

10. No City facilities or City resources shall be used for any election campaign or campaign-related activities, except on the same basis that would normally be made available to members of the public, and in accordance with a valid rental contract, if applicable.
11. Campaigning and posting or distributing of campaign material in or on a City facility is prohibited for individual Candidates. Exception could be made for events, such as an all-candidate forum.

Administration:

12. Administration shall not participate in or conduct any work in support of a Candidate or a campaign while being compensated for work by the City. Members of Administration may participate in Candidate campaigns on their own time.
13. Administration working on a campaign shall not at any time portray themselves as acting on behalf of the City.
14. Notwithstanding Section 12, the City Manager, General Managers, Directors, Legislative Services Department staff employed by the City and contracted municipal election workers shall not participate in any municipal campaigns. These positions are required to maintain an impartial relationship with all Candidates.
15. No member of Administration shall use or attempt to use their position at the City to influence other members of Administration to affect the outcome of an election or a vote on a question to the public.
16. All members of Administration shall treat all Candidates in the same manner throughout the election campaign period. All members of Administration shall remain neutral while being compensated by the City, and ensure that the City conducts its election without influence.

AUTHORITY / RESPONSIBILITY TO IMPLEMENT

The City Manager is responsible for administrative compliance with this Policy, and Council is responsible for compliance by its members, City Bylaws, the *Municipal Government Act*, and other applicable legislation.

CITY OF FORT SASKATCHEWAN

Elections Bylaw C11-17

Motion:

1. That Council give first reading to Elections Bylaw C11-17.
2. That Council give second reading to Elections Bylaw C11-17.
3. That Council give unanimous consent to proceed with third and final reading of the Elections Bylaw C11-17.
4. That Council give third reading to the Elections Bylaw C11-17.

Purpose:

To present Council with information and to request approval of Elections Bylaw C11-17, which provides the authority necessary to hold elections in the City of Fort Saskatchewan.

Background:

Prior to previous elections, Council has approved a series of resolutions for the administering of the municipal election, which were presented in a report. For the purpose of the 2017 and future elections, Administration is recommending that Council adopt Elections Bylaw C11-17. Should the Elections Bylaw be adopted, moving forward it would not be necessary to pass separate resolutions, as in past years.

Key points of the Bylaw have been summarized below:

1. the Director, Legislative Services shall be appointed Returning Officer for holding municipal elections;
2. Advance voting shall be held for municipal elections;
3. The Returning Officer shall be authorized to set locations for voting stations for municipal elections;
4. A modified (automated) voting procedures shall be used for municipal elections;
5. The Returning Officer shall be authorized to enter into agreements with the Elk Island Public School Division #14 and Elk Island Catholic School Division #41 for conducting elections for the position of School Trustee;
6. Special ballots shall be made available for municipal elections; and
7. The Returning Officer shall be authorized to designate the location, date and times for institutional voting stations for municipal elections.

Recommendation:

That Council give three readings to Elections Bylaw C11-17.

Attachment:

Elections Bylaw C11-17

Prepared by:	Brenda Molter Director, Legislative Services	Date: May 2, 2017
Reviewed by:	Troy Fleming Acting City Manager	Date: May 2, 2017
Submitted to:	City Council	Date: May 9, 2017



CITY OF FORT SASKATCHEWAN

A BYLAW OF THE CITY OF FORT SASKATCHEWAN, IN THE PROVINCE OF ALBERTA, TO AUTHORIZE THE REGULATIONS FOR THE ADMINISTRATION OF ELECTIONS IN THE MUNICIPALITY

BYLAW C11-17

NOW THEREFORE, The Council of the City of Fort Saskatchewan in the Province of Alberta, duly assembled, enacts the following:

1. SHORT TITLE

This Bylaw shall be referred to as the “Elections Bylaw”.

2. DEFINITIONS

For the purposes of this Bylaw:

- a. “Advance Vote” shall mean additional voting dates in advance of Election Day;
- b. “Automated Voting System” shall mean automated or electronic systems designed to automatically count and record votes, and process and store the election results;
- c. “Ballot” shall mean the part of a printed or electronically produced ballot card, which indicates the office to be voted on, the names of the candidates, the bylaw name and number, or the question if any, and containing the spaces in which the elector is to mark their vote;
- d. “Ballot Box” shall mean a container, in a form approved by the Returning Officer, intended to contain the completed ballots;
- e. “Candidate” shall mean an individual running for the position of:
 - i. Mayor or Councillor in a municipal election or by-election;
 - ii. School Trustee in the Elk Island Public School Division #14 or Elk Island Catholic School Division #41; or
 - iii. in other provincial or federal office.
- f. “City” shall mean the municipal corporation of the City of Fort Saskatchewan, in the Province of Alberta;
- g. “City Manager” shall mean the City’s Chief Administrative Officer or designate;
- h. “Council” shall mean the municipal Council for the City of Fort Saskatchewan, elected pursuant to the LAEA;

- i. "Counting Centre" shall mean an area designated by the Returning Officer in a controlled access building and equipped for the counting of votes and the tabulation of election results;
- j. "Deputy Returning Officer" shall mean the person appointed to such position by the Returning Officer to assist with an election;
- k. "Elector" shall mean a person eligible under the LAEA to vote in an election;
- l. "Election" shall mean any election, by-election, or vote on a bylaw or question held to elect the position of Mayor, Councillor, and/or School Trustee, and/or to determine a vote on a bylaw or question, in any combination;
- m. "Election Day" shall mean the third Monday in October in a municipal election year, pursuant to the LAEA, or a day set for holding a by-election, or vote on a bylaw or question;
- n. "LAEA" shall mean *Local Authorities Election Act* for the Province of Alberta;
- o. "Local Jurisdiction" shall mean the City of Fort Saskatchewan, the Elk Island Public School Division #14, and Elk Island Catholic School Division #41;
- p. "Marking Device" shall mean a writing instrument approved by the Returning Officer for use by an elector to mark a ballot card;
- q. "Memory Card" shall mean a cartridge which is removable and has a battery sustained memory, in which all tabulated totals are stored;
- r. "Nomination Day" shall mean the day which is 4 weeks prior to Election Day, where the Returning Officer receives nomination papers, pursuant to the LAEA;
- s. "Portable Ballot Box" shall mean a container for completed ballot cards, in the form approved by the Returning Officer, which is not used with a vote tabulator;
- t. "Presiding Deputy Returning Officer" shall mean the person appointed to such position by the Returning Officer to assist with an election;
- u. "Returning Officer" shall mean the City's Director, Legislative Services, who shall carry out the provisions of the LAEA as required;
- v. "Secrecy Sleeve" shall mean an open ended envelope in a form approved by the Returning Officer, intended to ensure the privacy of the ballot;
- w. "Special Ballot" shall mean a ballot provided to electors who are unable to vote at an advance vote or vote on Election Day, pursuant to the LAEA;
- x. "Tally Register Tape" shall mean the printed record generated by a vote tabulator showing the number of accepted ballots, the ballots read, and the results of the ballots read by that vote tabulator;

- y. "Voting Compartment" shall mean an area designated at a voting station for electors to use for the marking of their ballot;
- z. "Vote Tabulator" shall mean the equipment used as part of the automated voting system designed for use at the counting centre to receive ballots and automatically scan a specified area or areas on the ballot card and record the results.

3. JOINT ELECTION

- 3.1 The Returning Officer is authorized to enter into agreements between the City and the Elk Island Public School Division #14, and the City and the Elk Island Catholic School Division #41 to conduct elections for the position of School Trustee, if required.

4. RETURNING OFFICER

- 4.1 The Director, Legislative Services is hereby appointed the Returning Officer for the City (hereinafter referred to as the Returning Officer) for the purpose of conducting elections under the LAEA.

5. BALLOTS

- 5.1 The Returning Officer shall be responsible for ensuring that ballots are produced in accordance with this section.
- 5.2 Sufficient ballots shall be printed to ensure that there are ballot cards available for each elector who wishes to vote.
- 5.3 Each ballot shall:
 - a. set out the offices to be voted on in the election, the candidates for each office, and any bylaws and/or questions that are to be put to a vote of the electors in the election;
 - b. contain a brief explanatory note stating the maximum number of candidates for each office for which an elector can vote without making the ballot void; and
 - c. provide a space for the elector to mark the elector's vote beside each ballot.
- 5.4 A single ballot may contain any of the offices, questions, and bylaws to be voted on in the election.
- 5.5 The area of each office, bylaw and question shall be clearly designated on the ballot.
- 5.6 The ballot may include the following, in an order to be determined by the Returning Officer:
 - a. candidates for the office of Mayor;

- b. candidates for the office of Councillor;
- c. candidates for the office of Public School Trustee;
- d. candidates for the office of Catholic School Trustee;
- e. questions that may be put to the electors under the *Municipal Government Act* (MGA) or any other enactment;
- f. bylaws that may be voted on by the electors under the MGA, or any other enactment; and
- g. candidates for any other office, as may be required by another enactment.

5.7 Candidates names shall be listed on the ballots alphabetically by last name. Each last name will be capitalized and bolded.

5.8 The Returning Officer shall ensure that there are sufficient secrecy sleeves to allow each elector to cast a ballot in accordance with Section 12.5.

5.9 The secrecy sleeve shall be in the form authorized by the Returning Officer and shall be designed so that it conceals the markings made on the ballots by an elector, without concealing the initials of the Deputy Returning Officer.

6. NOMINATION FORM

6.1 Candidates for the offices of Mayor and Councillor must file nomination papers, pursuant to the LAEA on Nomination Day, between the hours of 10:00 a.m. and 12:00 noon at City Hall.

6.2 Each nomination form must be signed by a minimum of 5 electors eligible to vote in that election, pursuant to the LAEA.

7. MODIFIED VOTING PROCEDURE

7.1 The City may use a modified voting procedure for the purpose of conducting a municipal election, as permitted by the LAEA.

7.2 The Returning Officer is hereby delegated the authority to designate the locations of the voting stations.

8. ADVANCE VOTING

8.1 The Returning Officer is authorized to conduct an advance vote on any vote held in an election for the local jurisdiction, pursuant to the LAEA.

8.2 The Returning Officer is authorized to set appropriate dates and times for holding an advance vote.

8.3 Vote tabulators will be used to conduct an advance vote unless the Returning Officer otherwise directs that portable ballot boxes shall be used.

- 8.4 Where the vote tabulators are used for an advance vote, the Presiding Deputy Returning Officer shall, upon completion of each day of an advance vote, ensure that:
- a. no tally register tapes are generated; and
 - b. the vote tabulators, complete with memory cards, are returned to the counting centre or other location specified by the Returning Officer.
- 8.5 Where the vote tabulators are used for an advance vote, the Returning Officer shall ensure that:
- a. the memory cards remain secure; and
 - b. the tally register tapes are not generated until after 8:00 p.m. on Election Day.

9. INSTITUTIONAL VOTING

- 9.1 The Returning Officer is authorized to designate the location of one or more institutional voting stations, for the purpose of holding an election.
- 9.2 The Returning Officer is authorized to set the appropriate date and time for holding institutional voting, at one or more institutional voting stations, for the purpose of holding an election.
- 9.3 The Returning Officer shall determine whether to use ballot boxes or portable ballot boxes for the purpose of conducting an institutional vote.

10. SPECIAL BALLOTS

- 10.1 The City shall make special ballots available to those electors who are unable to vote at an advance vote or on Election Day due to:
- a. physical incapacity;
 - b. absence from the local jurisdiction; or
 - c. being a Returning Officer, Deputy Returning Officer, or other individual who may be participating in or located at a voting station away from the municipality where the elector resides.
- 10.2 Electors who wish to request a special ballot may do so by submitting a request to the Returning Officer, by means of the following methods:
- a. in writing;
 - b. by telephone;
 - c. by telecopier;
 - d. in person; or
 - e. by e-mail.

- 10.3 Electors who wish to make application for a special ballot in accordance with Section 10.2, must provide to the Returning Officer the elector's:
- a. first and last name;
 - b. residential municipal address;
 - c. school elector status, if voting for School Trustee;
 - d. mailing address for delivery of the special ballot;
 - e. contact phone number;
 - f. e-mail address; and
 - g. reason why the special ballot is requested.
- 10.4 Electors who wish to submit a request for a special ballot may do so prior to Election Day, ensuring they have sufficient time for its return, pursuant to Section 10.5.
- 10.5 Special ballots which have been provided to electors must be returned to the Returning Officer at City Hall by 4:30 p.m. on Election Day.
- 10.6 Valid special ballots shall be counted at the counting centre following the close of voting stations.

11. VOTING HOURS ON ELECTION DAY

- 11.1 Voting stations in the City shall open promptly at 10:00 a.m. on Election Day, and shall remain open until 8:00 p.m.
- 11.2 The Presiding Deputy Returning Officer shall determine when it is 10:00 a.m., and when it is 8:00 p.m.
- 11.3 Promptly at 8:00 p.m. on Election Day, the Presiding Deputy Returning Officer shall declare the voting station closed.
- 11.4 If when the voting station is declared closed, there are one or more electors within who wish to vote, they shall be permitted to do so. No other person shall be allowed to enter the voting station for that purpose.

12. VOTING PROCEDURES

- 12.1 Each elector shall be given one ballot, which has been initialled by a Deputy Returning Officer, as well as a secrecy sleeve.
- 12.2 Upon receiving the ballot and secrecy sleeve, the elector shall proceed to the voting compartment to vote.

- 12.3 The elector shall:
- a. only mark the ballot in the voting compartment; and
 - b. only use the marking device provided in the voting compartment to mark the ballot.
- 12.4 The elector shall mark the ballot as follows:
- a. marking a dot or coloring in the circle on the ballot, corresponding to the candidate of the elector's choice, or if there is more than one vacancy, the candidates of the elector's choice; and
 - b. where the ballot is on a bylaw or question, marking a dot or coloring in the circle on the ballot, corresponding to the elector's choice on the question or bylaw.
- 12.5 After the elector has finished marking the ballot, the elector shall:
- a. insert the ballot into the secrecy sleeve without showing the markings on the ballot to anyone and without folding the ballot; and
 - b. leave the voting compartment and deliver the secrecy sleeve containing the ballot to the Deputy Returning Officer supervising the vote tabulator and ballot box.
- 12.6 The Deputy Returning Officer supervising the vote tabulator and ballot box shall insert the marked ballot contained in the secrecy sleeve into the vote tabulator so that the ballot is extracted from the secrecy sleeve, without exposing the marks made on the ballot by the elector.
- 12.7 When the elector's ballot has been accepted by the vote tabulator and deposited into the ballot box, the elector shall leave the voting station.
- 12.8 The voting procedure prescribed in this section shall also apply during an advance vote. However, if not practicable it may be modified as required at the discretion of the Returning Officer or Presiding Deputy Returning Officer.
- 12.9 The voting procedures for an institutional vote will, as closely as possible, follow the provisions of the LAEA.

13. POST VOTING PROCEDURE

- 13.1 Immediately after the close of a voting station and any remaining electors present at the time of closing have voted, the Presiding Deputy Returning Officer shall:
- a. cause the vote tabulator to print off a copy of the results from that voting station;
 - b. seal each ballot box containing marked ballots; and

- c. hand the vote tabulator, the tally register tape, and the sealed ballot box to the person or persons assigned by the Returning Officer to deliver them to the counting centre.

13.2 On Election Day the Presiding Deputy Returning Officer shall:

- a. complete the ballot account following the close of the station, and personally deliver it to the Returning Officer or designate; and
- b. seal the unused ballots, voting registers, and all statements required under the LAEA in an empty ballot box and return them to the Returning Officer or designate.

13.3 Upon completion of the tabulation of the election results, the Returning Officer shall retain the programs and memory cards from the automated voting system, pursuant to the LAEA relating to the retention of election material.

14. COUNTING CENTRE

14.1 The Returning Officer shall ensure the counting centre is secure from unauthorized access by persons who are not entitled to be present during the processing and tabulation of results.

14.2 The Returning Officer shall preside at the counting centre and shall:

- a. receive all sealed ballot boxes;
- b. record receipt of vote tabulators and ballot boxes;
- c. verify the seal of each ballot box and vote tabulator;
- d. cause a tally register tape to be produced from the vote tabulator for the advance vote, institutional vote, and special ballots received pursuant to Section 10 of this Bylaw;
- e. review and verify the tally register tapes and ballot accounts from each voting station, advance vote, institutional vote, and special ballots received pursuant to Section 10 of this Bylaw; and
- f. produce a cumulative tally of all valid ballots.

14.3 The Returning Officer may delegate any of the duties under this section to a Deputy Returning Officer.

15. REJECTED BALLOTS

15.1 A ballot shall be void and not counted in the election results if:

- a. the ballot does not bear the initials of the Deputy Returning Officer who issued the ballot;
- b. the ballot has been torn, defaced, or dealt with in such a way by an elector, that the elector could be identified;

- c. the ballot has not been marked by the elector;
 - d. the ballot has been marked outside of the space, which does not correspond next to the elector's choice; or
 - e. the ballot cannot be read by the vote tabulator.
- 15.2 The votes on a ballot which have been completed incorrectly may be void and not counted in the election results if:
 - a. the ballot has been marked for more candidates than offices to be filled; or
 - b. in the event of a bylaw or question, the ballot has been marked both in the affirmative and the negative.
- 15.3 If an elector has made an error in marking the ballot, the elector may return the ballot to the Deputy Returning Officer who provided it to them, and request a new ballot.
- 15.4 If a ballot is rejected by the vote tabulator, the elector may request another ballot. If the elector refuses to request another ballot, the Deputy Returning Officer shall re-insert the ballot into the vote tabulator to count the votes on any ballots which have been completed correctly.

16. RECOUNT BY RETURNING OFFICER

- 16.1 If the Returning Officer makes a recount pursuant to the LAEA, the voted ballots shall be recounted by the automated voting system.

17. AUTOMATED VOTING SYSTEM

- 17.1 The taking of votes of the electors and the tabulation of election results in any election or vote on a bylaw or question conducted by the City, may be done by means of an automated voting system, as directed by the Returning Officer.
- 17.2 In the event that an automated voting system is used in the election, the Returning Officer shall:
 - a. ensure that the automated voting system has been pre-tested, is accurate, and in good working order; and
 - b. take whatever reasonable safeguards may be necessary to secure the automated voting system and any part thereof, including the vote tabulators and the ballot boxes from unauthorized access, entry, tampering, or any unauthorized use of the ballots or tabulated results.
- 17.3 Notwithstanding any provision in this Bylaw, in the event that:
 - a. the automated voting system or any of its components malfunctions;
 - b. the automated voting system or any of its components is not available for use; or

- c. a defect in the ballot or marking devices prevents the operation of the automated voting system.

the Returning Officer may take necessary steps to ensure the effective conduct of the election and counting of votes, including:

- a. obtaining access to another municipality's automated voting system for the purposes of vote tabulation; or
- b. providing for the conduct of the election, in whole or in part, without the use of the automated voting system, in which case the provisions of the LAEA governing manually conducted elections shall apply.

18. GENERAL

- 18.1 References to provisions of statute, rules or regulations shall be deemed to include references to such provisions as amended, modified, or re-enacted from time to time.
- 18.2 All references in this Bylaw shall be read with such changes in number and gender as may be appropriate, and references shall be read as a corporation or partnership, and pronouns shall be deemed not to be gender specific.
- 18.3 Nothing in this Bylaw relieves any person from compliance with any other bylaw, enactment, or applicable federal or provincial legislation.
- 18.4 If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the Bylaw is deemed valid.

19. EFFECTIVE DATE

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

READ a first time this day of 2017.

READ a second time this day of 2017.

READ a third time and passed this day of 2017.

MAYOR

DIRECTOR, LEGISLATIVE SERVICES

Date Signed: _____

CITY OF FORT SASKATCHEWAN

Election Signage Bylaw C12-17

Motion:

1. That Council give first reading to Election Signage Bylaw C12-17.
2. That Council give second reading to Election Signage Bylaw C12-17.
3. That Council give unanimous consent to proceed with third and final reading of the Election Signage Bylaw C12-17.
4. That Council give third reading to the Election Signage Bylaw C12-17.

Purpose:

To present Council with information and to request approval of Election Signage Bylaw C12-17, which provides clarity on the provisions for posting election signage within the City of Fort Saskatchewan.

Background:

Currently, provisions for the placement of election signage are included as an appendix (attached as Schedule 1) in the City's Land Use Bylaw (LUB). LUBs are a tool to regulate private property, and while they can be used to regulate public lands it is not always the ideal mechanism. Furthermore, the appendix included in the LUB is related to posting election signage on public property. In the past, this may have caused some uncertainty in the interpretation of the provisions.

For this reason, Administration has prepared Election Signage Bylaw C12-17. The Bylaw includes similar provisions which have been included in the LUB, however in many cases the provisions have been modified or expanded to provide a greater level of understanding for the reader. Should Council adopt Bylaw C12-17, the status of the election signage information included in the LUB will be reviewed as part of the next LUB refresh.

Highlights of the Bylaw are noted below:

1. A detailed Definitions section has been included, increasing the understanding of the Bylaw.
2. Identifies provisions for the acceptable form and placement, as well as prohibitions and requirements related to election signage.
3. Provides detailed enforcement provisions. As information relating to election signs has been included in the LUB, there has been some uncertainty with the enforcement of the provisions. Should Bylaw C12-17 be adopted, enforcement would be the responsibility of the City's Municipal Enforcement Officers.
4. Based on comments received and to assist with the placement of election signs, several maps have been attached and form part of the Bylaw.

Recommendation:

That Council give three readings to Election Signage Bylaw C12-17.

Attachments:

1. Elections Bylaw C12-17
2. Appendix "A" – Signalized Intersection Map
3. Appendix "B" – Unsignalized Intersection Map & T-Intersection Map
4. Appendix "C" – Boulevard Map
5. Appendix "D" – Underground Irrigation System Map
6. Schedule 1 – Land Use Bylaw C10-13 Appendix "D"

Prepared by:	Brenda Molter Director, Legislative Services	Date: May 2, 2017
Reviewed by:	Troy Fleming Acting City Manager	Date: May 2, 2017
Submitted to:	City Council	Date: May 9, 2017



CITY OF FORT SASKATCHEWAN

A BYLAW OF THE CITY OF FORT SASKATCHEWAN, IN THE PROVINCE OF ALBERTA, TO AUTHORIZE THE REGULATION AND USE OF ELECTION SIGNAGE ON PUBLIC LAND WITHIN THE MUNICIPALITY

BYLAW C12-17

NOW THEREFORE, The Council of the City of Fort Saskatchewan in the Province of Alberta, duly assembled, enacts the following:

1. SHORT TITLE

This Bylaw shall be referred to as the “Election Signage Bylaw”.

2. DEFINITIONS

For the purposes of this Bylaw:

- a. “Boulevard” shall mean the portion of public property between the curb or road’s edge and the adjacent private property line. Boulevards may also border sidewalks, multi-use trails, and alleys;
- b. “Candidate” shall mean:
 - i. a person running for the office of Mayor or Councillor in the City of Fort Saskatchewan Council, pursuant to the *Local Authorities Election Act* (LAEA);
 - ii. a person running for the office of an Elk Island Public or Catholic School Trustee, pursuant to the *School Act*;
 - iii. a person running in a federal election, pursuant to the *Canada Elections Act*;
or
 - iv. a person running in a provincial election, pursuant to the *Election Act*.
- c. “City” shall mean the City of Fort Saskatchewan;
- d. “City Manager” shall mean the City’s Chief Administrative Officer or designate;
- e. “Council” shall mean the municipal Council for the City of Fort Saskatchewan;
- f. “Crosswalk” shall mean any part of a roadway at an intersection or elsewhere distinctly used for pedestrian crossing with signs, lines, or other markings on the road surface;

- g. "Election Sign" shall mean any sign on public land used in relation to a Candidate, party, or vote on a question or bylaw:
 - i. for a municipal election held pursuant to the LAEA;
 - ii. for a vote on a question or bylaw held pursuant to the LAEA;
 - iii. for an election for School Trustee held pursuant to the *School Act*;
 - iv. for a federal election held pursuant to the *Canada Election Act*; or
 - v. for a provincial election held pursuant to the *Election Act*;
- h. "Intersection" shall mean a roadway which is connected by:
 - i. lateral curb lines; or
 - ii. if no lateral curb lines, the exterior edges of the roadway;where two or more roadways join or intersect with one another;
- i. "Median" shall mean a physical barrier or area that separates traffic travelling in one direction from traffic travelling on the opposite direction on a roadway;
- j. "Municipal Property" shall mean structures, equipment, land, or things owned by the City and which may or may not be on a roadway;
- k. "Owner" shall mean any person:
 - i. whose name and/or any other identifiable information appears on an election sign;
 - ii. who is deemed to be in lawful control of an election sign; and/or
 - iii. who is the subject of and benefits from the message of an election sign;
- l. "Peace Officer" shall mean a Peace Officer as defined in the *Provincial Offences Procedure Act*;
- m. "Person" shall mean a natural person or a group of persons acting in association, or on behalf of a Candidate, party or idea;
- n. "Roadway" shall mean any thoroughfare, street, road, trail, avenue, parkway, viaduct, lane, alley, square, bridge, trestle way, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes:
 - i. A sidewalk, including a boulevard adjacent to the sidewalk, adapted for use by pedestrians, whether or not paved or improved; and
 - ii. a ditch, if it lies adjacent to and parallel with the roadway;
- o. "Street Light Pole" shall mean a street light pole that is either metal or wood with a light facing downwards;

- p. "Street Furniture" shall include, but not be limited to mean street light poles, traffic signal poles, benches, garbage receptacles, or any physical structure deemed to be Municipal Property;
- q. "Traffic Control Device" shall mean any sign, signal, marking, or device placed, marked, or erected to regulate, warn, or guide traffic; and
- r. "Traffic Signal Pole" shall mean any pole with an electronic or illuminated traffic control device attached to it.

3. APPLICATION

- 3.1 For all municipal elections, election signs shall be permitted to be posted as of the close of Nomination Day and shall be removed within 3 days after the closing of polls on Election Day.
- 3.2 For all federal or provincial elections, election signs shall be permitted to be posted for 28 days prior to Election Day and shall be removed within 3 days after the closing of polls on Election Day.
- 3.3 Election signs are permitted to have a maximum dimension of 0.6 meters by 1.0 meter.
- 3.4 Election signs may be:
 - a. mounted on a frame structure;
 - b. mounted on a wire frame;
 - c. mounted on a wood stake; and
 - d. installed to a maximum depth of 30 centimeters below grade.
- 3.5 The Candidate identified on an election sign shall be responsible for the removal of the election signs within 3 days after the closing of polls on Election Day, pursuant to the LAEA, or applicable federal or provincial legislation.
- 3.6 Election signs may be placed adjacent to a roadway, in accordance with this Bylaw;
- 3.7 A person who places an election sign on City land shall ensure the name of the owner is legibly stated on the election sign.
- 3.8 Election signs on public property may be in the following forms:
 - a. an inscribed board;
 - b. a poster;
 - c. a banner;

- d. a flag; or
- e. a form which meets the size requirements of this Bylaw, and is intended for the promotion of a Candidate, or to provide information on a question put to a vote of the public.

4. PROHIBITIONS & REQUIREMENTS

4.1 Unless otherwise permitted, a person shall not place an election sign adjacent to a roadway which:

- a. obstructs a traffic control device;
- b. is lit or electrified;
- c. is a hazard or danger to vehicular or pedestrian traffic;
- d. is inflatable;
- e. is within 30 meters of a signalized intersection (Appendix "A");
- f. is within 15 meters of an unsignalized intersection (Appendix "B");
- g. is within 10 meters of a crosswalk that is not located at an intersection;
- h. is within 3 meters of a curb or sidewalk (Appendix "C");
- i. is permanently affixed;
- j. is larger than 0.6 meters by 1.0 meter in dimension;

4.2 Election signs shall not be:

- a. attached to any sound attenuation wall, bridge or overpass;
- b. attached to any street light pole or traffic signal pole;
- c. permitted to cause any damage to municipal property;
- d. permitted to become unsightly;
- e. placed within the boulevard of 98th Avenue and 99th Avenue, due to placement of the underground irrigation system (Appendix "D"). Election signs placed within this area will be removed immediately, with any repairs to be the sole responsibility of the Candidate;
- f. permitted on any roadway;
- g. located on any traffic control device, or in a location which could interfere with the interpretation of a traffic control device;

- h. placed on a fire hydrant;
- i. where signs may interfere with the safe and orderly movement, or obstruct sightlines of pedestrians and vehicles;
- j. on City transit property, unless a Candidate or campaign has purchased such advertising space, also available to the public-at-large;
- k. on street furniture or any other physical structure located within a roadway right-of-way, including guardrails, retaining walls, or concrete barriers; and
- l. on private property, without the landowner's consent.

5. ENFORCEMENT

- 5.1 Any election sign that impedes, interferes, or is in contravention with City operations or this Bylaw may be removed and disposed of by a Peace Officer without prior notice or compensation to the owner.
- 5.2 Any election sign impounded and which has not been claimed by the owner within 3 days of the close of polls on Election Day, may be destroyed by the City without compensation to the owner.
- 5.3 A person shall not interfere with or attempt to obstruct a Peace Officer who is removing an election sign, pursuant to this Bylaw;
- 5.4 For the purpose of this Bylaw, an act or omission by the owner or other person acting on their behalf is deemed to be an act or omission of the owner, if the act or omission occurred in the course of exercising the powers or performing any duties on behalf of the owner.
- 5.5 The owner of an election sign shall be liable for any and all damage, loss and expense caused by or arising from the erection, maintenance, or removal of the election sign.

6. EXEMPTIONS

- 6.1 This Bylaw does not apply to signs permitted under the City's current Land Use Bylaw.
- 6.2 This Bylaw does not preclude Candidates from other permitted methods of advertising, which would be routinely available to the public-at-large.

7. POWERS OF THE CITY MANAGER

- 7.1 Without restricting any other power, duty, or function granted by this or any other Bylaw, the City Manager may:
 - a. take steps or carry out actions required to enforce this Bylaw;

- b. take necessary steps or carry out actions required to remedy a contravention of this Bylaw;
- c. delegate powers, duties or functions under this Bylaw to an employee of the City.

8. NUMERIC & GENDER REFERENCES

All references in this Bylaw will be read with such changes in number and gender as may be appropriate, and references shall be read as a corporation or partnership, and pronouns shall be deemed to not be gender specific.

9. INTERPRETATION

- 9.1 References to provisions of statutes, rules or regulations shall be deemed to include references to such provisions as amended, modified or re-enacted from time to time.
- 9.2 Nothing in this Bylaw relieves any person from compliance with any other bylaw or enactment, or applicable federal or provincial legislation.
- 9.3 If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the Bylaw shall be deemed valid.

10. EFFECTIVE DATE

This Bylaw becomes effective upon third and final reading.

READ a first time this day of 2017.

READ a second time this day of 2017.

READ a third time and passed this day of 2017.



MAYOR

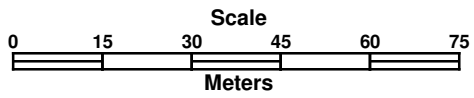
DIRECTOR, LEGISLATIVE SERVICES

Date Signed: _____

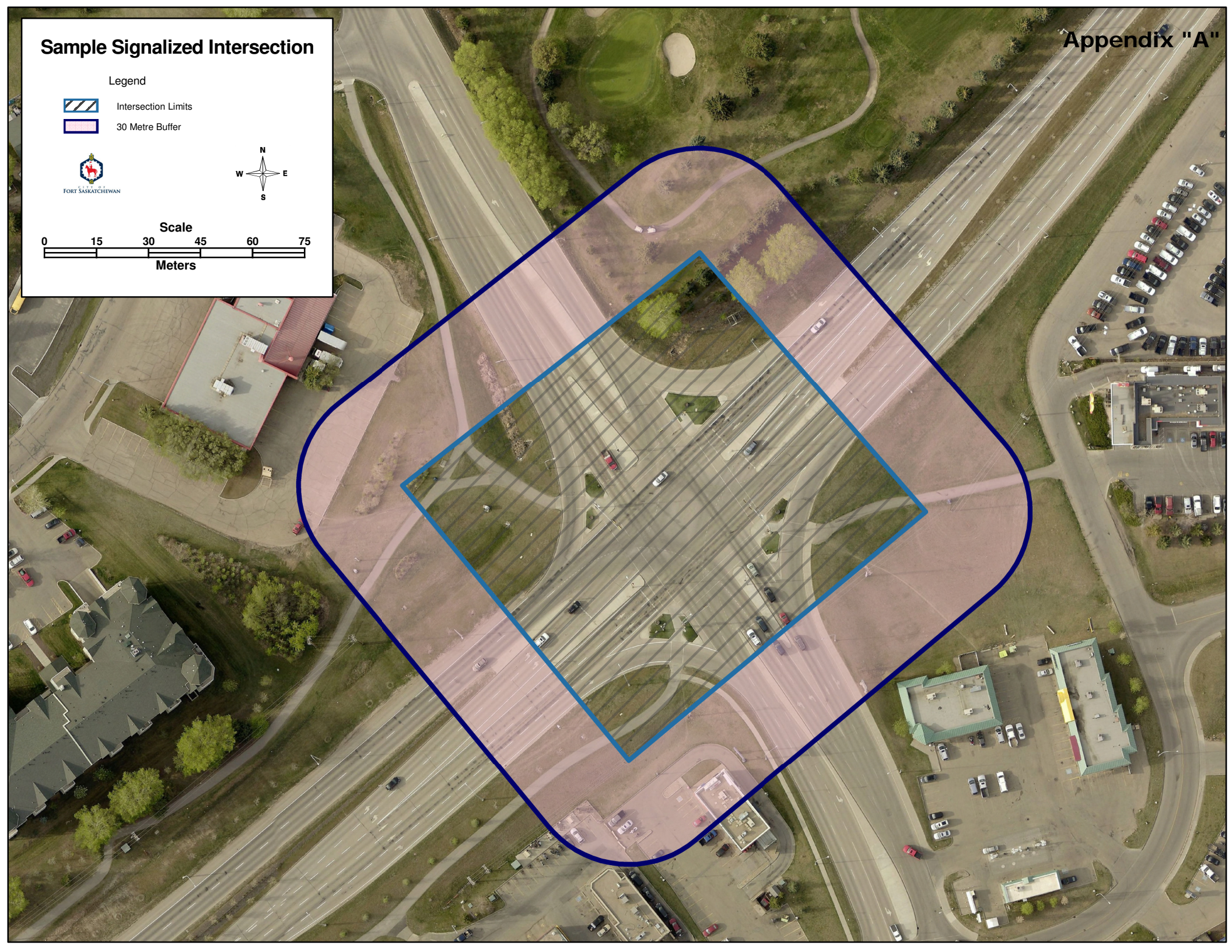
Sample Signalized Intersection

Legend

-  Intersection Limits
-  30 Metre Buffer





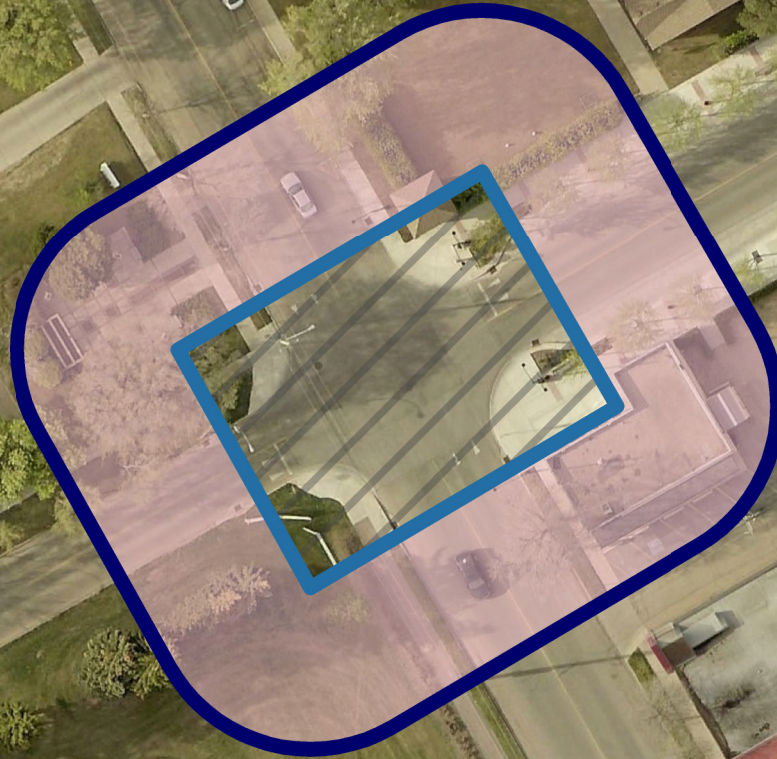
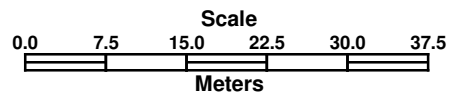
Appendix "A"



Sample Unsignalized Intersection



Legend

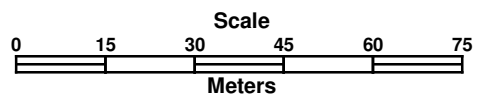
-  Intersection Limits
-  15 Metre Buffer



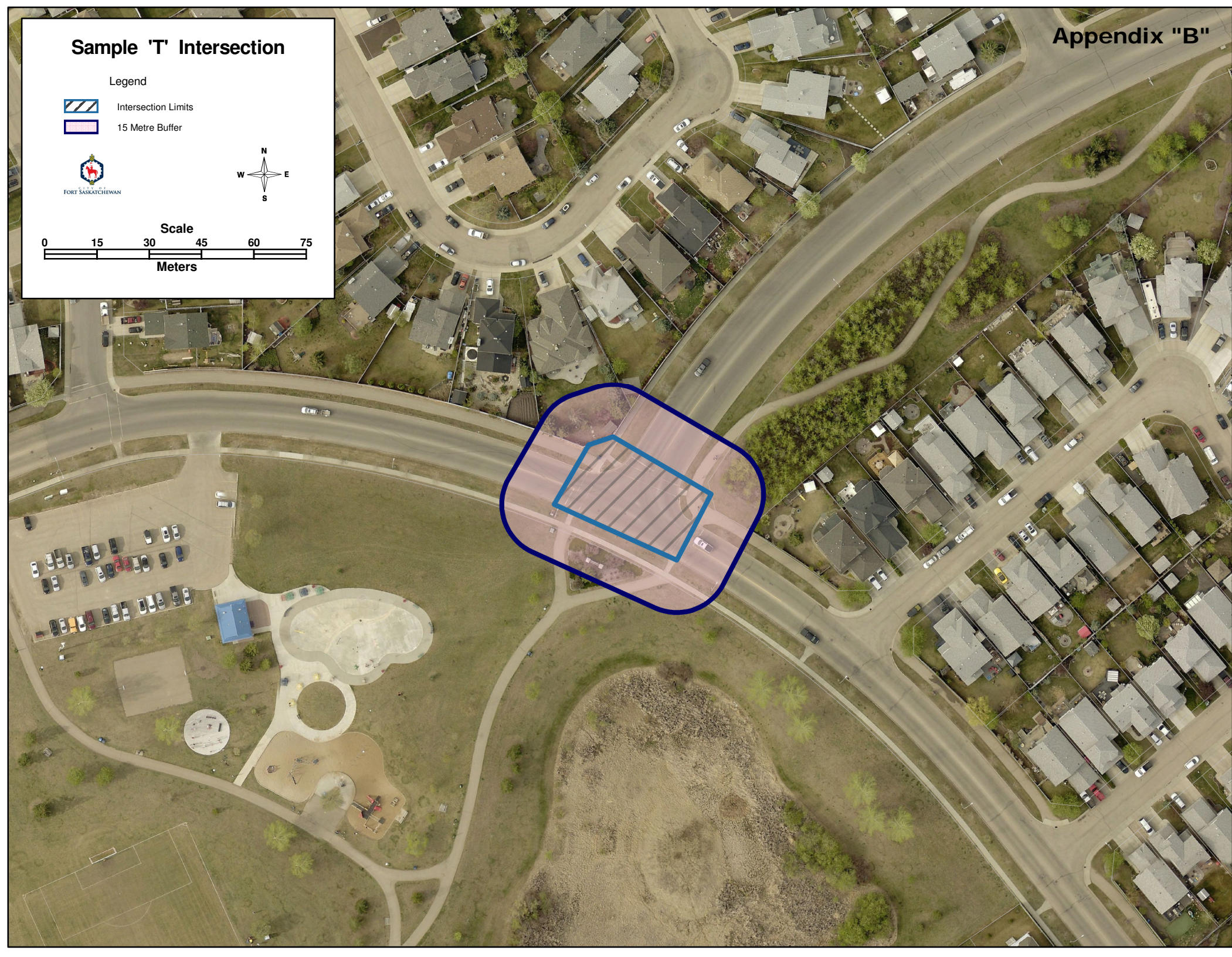
Sample 'T' Intersection

Legend

-  Intersection Limits
-  15 Metre Buffer





Appendix "B"



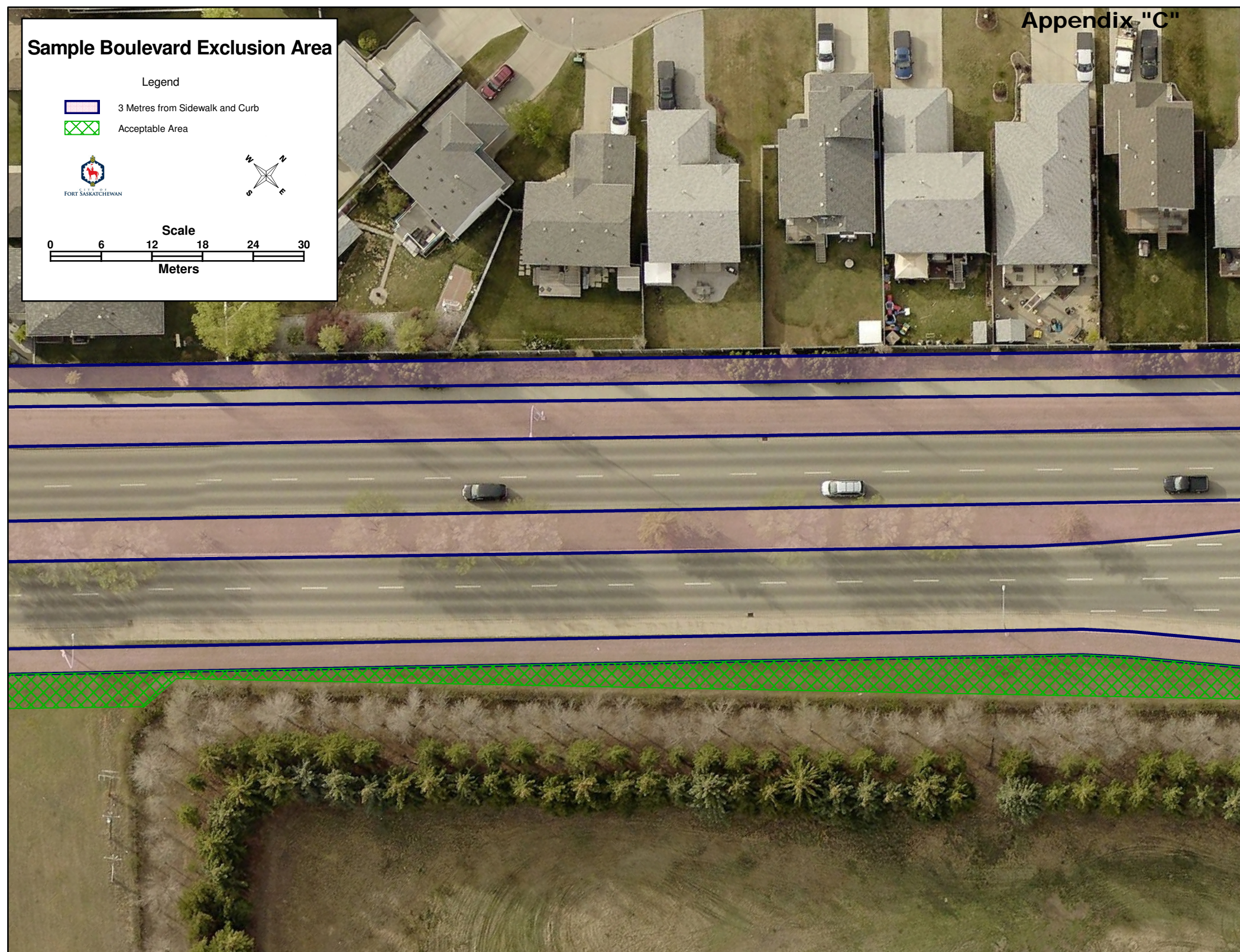
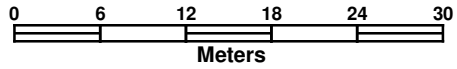
Sample Boulevard Exclusion Area

Legend

-  3 Metres from Sidewalk and Curb
 Acceptable Area

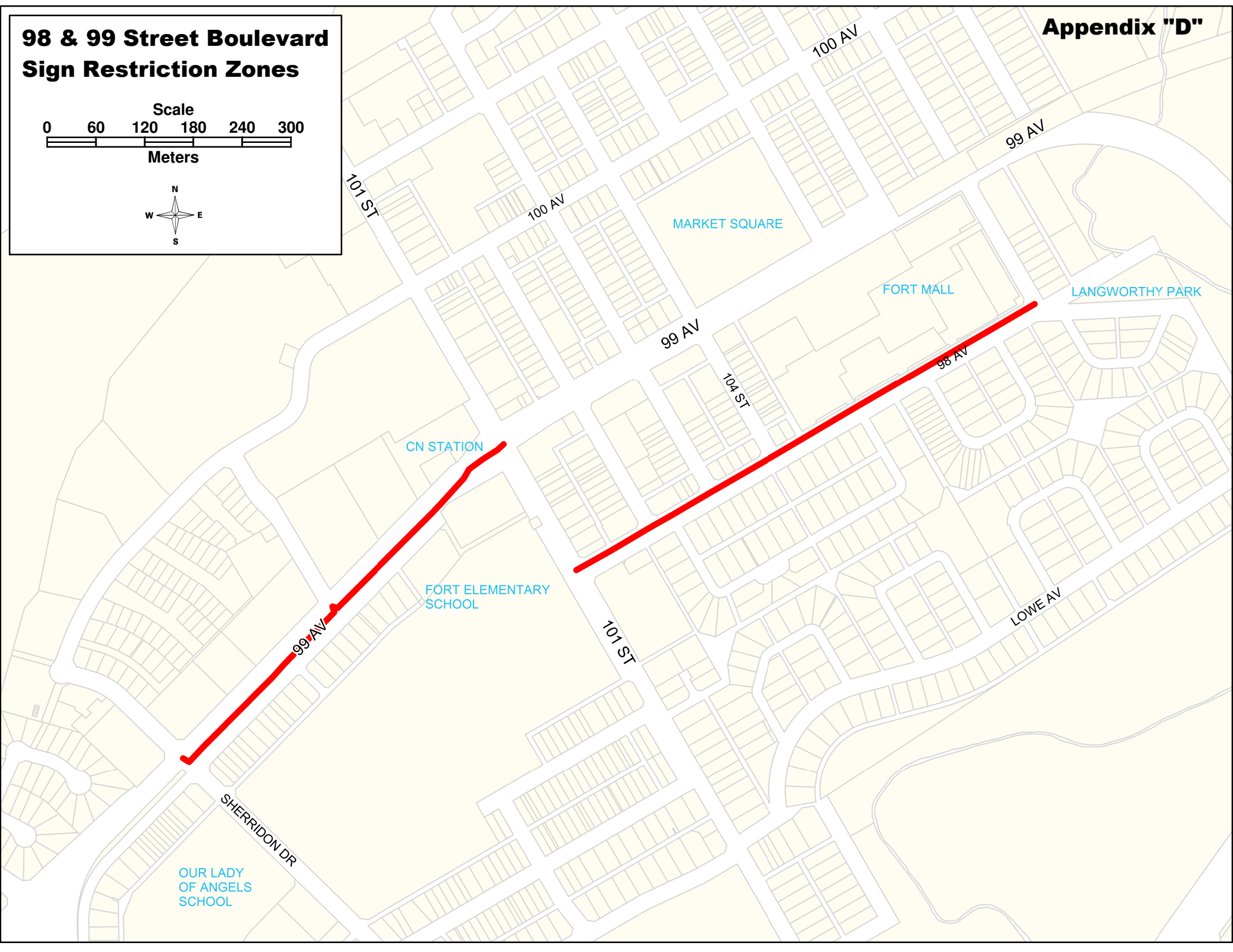
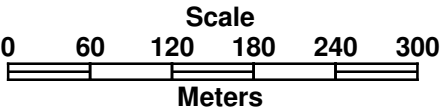


Scale



98 & 99 Street Boulevard Sign Restriction Zones

Appendix "D"



Land Use Bylaw C10-13**Appendix "D"****Guidelines for the Placement of Election Signs upon City of Fort Saskatchewan Road Rights-of-Way**

1. The sign(s) shall not be located on road surfaces (including paved shoulders), centre medians, traffic islands, or traffic circles.
2. The sign(s) shall not be located within 30m of a signalized intersection, 15m of an unsignalized intersection, or within 3m of a curb or sidewalk.
3. The sign(s) shall not be located on any traffic control device or where it may interfere with the interpretation of a traffic control device.
4. The sign(s) shall be located such that the sign(s) do not interfere with the safe and orderly movement of pedestrians and vehicles and that the sightlines of pedestrians and vehicles are not obstructed.
5. The sign(s) shall not be placed on street furniture (light standards, benches, garbage receptacles, bollards, etc.) or any other physical structure located within the road right-of-way (including bridges, guardrails, retaining walls, or concrete barriers).
6. There shall be no sign(s) placed within 98th Avenue and 99th Avenue boulevards because of the underground irrigation system. Election signs placed within these boulevards will be removed immediately. Subsequently, any damage to the underground irrigation system as a result of an election sign placement will be the responsibility of the candidate shown on the infringing sign.
7. Each sign shall have a maximum sign face of 0.6m (2ft) by 1.0m (3ft).
8. The sign(s) shall be mounted on an A-frame structure, wire frame, or on a wood stake. Support structure(s) shall be installed to a maximum depth of 300mm (1ft.) below grade.
9. The candidate shown on the sign(s) shall be responsible for the removal of the sign(s) within three (3) days after election day.

NOTE:

- If a sign is in contravention of these guidelines, a peace officer or a person authorized by the City of Fort Saskatchewan may without notice or compensation, remove the sign. Please contact Municipal Enforcement to retrieve confiscated signage. An election sign may not be placed on private property without the permission of the owner.
- The candidate shown on the sign shall be presumed as the placer of that sign.

OF FORT SASKATCHEWAN

Notice of Motion – Councillor Code of Conduct

Motion:

That Council sanction Councillor Bossert in accordance with Bylaw C6-16 – Code of Conduct for failure to protect the reputation of the community and Council through his actions of submitting expense and honorarium claims to the City of Fort Saskatchewan that were not valid; and further that the following actions be taken:

1. Limit travel/representation on behalf of Council.
2. Removal from his Board and Committee appointments.

Purpose:

To present a notice of motion from Councillor Garritsen to request a decision of Council whether to impose sanctions on Councillor Bossert.

Background:

At the April 25, 2017 regular Council meeting, Councillor Garritsen presented a notice of motion requesting that Council sanction Councillor Bossert, as he felt there had been a violation to the Council Code of Conduct Bylaw, related to Councillor Bossert's expenses.

Attachment:

Bylaw C6-16 – Council Code of Conduct

Prepared by: Brenda Molter,
Director, Legislative Services

Date: May 2, 2017

Reviewed by: Troy Fleming,
Acting City Manager

Date: May 2, 2017

Submitted to: City Council

Date: May 9, 2017



CITY OF FORT SASKATCHEWAN

Council Code of Conduct

BYLAW NO. C6-16

A BYLAW TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF CITY COUNCIL IN THE CITY OF FORT SASKATCHEWAN.

Council enacts as follows:

1. This Bylaw may be referred to as the "Council Code of Conduct Bylaw".
2. The Code of Conduct attached as Schedule "A" to this Bylaw represents the Code of Conduct that is applicable to Members of Council for the City of Fort Saskatchewan.
3. If there are any inconsistencies between this Bylaw and policies or procedures previously established by the City of Fort Saskatchewan, this Bylaw shall take precedence.

4. INTERPRETATION

- 4.1 Council shall use this Bylaw as a guide to conduct themselves in a manner that reflects the spirit and intent of the position they hold.
- 4.2 This Bylaw is to be given a broad, liberal interpretation in accordance with applicable legislation.
- 4.3 This Bylaw shall be brought forward for review at the beginning of each term of Council, to meet legislative requirements, or as required.
- 4.4 References to provisions of statutes, rules or regulations shall be deemed to include all references to such provisions as amended, modified or re-enacted from time to time.
- 4.5 Nothing in this Bylaw relieves any person from compliance with any other bylaw or applicable federal or provincial law, regulation, or enactment.
- 4.6 Council shall be defined as the Mayor and all elected Members of Council.

5. SEVERABILITY

- 5.1 If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of the Bylaw shall be deemed valid.

6. MEMBER AND GENDER REFERENCE

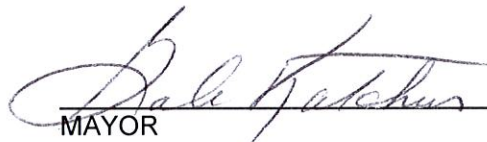
6.1 As appropriate, references shall be read as a corporation or partnership and pronouns shall be deemed to not be gender specific.

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

READ a first time in Council this 12th day of April A.D. 2016.

READ a second time in Council this 12th day of April A.D. 2016.

READ a third time in Council this 12th day of April A.D. 2016.


MAYOR


DIRECTOR, LEGISLATIVE SERVICES

Date Signed: April 13, 2016



Schedule A - Bylaw C6-16

Council Code of Conduct

GOVERNING PRINCIPLE

The public expects the highest standards of professional conduct from members elected to City Council. This Schedule A sets out guidelines for the ethical and interpersonal conduct of Members of Council.

CODE OF CONDUCT

Members of Council will:

1. maintain the highest standards in public office and faithfully discharge the duties of their office in accordance with the requirements and obligations set out in the legislation of the Province of Alberta;
2. use confidential information only in their role as a Member of Council, and not for the personal profit of themselves or any other person;
3. communicate confidential information only when authorized to do so;
4. use their position for the good of the community and not to secure special privileges, favours or exemptions for themselves or any other person;
5. preserve the integrity and impartiality of Council when working with other levels of government;
6. seek further input from stakeholders when uncertain of the best course of action;
7. provide leadership, through the governance process and not take on responsibilities delegated to Administration;
8. protect the reputation of the community, Council, and Administration;
9. participate actively, openly, and transparently in the democratic process;
10. maintain a high level of respectful dialog with other Members of Council, the City Manager, Administration, and stakeholders;
11. uphold the intent of this Bylaw and govern their actions accordingly; and

12. for a period of 12 months after leaving office, abide by the guidelines listed above, except those related to confidential information, which shall apply in perpetuity.

COMPLIANCE

1. Should a Member of Council feel the Code of Conduct has not been followed, the first step is to discuss the matter at an in-camera meeting of Council. Should the concern remain unresolved, the following actions may be taken by Council:
 - a. restrict how documents are provided;
 - b. limit travel/representation on behalf of Council;
 - c. require the return of municipal property;
 - d. restrict access to municipal facilities;
 - e. removal from one or more committee/board/commission appointment;
 - f. removal from chairing a committee/board/commission;
 - g. limit contact with Administration;
 - h. reduction of remuneration; and/or
 - i. other actions deemed appropriate by Council.

COUNCIL CODE OF CONDUCT

Date Issued: Sept. 20, 2016

Responsibility: City Manager

Current Revision: Sept. 20, 2016

Cross Reference: Council Code of Conduct Bylaw
C6-16

PURPOSE

To provide Members of Council with a process to bring forward perceived Code of Conduct complaints.

DEFINITIONS

Council Member – any elected Member of Council including the Mayor

In Camera – a Council meeting which is held in private

Pecuniary Interest – a matter that could monetarily affect a Member or a Member's Family

PROCEDURE

Should a Member of Council reasonably believe that another Council Member has violated the Code of Conduct, the following steps may be taken:

Optional: Speak privately with the Council colleague to air the concern and seek a collaborative solution. If no agreement is reached, proceed to Step 1.

Step 1: Discuss the matter at an in-camera meeting with all Council Members to seek input and advice of Council colleagues. Strive to resolve the issue through dialogue with the Member of Council in question.

Process to be followed during this meeting, subject to Council direction on a case by case basis:

- a) Member of Council who raised the concern is provided an opportunity to outline their concerns, and why this issue is important to them.
- b) Member of Council in question is provided an opportunity to respond to the concerns raised.
- c) Each Council Member is provided an opportunity to discuss their perspectives on the issue, and how the matter could be resolved.
- d) Once all comments have been raised, Member of Council in question is asked to indicate what action they intend to take to respond to the concerns raised.

- e) Member of Council who raised the concern is asked to indicate whether they feel the issue has been addressed satisfactorily. If yes, no further action is required; if no, proceed to Step 2.
- f) Upon receipt of a complaint, Council may take such steps as it considers appropriate, which may include hiring a third party investigator and/or seeking legal advice.

Step 2: Notice of Motion to be made that an issue governed by the Code of Conduct Bylaw will be brought forward to the next Council meeting concerning the conduct of the Member of Council in question.

Step 3: During the Council meeting where the Notice of Motion is considered, Council moves to an in-camera discussion. During the in-camera portion of the meeting, the Member of Council in question and the Member of Council who raised the concern may be asked to leave. Council members discuss in-camera:

- Legitimacy/seriousness of the concern.
- Appropriate course of action.
- Details of the recommended remedy, sanctions that will be made if there is no compliance, and timeline for compliance.

If Members of Council were asked to leave during the discussion, they would be invited to return and provided details of the recommended remedy, sanctions that will be made if there is no compliance, and timeline for compliance. Council returns from the in-camera discussion and a motion is made to issue the recommended remedy, sanctions that will be made if there is no compliance, and timeline for compliance in writing.

Step 4: The recommended remedy, sanctions that will be made if there is no compliance, and timeline for compliance are to be conveyed in writing by the Mayor to the Member of Council in question.

Step 5: If the remedies are not completed by the Member of Council in question within the specified timeframe, a Notice of Motion may be brought forward by any Member of Council requesting that sanctions be imposed in accordance with Step 3.

Step 6: During the Council meeting where the Notice of Motion is considered, Council moves to an in-camera discussion. During the in-camera portion of the meeting, Council members discuss whether or not sanctions shall be imposed. Council returns from the in-camera discussion and the motion to issue sanctions is voted on. If the proposed sanction is monetary, the Member must declare a pecuniary interest and leave the meeting.

Step 7: Compliance sanctions and length of sanction period are communicated in writing by the Mayor or Deputy Mayor, if applicable, to the Member of Council in question.

Step 8: Sanctions will be lifted at the end of the compliance period unless otherwise directed by Council.

Note: *Should the Mayor be the Member of Council whose conduct is in question, or where the Mayor is the Member of Council who has brought forward a complaint, the Deputy Mayor of the time will assume the role of the Mayor for the purpose of the complaint process.*