

TOWN OF RIMBEY

TOWN COUNCIL AGENDA

**AGENDA FOR REGULAR MEETING OF THE TOWN COUNCIL TO BE HELD ON
WEDNESDAY, JANUARY 12, 2011 AT 6:30 PM IN THE COUNCIL CHAMBERS OF
THE TOWN ADMINISTRATION BUILDING**

1. **Call to Order Regular Council Meeting
& Record of Attendance**

2. **Public Hearing**
 - 2.1 Rezoning Bylaw 861/10 – Amendment to Land Use Bylaw

3. **Agenda Approval and Additions**

4. **Minutes**
 - 4.1 Wednesday, December 8, 2010 Council Meeting Minutes 3-6
 - 4.2 Thursday, December 30, 2010 Special Council Meeting Minutes 7

5. **Delegations**

6. **Bylaws**
 - 6.1 Rezoning Bylaw 861/10 Amendment to Land Use Bylaw 8-13
 - 6.2 Nuisance Bylaw 859/10 14-23
 - 6.3 Procedural Bylaw 858/10 24-29
 - 6.4 Assessment Review Board Bylaw 862/11 30-35

7. **New and Unfinished Business**
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 - 8.1 Finance Reports
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 - 8.2.2 Consolidated Financial Statement
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10. **In Camera**

11. **Adjournment**

Summary of Agenda Items for January 12, 2011:

Bylaws:

- 6.1 Rezoning Bylaw 861/10 public hearing held at the beginning of the meeting to address any concerns from the public. Administration received two written responses.
- 6.2 Nuisance Bylaw 859/10 has been reviewed by Bylaw and Policy Committee and being presented for further readings by Council.
- 6.3 Procedural Bylaw 858/10 received first reading on Nov 10, 2010 and has been reviewed by Bylaw and Policy Committee and being presented for further readings by Council.
- 6.4 Assessment Review Board Bylaw 862/11 is being presented to Council for first reading.

New and Unfinished Business:

- 7.1 As required by the Municipal Government Act, council to adopt the 2010 Operating Budget as the Interim Operating Budget for 2011.
- 7.2 That Council pass a resolution authorizing the Mayor and CAO to enter into an agreement with the Local Authorities Pension Plan for the provision of pension services for all permanent, full-time, non-union staff
- 7.3 That Council adopt Thursday, January 20, 2011 from 9:00 am to Noon as Town Funded Agency Budget Presentations meeting.
- 7.4 That Council choose either January 17 or January 28 for a scheduled meeting with Aspen Bio Energy.
- 7.5 That Council adopt a scheduled Council committee meeting to be held the third Wednesday of every month at 6:30 pm starting 2011.
- 9.1 That Council pass a resolution authorizing the CAO to have Yield signs installed at the eastern portion of Drader Crescent and 56 Avenue affecting the northbound traffic, and on 56 Avenue and eastern portion of Drader Crescent affecting eastbound traffic.
- 7.6 That Council adopt a resolution that the deadline of RInC project #8990 (Rimbey Aquatic Centre) be extended from March 31st, 2011 to September 30th. 2011.
- 7.7 That Council consent to write-off delinquent account invoice numbers 9019, 7923, 50040-000, 53140, 7069, 7068, 8765, 8890 and 5627 in the amount of \$4,287.76, which is deemed uncollectable by the collection agency.

Correspondence:

- 9.2 Alone at Christmas Dinner Event was requesting a donation from council for the amount of the legion hall rental.
- 9.3 Pee Wee Renegades was requesting a donation from Council towards prizes at the Tournament being held January 6-9, 2011.
- 9.4 FCSS is looking for Councils support in purchasing Welcome to Rimbey Bags in partnership at a cost of \$345.50.
- 9.5 Canadian Institute of Public Health Inspectors is looking for Councils support in proclaiming January 17 to 23, 2011 as Environmental Public Health Week.

TOWN OF RIMBEY

TOWN COUNCIL

MINUTES OF THE REGULAR MEETING OF TOWN COUNCIL HELD ON
MONDAY, DECEMBER 8, 2010 IN THE COUNCIL CHAMBERS OF THE TOWN
ADMINISTRATION BUILDING

Call to Order	Mayor Ibbotson called the meeting to order at 6:32 pm, with the following in attendance:
Present	Mayor Sheldon Ibbotson Councillor Jack Webb Councillor Joe Anglin Councillor Paul Payson Councillor Gayle Rondeel CAO – Tony Goode Assistant CAO – Ryan Maier Director of Finance – Jackie McMullen Recording Secretary - Susan Doucette Public: 8 members of the Public attended
Agenda Approval and Additions	<u>Motion 405/10</u> Moved by Councillor Anglin to adopt the agenda with the following additions: 7.3 Lions Conference Reduced Rental Rate 7.4 Policy 1102 – Town Christmas Bonus 7.5 Request for Dale Barr's name removal from Rimalta Producers Association NGC CARRIED
Minutes –Council Meeting	<u>Motion 406/10</u> Moved by Councillor Payson to accept the November 22, 2010, Council Meeting minutes as presented as well as the Rimbey Municipal Library Board Meeting Minutes of September 13 2010 and October 25, 2010. CARRIED
Minutes – Rimbey Municipal Library Sept 13 Meeting	<u>Motion 407/10</u> Moved by Councillor Anglin to accept the November 4, 2010, Volunteer Week Committee minutes as presented. CARRIED
Delegation –Lorie Armstrong, Library	Library requested a capital fund be set up to allocate surplus. Council agreed to review during budget discussions. The next Library Board meeting will be January 11, 2011.
Bylaw 861/10 – Rezoning	<u>Motion 408/10</u> Moved by Councillor Anglin to approve first reading of Bylaw 861/10 and proceed to schedule the Public Hearing for January 12, 2011, to hear any submissions regarding this proposed amendment. CARRIED
New and Unfinished Business – 7.1 - Red Deer & District SPCA Request for Funding	Council directed Administration to send a letter to the Red Deer SPCA declining their funding request.

TOWN COUNCIL REGULAR COUNCIL MINUTES DECEMBER 8, 2010

- New and Unfinished Business – 7.2 - Swimming Pool Project
- A report from Rick Kreklewich, Director of Recreation, indicated that heating and hoarding costs could be between \$50 & \$75K if the concrete is poured before spring. If the project was put on hold until spring, it would cost between \$10 and \$15K. On Dec. 2, 2010, the Federal Government announced it was extending the Economic Action Plan deadline to October 31, 2011.
- Motion 409/10
Moved by Councillor Anglin to defer the concrete pouring costs until spring.
- CARRIED
- New and Unfinished Business – 7.3 - Rent Reduction for Rimbey Lions Club
- Motion 410/10
Moved by Mayor Ibbotson that the \$300.00 donation be waived in lieu of the rental discount for this function.
- CARRIED
- New and Unfinished Business – 7.4 - Policy 1102 – Town Christmas Bonus
- Administration presented Policy 1102 Town Christmas Bonus, which is a gift certificate from one of the local grocery stores of the employees' choice.
- Mayor Ibbotson declared a pecuniary interest and left the meeting at 7:20 pm.
- Motion 411/10
Moved by Councillor Rondeel to maintain the current policy.
- CARRIED
- Mayor Ibbotson returned to the chair at 7:30.
- New and Unfinished – Rimalta
- Former Mayor Dale Barr requested in correspondence to CAO Tony Goode that his name be removed from the Rimalta Producers Association NGC with cc: to Roberto Noce.
- CAO Tony Goode advised that the file, retained by Counsel Kaleil has been requested by way of a letter but nothing has been received to date.
- It was decided that action was not needed at this point but CAO Tony Goode was directed to send a letter again Mr. Kaleil requesting the file.
- Reports – 8.1 - Council
- Councillor Payson advised that he and Councillor Rondeel attended a meeting with the Big Brothers and Sisters Club and the Boys and Girls Club, both of Ponoka, and recommended that these clubs or a combination would be beneficial for the town. There is a meeting on January 10, 2011 to form an advisory committee to look at funding and grant possibilities.
- Youth Action is in support of this proposal and will allow building usage. Funding in the neighborhood of \$125K will be required and would depend on the speed that the programs can be arranged. The first obstacle to overcome is hiring staff and implementing some of the summer programs and plan for full programs for the fall. Councillor Payson will attend the January 10, 2011 meeting.
- Councillor Webb attended the AUMA Conference and found it to be a very informative trade show and there could be many possible benefits to the Town. Councillor Anglin attended the West Central Planning Agency and asked them to come and do a presentation to council in the New Year. He advised that he attended CAEP with Mayor Ibbotson, he found AUMA very interesting and that Rimoka is very busy. He suggested a study was required to review the need for assisted living in Rimbey. Councillor Anglin will chair this committee with Councillor Webb.
- Councillor Rondeel attended the Boys & Girls Club meeting and suggested the Lions Club might be involved in the fund raising for the project.
- Mayor Ibbotson also attended the AUMA.
- Councillor Rondeel suggested a Bylaw Committee comprising of Ryan Maier, Assistant CAO, and Mayor Ibbotson. CAO Tony Goode suggested reviewing

TOWN COUNCIL REGULAR COUNCIL MINUTES DECEMBER 8, 2010

several of the Bylaws and then bringing them to council for review to expedite the process.

Motion 412/10

Moved by Councillor Rondeel to accept the Council reports as given.

CARRIED

Reports – 8.2
Finance

8.2.1

Jackie Mechlaoui, Director of Finance presented various reports on accounts payable, cash flow and cash on hand. The current cheque run report was reviewed.

Motion 413/10

Moved by Councillor Webb to accept the Accounts Payable Account Distribution Report for the period ending December 8, 2010.

CARRIED

Recess:

Council called a recess at 8:02 p.m.

Reconvene

Council reconvened the meeting at 8:04 p.m.

Correspondence –

9.1 RCMP Letter dated November 24/10 in response to a letter they received from the Anglican Church. Accepted as information.

9.2 Red Deer River Watershed Alliance online report is information for Council. The question was brought forward that should membership be continued in this organization. Councillor Anglin suggested it would be prudent because they do a great deal of work with the Ministry and there is a great deal of information available from them.

9.3 Groundwater Supply Review – It was noted that the Town has excellent water and the only additive is chlorine. Testing is done on a regular basis to monitor the water quality.

This correspondence was accepted as information.

Correspondence –

Mayor Ibbotson advised the December 22, 2010 meeting presents a conflict for Councillor Webb and noted that the cheque run would be an issue with year-end so close. It was noted that the Organizational Planning Meeting is scheduled for December 30, 2010.

Motion 414/10

Moved by Councillor Anglin to cancel the Regular Council Meeting of December 22, 2010.

CARRIED

Motion 415/10

Moved by Councillor Anglin that CAO Tony Goode and Mayor Ibbotson have the authority to sign the cheque register on December 22, 2010, in the absence of council.

CARRIED

Motion 416/10

Moved by Councillor Rondeel that a Bylaw Review Committee be established and appoint Mayor Ibbotson, Ryan Maier, Assistant CAO and herself to the Committee.

CARRIED

In Camera

Motion 417/10

Moved by Councillor Webb and seconded by Councillor Rondeel to go in-camera at 8:30 p.m.

CARRIED

Out of Camera Motion 418/10
Moved by Mayor Ibbotson to go out of camera at 8:40 p.m. CARRIED

Alberta Environment Motion 419/10
Moved by Councillor Anglin that Tony Goode, CAO, provide documents required by Alberta Environment to representative investigators and submit himself and Vern Browne for questioning, and Mr. Goode shall inform Alberta Environment only that there was a resolution authorizing cooperation by the Town of Rimbey with representative investigators. CARRIED

Adjournment Motion 420/10
Moved by Councillor Webb to adjourn the meeting at 8:45 p.m. CARRIED

MAYOR SHELDON IBBOTSON

CAO TONY GOODE

TOWN OF RIMBEY

TOWN COUNCIL

MINUTES OF THE SPECIAL MEETING OF TOWN COUNCIL HELD ON THURSDAY, DECEMBER 30, 2010 IN THE COUNCIL CHAMBERS OF THE TOWN ADMINISTRATION BUILDING

Call to Order Mayor Ibbotson called the meeting to order at 9:04 am, with the following in attendance:

Present Mayor Sheldon Ibbotson
Councillor Jack Webb
Councillor Joe Anglin
Councillor Paul Payson
Councillor Gayle Rondeel
CAO – Tony Goode
Assistant CAO – Ryan Maier
Director of Finance – Jackie McMullen
Recording Secretary - Georgia Beebe

Public:
1 member of the Public attended

Building Canada Fund Grant – Extension Request

Motion 421/10

Moved by Councillor Rondeel to approve the following:

WHEREAS the federal and provincial governments will make a one-time extension of the deadline for funding of projects under the Building Canada Fund – Communities Top-Up from March 31, 2011 to October 31, 2011;

AND WHEREAS all funding from the Government of Canada and the Province of Alberta will cease after October 31, 2011;

AND WHEREAS the Town of Rimbey has asked the provincial government for an extension to federal and provincial funding to October 31, 2011 for the following projects:

Project number	Project title	Total eligible cost	Federal contribution
8606-TO-RIMB-01	Water Storage and Distribution Improvements	\$4,535,445	\$1,515,000

THEREFORE BE IT RESOLVED THAT the Town of Rimbey attests that it will continue to contribute its share of the required funding for the aforementioned projects;

AND BE IT FURTHER RESOLVED THAT actual claims for all eligible costs incurred by March 31, 2011, for the aforementioned projects must be and will be submitted no later than April 30, 2011 to the Province of Alberta;

AND BE IT FURTHER RESOLVED THAT the Town of Rimbey will ensure that the project will be completed.

CARRIED

Adjournment

Motion 422/10

Moved by Mayor Ibbotson to adjourn the meeting at 9:15 am.

CARRIED

MAYOR SHELDON IBBOTSON

CAO TONY GOODE

A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO AMEND LAND USE BYLAW 762/04.

WHEREAS an application has been made to rezone Lots 1, 2, and 3, Block 1, Plan 8328 ET (5611 – 51 Street and 5041 – 57 Avenue) and Lot 1, Block 5, Plan 2367 MC (5414 – 51 Street) from R2 (Low Density Family Residential) to R4 (Medium Density Family Residential),

NOW THEREFORE, after due compliance with the relevant provisions of the Municipal Government Act RSA 2000, ch. M-26, as amended, the Council of the Town of Rimbey duly assembled enacts as follows:

PART I - BYLAW TITLE

This bylaw may be cited as “Amendment to Land Use Bylaw”.

PART II – REZONING

- 1) The rezoning of Lots 1, 2 and 3, Block 1, Plan 8328 ET and Lot 1, Block 5, Plan 2367 MC, which lands are shown on the sketch plan attached as ‘Schedule A’, from R2 (Low Density Family Residential) to R4 (High Density Residential).

PART III - AMENDMENT

- 2) That ‘Schedule C’ of Bylaw No. 762/04 is hereby amended.

PART VIII - EFFECTIVE DATE

AND FURTHER THAT this bylaw shall take effect on the date of third and final reading.

READ a first time this 8 day of December, 2010.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

READ a second time this _____ day of _____, 2010.

READ a third and final time this _____ day of _____, 2010.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

December 21, 2010

Mayor & Town Councillors
Town of Rimbey
Box 350
Rimbey, AB T0C 2J0

Re: Bylaw 861-10

Thank you for your letter of December 9, informing us of the Land Use Bylaw amendment, that is before the Town of Rimbey Council. We would have preferred to attend the public meeting in person but due to previous commitments we are unable to do so. Please accept our written submission.

Lorna Hushagen, our senior neighbor who is unable to attend an evening meeting, has asked that we include her concerns in this submission so the following comments are made with her approval.

We wish to indicate we are NOT in favour of Bylaw 861-10 to rezone the lots at 5041 - 57 Avenue/5611-51 Street and would request the Council rescind the impending reclassification from R2 to R4.

Building a high density structure would further decrease the value and enjoyment of our property. We are concerned that the “appeal as a quiet neighbourhood” to raise a family would be further eroded. We built our home in 1978. The Hushagens moved to 57 Avenue in 1967. Since then a 12 unit apartment was constructed at the west end of 57 Avenue. Appeals to the Council at that time only reduced the number of units from 24 to 12. This multi use building resulted in increased traffic on 57th Avenue, increased back alley use, created noise issues and probably the most vital was the parking on 57 Avenue. This complex did not plan for two vehicles per unit, therefore the second vehicle is parked on the street. The parking and the increased traffic on 57 avenue is a particular concern for Lorna.

Expansion of 58 Avenue has also added to the traffic volume both on 57th Ave and the back alley as these two roads are the closest exit to Highway 53 for people living in this new subdivision. “57th” Avenue is now known as the ‘swing’ road, a speed road collecting traffic from 54 Avenue & 46 Street north to 57 Avenue where traffic travels west unhindered (no stop signs) to Highway 53. With the existing 12 unit apartment

building, The Farmers' Market & Paskapoo Park/Playground the corner of 57 Avenue & Highway 53 has become the busiest residential intersection in town and 57 Avenue the most congested street for parking. With no sidewalks there is a safety issue for pedestrians as well.

After meeting with Mr. Maier, who indicated there was no firm plan presented to the town for development of these lots and little information given as to the individual/firm who is requesting the rezone change, the following question begs to be asked:

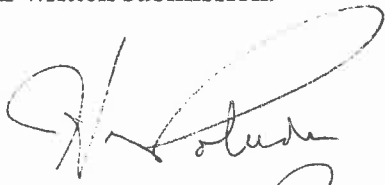

Why would Town Council entertain the motion to reclassify this property with no firm commitment from the developer as to the usage of this land?

We the undersigned are opposed to this change. We would ask the Town to consider the people on 57th Avenue before passing this amendment. Why would Town Council add to the noise, traffic, parking and safety problems by changing this property to high density? We have enough multi family structures in our neighborhood. Please do not add more!

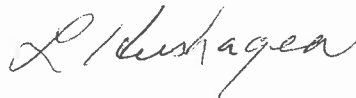
Many thanks for accepting our written submission.

Sincerely,

Henry & Shirley Pobuda
5022 - 57 Avenue
Rimbey, Alberta

Lorna Hushagen
5026 - 57 Avenue
Rimbey, Alberta



December 28, 2010

Town of Rimbey
Box 350
Rimbey, AB T0C 2J0

Town Council & Mayor / *Ryan Maier*

We really appreciate the letter advising us of the proposed rezoning at the end of our street. As property owners on 57 Ave we are very concerned about the proposed amendment to change from R2 to R4 zoning. We understand this proposal means development of high density multi-units in our area. We feel our avenue is quite maxed out for multiple dwellings and low rentals since we already have one apartment at 51 Street and 57 Avenue. We have three low rentals within our block as well as another 4 plex just past 50 Street and 57 Avenue. There is also a rental duplex along 50 Street. This seems like a concentrated amount for a small area. We do hope that council will have a serious look at this and reconsider the amendment.

With the development of 58 Avenue we have seen a huge increase in traffic on 57 Avenue since this is an access street to the main highway and downtown. This is a long avenue with no stop signs and has become a real freeway. Entering the highway has become quite difficult and even hazardous at times. Often there are several vehicles parked along the existing apartment block. We are very worried that another apartment in close proximity to Paskapoo Park will create even more traffic and exacerbate parking issues. When the Farmers Market is on during the summer the congestion is severe along 51 Street and down 57 Avenue. Coming onto the main road from 57 Ave or the alley between 56 and 57 Avenue can be very risky with cars parked everywhere and visibility quite limited.

The other factor that we are worried about is noise. Quite often in the warmer weather we have a good deal of loud music and racket ensuing from the current apartment building. This can be an issue for those of us down the avenue trying to enjoy our own outdoor spaces. With another multiple dwelling near by this will become even more of a problem.

Aesthetically another apartment or condominium along the main entrance to our town is certainly not the most appealing. We should consider creating a favourable first impression for those incoming and be able to be proud of where we live. Quite often these apartments (or condos) seem to quickly become neglected and fall into disrepair.

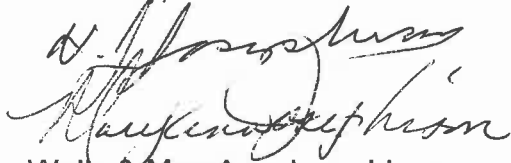
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We are also wondering how another adjacent multi-unit may affect our property value. With the somewhat neglected low rentals and problems with garbage in our back alley we certainly feel that we have been compromised to a large degree already.

Finally we ask why this change has been proposed? Who proposed it? Do you already have a developer who has a plan in mind? What is the plan? And, of course, once this rezoning takes place it leaves the developer free to build a unit as large as he chooses. We truly hope you will rescind or not approve this plan.

Thank you for your time and attention.

Sincerely,

Handwritten signatures of Wally and MaryAnn Josephison in cursive script.

Wally & MaryAnn Josephison
5021-57 Ave Box 131
Rimbey, AB T0C 2J0

The Town of Rimbey Nuisance Bylaw

Bylaw 859/10

A BYLAW OF THE TOWN OF RIMBEY IN THE PROVINCE OF ALBERTA FOR THE PURPOSE OF REGULATING, CONTROLLING, AND ABATING NUISANCES AND REMEDYING DANGEROUS AND UNSIGHTLY PREMISES.

WHEREAS, Pursuant to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, the Council may pass Bylaws respecting nuisances and dangerous and unsightly premises;

NOW THEREFORE, the Council of The Town of Rimbey, duly assembled enacts as follows:

PART I - BYLAW TITLE

This Bylaw may be cited as the "Nuisance Bylaw".

PART II - DEFINITIONS

- 1) In this Bylaw unless the context otherwise requires:
 - a) "boulevard" means that part of a highway that;
 - (i) is not a roadway; and
 - (ii) is that part of the sidewalk that is not especially adapted to the use or ordinarily used by pedestrians.
 - b) "C.A.O." means the Chief Administrative Officer of the Town of Rimbey.
 - c) "Development Authority" means a person appointed as a Development Authority pursuant to the provisions of Town of Rimbey Bylaw No. 762/04, being the Land Use Bylaw, and amendments thereto.
 - d) "dwelling" means a permanent structure designed or manufactured primarily for the occupation or living quarters for people and includes mobile homes.
 - e) "explosive substance" means and includes;
 - (i) anything intended to be used to make an explosive substance;
 - (ii) anything or any part thereof, used or intended to be used, or adapted to cause, or to aid in causing an explosion in or with an explosive substance, and;
 - (iii) an incendiary grenade, fire bomb, Molotov cocktail, or similar incendiary substance or device and a delaying mechanism or other thing intended for

The Town of Rimbey Nuisance Bylaw

Bylaw 859/10

use in connection with such a substance or device.

- f) “non-operational vehicle” means any motor vehicle or part of a motor vehicle which is unlicensed, or uninsured, or derelict, or not in a state to legally travel on a highway.
- g) “nuisance” means any use or activity upon any property which is offensive to any person acting reasonably, or has or may be reasonably expected to have a detrimental impact upon any person or other property in the neighborhood and without limiting the generality of the forgoing, includes the following:
 - (i) grass and/or weeds in excess of twenty (20) centimeters;
 - (ii) the failure to destroy restricted weeds, control noxious weeds, or prevent the spread or scattering of nuisance weeds pursuant to the Weed Control Act S.A. 2008, c.W-5.1 and amendments thereto;
 - (iii) the causing of opaque, dense, toxic or noxious smoke and permitting such smoke to be emitted to the atmosphere, as determined by the Peace Officer, unless specifically authorized by Council;
 - (iv) the burning of anything other than preservative or chemical free wood or wood products within an acceptable fire pit or fireplace meeting the standards of the Town of Rimbey Land Use Bylaw 762/04 and amendments thereto.
 - (v) the generation of excessive dust and permitting such dust to escape from the property;
 - (vi) the emission of an unpleasant odor and permitting such odor to escape from the property;
 - (vii) the use of any pesticide or herbicide which has significant detrimental or environmental effects on surrounding areas;
 - (viii) the failure to control or eliminate insect pests harmful to the growth and development of any trees, shrubs, vegetable or plant life;

The Town of Rimbey Nuisance Bylaw

Bylaw 859/10

- (ix) the storage or accumulation of dilapidated vehicles or the storage of vehicles contrary to the Land Use Bylaw;
 - (x) the storage or accumulation of or failure to dispose of discarded or dilapidated furniture or household appliances, scrap metals, scrap lumber, cardboard, tires, motor vehicle parts or scrap building materials;
 - (xi) the failure to dispose of or to prevent the spread or scattering of any rubbish or garbage accumulated upon any property, including but not limited to;
 - any rubbish, refuse, garbage, paper, packaging, containers, bottles, cans,
 - rags, clothing, petroleum products, manure, human or animal excrement,
 - sewage or the whole part of an animal carcass; or
 - the whole or a part of any article, raw or processed material, vehicle or other machinery that is disposed of;
 - animal or vegetable matter, including materials resulting from the handling, preparation, cooking, consumption and storage of food;
 - building waste;
 - garden waste;
 - anything that is designated as waste in the regulations under the Environmental Protection & Enhancement Act R.S.A. 2000, c. E-12 and amendments thereto.
 - (xii) the posting or exhibiting of posters, signs, billboards, placards, writings or pictures on any fence, wall, or property, where the same are accumulated and become in a dilapidated condition.
 - (xiii) the failure to remove graffiti off any buildings, structures, fences etc. within a period of at least two (2) weeks, or a longer period as determined by the Peace Officer.
- h) "Peace Officer" means any member of the RCMP, a Peace Officer and a Bylaw Enforcement Officer.

The Town of Rimbey Nuisance Bylaw

Bylaw 859/10

- i) “person” includes any owner, agent, lessee or occupier including a corporation and their heirs, executors, administrators or other legal representative of a person or corporation.
- j) “premises” means and includes all land, buildings, excavations, structures and appurtenances thereto.
- k) “recreational vehicle” means any vehicle, trailer or anything designed to be carried on a vehicle or trailer that is designed for temporary habitation of people commonly referred to as a holiday trailer, motor home, camper or tent trailer.
- l) “sign” means anything defined as a sign pursuant to Land Use Bylaw No. 762/04 and amendments thereto.
- m) “Town” means the Town of Rimbey.
- n) “unsightly condition” means:
 - (i) in respect of a structure, a structure whose exterior, relative to the adjacent land and land use, shows signs of significant physical deterioration, and
 - (ii) in respect of land, land that shows signs, relative to the adjacent land and land use, of serious disregard for general maintenance and upkeep.
- o) “weapon” means a firearm or any other device that propels a projectile by means of an explosion, spring, air, gas, string, wire or elastic material and any combination of these things.

PART III - OFFENCES

- 2) No person being the owner, agent, lessee or occupier of any premises or dwelling within the Town of Rimbey shall permit such premises or dwelling or the activities on such place to be or become a nuisance or be in an unsightly condition.
- 3) No person being the owner, agent, lessee or occupier of any premises or dwelling within the Town of Rimbey shall permit the grass, weeds, or other vegetation on a boulevard adjacent to the subject property to become a nuisance by growing uncontrolled. All property owners or occupants are charged with the responsibility of maintaining the boulevard adjacent to, abutting, or flanking their property.

The Town of Rimbey Nuisance Bylaw

Bylaw 859/10

- 4) No person shall keep a recreational vehicle, in a residential area, in the front yard or in the flanking yard on a corner lot, for a period longer than is reasonably necessary to load or unload the vehicle. The foregoing does not apply between the months of April and October inclusive if;
 - a) there is no vehicle access to the rear yard of the lot, and;
 - b) the vehicle will not overhang the sidewalk or road or otherwise create a traffic hazard, and;
 - c) the parking of the vehicle will not, in the Development Authority's opinion, reduce the value or enjoyment of adjacent properties.
- 5) No person shall place an unauthorized sign or a sign contrary to the Land Use Bylaw on any public or private lands.

PART IV - NOISE

- 6) No person shall make, continue or cause or allow to be made or continued any loud, unnecessary or unusual noise or any noise whatsoever which either annoys, disturbs, injures, endangers or detracts from the comfort, repose, health, peace or safety of other persons within the Town of Rimbey.
- 7) No person shall allow property belonging to him under his control to be used so that there originates from the property any loud unnecessary or unusual noise which disturbs the comfort or repose of other persons in the vicinity of such property or generally within the limits of the Town of Rimbey.
- 8) A loud noise, an unnecessary noise, an unusual noise or a noise which disturbs, injures, or endangers the comfort, repose, health, peace or safety of others is a question of fact for a Court which hears a prosecution of an offence against Section 6 or 7 of this Bylaw.
- 9) In determining if a sound is reasonably likely to disturb the peace of others the following criteria may be considered:
 - a) type, volume and duration of the sound;
 - b) time of day and day of week;
 - c) nature and use of the surrounding area; and
 - d) any other relevant factor.

The Town of Rimbey Nuisance Bylaw

Bylaw 859/10

- 10) No person shall operate or allow to be operated any sound amplifying equipment from any residence, business premises, vehicle or in any park or other public place so as to unduly disturb residents of the Town.

The above shall not apply to any person or group who has obtained consent or permission from the Council of the Town or from the C.A.O.

- 11) No person shall carry on construction of any kind that can be heard beyond the boundary of the construction site between the hours of 10:00 P.M. (2200 hrs.) and 7:30 A.M. (0730 hrs.).
- 12) No person shall operate any equipment, machinery or mechanical devices or any other tool or device of a noisy nature in a residential area between the hours of 10:00 P.M. (2200 hrs.) and 7:30 A.M. (0730 hrs.).
- 13) Notwithstanding sections 11 and 12 a Peace Officer, C.A.O. or Town Council may allow construction to be carried on, subject to any restrictions or conditions that they may impose.
- 14) No person shall cause or permit or undertake any activity upon any Town property, which constitutes a nuisance.
- 15) No person who occupies any premises shall keep any kind of animal in excessive numbers so as to cause a health concern, damage to other properties or in the opinion of the Development Authority the keeping of the animals in excessive numbers will reduce the value or enjoyment of adjacent properties.
- a) A Provincial Court Judge or Justice of the Peace, in addition to the penalties provided in this Bylaw, may, if he considers the keeping of the excessive number of animals to be serious considering health and property issues, direct or order the owner of the animals to have the animals removed from the Town.

PART V - WEAPONS AND EXPLOSIVES

- 16) No person shall discharge or use any dangerous weapon, devices, firearm or explosive substance within the corporate limits of the Town of Rimbey.
- 17) No person shall allow property belonging to him or under his control to be used so that there originates from his property the setting off or throwing of any fireball, firecracker, or other fireworks or explosive device within the corporate limits of the Town of Rimbey;

The Town of Rimbey Nuisance Bylaw

Bylaw 859/10

- a) Excepting where special permission is obtained in writing from the CAO outlining any conditions related to the permission for discharge as deemed necessary by Council, notice of which will be transmitted to the Town Peace Officer or the Royal Canadian Mounted Police.

PART VI - SNOW, ICE, DIRT, DEBRIS

- 18) All persons within the Town of Rimbey owning, controlling, or occupying property that adjoins any sidewalk shall remove or cause to be removed and cleared away all snow, ice, dirt, debris or other material from any sidewalk adapted to the use of pedestrians. Such removal shall be completed within 72 hours from the time that the snow, ice, dirt, debris, or other material was formed or deposited there.
 - a) Any person who fails to comply with this section is guilty of an offence and may be issued a violation ticket by a Peace Officer in an amount specified in this Bylaw.
 - b) In default of any person complying with subsection a) above, and in addition to any other remedy available to the Town of Rimbey for noncompliance with this Bylaw, the Town may arrange to have the sidewalk cleared and any cost thereof shall be paid to the Town upon demand and failing payment, such cost shall be charged against the property as a special assessment.
- 19) No person shall remove snow, ice, dirt, debris or other material from a sidewalk or private property by causing it to be placed on any other portion of a highway or on any private property other than their own except to the extent that removal of the snow or ice to private property is impractical.
- 20) No person shall place or permit to be placed any snow, ice, dirt, debris or other material removed from private property on to a highway or other public place in the Town of Rimbey.

PART VII - ENFORCEMENT

- 21) A person who contravenes this Bylaw is guilty of an offence.
- 22) In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.

The Town of Rimbey Nuisance Bylaw

Bylaw 859/10

- 23) For the purposes of this Bylaw, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person if the act or omission occurred in the course of the employee's employment with the person, or in the course of the agent's exercising the powers or performing the duties on behalf of the person under their agency relationship.
- 24)
- a) When a corporation commits an offence under this Bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.
 - b) if a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.
- 25) A Peace Officer is hereby authorized to carry out an inspection to determine compliance with any provision of this Bylaw.
- 26) The C.A.O. of the Town or a Peace Officer may, at their discretion, issue a letter or notice to anyone who is in contravention of any section of this Bylaw directing the said person to take any action required so as not to be in breach of the section. The notice or letter may provide a time frame for the person to complete the action.
- 27)
- a) Any person who does not comply with a notice or letter is subject to a fine in the amount of \$200.00. A person who commits a second or subsequent offence within a one-year period shall be subject to a fine of \$400.00.
 - b) Notwithstanding 27) a), A Provincial Court Judge or Justice of the Peace may set a penalty higher than the specified penalty in this Bylaw, but not to exceed \$2,500.00.
- 28) The Town may perform the task or action that any person has not complied with at that person's expense. If the person fails to pay the Town then the amount owing may be added to the person's or owner's taxes.

The Town of Rimbey Nuisance Bylaw

Bylaw 859/10

- 29) A Peace Officer is hereby authorized and empowered to issue a violation ticket, pursuant to the Provincial Offences Procedure Act, to any person who the Peace Officer believes on reasonable and probable grounds has contravened any section of this Bylaw.
- 30) Any person to whom a violation ticket has been issued may make the voluntary payment, if one is offered, by delivering the violation ticket as per instructions on the violation ticket along with an amount equal to that specified for the offence as set out in this Bylaw.
- 31) A Peace Officer who believes that the breach of any section in this Bylaw is of such a serious nature he/she may issue an offender with a violation ticket compelling the offender's appearance in court.
- 32) Notwithstanding the provisions of this Bylaw, any person who has been issued a violation ticket pursuant to any section of this Bylaw may exercise his right to defend any charge of committing a contravention of any provision of this Bylaw.
- 33) A person issued a violation ticket for an offence shall be deemed sufficiently and properly served:
 - a) if served personally on the accused;
 - b) if mailed by registered mail to the address of the person who has contravened this Bylaw.

PART VIII - SEVERABILITY

- 34) Should any provision of this Bylaw be invalid, then such invalid provision shall be severed and the remaining Bylaw shall be maintained.

PART IX - GENERAL

- 35) Whenever the singular and masculine gender is used in this Bylaw, the same shall include the plural, feminine and neuter gender whenever the context so requires.

PART X - REPEAL

- 36) Bylaws 470/84, 548/88, 627/95, and 736/02 are hereby repealed.

The Town of Rimbeby Nuisance Bylaw

Bylaw 859/10

PART XI - EFFECTIVE DATE

AND FURTHER THAT this Bylaw shall take effect on the date of third and final reading.

READ a first time this _____ day of _____, 2010.

READ a second time this _____ day of _____, 2010.

READ a third and final time this _____ day of _____, 2010.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTALISH THE PROCEDURE AND CONDUCT OF COUNCIL.

WHEREAS, pursuant to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, the Council may pass Bylaws in relation to the procedure and conduct of Council; and

WHEREAS, the Council of the Town of Rimbey desires to establish a procedural and conduct Bylaw;

NOW THEREFORE, the Council of The Town of Rimbey, duly assembled enacts as follows:

PART I - BYLAW TITLE

This bylaw may be cited as the "Council Procedural Bylaw".

PART II - DEFINITIONS

- 1) In this bylaw, unless the context otherwise requires:
 - a) "Council" shall mean the Municipal Council of the Town of Rimbey.
 - b) "C.A.O." means the Chief Administrative Officer of the Town of Rimbey or duly appointed designate.
 - c) "Chair" shall mean the Mayor, Deputy Mayor or any other duly appointed Presiding Officer at a constituted meeting.
 - d) "MGA" means the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto.
 - e) "Town" means the Town of Rimbey.

PART III – MEETINGS OF COUNCIL

- 2) The Regular Meetings of Council shall be held in the Council Chambers of the Town on days and times established, by resolution of Council, at the annual Organizational Meeting of Council. Regular Meetings of Council may be cancelled or rescheduled by resolution of Council at any duly constituted meeting.
- 3) Special Meetings of Council must be called pursuant to Section 194 of the MGA.
- 4) The Council of the Town shall hold an annual Organizational Meeting of Council pursuant to Section 192 of the MGA.

- 5) Notice to the public of Special and Council Committee Meetings shall be deemed to be given by the C.A.O. posting notice of all meeting dates and times at the Town Office or advertising the meeting dates and times in the Town's newsletter or on its website.
- 6) The C.A.O. shall record the time of arrival and/or departure of Council members at meetings should a member of Council arrive late at a meeting or depart prior to the completion of a meeting.
- 7) If a quorum is not present within thirty (30) minutes after the time fixed for a Regular or Special Meeting, the C.A.O. shall record the names of the members of Council present and the Council shall stand adjourned until the next Regular Meeting or another Special Meeting is called.
- 8) In the event that the Mayor and Deputy Mayor are not in attendance within fifteen (15) minutes after the hour of a scheduled meeting and a quorum is present, the C.A.O. shall call the meeting to order and a Chairperson shall be selected by the Council members in attendance, who shall preside during the meeting until the arrival of the Mayor or Deputy Mayor.
- 9) Pursuant to Section 154 (1)(a) of the MGA, the Mayor shall preside at meetings of Council, and the Mayor, at his discretion, may allow the Deputy Mayor to preside at a Council meeting at which the Mayor is in attendance.

PART IV – CONDUCT OF MEETINGS

- 10) Each member of Council shall address the Chair but shall not speak until recognized by the Chair.
- 11) A delegate, scheduled to address Council on a topic, shall address the Chair upon recognition by the Chair. The scheduled delegate shall be limited to a ten (10) minute presentation unless such time is extended by permission of the Chair.
- 12) The Chair may, upon request, authorize a person in the public gallery to address Council only on the topic being debated at that time in the meeting and the Chair shall specify the time limit provided to the person wishing to address the matter.
- 13) A member of Council may present a motion for consideration. The motion does not require a seconder. The motion shall be recorded and the motion shall be deemed to be "on the floor" and open for formal discussion and debate.

- 14) Following debate on the motion under consideration, the Chair may call for a vote on the motion. The motion may be:
 - a) Amended;
 - b) Carried;
 - c) Defeated;
 - d) Withdrawn by the presenter subject to there being no objection by a member of Council;
 - e) Tabled to another meeting.
- 15) When any member of Council desires to speak, they shall address their remarks to the Chair, confine themselves to the question, and avoid personality. Should more than one member of Council desire to speak at the same time, the Chair shall determine who is entitled to the floor.
- 16) All motions shall be voted upon by all members of Council in attendance unless abstention by a member is duly noted in the minutes for reasons of conflict of interest.
- 17) The Chair shall declare a motion carried, carried unanimously or defeated. A member of Council wishing a recorded vote on a motion shall make such a request of the Chair prior to the calling of the vote.
- 18) A motion on first reading of a bylaw shall be decided without amendment or debate.
- 19) Pursuant to the MGA, every proposed bylaw shall receive three separate readings but not more than two on the same day, unless the members of Council present unanimously agree to consider third reading. It shall be read twice before it is committed and engrossed, and the third time before it is signed by the Mayor and C.A.O. The C.A.O. shall include the date of the passing upon every bylaw.
- 20) After any question has been decided, any member of Council who voted in the majority may at the same meeting or at the next regular meeting, move for reconsideration thereof. If reconsideration is approved by Council, the question to be considered may be dealt with immediately if all members of Council are present who voted on the question originally; otherwise the question shall be tabled to the next regular meeting of Council and dealt with at that time.

- 21) Should any issue pertaining to procedure or process arise that is not covered under this Bylaw, it shall be decided by a majority of Council. If there are an equal number of Council members in attendance and the matter voted upon results in a tie, the Chair shall make the final decision.
- 22) When at any session of the Council the hour of 10:00 p.m. shall be reached, the Chair shall call for a review of the agenda and Council will determine the action. When it has been determined that the meeting shall be in recess for the evening, the time and date of resumption of the meeting shall be by a majority vote of Council.
- 23) The Mayor shall act as ex-officio to all Committee appointments and may attend any meetings where appointed members are unable to attend.

PART V – AGENDA AND ORDER OF BUSINESS

- 24) Prior to each Regular Meeting of Council, the C.A.O. shall prepare a statement of the order of all business, to be known as the “Agenda”. To enable the C.A.O. to do so, all documents and notice of delegations shall be placed in the hands of the C.A.O. no later than 12:00 p.m. local time the Thursday prior to the Regular Meeting of Council. The Mayor and C.A.O. shall meet to review the agenda prior to compiling the agenda package.
- 25) No further additions to the Agenda will be presented by the C.A.O. unless they determine that the addition is of an emergent nature and the Mayor is in agreement.
- 26) The C.A.O. shall place at the disposal of each member of Council, a copy of the Agenda and all supporting materials no later than 4:30 p.m. local time on the Friday prior to the Regular Meeting of Council.

- 27) The order of business on the agenda shall be as follows:
1. Call to Order
 2. Public Hearings
 3. Agenda Adoption and Additions
 4. Approval of Minutes
 5. Delegations
 6. Bylaws
 7. New and Unfinished Business
 8. Reports
 9. Correspondence
 10. In Camera
 11. Adjournment
- 28) The order of business established in 27) shall apply unless Council otherwise determines by a majority vote of the members in attendance and the vote on the matter of priority of business shall be decided without debate.
- 29) A person or representative of a delegation of persons who wishes to bring any matter to the attention of Council shall address correspondence to Council outlining the matter to be discussed. The correspondence shall clearly state the matter at issue and the request made of Council in respect thereof. One person shall be identified as the spokesperson on behalf of the delegation in the correspondence.

PART VI - REPEAL

- 30) Bylaws No. 611/94 and No. 515/86 are hereby repealed.

The Town of Rimbey Council Procedural Bylaw

Bylaw 858/10

PART VIII - EFFECTIVE DATE

AND FURTHER THAT this bylaw shall take effect on the date of third and final reading.

READ a first time this 10 day of November, 2010.

READ a second time this _____ day of _____, 2011.

READ a third and final time this _____ day of _____, 2011.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

A BYLAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH A REGIONAL ASSESSMENT REVIEW BOARD.

Background

Section 456 of the *Municipal Government Act*, permits two or more Councils to jointly establish assessment review boards to have jurisdiction in their respective municipalities;

The City of Red Deer and the Regional Partner Municipalities jointly wish to establish a Regional Assessment Review Board to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by taxpayers of a Regional Partner Municipality;

The City of Red Deer will pay for the costs associated with the establishment and operations of the Regional Assessment Review Board and each Regional Partner Municipality will pay both a member fee and a user fee to the City in respect of their portions of those costs.

COUNCIL OF THE TOWN OF RIMBEY ENACTS AS FOLLOWS:

Short Title

- 1 The short title of this Bylaw shall be the "Regional Assessment Review Board Bylaw".

Definitions

- 2 (1) Except as otherwise provided herein, words in this Bylaw shall have the meanings prescribed in section 453 of the MGA.
- (2) In this Bylaw the following terms shall have the meanings shown:
 - (a) "Board" means the Regional Assessment Review Board;
 - (b) "CARB" means the Composite Assessment Review Board established in accordance with the *'Matters Relating to Assessment Complaints'* regulation;
 - (c) "Citizen-at-large" means a person who does not represent a specific organization.
 - (d) "Designated Officer" means the person appointed to carry out the duties and functions of the clerk of the assessment review board as required under section 455 of the *Municipal Government Act*.
 - (e) "LARB" means the Local Assessment Review Board established in accordance with the *'Matters Relating to Assessment Complaints'* regulation.
 - (f) "Member" means a member of the Regional Assessment Review Board.
 - (g) "MGA" means the *Municipal Government Act of Alberta, RSA 2000, Ch. M-26, as amended and Regulations passed under that Act.*

- (h) "Regional Partner Municipality" means those municipalities who enter into an agreement with the City to jointly establish a Regional Assessment Review Board and who enact a bylaw substantially in the form of this Bylaw.

Appointment of Board Members

- 3 (1) The Board shall consist of 20 members who shall be Citizens-at-large appointed by the Nomination Review Committee from lists of eligible persons submitted by Regional Partner Municipalities.
- (2) In addition, when sitting as the CARB, the Board shall include the provincial member appointed by the Minister.
- (3) The Nomination Review Committee will consist of 5 representatives appointed jointly by the Regional Partner Municipalities.

Terms of Appointment

- 4 (1) Unless otherwise stated, all Members are appointed for three year terms except in the initial year where two-thirds are appointed for three year terms and the remaining one-third are appointed for a two year term.
- (2) If a vacancy on the Board occurs at any time the Nomination Review Committee may appoint a new person to fill the vacancy for the remainder of that term.
- (3) A Member may be re-appointed to the Board at the expiration of his/her term.
- (4) A Member may resign from the Board at any time on written notice to the Designated Officer to that effect.
- (5) The Nomination Review Committee may remove a Member at any time on the recommendation of the Designated Officer.

Panels of the Board

- 5 (1) The Board shall sit in panels to hear assessment complaints as the nature of the complaint may permit or require, such panels to consist of:
 - (a) three persons selected by the Designated Officer when the Board is acting as a Composite Assessment Review Board or a Local Assessment Review Board; or
 - (b) a single member selected by the Designated Officer when the Board is acting as a Single Member Composite Assessment Review Board or a Single Member Individual Local Assessment Review Board.
- (2) The Designated Officer may select any member to sit on a panel and shall designate the Chairperson for each panel, provided however that:
 - (a) the provincial member must be the Chairperson of a panel sitting as the Composite Assessment Review Board; and

- (b) the provincial member must be the sole member of a panel sitting as a Single Member Composite Assessment Review Board.
- (c) where possible, the Designated Officer shall include on a 3 person panel a member who is from the municipality under whose jurisdiction the complaint arises.

Chairperson

- 6 (1) The Chairperson of a panel:
- (a) will preside over and be responsible for the conduct of meetings;
 - (b) may limit a submission if it is determined to be repetitious or in any manner inappropriate; and
 - (c) will vote on matters submitted to the panel unless otherwise disqualified.

Jurisdiction of the Board

- 7 The Board shall have jurisdiction to exercise the functions of a Local Assessment Review Board (LARB) and the functions of a Composite Assessment Review Board (CARB) under the provisions of the *Municipal Government Act* in respect of assessment complaints made by taxpayers of a Regional Partner Municipality.

Designated Officer of the Board

- 8 (1) The Designated Officer of the Board shall be a person designated by the Chief Administrative Officer of the City of Red Deer (CAO), who shall determine the remuneration of the Designated Officer.
- (2) The Designated Officer shall:
- (a) assist the Board in fulfilling its mandate.;
 - (b) prescribe the remuneration and expenses payable to each member of the Assessment Review Board; and

Meetings

- 9 (1) Meetings will be held at such time and place as determined by the Board.
- (2) The proceedings and deliberations of the Board must be conducted in public except where the Board deals with information protected from disclosure under the provisions of the *Freedom of Information and Protection of Privacy Act*.

Quorum and Voting

- 10 (1) The quorum for panels of the Board shall be as established by the MGA, namely:
- (a) two members of a panel acting as a local assessment review board; and

- (b) one citizen-at-large and the provincial member of a panel acting as a composite assessment review board.
- (2) All Members must vote on all matters before the Board unless a pecuniary interest or a conflict of interest is declared.
- (3) The majority vote of those Members present and voting constitutes the decision of the Board.
- (4) Where a member of a panel absents himself or herself from the proceedings due to a conflict of interest or a pecuniary interest, the Designated Officer shall appoint a replacement member of the panel.

Conflict of Interest

- 11 (1) Where a member of the Board is of the opinion that he or she has a conflict of interest in respect of a matter before the Board, the member may absent himself or herself from board proceedings while that matter is being discussed, provided that prior to leaving the meeting, the member:
 - (a) declares that he or she has a conflict of interest; and
 - (b) describes in general terms the nature of the conflict of interest.
- (2) The Designated Officer shall cause a record to be made in the Minutes of the members' absence and the reasons for it.
- (3) For the purposes of this provision, a member has a conflict of interest in a respect of a matter before the Board when he or she is of the opinion that:
 - (a) he or she has a personal interest in the matter which would conflict with his or her obligation as a member to fairly consider the issue; or
 - (b) substantial doubt as to the ethical integrity of the member would be raised in the minds of a reasonable observer, if that member were to participate in the consideration of that matter.

Pecuniary Interest

- 12 (1) The pecuniary interest provisions of the MGA apply to all Members of the Board while attending meetings of the Board, as though they were councillors attending meetings of council.
- (2) A Board member who fails to declare a pecuniary interest in a matter before the Board, or fails to absent himself or herself from proceedings dealing with such a matter, ceases to be a member of the Board.

Commencement of Appeals

- 13 (1) A taxpayer may commence an assessment appeal by:
 - (a) mailing or delivering to the address specified on the assessment or tax notice a complaint in the form set out in the *'Matters Relating to Assessment Complaints'* regulation and within the time specified in the MGA; and

- (b) paying the applicable fee.

Rules of Order

- 14 The Board shall make its own procedural rules, having due regard for the principles of procedural fairness.

Adjournments

- 15 (1) The Board may in its discretion grant adjournments of a hearing for such purposes as it feels necessary to ensure proper consideration of the issues before it, including:

- (a) allowing the Board to obtain a legal opinion or other professional guidance; or
- (b) to allow a viewing by the Board of the site in respect of which the appeal is being made.

- (2) Where the parties to an appeal consent to an adjournment of the hearing, such adjournment may be granted by the Chairperson after consultation with the Members individually (whether in person, by telephone or by email) without the need to convene a formal meeting. In such a case, the Board is deemed to have convened and the hearing is deemed to have commenced as of the date of such consultation.

Notice of Decisions & Record of Hearing

- 16 (1) After the hearing of a complaint, the Designated Officer shall:

- (a) under direction of the Chairperson, prepare Minutes of the hearing, the decision or order of the board and the reasons for the decision in compliance with the MGA; and
- (b) arrange for the order or decision of the Board to be signed; and distributed in accordance with the requirements under the MGA.

- (2) The Designated Officer will maintain a record of the hearing.

Delegation of Authority

- 17 In accordance with its authority under MGA section 203(1) to delegate power, Council hereby delegates:

- (a) its authority to appoint members of the Assessment Review Board to the Nomination Review Committee;
- (b) its authority under section 454(2)(c) to prescribe the remuneration and expenses payable to each member of the assessment review board to the Designated Officer.

Reimbursement of Costs

- 18 The City of Red Deer shall pay for the administrative costs associated with the operation of the Regional Assessment Review Board. Recovery of costs from Regional Partner Municipalities will be as set out in the agreements established.

Transitional

The Town of Rimbey Assessment Review Board Bylaw

Bylaw 862/11

- 19 The Board shall hear all complaints arising out of assessments from 2010 and subsequent years.

Appeal Fees

- 20 Appeal fees are payable by the person making an assessment appeal complaint as follows:

- (a) Local Assessment Review Board Appeal - \$50.00
- (b) Composite Assessment Review Board Appeal - \$100.00

Severability

- 21 Should any provision of this Bylaw be invalid, then such invalid provision shall be severed and the remaining Bylaw shall remain.

Repeal

- 22 Bylaw 850/10 is hereby repealed.

READ a first time this _____ day of _____, 2011.

READ a second time this _____ day of _____, 2011.

READ a third and final time this _____ day of _____, 2011.

MAYOR

CHIEF ADMINISTRATIVE OFFICER



Council Recommendation

Date: January 12, 2011

Title: Interim Operating Budget

Presenter: Administration

Background:

Under the requirements of the MGA, Council must adopt an operating budget each calendar year, but Section 242(2) of the MGA allows a Council to adopt an interim operating budget for part of a calendar year.

Recommendation:

Council adopt the 2010 operating budget as the interim operating budget for 2011.

TOWN OF RIMBEY

DATE: January 12, 2010

TITLE: Local Authorities Pension Plan - LAPP

BACKGROUND:

The Town of Rimbey has a self-directed pension plan for its permanent, full-time staff which matches the level of contributions made under the Local Authorities Pension Plan (LAPP), a defined benefits pension plan.

DISCUSSION:

LAPP made a presentation to staff in early December regarding its plan. A majority of permanent, full-time, non-union staff are in favor of joining the plan.

As current pension contributions made by the Town of Rimbey mirror contribution levels of LAPP, joining LAPP would result in no cost differential to the Town.

A recent AUMA survey of 192 Alberta municipalities found that 73% offer LAPP to staff. In communities over 2,501 in population, the percentage offering LAPP jumps to 94%. Implementation of LAPP in Rimbey would be advantageous in recruiting and retaining experienced staff from other municipalities.

RECOMMENDATION:

That Council pass a resolution authorizing the Mayor and CAO to enter into an agreement with the Local Authorities Pension Plan for the provision of pension services for all permanent, full-time, non-union staff.



Council Recommendation

Date: January 12, 2011

Title: Town Funded Agency budget Presentations

Presenter: Administration

Background:

The town provides funds to the following agencies: RCMP, Library, FCSS, Historical Society, Chamber of Commerce, and possibly the Boys and Girls Club. This is an information session for these agencies to present their budgets and provide Council information regarding the funding that is provided by the Town.

Scheduled Date:

This session is scheduled for Thursday, January 20, 2011 starting at 9:00 am with each agency allotted 30 minutes to present and allow questions and answers for Council. The total time required by Council will be 3 hours. The location will be the Town Office.

Presentation Schedule for Thursday, January 20, 2011:

9:00 am	RCMP
9:30 am	FCSS
10:00 am	Chamber of Commerce
10:30 am	Historical Society
11:00 am	Ponoka Boys and Girls Club/Ponoka Youth Centre
11:30 am	Library

Recommendation:

That Council adopt Thursday, January 20, 2011 from 9:00 am to Noon as Town Funded Agency Budget Presentations.



Council Recommendation

Date: January 12, 2011
Title: Aspen Bio Energy Meeting
Presenter: Administration

Background:

Council discussed setting up a meeting with Aspen Bio Energy to come to Rimbey and present an update on the project status.

Discussion:

Administration contacted the Vice President of Aspen Bio Energy and was provided two dates that they were available to attend a meeting in Rimbey with Council. The dates that were provided are as follows: **Monday, January 17** at 3:00 pm or **Friday January 28** between 11:00 am and 3:00 pm.

Recommendation:

That Council choose one of the following dates and Administration will notify Aspen Bio Energy of the scheduled meeting date.



Council Recommendation

Date: January 12, 2011

Title: Council Committee Meetings

Presenter: Administration

Background:

Council discussed having a committee Meeting date set up that is different from scheduled regular Council meeting dates. This would be set up as a committee meeting that could fall between the two scheduled Council Meetings.

Discussion:

This meeting would be held to provide updates of committees and have an open discussion on any other items that are presented. The meeting would have no scheduled agenda and could be scheduled for the third Wednesday of the month starting at 6:30 pm.

Recommendation:

That Council adopt a scheduled Council committee meeting to be held the third Wednesday of every month at 6:30 pm starting 2011.

TOWN OF RIMBEY

DATE: January 12, 2010

TITLE: Traffic Control – 56 Avenue

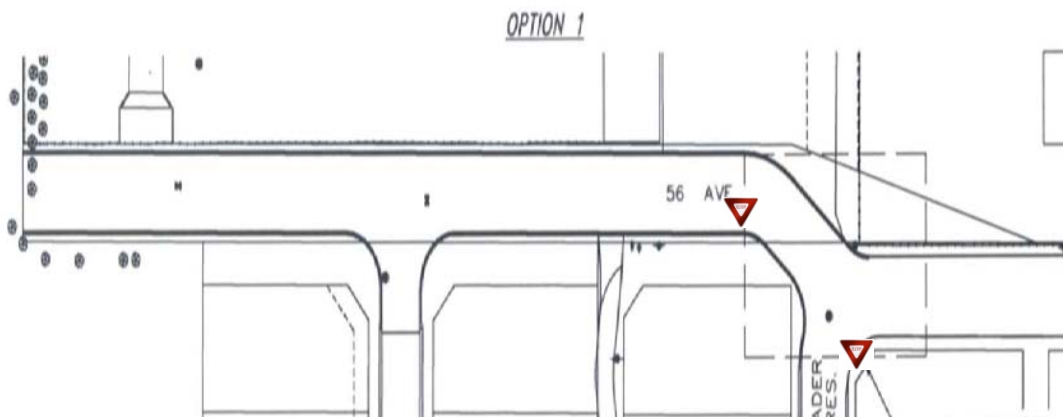
BACKGROUND:

The extension of 56 Avenue west of Drader Crescent has allows for traffic from three directions that have the potential to meet at the intersection of Drader Crescent and 56 Avenue.

DISCUSSION:

Sgt. Mark Groves of the local RCMP detachment attended the intersection and has recommended slowing of traffic in two directions.

The first recommendation would be to install a yield sign on 56 Avenue for eastbound traffic. The second is to install a second yield sign on Drader Crescent for northbound traffic onto 56 Avenue.



RECOMMENDATION:

That Council pass a resolution authorizing the CAO to have Yield signs installed at the eastern portion of Drader Crescent and 56 Avenue affecting the northbound traffic, and on 56 Avenue and eastern portion of Drader Crescent affecting eastbound traffic.



Council Recommendation

Date: January 7th, 2011
Title: RInC Grant Deadline Extension
Presenter: Rick Kreklewich

Background:

The RInC grant deadline was recently extended from March 31st, 2011 to October 31st, 2011.

Discussion:

I contacted a staff member from RInC and determined that a resolution from Council to extend the deadline would be beneficial.

Recommendation:

I recommend that Council make the resolution that the deadline of RInC project #8990 (Rimbey Aquatic Centre) be extended from March 31st, 2011 to September 30th. 2011.



To: Mayor & Council
Date: December 10, 2010
From: Georgia Beebe
Accounting Clerk
Re: Delinquent Accounts

I have recently received a status report from our collection agency, and am now requesting Council's consent to write-off the following accounts, which the agency considers uncollectable.

	Invoice #	Description of Charges	Date Debt was Incurred	Amount Requested to Write-Off
1)	9019.00	An ambulance billing originally for \$239.24, which has been with our collection agency since April 7, 2010. The update from Able Apton on December 7, 2010 now deems this account 'Closed: Skipped Not Found'.	December 2, 2009	\$239.24
2)	7923.00	An ambulance billing originally for \$132.70, which has been with our collection agency since November 4, 2008. The update from Able Apton on December 7, 2010 now deems this account 'Closed: Skipped Not Found'.	December 16, 2007	\$132.70
3)	50040-000	A utility billing for \$63.42, which has been with our collection agency since July 9, 2010. The update from Able Apton on December 7, 2010 now deems this account "Closed: Skipped Not Found".	December 31, 2009	\$63.42
4)	53140	A tax account billing for \$2,468.46, which has been with our collection agency since February 24, 2010. The update from Able Apton on December 7, 2010 now deems this account "Closed: Skipped Not Found".	May 22, 2007 through April 30, 2010	\$2,468.46
5)	7069.00	An ambulance billing originally for \$241.60, which has been with our collection agency since October 11, 2007. The update from Able Apton on December 7, 2010 now deems this account "Closed: Skipped Not Found".	April 14, 2007	\$241.60
6)	7068.00	An ambulance billing originally for \$230.80, which has been with our collection agency since October 11, 2007. The update from Able Apton on December 7, 2010 now deems this account "Closed: Skipped Not Found".	April 12, 2007	\$230.80
7)	8765.00	An ambulance billing originally for \$239.24, which has been with our collection agency since October 26, 2009. The update from Able Apton on December 7, 2010 now deems this account "Closed: Skipped Not Found".	August 31, 2009	\$239.24
8)	8890.00	An ambulance billing originally for \$357.80, which has been with our collection agency since February 10, 2010. The update from Able Apton on December 7, 2010 now deems this account "Closed: Skipped Not Found".	August 17, 2009	\$357.80
9)	5627.00	An ambulance billing originally for \$314.50, which has been with our collection agency since January 13, 2006. The update from Able Apton on December 7, 2010 now deems this account "Closed: Skipped Not Found".	September 20, 2005	\$314.50
Total				\$4,287.76

Thank you for your consideration.

Sincerely,

Georgia Beebe
Accounting Clerk

December 6, 2010

RECEIVED

DEC 06 2010

TOWN OF RIMBEY

To: The Town of RimbeY

Re: "ALONE AT CHRISTMAS" DINNER

Once again, we are having our annual "Alone at Christmas" dinner. It is being held at the RimbeY Legion.

This is a success because of the individuals and business donations. We are hoping that you would be interested to extend the Legion to us at no cost.

Thank you in advance.

Sincerely,

Sue: (403) 843-3179

&

Rob: (403)-704-6836

Closing Date:
Wed. Jan. 5th
~~donation~~

Rimbey PeeWee Renegades

RECEIVED

JAN 04 2010

TOWN OF RIMBEY

Dear Sponsors,

The Rimbey PeeWee Renegades are preparing to host their annual tournament on Jan. 7th, 8th and 9th. There will be 6 six teams as well as two of our own attending. They are aged 11 through 13 with about 120 players in total. We are appealing to businesses in and around Rimbey to be apart of our tournament by way of donations to subsidize our raffle table prizes, our door prizes, and shoot out awards.

We would like to give you the opportunity to be able to be part of what we feel is an important event in our community and to the young players of the sport. If you choose to support our tournament with a donation, we would like to display your logo, banner, and or business card with your donation. Contributions will also be listed in our programs to recognize our sponsors.

Your time and consideration of our request is greatly appreciated.

Tournament Coordinators

Amanda Maclean (403)748-4400

Stephanie Burke (403)843-4007 (c)506-7157 392-3978

jsburke@telus.net

RECEIVED

DEC - 6 2010

RIMBEY FAMILY & COMMUNITY SUPPORT SERVICES
RIMBEY COMMUNITY HOME HELP SERVICES
BOX 404, RIMBEY, ALBERTA. T0C 2J0
(403) 843-2030

November 25, 2010

Mayor and Council
Town of Rimbey
Box 350
RIMBEY, ALTA.
T0C 2J0

Dear Mayor Ibbotson and Council Members:

We would like to ask you for your support in purchasing Welcome To Rimbey Bags. We have a price quote of \$5.20 per bag (including set up fee, shipping, and GST). We would like to purchase 200 bags which could be up to four years worth.

We would appreciate your support, and will be asking the Chamber of Commerce and the County of Ponoka for their support as well. What we would ask for is \$345.50 from each group for a total of \$1036.58. We look forward to hearing from you and having your continued support. We value our partnership with the Town of Rimbey. If you have any questions or concerns, please contact me for clarification.

Thank you for your anticipated approval.

Yours truly,



Peggy Makofka
Executive Director
Rimbey FCSS/RCHHS

January 5, 2011

Mayor and Council
Town of Rimbey
Box 350
Rimbey, AB T0C 2J0

Re: Environmental Public Health Week 2011

Environmental Public Health Professionals (EHPs) work every day to ensure: *safe food, safe air, safe water and safe environments* for Albertans.

On behalf of the Canadian Institute of Public Health Inspectors (CIPHI), I am pleased to announce **January 17 to 23, 2011** as **Environmental Public Health Week**. This initiative began in 2003 with the aim of promoting and recognizing the important work of EHPs, including certified Public Health Inspectors/Environmental Health Officers and other allied Environmental Public Health occupations in Alberta, and across Canada.

Health Protection is the cornerstone of Public Health. EHPs respond to existing and potential environmental health risks related to physical, biological, and chemical hazards. We can be found inspecting or investigating the safety of food establishments, public or private residences, social care facilities, private drinking water systems, recreational water systems and personal service premises. EHP's expertise in Health Protection allows us to play a vital role in disease surveillance, outbreak management, and infection control.

EHPs who are employed by the Alberta Health Services Board, Health Canada and even private industries, work synergistically to maintain and improve the well being of Albertans, to decrease the demand for acute care and treatment, and to reduce the burden of disease and illness on our healthcare system as a whole.

On behalf of CIPHI, and the EHPs that CIPHI represents, we would respectfully request your assistance in recognizing Environmental Public Health Week 2011 by having the Town of Rimbey proclaim **January 17 to 23, 2011** as **Environmental Public Health Week**. Public acknowledgement of the important work that EHPs do on a daily basis to protect the health of Albertans would be well received, especially by our front-line workers.

Thank you for your assistance in making this initiative a success. If you require further information please contact me at Debra.Langier-Blythe@albertahealthservices.ca or by telephone at 780-342-4662.

Yours sincerely,

Debra Langier-Blythe, BSc, CPHI(C)
President, CIPHI (Alberta)

PUBLIC HEALTH HIGHLIGHTS

Highlighting just a few of the services provided by EPHPs in recent events helps to show the tremendous importance of the Environmental Public Health Professional in protection, prevention and health promotion.

- Environmental Public Health Professionals (EPHP's) ensure that food sold to the public are: safely produced, safely stored, and safely handled. We also prevent these public health threats from taking hold by not permitting the sale of hazardous food items in the community, such as raw unpasteurized milk. Despite recent opposition, we hold steadfast in our decision not to put the public's health at risk.
- Alberta's *Housing first* initiative has helped homeless families move out of shelters and into affordable rental housing. EPHP's work in the *safe built environment* runs parallel to this initiative in ensuring that these rental homes meet minimum housing and health standards. As with the province, EPHP's strive to ensure that the rental housing resulting from this funding are a safe, secure and sustainable place to live.
- There have been several cases of Albertans perishing in a rental home due to a fire. In these cases, the bedroom window size did not meet minimum health and housing requirements. EPHP's investigation has been crucial to the successful prosecution of the owners of these dangerous buildings and in doing so; hope to set a precedent for stiffer fines and penalty for those who put tenant lives in imminent danger.
- There has been a resurgence of bedbug infestations in public residences, social care facilities and other institutions this year. EPHPs help alleviate stress amongst building occupants, staff, and duty holders by presenting in public forums and meeting with other public health practitioners to advise on how to better protect ourselves and patients. EPHPs are specifically involved in inspecting rental accommodations, such as apartments and hotels, for pest infestations.
- EPHPs work in *Personal Services* has discovered and subsequently closed several illegal home-based tattooing operations. Personal services continue to grow in prevalence and popularity in Alberta. As the industry continues to grow, alongside an increase in public demand, studios are being routinely monitored and steered into compliance with the latest technologies and practices.
- EPHP's ensure that safe drinking water and safe recreational water (i.e. swimming pools, spray parks, beaches) are provided for the public. EPHP's work to achieve safe water through the consistent review of water reports, development of sampling programs and through routine inspections of swimming pools, beaches, and potable water systems.