



CITY OF ST. ALBERT ADMINISTRATIVE BACKGROUNDER

TITLE: BORROWING BYLAW AMENDMENT - PETITION PERIOD

On May 15, 2017 Councillor Hughes provided notice in accordance with Section 23 of Procedure Bylaw 22/2016 that she intended to bring forward the proposed motion below.

In order for Council to debate the motion, the motion must be formally moved.

That all relevant policies and bylaws are amended to require that a minimum of 60 days is provided between the first reading or amendments to the initial borrowing bylaw and the end of the petition period for all borrowing bylaws to provide a fair petition period for resident response.

BACKGROUND:

It is Administration's understanding that this proposed motion's purpose is to lengthen the time frame between first reading of a bylaw and the date on which a petition could be submitted to the City Manager on the matter.

Under the Municipal Government Act, sections 231(3) and 231(4) provide for the timeframes under which a petition may be submitted. These sections require that a petition be submitted within 15 or 60 days of the last date of the advertising of the bylaw (depending on the type of bylaw). Presumably, the 15-day period exists for borrowing bylaws in recognition of the compressed timelines under which large-scale projects often proceed. In some cases, the additional time required to hold a vote on a borrowing bylaw could result in delaying a project for a year or more, which could ultimately result in increases in overall construction costs for the project. Also, borrowing is generally considered to fund large, expensive capital projects. Establishing a more challenging standard for electors to successfully petition in opposition to these types of projects may be appropriate, because while the costs and associated impacts to residents is relatively easy to understand, the comparative benefits or urgency of a particular project may not be apparent to residents.

In order to provide for a longer period of time for petitions, Council could direct additional advertisings beyond the minimum two required under section 606 of the MGA. In so doing, Council should also decide whether this approach is to be used for all borrowing bylaws or considered for use on a case to case basis.

Currently the City has no policies or bylaws related to this matter; the sole direction provided for petition periods is governed by the Municipal Government Act.

Administration has been advised by Municipal Affairs that upcoming amendments to the Municipal Government Act may change some aspects of petitioning requirements.

Report Date: July 4, 2017

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Committee/Department: Legislative Services

City Manager: Kevin Scoble