



## CITY OF ST. ALBERT CITY COUNCIL POLICY

NUMBER	TITLE
<b>C-CC-11</b>	<b>Public Hearing Process</b>
ORIGINAL APPROVAL DATE	DATE LAST REVISED
June 16, 2003	December 5, 2016

### **Purpose**

To establish a clear public hearing process for the City of St. Albert.

### **Policy Statement**

Council shall follow the process outlined by this policy and the procedures outlined in Schedule A attached to this policy when conducting a Public Hearing.

Council shall abide by the underlying principles for statutory public hearings. The process will adhere as closely to the procedures outlined as possible although Council may adjust the process in order to accommodate a smooth flow of the proceedings provided that there is adherence to the underlying principles.

Council may follow this process for those non-statutory public hearings on issues that Council determines would benefit from public input.

### **Service Standards/ Expectations**

These principles shall apply only to the process for bylaws or resolutions that require a public hearing or that Council determines would benefit from a public hearing, and not to other bylaws or resolutions.

1. Council shall hear any person, group of persons, or persons representing them, who claims to be affected by a proposed bylaw or resolution and who has complied with the procedures outlined by Council.
2. Council, by majority vote, may decide to hear from any person other than those outlined in principle number 1.
3. The public hearing shall be held at a regular or special meeting of Council.

4. The public hearing shall be held before second reading of a bylaw or before Council votes on a resolution.
5. After the public hearing, Council may pass the bylaw or resolution, or make any amendments that it considers necessary.
6. If Council determines that the amendments to a bylaw or resolution that requires a statutory public hearing have changed the intent of the bylaw, Council shall re-advertise the public hearing, and commence with first reading of the bylaw again.
7. If a Councillor was absent for all of a statutory public hearing, with the exception of a statutory public hearing related to an Intermunicipal Development Plan, the Councillor shall abstain from voting on the bylaw or resolution or on any amendments to the bylaw or resolution. If a Councillor was absent from part of a public hearing, the Councillor may abstain from voting on a bylaw or resolution. The Councillor shall state the reasons for abstention and the reasons shall be recorded in the minutes of the meeting.
8. Council may hold a joint public hearing for a proposed bylaw to adopt or amend an Intermunicipal Development Plan. In this case, the rules regarding voting if absent for all or part of a public hearing in the *Municipal Government Act* do not apply, so the Councillor shall vote regardless of whether or not the Councillor was in attendance for all or for part of the joint public hearing.

## **Legal References**

*Municipal Government Act*

## **Cross References**

Bylaw 3/2018 Procedure Bylaw

REVIEW	REVISION
September 29, 2016 – Legislative Services	Oct 24, 2005 – C536-2003 Sep 25, 2006 – C496-2006 Dec 5, 2016 – AR-16-497
REVIEW DATES	