

## **CITY OF ST. ALBERT**

### **BYLAW 37/2021**

#### **SPECIAL PURPOSE PUBLIC HEARING PROCEDURE BYLAW**

##### A Bylaw to prescribe the process at a specific public hearing

WHEREAS, pursuant to section 145 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, Council may adopt bylaws in relation to the procedure and conduct of Council;

AND WHEREAS the *Municipal Government Act* governs the conduct of Council, Councillors; municipal organization and administration; public participation; public participation; the conduct of public hearings; and the powers of a municipality;

AND WHEREAS Alberta Regulation 50/2020 gives Council the authority to hold meetings, including public hearings, by electronic means subject to the provisions set out in that regulation;

AND WHEREAS the Council will hold a public hearing on proposed Bylaw 7/2021, proposed Bylaw 8/2021, and proposed Bylaw 9/2021 regarding the Oakmont Area Structure Plan and Land Use Bylaw Amendments;

NOW THEREFORE, the Council of the City of St. Albert, duly assembled, hereby ENACTS AS FOLLOWS:

#### **TITLE**

1. This Bylaw may be referred to as the “Special Purpose Public Hearing Procedure Bylaw”.

#### **DEFINITIONS**

2. In this Bylaw:
  - a. “Act” means the *Municipal Government Act*, R.S.A. 2000, c. M-26, any regulations thereunder, and any amendments or successor legislation thereto;
  - b. “Adjourn” means to take a break in the Public Hearing with the intent of returning to the Public Hearing at another meeting or later in the same meeting;
  - c. “Agent” means an individual who acts on behalf of another affected party in accordance with the procedure outlined in this Bylaw;

- d. "Bylaw" means this Special Purpose Public Hearing Procedure Bylaw 37/2021;
- e. "Chair" means the person who presides over the Public Hearing;
- f. "Close" means the termination of the Public Hearing;
- g. "Council" means the municipal Council of the City of St. Albert;
- h. "Councillor" means a member of Council, including the Mayor;
- i. "Group" means two or more persons who wish to advocate for the same or substantially the same position, and have chosen one of their number to speak for all;
- j. "Mayor" means the chief elected official of the City;
- k. "New Information" means something another registered speaker said during the course of their presentation at the Public Hearing; and
- l. "Public Hearing" means the public hearing that Council has scheduled to commence at 9:00 A.M. on June 9, 2021 in respect of proposed bylaws 7/2021, 8/2021, and 9/2021.

### **PROCESS TO REGISTER TO SPEAK**

- 3. Any person who claims to be affected by one or more of proposed Bylaws 7/2021, 8/2021 or 9/2021 shall be afforded an opportunity to be heard by the Council at the Public Hearing, in person or through an Agent.
- 4. Individuals or Groups wishing to address Council on their own behalf at the Public Hearing must register with Legislative Services by 3:00 p.m. on June 8, 2021 by emailing [legislative@stalbert.ca](mailto:legislative@stalbert.ca).
- 5. Individuals wishing to address Council in the capacity of Agent for one or more other persons at the Public Hearing must:
  - a. register with Legislative Services by 5:00 p.m. on June 3, 2021 by emailing [legislative@stalbert.ca](mailto:legislative@stalbert.ca) and declaring their intention to act as an Agent at the Public Hearing; and
  - b. submit a separate, completed, and signed Agent Declaration form, which can be obtained by request emailed to [legislative@stalbert.ca](mailto:legislative@stalbert.ca), for each affected party that they will be representing. An Agent Declaration form must be signed and dated by the individual being represented, must state

the individual's stated reason for claiming to be affected by the matter, and must be submitted by email sent to [legislative@stalbert.ca](mailto:legislative@stalbert.ca) not later than 5:00 p.m. on June 3, 2021.

### **WRITTEN SUBMISSIONS**

6. Whether or not an individual is making a verbal presentation at the Public Hearing, the following rules govern how written submissions to Council must be made with respect to the Public Hearing:
  - a. written submissions must be e-mailed to [legislative@stalbert.ca](mailto:legislative@stalbert.ca) or [hearings@stalbert.ca](mailto:hearings@stalbert.ca) not later than 12:00 noon, on June 2, 2021. Written submissions received by this deadline will be included in the meeting agenda package that is distributed to Council members and posted on the City's public website on June 4, 2021;
  - b. written submissions received either by administration or Councillors outside of the deadline noted in section 6(a) will not be considered by Council at the Public Hearing; and
  - c. written submissions must include the name of the person making the submission, and a statement of how the person claims to be affected by one or more of Bylaws 7/2021, 8/2021 or 9/2021.

### **PUBLIC HEARING PROCEDURE**

7. The Public Hearing shall be conducted as follows:
  - a. the Chair will declare the Public Hearing open and advise of the process to be followed;
  - b. administration will introduce the proposed bylaws;
  - c. the applicant will have a maximum of ten minutes to make a presentation to Council following administration's presentation;
  - d. Councillors may ask questions of the administration and of the applicant;
  - e. the Chair will then call upon those who have properly registered with Legislative Services in accordance with the procedures outlined this Bylaw, in the order in which they registered to speak;
  - f. immediately prior to any verbal presentation made by an Agent, the Chair will read out which members of the public are being represented by the Agent and their stated reasons for claiming to be affected by one or more of the proposed bylaws;

- g. Groups and individuals, including Agents who have registered to represent four or fewer other affected parties in accordance with this Bylaw, shall be allotted a maximum of five minutes to make their presentations;
  - h. Agents who have registered to represent at least five other affected parties in accordance with this Bylaw shall be allotted a maximum of ten minutes to make their presentations;
  - i. all persons must provide a brief explanation of how they claim to be affected by one or more of the proposed bylaws during the course of their presentation;
  - j. Council may at any time during the Public Hearing pass a motion to extend time limits;
  - k. Council may ask questions of persons who have addressed Council on any of the proposed bylaws, at the conclusion of each presentation;
  - l. once Council has heard from all persons who registered to speak and made a presentation, a Councillor may ask questions of administration on any matter raised in a presentation that was not answered to the Councillor's satisfaction in previous questioning;
  - m. the Chair will ask if there is any person registered to speak who wishes to address New Information. Any such person will be given up to three minutes to do so, and must not use this second speaking opportunity only to repeat points they have previously made;
  - n. the procedures in sections 7(k), 7(l) and 7(m) will be repeated until no further Councillor questions remain and no further requests by registered speakers are made to address anything said by another registered speaker; and
  - o. when all verbal presentations by registered speakers have been heard and all questions by Councillors have been answered, the Chair will ask for a motion to Close the Public Hearing or Adjourn the Public hearing until a later meeting of Council.
8. The Chair may, in their discretion, cut off speakers who are redundant, rude, inflammatory, or otherwise disturb the Public Hearing.

### **ELECTRONIC MEETING FORMAT**

9. The Public Hearing will be conducted via the ZOOM webinar platform. Once speakers have registered to speak, they will receive an email from Legislative

Services containing a ZOOM meeting invitation with a link to join the Public Hearing.

10. When it their time to speak, the Chair of the Public Hearing will ask the ZOOM meeting host to bring the presenter into the Public Hearing to speak.
11. At the conclusion of the speaker's presentation, and after Councillors have had an opportunity to ask questions of the speaker, the speaker will be brought out of the meeting and may watch the remainder of the Public Hearing on the livestream. Further instructions and information regarding this will be included in the ZOOM meeting invitation.
12. Speakers must not make use of the chat feature while in the Public Hearing. Use of the chat feature by speakers during the Public Hearing may result in an individual being removed from the Public Hearing.

### **PROCEDURE BYLAW**

13. Procedure Bylaw 3/2018 remains in effect for the Public Hearing, but in the case of an inconsistency between this Bylaw and Procedure Bylaw 3/2018, this Bylaw prevails.

### **EFFECTIVE DATE**

14. This Bylaw comes into effect when it is passed.

### **REPEAL OF BYLAW**

15. This Bylaw is automatically repealed without a specific repealing bylaw or any other action of the Council, upon passage of a motion to close the Public Hearing.

READ A FIRST TIME this \_\_\_\_\_ of \_\_\_\_\_, 2021

READ A SECOND TIME this \_\_\_\_\_ of \_\_\_\_\_, 2021

READ A THIRD TIME this \_\_\_\_\_ of \_\_\_\_\_, 2021

SIGNED AND PASSED this \_\_\_\_\_ of \_\_\_\_\_, 2021

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MAYOR

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CHIEF LEGISLATIVE OFFICER