



## **Council Meeting**

Jubilee Centre Council Chamber  
9909 Franklin Avenue, Fort McMurray

Tuesday, March 27, 2012  
6:00 p.m.

---

### **Agenda**

#### **Call To Order**

#### **Opening Prayer**

#### **Adoption of Agenda**

#### **Minutes of Previous Meetings**

1. Regular Meeting - March 13, 2012

#### **Delegations**

#### **Bylaws**

2. Bylaw No. 12/006 – Community Services Committee Bylaw
3. Bylaw No. 12/007 – Single-Use Shopping Bag Bylaw

*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. Consistent with all delegations, each presentation will be allowed a maximum of five minutes.*

#### **Reports**

4. 2012 Art and Symphony Event
5. 10 Year Plan to End Homelessness – Funding Allocation
6. Sale of Land - Plan 0722934, Block 2, Lot 2 and Plan 0840460, Block 1, Lot 15 (TaigaNova Eco-Industrial Park)
7. Request to Proceed with the 2012 Municipal Census

**Reporting - Boards and Committees**

**Adjournment**

**Unapproved Minutes of a Meeting of the Council of the Regional Municipality of Wood Buffalo held in the Council Chamber at the Municipal Offices in Fort McMurray, Alberta, on Tuesday, March 13, 2012, commencing at 6:00 p.m.**

**Present:** M. Blake, Mayor  
M. Allen, Councillor  
D. Blair, Councillor  
L. Flett, Councillor  
S. Germain, Councillor  
D. Kirschner, Councillor  
P. Meagher, Councillor  
D. Scott, Councillor  
J. Stroud, Councillor  
A. Vinni, Councillor

**Absent:** R. Thomas, Councillor

**Administration:** G. Laubenstein, Chief Administrative Officer  
A. Rogers, Acting Chief Legislative Officer  
L. Kotyk, Legislative Assistant/Recorder

**Call To Order**

Mayor Blake called the meeting to order at 6:10 p.m.

**Opening Prayer**

Mayor Blake invited those so inclined to join her in prayer.

**Adoption of Agenda**

Moved by Councillor P. Meagher that the agenda be amended to delete item number 7 under the Reports portion of the agenda (2012 Art and Symphony Event); and that the agenda be adopted as amended.

CARRIED UNANIMOUSLY

**Minutes of Previous Meetings**

**1. Regular Meeting - February 14, 2012**

Moved by Councillor D. Kirschner that the minutes of the Council Meeting held on February 14, 2012 be approved as presented.

CARRIED UNANIMOUSLY

**Delegations**

Andrew Manyevere, Fort McMurray African Canadian Association, came forward to speak to the Allocation of 2012 Community Development Funding report. He requested that Council consider his groups application for funding for their youth enhancement program which also supports the International Day for the Elimination of Racial Discrimination.

Moved by Councillor P. Meagher that the presentation made by Mr. Andrew Manyevere be received as information.

CARRIED UNANIMOUSLY

**Public Hearings and Related Reports**

**2. Bylaw No. 12/005 – Land Use Bylaw Amendment – Surmont Creek – Lots 1-7, Block 1, Plan 112 4844**

Moved by Councillor P. Meagher that Bylaw No. 12/005, being a Land Use Bylaw Amendment for Lots 1-7, Block 1, Plan 112 4844 (Surmont Creek), be read a first time.

CARRIED UNANIMOUSLY

Moved by Councillor M. Allen that Council move into a Public Hearing regarding Bylaw No. 12/005.

CARRIED UNANIMOUSLY

**Peter Apostolakos, Planning and Development Department** and **Rick Stuckenburg, Planning and Development Department**, provided an introduction and overview of Bylaw No. 12/005, noting that it is supported by Administration.

**Jack Tobin, Applicant**, provided an opening statement regarding Bylaw No. 12/005, stating that the Bylaw proposes to redesignate Lots 1-7, Block 1, Plan 112 4844 (Surmont Creek) from Rural District (RD) to Business Industrial District (BI). Mr. Tobin noted that the application has been made in consultation with Administration.

Moved by Councillor P. Meagher that Council close the Public Hearing regarding Bylaw No. 12/005.

CARRIED UNANIMOUSLY

The public hearing for Bylaw No. 12/005 was held in between 6:24 p.m. and 6:30 p.m.

Moved by Councillor M. Allen that Bylaw No. 12/005 be read a second time.

CARRIED UNANIMOUSLY

Moved by Councillor P. Meagher that Bylaw No. 12/005 be considered for third reading.

CARRIED UNANIMOUSLY

Moved by Councillor J. Stroud that Bylaw No. 12/005 be given third and final reading.

CARRIED UNANIMOUSLY

**3. Bylaw No. 12/004 - Land Use Bylaw Amendment - Election Sign Provisions**

Moved by Councillor P. Meagher that Council move into a Public Hearing for Bylaw No. 12/004.

CARRIED UNANIMOUSLY

**Darlene Soucy, Elections Officer** and **Rene Wells, Director, Bylaw Services**, provided an introduction and background information regarding Bylaw No. 12/004.

Moved by Councillor P. Meagher that Council close the Public Hearing regarding Bylaw No. 12/004.

CARRIED UNANIMOUSLY

The public hearing for Bylaw No. 12/004 was held between 6:36 p.m. and 7:03 p.m.

The following motion was presented by Councillor D. Kirschner: "That Bylaw No. 12/004 be read a second time".

**Recess**

A recess was held between 7:30 p.m. and 7:46 p.m.

Moved by Councillor S. Germain that sections 8 and 9 be deleted; and that a new section 8 be created that reads, 'each candidate must, prior to placing any election sign, provide the Municipality with the name and contact information of the person responsible for his or her election signs'.

CARRIED UNANIMOUSLY

Moved by Councillor D. Kirschner that Bylaw No. 12/004, as amended, be read a second time.

CARRIED UNANIMOUSLY

Moved by Councillor P. Meagher that Bylaw No. 12/004 be given third and final reading.

CARRIED UNANIMOUSLY

**Bylaws****4. Bylaw No. 12/006 – Community Services Committee Bylaw**

Moved by Councillor P. Meagher that Bylaw No. 12/006, being the Community Services Committee Bylaw, be read a first time.

CARRIED UNANIMOUSLY

**Reports****5. Reserve Bids for Tax Recovery Auction**

Moved by Councillor J. Stroud that the reserve bids and sale conditions be established as listed in Attachment 1 – Reserve Bids and Sale Conditions for Tax Sale Properties, dated February 03, 2012.

CARRIED UNANIMOUSLY

**6. Allocation of 2012 Community Development Funding**

Moved by Councillor P. Meagher that \$200,000 of 2012 Community Development Funding be allocated as follows:

- Anzac Li'l Lakers Family Resource Centre  
- \$18,000
- Big Brothers Big Sisters Association of Wood Buffalo  
- \$17,343
- Centre d'accueil et d'établissement du Nord de l'Alberta  
- \$9,600
- Fort McMurray Boys & Girls Club  
- \$14,400
- Fort McMurray Family Crisis Society  
- \$18,000
- Fort McMurray Royal Canadian Army Cadet Corp #2803  
Support Society - \$18,000
- Fort McMurray Sunny Smiles Preschool Society  
- \$16,000
- Multicultural Association of Fort McMurray  
- \$18,000
- Parents Association of the 868 Royal Canadian Air Cadet  
Squadron - \$18,000
- Support Through Housing Team Society  
- \$18,000
- Wood Buffalo Educare Society  
- \$18,000

- Wood Buffalo Senior Support Society  
- \$12,872
- YMCA of Fort McMurray  
- \$3,785

CARRIED UNANIMOUSLY

**7. Appointment of Municipal Noxious Weed Inspector**

Moved by Councillor P. Meagher that the Chief Administrative Officer appoint a Municipal Noxious Weed Inspector in compliance with Alberta's Weed Control Act.

CARRIED UNANIMOUSLY

**8. Appointments to Council Committees**

Moved by Councillor P. Meagher that:

- Mats van Kleef be appointed to the Communities in Bloom Committee, effective immediately, to December 31, 2012;
- Brenda MacLean be appointed to the Landlord and Tenant Advisory Board, effective immediately, to December 31, 2013;
- Kevin Thornton be appointed to the Library Board, effective April 1, 2012, to December 31, 2012; and
- Mary Thomas be appointed to the Regional Advisory Committee on Inclusion, Diversity and Equality, effective immediately, to December 31, 2013.

CARRIED UNANIMOUSLY

**9. Request for Leave of Absence**

**Exit**

Councillors M. Allen and D. Scott declared a potential pecuniary interest and exited the Chamber at 8:25 p.m.

Moved by Councillor P. Meagher that an unpaid leave of absence, inclusive of salary and benefits, be authorized for Councillors Mike Allen and Donald Scott, for the period covering the announcement of the next provincial election, up to and including the date the election is held.

CARRIED UNANIMOUSLY

### **Return**

Councillors M. Allen and D. Scott returned to the Chamber at approximately 8:27 p.m.

### **Reporting - Boards and Committees**

- WinterPlay, Communities in Bloom Committee (Councillor P. Meagher)
- City Centre Land Use Bylaw Open House at Future Forward Place  
(Councillor D. Kirschner)

### **Adjournment**

Moved by Councillor D. Blair that the meeting be adjourned.  
CARRIED UNANIMOUSLY

The meeting adjourned at 8:41 p.m.

---

Mayor

---

Chief Legislative Officer



**Subject: Bylaw No. 12/006 – Community Services Committee Bylaw****APPROVALS:**

Brian Makey, Acting Chief Administrative Officer  
Carol Theberge, Executive Director  
Heather Evasiuk, Acting Director

**Administrative Recommendation:**

1. THAT Bylaw No. 12/006, being the Community Services Committee Bylaw, be read a second time.
2. THAT Bylaw No. 12/006 be read a third and final time.

**Summary:**

Bylaw No. 06/042 established the Community Services Advisory Committee and its mandates. In 2011, Administration assessed this bylaw as part of the community services investment review.

**Background:**

On November 28, 2006, Council approved Bylaw No. 06/042, which established the Community Services Advisory Committee (CSAC). The duties of the CSAC are as follows:

- Review and evaluate funding requests for groups or individuals engaged in the delivery of social, recreation and community services, and make recommendations to Council.
- Advise Council on the allocation of grant funds.
- Recommend allocation of federal and provincial funds received as per the Community Plan on Homelessness.
- Recommend allocation of the Games Legacy Grant.
- Advise Council on the Civic Awards nominees.

As part of the community investment review that took place in 2011, CSAC members identified a need to make better use of Committee members' time and expertise by allowing them more autonomy and decision-making capabilities. Therefore, Administration undertook a review of Bylaw No. 06/042.

As part of this review, a number of changes have been recommended. The proposed changes will allow the Committee to be the deciding body on the following funding allocations:

- Community Development Funding – Provincial Family and Community Support Services (F.C.S.S.) funding. Currently part of the Council approved operational budget, \$200,000 is allotted to community groups that meet the criteria of specific *F.C.S.S. Act and Regulation*.

- Homelessness Funding – Federal and Provincial funding in varying amounts distributed by the Municipality as the designated Community Based Organization for the Community Plan on Homelessness.
- Games Legacy – As a result of hosting the 1985 Alberta Summer Games, the 1992 Alberta Winter Games, and the 2003 Alberta Senior Games, a legacy was created with the surplus funds and placed in the Games Legacy Grant. Each year the interest from these funds is distributed to individuals or groups of young athletes and cultural performers who qualify in their discipline to compete at a provincial level or higher. The approximate amount of funds awarded each year for the grant is about \$4,000.

The Mayor and Council will continue to make the final approval for Civic Award nominations; however, this program is currently under review by Administration and a proposed new program is forthcoming.

Under the proposed new bylaw, the Committee will determine funding allocations and provide updates to Council on these allocations; therefore, the title of the Committee will be changed from the Community Services Advisory Committee to the Community Services Committee. This name change reflects the new function of the Committee as a decision-making body.

The proposed bylaw also includes an addition to the Committee membership. By having an odd number of members on the Committee, this will facilitate voting by ensuring a majority vote and, therefore, enable a more streamlined decision-making process.

The new bylaw also incorporates the option of the Committee to form sub-committees from its existing members to work on specific projects or initiatives. As the Committee will play a greater role in Community Services initiatives and grant allocations, the requirements for the frequency of meetings has been changed from a minimum of two meetings to four meetings per year.

#### **Budget/Financial Implications:**

Council approves the total funds available for distribution as part of the annual Community Services operating budget.

#### **Rationale for Recommendation:**

The proposed new bylaw is in response to the community investment review recommendation to allow Committee members a more significant role in assisting residents of the municipality. The amendments will also streamline processes to provide better service delivery for individuals and groups receiving funding from the Municipality. The option of allowing the Committee to form sub-committees ensures that people with specific skills, expertise or interests can be focused on specific projects or tasks.

Significant growth in the region and new initiatives that will be developed as a result of the Municipal Development Plan will require the expertise of vested community members. The

option of including sub-committees in the proposed bylaw will allow sub-groups to develop without the requirement of forming new committees.

Administration has committed to providing the highest level of customer service, and promoting effectiveness and efficiency in service delivery. The proposed new bylaw will help to establish a timely and cost-effective decision-making process, and improve service delivery.

Current members of the Committee have reviewed the proposed bylaw and they support the changes. Administration also supports the proposed Community Services Committee Bylaw, and recommends that Bylaw No. 12/006 be given all three readings. A resolution on March 13<sup>th</sup> would mean that the Committee would be the approving body for grant allocation at their next scheduled meeting date of March 21<sup>st</sup>. At this meeting, the Committee would be reviewing the Community Plan on Homelessness Funding, and if the funding allocations can be approved by the Committee at this date, the grant funding can be distributed starting April 1<sup>st</sup> in keeping with the established funding schedule.

**Attachments:**

1. Bylaw No. 12/006 – Community Services Committee Bylaw
2. Bylaw No. 06/042 – Community Services Advisory Committee Bylaw



**BYLAW NO. 12/006**

**BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO PROVIDE FOR THE ESTABLISHMENT OF THE COMMUNITY SERVICES COMMITTEE**

**WHEREAS** the *Municipal Government Act*, R.S.A. 2000, C. M-26, as amended, provides that Council may pass Bylaws in relation to the establishment and functions of Council Committees;

**WHEREAS** the Council of the Regional Municipality of Wood Buffalo wishes to establish the Community Services Committee for the purpose of determining the allocation of funding for the Games Legacy Grant, Community Development Funding and Community Plan on Homelessness Funding;

**WHEREAS** the Community Services Committee will also review and make recommendations to Council on cultural, social, and recreation initiatives and programs.

**NOW THEREFORE** the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. The Community Services Committee is hereby established.

**SHORT TITLE**

2. This Bylaw shall be cited as the “Community Services Committee Bylaw.”

**MEMBERSHIP OF THE COMMITTEE**

3. Membership of the Community Services Committee shall consist of:
  - One (1) member representing Council; and,
  - Six (6) members from the public-at-large, appointed by Council.

**LENGTH OF MEMBERSHIP**

4. Public-at-large members of the Community Services Committee shall be appointed for either a one (1) or two (2) year term, with the objective that such appointment terms shall be established to overlap and optimize the continuity of the Community Services Committee. Subsequent terms of appointment for new public-at-large members will be for a period of two (2) years, unless a vacancy occurs in which that appointment will be for the existing term. The Council representative shall be appointed for a period of one (1) year.

**REPLACEMENT OF MEMBERS**

5. In the event any member of the Community Services Committee is unable or unwilling to continue to serve as a member, for whatever reason, then, Council shall appoint a replacement.

6. Public-at-large members of the Community Services Committee, including the Chairperson, shall serve at the pleasure of the Council, without remuneration, and will be reimbursed only for their reasonable out-of-pocket expenses incurred carrying out the authorized business of the Community Services Committee.

## **QUORUM**

7. That a quorum of the Community Services Committee is a majority of its members, including the Chairperson.
8. The Community Services Committee cannot make decisions or give direction unless there is quorum of members present at a duly organized meeting.
9. Any member who is unable to attend a meeting shall inform the Chairperson.

## **CHAIRPERSON**

10. The Chairperson shall be determined by members of the Community Services Committee at the first meeting of each calendar year.

## **DUTIES OF THE CHAIRPERSON**

11. That the duties of the Chairperson of the Community Services Committee are as follows:
  - The preservation of order and quorum at a meeting; and
  - The deciding of all questions of procedure and the provision of reasons therefore.

## **ABSENCE OF THE CHAIRPERSON**

12. If the Chairperson is absent from a meeting, the Community Services Committee members in attendance shall select an acting chairperson to preside during the Chairperson's absence.

## **PUBLIC MEETINGS**

13. Deliberations of the Community Services Committee shall be held in the Regional Municipality of Wood Buffalo, and shall be open to the public in accordance with the *Municipal Government Act* except where the matter under discussion falls within one of the exceptions to disclosure under the *Freedom of Information and Protection of Privacy Act*, RSA 2000, c.F-25.

## **PROCEDURE**

14. A governance process incorporating the following rules is to be established by the Community Services Committee:
  - There is no limit to the number of times a member may speak to a question;
  - Informal discussion of a subject is permitted when no motion has been made; and

- The Chairperson (or Acting Chairperson) may make motions, participate in debate and vote on all motions without leaving the chair.
- Decisions requiring a vote must be reached by majority, that is, more than half the votes.

### **FREQUENCY OF MEETINGS**

15. The Community Services Committee shall meet a minimum of four times per year.

### **REPORT OF COMMUNITY SERVICES COMMITTEE**

16. The Community Services Committee shall submit an update report of approved funding allocations and will forward recommendations to Council for cultural, social and recreation initiatives and programs, if any.

### **SUB-COMMITTEES**

17. The Community Services Committee may establish, or disband, such committees, sub-committees, or ad-hoc committees (the “Committees”), as may be considered necessary from amongst its existing members.
18. THAT Bylaw No. 06/042 and all amendments thereto are hereby repealed.
19. THAT this Bylaw shall be passed and become effective when it receives third reading and is signed by the Mayor and Chief Legislative Officer.

READ a first time this 13<sup>th</sup> day of March, AD. 2012.

READ a second time this \_\_\_\_\_ day of March, A.D. 2012.

READ a third time this \_\_\_\_\_ day of March, A.D. 2012.

SIGNED and PASSED this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2012.

---

Mayor

---

Chief Legislative Officer





## **BYLAW NO. 06/042**

### **BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO PROVIDE FOR THE ESTABLISHMENT OF THE COMMUNITY SERVICES ADVISORY COMMITTEE**

WHEREAS the *Municipal Government Act*, R.S.A. 2000, C. M-26, as amended, provides that a Council may pass Bylaws in relation to the establishment and functions of Council Committees;

WHEREAS the Council of the Regional Municipality of Wood Buffalo wishes to establish the Community Services Advisory Committee for the purpose of allocating the Games Legacy Grant, approving the Civic Award nominations and making recommendations to Council on the allocation of Community Development funding, and Community Plan on Homelessness and Affordable Housing funding.

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. The Community Services Advisory Committee is hereby established.

#### **SHORT TITLE**

2. This Bylaw shall be cited as the "Community Services Advisory Committee Bylaw".

#### **MEMBERSHIP OF THE COMMITTEE**

3. Membership of the Community Services Advisory Committee shall consist of:
  - One (1) member representing Council
  - Five (5) members from the public-at-large, appointed by Council

#### **LENGTH OF MEMBERSHIP**

4. Public-at-large members of the Community Services Advisory Committee shall be appointed for a two (2) year term, commencing on the first day of January and expiring on the 31<sup>st</sup> day of December of the second year following or soon thereafter as their replacement is appointed. The Council representative shall be appointed for a period of one year, as determined at Council's annual organizational meeting.

#### **REPLACEMENT OF MEMBERS**

5. In the event any appointed member of the Community Services Advisory Committee is unable or unwilling to continue to serve as a member, for whatever reason, then, Regional Council shall appoint a replacement.
6. Public-at-large members of the Community Services Advisory Committee, including the chair, shall serve at the pleasure of the Council, without remuneration, expecting only

reimbursement of reasonable out-of-pocket expenses incurred in conducting the affairs of carrying out the authorized business of the Committee.

## **QUORUM**

7. That a quorum of the Community Services Advisory Committee is a majority of its members, including the chair.
8. The Committee cannot make decisions or give direction unless there is quorum of members present.
9. Any member who is unable to attend shall inform the chairperson.
10. When the Chairperson is not in attendance, the committee members in attendance shall appoint a chairperson for the meeting.

## **CHAIRPERSON**

11. The Community Services Advisory Committee chairperson shall be determined by the Committee Members.

## **DUTIES OF THE CHAIR**

12. That the duties of the chair of the Community Services Advisory Committee are as follows:
  - (a) The preservation of order and quorum;
  - (b) The deciding of all questions of procedure and the provision of reasons therefore.

## **ABSENCE OF CHAIRPERSON**

13. If the Chairperson leaves the chair for any reason, the committee members in attendance shall select an Acting Chair to preside during the Chair's absence.

## **PUBLIC MEETINGS**

14. Deliberations of the Community Services Advisory Committee shall be held in Fort McMurray, and shall be open to the public in accordance with of the *Municipal Government Act* except where the matter under discussion falls within one of the categories of information referred to in the *Freedom of Information and Protection of Privacy Act*, c. F-18.5, as amended, and regulations there under, including:
  - (a) The security of the property of the municipality;
  - (b) Personal information of an individual, including an employee of the municipality;
  - (c) A proposed or pending acquisition or disposition of property by or for the municipality;
  - (d) Labour relations or employee negotiations involving the Municipality;

- (e) Law enforcement matters, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality;
- (f) Those matters specified in a statute other than the *Freedom of Information and Protection of Privacy Act* expressly authorizing a municipality to hold meetings in the absence of the public;
- (g) Information that would reveal trade secrets of a third party or commercial, financial, labour relations, scientific or technical information of a third party that has been supplied, explicitly or implicitly, in confidence the disclosure of which could reasonably be expected to harm significantly the competitive position or interfere significantly with the negotiating position of the third party or result in similar information no longer being supplied to the municipality when it is in the public interest that similar information continue to be supplied, or resulting in undue financial loss or gain to any person or organization or reveal information supplied to or the report of an arbitrator, mediator labour relations officer or other person or body appointed to resolve or inquire into a labour dispute unless:
  - i. The third party consents to the disclosure;
  - ii. An enactment of Alberta or Canada authorizes or requires the information to be disclosed;
  - iii. The information related to a non-arm length's transaction between the government of Alberta and another party, or;
  - iv. The information is in record that is in the custody or under the control of the Provincial Archives of Alberta or the archives of a public body and has been in existence for 50 years or more;
- (h) Information about a third party that was collected on a tax return or collected for the purpose of determining tax liability or collecting tax, except as provided in the *Municipal Government Act* subject to the exceptions listed in the subparagraphs (i), (ii), (iii) and (iv) or paragraph (g).
- (i) A draft of resolution, bylaw or other legal instrument by which the municipality acts;
- (j) The substance of deliberation of a meeting of members of the municipal council or a committee of council if any or a regulation under the *Freedom of Information and Protections of Privacy Act* authorizes the holding of such meetings in the absence of the public except when a draft of the resolution, bylaw, or other legal instrument or the subject matter of the deliberation has been considered in a meeting open to the public or the information referred to is in a record that has been in existence for 15 years or more.

## PROCEDURE

- 15. The following rules apply to the Community Services Advisory Committee:
  - (a) Governance process is to be established by the Committee;
  - (b) There is no limit to the number of times a member may speak to a question;
  - (c) Informal discussion of a subject is permitted when no motion has been made; and
  - (d) The chair (or acting chair) may make motions, participate and debate and vote on all motions without leaving the chair.

## **FREQUENCY OF MEETINGS**

16. The Community Services Advisory Committee shall meet a minimum of twice per year or as required by grant guidelines.

## **REPORT OF COMMITTEE**

17. The Community Services Advisory Committee shall submit approved recommendations to Council as information and submit reports of recommendations made for Council approval as required by grant guidelines.

This Bylaw becomes effective when it receives third and final reading and has been signed by the Mayor and Chief Legislative Officer

READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, AD. 2006

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, AD. 2006

READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, AD. 2006

SIGNED AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

CERTIFIED A TRUE COPY

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF LEGISLATIVE OFFICER

\_\_\_\_\_  
CHIEF LEGISLATIVE OFFICER

**Subject: Bylaw No. 12/007 – Single-Use Shopping Bag Bylaw****APPROVALS:**

Glen Laubenstein, Chief Administrative Officer  
Henry Hunter, Executive Director  
Kevin Scoble, Director

**Administrative Recommendations:**

THAT Bylaw No. 12/007, being the Single-Use Shopping Bag Bylaw, be read a first time.

**Summary:**

On October 25, 2011 Council Resolution 11-274 directed Administration to evaluate recommendations to amend the Single-Use Shopping Bag Bylaw No. 09/033 to address concerns identified during the first year of implementation. Feedback from businesses, residents and environmental stakeholders has been collected through a series of public engagements to develop the proposed amendments.

**Background:**

Engagements were conducted through an independent consultant to gather feedback from the community and to assess the potential impact of the proposed changes to Bylaw No. 09/033.

The engagement program included the following elements:

- A summary report of key issues, suggestions, and underlying motivations of support or opposition from the 2011 evaluation reports.
- Two stakeholder workshops to review proposed direction and obtain input: January 10, 2012 with the environmental stakeholders and January 11, 2012 with representatives from the retail sector and the Chamber of Commerce.
- A web-based survey to test a variety of ideas for bylaw improvement and communication initiatives. The survey ran from December 23, 2011 to January 11, 2012, generating feedback from 984 self-selected municipal residents.
- An open house to gather feedback on evaluation results and the final proposed amendments before presenting to Council on March 27, 2012.

The proposed revised Single-Use Shopping Bag Bylaw is based on the common interests brought forward from the engagement process and the core principles of public health and safety, environmental sustainability, consumer privacy, retailer equality, and customer convenience. While many of the changes are intended to better define and clarify the intent of the Bylaw, the primary amendments focus on:

- a redefinition of single use bags and reusable containers to a performance-based standard (Attachment 2, Page 2)
- additional exemptions to the current Bylaw (Attachment 2, Page 3)

With both strong support and strong opposition from the community, the proposed revisions, along with communication plan enhancements, are expected to achieve the following results:

- An increase in support for the Bylaw through the addition of requested changes to address public concerns of food safety, health, privacy, and convenience irritants.
- A decrease in frustration levels experienced at check-out counters.
- Encouraged use of re-usable shopping bags. As habits become established, the cultural change will swing toward the neutral or supportive side.

The research indicates that the proposed revisions will not eliminate the polarized opinions within the Municipality, but will reduce the opposition levels through a six percent increase overall of those residents in support of the Bylaw (currently forty percent) and a ten percent decrease in those opposed (currently fifty-six percent). The remaining eight percent are neutral; they neither oppose nor support the Bylaw.

### **Budget/Financial Implications:**

The financial impact for the Municipality in 2012 will range between \$50,000 to \$75,000 which will be absorbed in the existing operating budget. The funds will be used to enhance regional awareness, provide education, and maintain support tools for business.

The financial impacts of Bylaw 09/033 on the commercial sector are:

- Businesses indicate a distributed financial impact with thirty-seven percent of respondents experiencing net gains, forty-six percent experiencing net costs, and seventeen percent indicating no financial impact. Those reporting net gains were mostly small-to-medium size retailers (average  $\leq$  \$1,000), while those reporting net costs were larger retailers (some reporting six figure impacts). Increases in property theft, including security measures, and a reduction in local shopping were the largest contributors.
- Fifty-nine percent of commercial respondents indicate shoplifting trends have stabilized and have remained the same since September 2010.
- Retailers eliminated 7.8 million bags from distribution; however, an additional 6.0 million bags were sold for single-use purposes resulting in a current net reduction of 1.8 million bags.

### **Rationale for Recommendation:**

Administration's recommendation is based on the environmental benefits from an estimated reduction of 1.8 million single-use bags from the landfill, the associated aesthetic improvements in the community, and a continued alignment with the sustainability principles as outlined in the Municipal Development Plan.

Administration recommends the proposed revisions to the Single-Use Shopping Bag Bylaw to balance sustainability principles with stakeholder concerns.

**Attachments:**

1. Bylaw No. 12/007
2. Single-Use Shopping Bag Bylaw Comparison





## **BYLAW NO. 12/007**

### **BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO, IN THE PROVINCE OF ALBERTA, TO REGULATE THE USE AND DISTRIBUTION OF BAGS BY RETAIL ESTABLISHMENTS OPERATING WITHIN THE BOUNDARIES OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO**

**WHEREAS** pursuant to Section 7 of the *Municipal Government Act*, a Council may pass bylaws for municipal purposes respecting businesses, business activities and persons engaged in business and the enforcement of bylaws;

**AND WHEREAS** single-use bags have been determined to have detrimental effects on the environment;

**AND WHEREAS** the Council of the Regional Municipality of Wood Buffalo wishes to reduce the negative effects plastic and paper bags have on the environment;

**NOW THEREFORE**, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, hereby enacts as follows:

#### **Short Title**

1. This bylaw may be cited as the “Single-Use Shopping Bag Bylaw”.

#### **Definitions**

2. For the purpose of this bylaw, capitalized terms shall have the same meaning as defined in Land Use Bylaw No. 99/059, unless otherwise defined here:
  - (a) “Chief Administrative Officer” or its successor, means the Chief Administrative Officer of the Regional Municipality of Wood Buffalo, or his delegate;
  - (b) “Municipality” means the Regional Municipality of Wood Buffalo;
  - (c) “Peace Officer” means a community peace officer, environmental enforcement investigator or bylaw enforcement officer employed by the Municipality and authorized to enforce this bylaw, or a police officer;
  - (d) “Person” includes an individual, a corporation and other legal entities;
  - (e) “Retail Establishment” means any location where goods are offered for sale;
  - (f) “Reusable Container” means any bag, box or other container specifically designed and manufactured to hold at least 20 pounds of weight without failure or sign of eminent failure, is resistant to cuts and tears, and is made of:
    - cloth or other machine washable fabric; and/or

- durable plastic that is at least 2.25 mils (.571 millimeters) thick; and/or
- any other durable material suitable for multiple uses; and
- only includes a cardboard box made of pressed paper pulp or pasted sheets of paper used for cartons where such cardboard box has been used previously.

(g) “Single-Use Bag” means a bag that is made of:

- less than 2.25 mils (.571 millimeter) thick polyethylene; and/or
- pulp or paper,

and, for clarity, shall include, but is not limited to:

- a door hanger bag designed to hold flyers, coupons or other advertisements and intended to be left on the doors of homes;
- a decorative paper or plastic gift bag where such bag is being used to transport goods;
- a biodegradable bag composed of, in whole or part, biodegradable plastic, oxo-biodegradable plastic, plastarch, polylactide, or any other plastic resin composite that is intended to degrade at a faster rate than non-biodegradable plastic film.

### **Application**

3. This bylaw applies to the provision, distribution, sale and use of Bags by Retail Establishments within the Municipality.

### **Exemption**

4. This bylaw does not apply to any of the following:

(a) Single-use bags containing food from a Retail Establishment that is a:

- Food Service, Drive-in or Drive-through;
- Food Service, Major Restaurant;
- Food Service, Minor Restaurant;
- Food Service, Mobile Catering; or a
- Food Service, Take out Restaurant.

(b) Single-use bags distributed by a non-profit in its normal course of business, which includes but is not limited to, a food bank, a homeless shelter or an animal shelter; and

(c) Single-use bags containing:

- loose, bulk goods such as fruit, vegetables, nuts, grains, candy, or small hardware items such as nails, screws, nuts and bolts, which goods are not prepackaged;

- fresh meats or fish, which goods may be prepackaged;
  - fresh cut flowers, or potted plants;
  - freshly prepared foods or bakery goods;
  - clothing immediately following the professional laundering or dry-cleaning of same;
  - medical prescriptions and over the counter medications;
  - paraphernalia related to the use of illegal drugs;
  - undergarments or similar products of a personal or adult nature;
  - any product or good where the purchaser must be an adult, except those related to a lottery or the sale of tobacco; and
  - dirty, greasy, or hazardous products or materials;
- (d) the sale of multiple, prepackaged single-use bags.

### **Prohibited Activities**

5. A Retail Establishment shall not:
- (a) provide, distribute, sell or use single-use bags; or
  - (b) restrict or deny the use of any Reusable Container by a Person.

### **Inspection on Demand**

6. A Peace Officer may enter any Retail Establishment and may make such examinations, investigations and inquiries as required to determine compliance with this bylaw.

### **Offence**

7. A Retail Establishment that contravenes this bylaw is guilty of an offence.

### **Fines and Penalties**

8. A Retail Establishment that is guilty of an offence is liable, upon summary conviction, to a fine in an amount of not less than that established in this bylaw and not exceeding \$10,000.
9. Without restricting the generality of Section 10, the fine amounts established for use on Violation Tickets if a voluntary payment option is offered are prescribed by Schedule “A” of this bylaw.

### **Continuing Offence**

10. 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 Retail Establishment guilty of such an offence is liable, upon summary conviction, to a fine in an amount not less than that established by this bylaw for each such day.

### **Violation Ticket**

11. A Peace Officer may issue a Violation Ticket in accordance with the *Provincial Offences Procedure Act*, to any Retail Establishment that the Peace Officer has reasonable and probable grounds to believe has contravened this bylaw.
12. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
  - (a) specify the fine amount established by this bylaw for the offence in Schedule “A”;  
or
  - (b) require a Retail Establishment to appear in court without the alternative of making a voluntary payment.

### **Voluntary Payment**

13. A Retail Establishment who commits an offence may make a voluntary payment equal to the specified fine if:
  - (a) a Violation Ticket is issued in respect of the offence; and
  - (b) a Violation Ticket specifies the fine amount established by this bylaw for the offence.

### **Provincial Court Clerk**

14. When a clerk records in the court records the receipt of a voluntary payment pursuant to this bylaw and the *Provincial Offences Procedure Act*, the act of recording receipt of that payment constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.

### **Severability**

15. If any provision of this bylaw is declared invalid for any reason by a court of competent jurisdiction that provision shall be severed, and all other provisions of this bylaw shall remain valid and enforceable.

### **Transitional**

16. Any Retail Establishment may request an exemption from the application of this bylaw for a period of up to twelve (12) months from the effective date of this bylaw.
17. Any request under Section 16 must be made in writing with reasons and must be submitted to the Chief Administrative Officer within thirty (30) days of the effective date of this bylaw.
18. The Chief Administrative Officer may grant an exemption, where in the sole discretion of the Chief Administrative Officer, the applicant has demonstrated that direct, and undue

hardship will result from the implementation of this bylaw. An exemption granted shall expire one year from the effective date of this bylaw and is not transferable

19. The Chief Administrative Officer shall issue a decision in writing to the applicant within thirty (30) days of receipt of a request under Section 16.

**Repeal**

20. Bylaw No. 09/033 is repealed.

**Effective Date**

21. This bylaw shall come into force six months after the date of passing.

READ a first time this \_\_\_\_ day of \_\_\_\_\_, 2012.

READ a second time this \_\_\_\_ day of \_\_\_\_\_, 2012.

READ a third and final time this \_\_\_\_ day of \_\_\_\_\_, 2012.

SIGNED and PASSED \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Legislative Officer

## Schedule “A”

<b>Penalties</b>	
<b>Offence Under any Section of this Bylaw, per Retail Establishment</b>	<b>Fine</b>
First Offence	\$250.00
Second Offence	\$500.00
Third Offence	\$1,000.00

## Single-Use Shopping Bag Bylaw Comparison

Bylaw No. 12/007 addresses concerns based on the core principles of public safety and product protection, environmental sustainability, consumer privacy, retailer equality and customer convenience.

Bylaw 09/033	Bylaw 12/007
<p><b>BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO, IN THE PROVINCE OF ALBERTA, TO PROHIBIT THE USE OF SINGLE-USE SHOPPING BAGS BY ESTABLISHMENTS OPERATING WITHIN THE BOUNDARIES OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO</b></p> <p><b>WHEREAS</b> pursuant to Section 7(e) of the <i>Municipal Government Act</i>, R.S.A 2000, c.M-26, a Council may pass bylaws for municipal purposes respecting businesses, business activities and persons engaged in business;</p> <p><b>AND WHEREAS</b> pursuant to Section 7(i) of the <i>Municipal Government Act</i>, R.S.A 2000, c.M-26, a Council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the Municipal Government Act or any other enactment including any or all of the matters listed therein;</p> <p><b>AND WHEREAS</b> single-use bags have been determined to be detrimental to the environment;</p> <p><b>AND WHEREAS</b> the Council of the Regional Municipality of Wood Buffalo wishes to reduce the negative effects plastic and paper bags have on the environment;</p> <p><b>NOW THEREFORE</b>, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, hereby enacts as follows:</p> <p><b><u>Purpose</u></b></p> <p>1. The purpose of this bylaw is to eliminate the distribution of single-use shopping bags within the Regional Municipality of Wood Buffalo, thereby decreasing the plastic and paper impact on the environment.</p>	<p><b>BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO, IN THE PROVINCE OF ALBERTA, TO REGULATE THE USE AND DISTRIBUTION OF SINGLE-USE BAGS BY RETAIL ESTABLISHMENTS OPERATING WITHIN THE BOUNDARIES OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO</b></p> <p><b>WHEREAS</b> pursuant to Section 7 of the <i>Municipal Government Act</i>, a Council may pass bylaws for municipal purposes respecting businesses, business activities and Persons engaged in business and the enforcement of bylaws;</p> <p><b><u>AND WHEREAS paragraph - DELETED</u></b></p> <p><b>AND WHEREAS</b> single-use bags have been determined to have detrimental effects on the environment;</p> <p><b>AND WHEREAS</b> the Council of the Regional Municipality of Wood Buffalo wishes to reduce the negative effects plastic and paper bags have on the environment;</p> <p><b>NOW THEREFORE</b>, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, hereby enacts as follows:</p> <p><b><u>Purpose</u></b></p> <p><u>Removed - See Section 3 Application</u></p>

## Single-Use Shopping Bag Bylaw Comparison

Bylaw 09/033	Bylaw 12/007
<p><b><u>Definitions</u></b></p> <p>3. For the purpose of administering the provisions of this bylaw, the following definitions shall apply:</p> <p>a. “biodegradable bag” means any bag made with polymers that degrades and is used mainly for the transporting of goods from outlet to home;</p> <p>b. “outlet” means any commercial establishment be it retail or wholesale, whose purpose is the sale of goods, including restaurants but does not include the following, as defined in Land Use Bylaw No. 99/059, or any successor legislation:</p> <ol style="list-style-type: none"> <li>i. food service, drive-in or drive-through;</li> <li>ii. food service, major restaurant;</li> <li>iii. food service, minor restaurant;</li> <li>iv. food service, mobile catering;</li> <li>v. food service, take out restaurant; and</li> <li>vi. liquor store;</li> </ol> <p>c. “reusable bag” means any bag with handles that is specifically designed and manufactured for multiple reuse and is either:</p> <ol style="list-style-type: none"> <li>i. made of cloth or other machine washable fabric; and/or</li> <li>ii. made of durable plastic that is at least 2.25 mils thick and is suitable for reuse;</li> </ol> <p>d. “reusable container” means any box or other container specifically designed and manufactured for multiple reuse and is:</p> <ol style="list-style-type: none"> <li>i. made of cloth or other machine washable fabric; or</li> <li>ii. made of other durable material suitable for reuse</li> </ol> <p>e. “single-use shopping bag” means:</p> <ol style="list-style-type: none"> <li>i. any bag made with less than 2.25 mils thick polyethylene, including a biodegradable bag; or</li> <li>ii. any bag made of pulp;</li> </ol> <p>used mainly for the transporting of goods from outlet to home, but does not include reusable bags;</p> <p>f. “violation ticket” means a ticket issued pursuant to Part II of the Provincial Offences Procedure Act, R.S.A. 2000 c. P-34, as amended or replaced from time to time, and regulations thereunder, and as referred to in Section 9 of this bylaw.</p>	<p><b><u>Definitions</u></b></p> <p>2. For the purpose of this bylaw, capitalized terms shall have the same meaning as defined in Land Use Bylaw No. 99/059, unless otherwise defined here:</p> <p>a. “Chief Administrative Officer” or its successor, means the Chief Administrative Officer of the Regional Municipality of Wood Buffalo, or his delegate;</p> <p>b. “Municipality” means the Regional Municipality of Wood Buffalo;</p> <p>c. “Peace Officer” means a community peace officer, environmental enforcement investigator, or bylaw enforcement officer employed by the Municipality and authorized to enforce this bylaw, or a police officer;</p> <p>d. “Person” includes an individual, a corporation and other legal entities;</p> <p>e. “Retail Establishment” means any location where goods are offered for sale;</p> <p>f. “Reusable Container” means any bag, box or other container specifically designed and manufactured to hold 20 pounds of weight without failure or sign of eminent failure, is resistant to cuts and tears, and is made of:</p> <ul style="list-style-type: none"> <li>• cloth or other machine washable fabric; and/or</li> <li>• durable plastic that is at least 2.25 mils (.571 millimeters) thick; and/or</li> <li>• any other durable material suitable for multiple uses; and</li> <li>• only includes a cardboard box made of pressed paper pulp or pasted sheets of paper used for cartons where such cardboard box has been used previously.</li> </ul> <p>g. “Single-Use Bag” means a bag that is made of:</p> <ul style="list-style-type: none"> <li>• less than 2.25 mils (.571 millimeter) thick polyethylene; and/or</li> <li>• pulp or paper,</li> </ul> <p>and, for clarity, shall include, but is not limited to:</p> <ul style="list-style-type: none"> <li>• a door hanger bag designed to hold flyers, coupons or other advertisements and intended to be left on the doors of homes;</li> <li>• a decorative paper or plastic gift bag where such bag is being used to transport goods;</li> <li>• a biodegradable bag composed of, in whole or part, biodegradable plastic, oxo-biodegradable plastic, plastarch, polylactide, or any other plastic resin composite that is intended to degrade at a faster rate than non-biodegradable plastic film.</li> </ul>



## Single-Use Shopping Bag Bylaw Comparison

Bylaw 09/033	Bylaw 12/007
<p><b><u>No previous text.</u></b></p>	<p><b><u>Application</u></b> 3. This bylaw applies to the provision, distribution, sale and use of Bags by Retail Establishments within the Municipality.</p>
<p><b><u>Exemption</u></b> 10. Bags provided by pharmacists to contain prescription drugs shall be exempted from this bylaw.</p>	<p><b><u>Exemption</u></b> 4. This bylaw does not apply to:</p> <ul style="list-style-type: none"> <li>a. Single-Use Bags containing food from a Retail Establishment that is a: <ul style="list-style-type: none"> <li>• Food Service, Drive-in or Drive-through;</li> <li>• Food Service, Major Restaurant;</li> <li>• Food Service, Minor Restaurant;</li> <li>• Food Service, Mobile Catering; or a</li> <li>• Food Service, Take out Restaurant; and</li> </ul> </li> <li>b. Single-Use Bags distributed by a non-profit in its normal course of business, which includes but is not limited to, a food bank, a homeless shelter or an animal shelter; and</li> <li>c. Single-Use Bags containing: <ul style="list-style-type: none"> <li>• loose, bulk goods such as fruit, vegetables, nuts, grains, candy, or small hardware items such as nails, screws, nuts and bolts, which goods are not prepackaged;</li> <li>• frozen foods, meats or fish, which goods may be prepackaged;</li> <li>• fresh cut flowers, or potted plants;</li> <li>• prepared foods or bakery goods;</li> <li>• clothing immediately following the laundering or dry-cleaning of same;</li> <li>• medical prescriptions and over the counter medications;</li> <li>• paraphernalia related to the use of illegal drugs;</li> <li>• undergarments or similar products of a personal or adult nature;</li> <li>• any product or good where the purchaser must be an adult, except those related to a lottery scheme or the sale of tobacco; and</li> <li>• dirty, greasy, or hazardous products or materials; and</li> </ul> </li> <li>d. the sale of multiple, prepackaged single-use bags.</li> </ul>
<p><b><u>Designated Outlets</u></b> 4. All outlets within the Regional Municipality of Wood Buffalo are prohibited from providing or selling single-use shopping bags. 5. No outlet in the Regional Municipality of Wood Buffalo shall deny the use of any reusable bag or reusable container by a customer for the transport of purchased items.</p>	<p><b><u>Prohibited Activities</u></b> 5. A Retail Establishment shall not:  <ul style="list-style-type: none"> <li>a. provide, distribute, sell or use Single-use Bags; or</li> <li>b. restrict or deny the use of any Reusable Container by a Person.</li> </ul> <p><b><u>Inspection on Demand (previously Section 12)</u></b> 6. A Peace Officer may enter any Retail Establishment and may make such examinations, investigations and inquiries as required to determine compliance with this bylaw.</p> </p>

## Single-Use Shopping Bag Bylaw Comparison

Bylaw 09/033	Bylaw 12/007
<p><b><u>Penalties</u></b></p> <p>6. Any outlet that fails or neglects to perform the duties or requirements imposed upon it under this bylaw is guilty of an offence and liable on summary conviction to a fine not exceeding ten thousand dollars (\$10,000.00)</p> <p>7. The specified fines for an offence committed pursuant to this bylaw are:</p> <ul style="list-style-type: none"> <li>a. 1st offence - \$250.00</li> <li>b. 2nd offence - \$500.00</li> <li>c. 3rd and subsequent offences - \$1000.00</li> </ul> <p>8. In the case of an offence that is of a continuing nature, a contravention shall constitute a separate offence in respect of each day, on which that offence 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.</p>	<p><b><u>Offence</u></b></p> <p>7. A Retail Establishment that contravenes this bylaw is guilty of an offence.</p> <p><b><u>Fines and Penalties</u></b></p> <p>8. A Retail Establishment that is guilty of an offence is liable, upon summary conviction, to a fine in an amount of not less than that established in this bylaw and not exceeding \$10,000.</p> <p>9. Without restricting the generality of Section 10, the fine amounts established for use on Violation Tickets if a voluntary payment option is offered are prescribed by Schedule "A" of this bylaw.</p> <p><b><u>Continuing Offence</u></b></p> <p>10. 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 Retail Establishment guilty of such an offence is liable, upon summary conviction, to a fine in an amount not less than that established by this bylaw for each such day.</p>
<p><b><u>Violation Ticket</u></b></p> <p>9. A Peace Officer is hereby authorized and empowered to issue a violation ticket pursuant to Part II of the Provincial Offences Procedure Act, R.S.A. 2000, c.P-34, as amended, or replaced from time to time, to any person who the Peace Officer has reasonable grounds to believe has contravened any provision of this bylaw.</p> <p><b><u>Enforcement:</u></b></p> <p>12. A Peace Officer, upon producing proper identification, may enter any outlet and may make examinations, investigations and inquiries for enforcement purposes.</p> <p>13. Where a Peace Officer has reason to believe that an outlet has contravened any provision of this bylaw, he or she may serve upon such outlet:</p> <ul style="list-style-type: none"> <li>a. a violation ticket requiring an outlet to appear in Court with the alternative of making a voluntary payment in lieu of prosecution; or</li> <li>b. a violation ticket requiring an outlet to appear in Court without the alternative of making a voluntary payment</li> </ul>	<p><b><u>Violation Ticket</u></b></p> <p>11. A Peace Officer may issue a Violation Ticket in accordance with the <i>Provincial Offences Procedure Act</i>, to any Person whom the Peace Officer has reasonable and probable grounds to believe has contravened this bylaw.</p> <p>12. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:</p> <ul style="list-style-type: none"> <li>a. specify the fine amount established by this bylaw for the offence in Schedule "A"; or</li> <li>b. require a Retail Establishment to appear in court without the alternative of making a voluntary payment.</li> </ul> <p><u>Removed – See Section 6 Inspection on Demand</u></p> <p><b><u>Voluntary Payment</u></b></p> <p>13. A Person who commits an offence may make a voluntary payment equal to the specified fine if:</p> <ul style="list-style-type: none"> <li>a. a Violation Ticket is issued in respect of the offence; and</li> <li>b. a Violation Ticket specifies the fine amount established by this bylaw for the offence;</li> </ul>

## Single-Use Shopping Bag Bylaw Comparison

Bylaw 09/033	Bylaw 12/007
<p><u>No previous text.</u></p>	<p><u>Provincial Court Clerk</u>  14. When a clerk records in the court records the receipt of a voluntary payment pursuant to this bylaw and the <i>Provincial Offences Procedure Act</i>, the act of recording receipt of that payment constitutes acceptance of the guilty plea and also</p> <p>constitutes a conviction and the imposition of a fine in the amount of the specified penalty.</p>
<p><u>Severability</u>  15. If any provision of this bylaw is declared invalid for any reason by a court of competent jurisdiction that provision shall be severed, and all other provisions of this bylaw shall remain valid and enforceable.</p>	<p><u>Severability</u>  15. If any provision of this bylaw is declared invalid for any reason by a court of competent jurisdiction that provision shall be severed, and all other provisions of this bylaw shall remain valid and enforceable.</p>
<p><u>No previous text.</u></p>	<p><u>Transitional</u>  16. Any Retail Establishment may request an exemption from the application of this bylaw for a period of up to twelve (12) months from the effective date of this bylaw.</p> <p>17. Any request under Section 16 must be made in writing with reasons and must be submitted to the Chief Administrative Officer within thirty (30) days of the effective date of this bylaw.</p> <p>18. The Chief Administrative Officer may grant an exemption, in his sole discretion, where the applicant has demonstrated that direct, undue hardship will result from the implementation of this bylaw. An exemption granted shall expire one year from the effective date of this bylaw and is not transferable.</p> <p>19. The Chief Administrative Officer shall issue a decision in writing to the applicant within thirty (30) days of receipt of a request under Section 16.</p> <p><u>Repeal</u>  20. Bylaw No. 09/033 is repealed.</p>



**Subject: 2012 Art and Symphony Event****APPROVALS:**

Brian Makey, Acting Chief Administrative Officer  
Samuel Alatorre, Acting Executive Director  
Heather Evasiuk, Acting Director

**Administrative Recommendations:**

1. THAT funding of \$50,000 be allocated from the 2012 Community Development approved operating budget to go to the Edmonton Symphony Orchestra and the Art Gallery of Alberta for the 2012 Arts and Symphony Event.
2. THAT in the event that this funding cannot be accommodated in the 2012 Community Development approved operating budget, funding be allocated from the 2012 corporate operating budget surplus, if it exists.
3. THAT in the event that funding cannot be accommodated in the 2012 corporate operating budget surplus, funding be allocated from Emerging Issues Reserve.

**Summary:**

Several goals outlined in the Municipal Development Plan are achieved through increased funding for arts and cultural programs and services, and through the promotion of public events such as the proposed 2012 Art and Symphony Event (Attachments 1 and 2). This event is a joint initiative of the Municipality and industry partners, and as one of the five major sponsors, the Municipality has agreed to host this event in the community. Due to the scope of this event, Council approval is required.

**Background:**

In 2012, community stakeholders began collaborating to develop a signature arts event to attract participation of the local arts community and residents, as well as promote cultural development within the Regional Municipality of Wood Buffalo.

**Budget/Financial Implications:**

Funding for this initiative in the amount of \$50,000 is proposed to come from the Community Development approved operating budget. Assistance will also be provided through in-kind administrative support work.

**Rationale for Recommendations:**

The Municipal Development Plan highlights six goals for the Municipality over the next twenty years. Three of these goals are “Vibrant Culture,” “Working Together,” and “Home and Belonging.” An event such as the 2012 Art and Symphony Event is a direct manifestation of these three goals, clearly demonstrating the Municipality’s commitment to implementing the Municipal Development Plan.

To bring this event to fruition, the Municipality will partner with organizations such as the Edmonton Symphony Orchestra, the Art Gallery of Alberta, industry partners, and several local community organizations. By working together, not only will local relationships be enhanced, new relationships will be created increasing the potential for future opportunities between Edmonton and the Regional Municipality of Wood Buffalo.

By supporting events in the municipality such as the 2012 Art and Symphony Event, not only will arts and culture be encouraged, there is the opportunity to create regional pride and enhance residents’ sense of home and belonging.

**Attachments:**

1. Art Gallery of Alberta (AGA) – AGA Programming Overview
2. Edmonton Symphony Orchestra (ESO) – Proposal for ESO Concert and Education Outreach Programming

**Subject: 10 Year Plan to End Homelessness – Funding Allocation****APPROVALS:**

Glen Laubenstein, Chief Administrative Officer  
Carol Theberge, Executive Director  
Heather Evasiuk, Acting Director

**Administrative Recommendation(s):**

THAT, subject to the Regional Municipality of Wood Buffalo receiving confirmation of Outreach Support Services Initiative (OSSI) provincial grant funding, \$2,859,872 of 2012/2013 federal and provincial grant funding for the 10 Year Plan to End Homelessness be allocated as follows:

▪ CHOICES Association of Fort McMurray (Employment Counsellors)	\$ 148,348
▪ Centre of Hope Non Profit Society of Fort McMurray (Extended Hours)	\$ 112,320
▪ Centre of Hope Non Profit Society of Fort McMurray (Housing First)	\$ 522,160
▪ Centre of Hope Non Profit Society of Fort McMurray (Cecile's Place)	\$ 81,630
▪ Fort McKay Métis Community Association (Housing Research Project)	\$ 20,000
▪ Fort McMurray Food Bank Association (Basic Shelf)	\$ 22,940
▪ McMan Youth Family and Community Services Association (Housing First)	\$ 722,197
▪ McMan Youth Family and Community Services Association (Chronic Home)	\$ 175,669
▪ McMan Youth Family and Community Services Association (Young Adult Home)	\$ 112,450
▪ The Salvation Army (Housing First)	\$ 512,128
▪ The YMCA of Wood Buffalo (Housing First)	\$ 427,530
▪ The YMCA of Wood Buffalo (Homeless Connect)	\$ 2,500
Total	\$2,859,872

**Summary:**

In order to distribute the provincial and federal funding provided to the Municipality with respect to the 10 Year Plan to End Homelessness, the Community Services Advisory Committee is submitting funding allocation recommendations to the Mayor and Council for approval.

**Background:**

The 10 Year Plan to End Homelessness was approved by the Mayor and Council in March 2010. This Plan provides a framework for eliminating homelessness in the region, not just managing it, by focusing on five primary goals: education, change management, housing, support services and prevention.

The Municipality receives funds for homelessness initiatives from the Government of Alberta, Ministry of Human Services, and the Federal Ministry of Human Resources and Skills Development Canada. These funds are distributed to community organizations according to the goals and objectives of the 10 Year Plan to End Homelessness, as approved by Council.

Community organizations were notified about the opportunity to receive funding. Notification included several meetings with organizations serving the homeless in Fort McMurray, and discussions with the Community Services Coordinator in Fort Chipewyan as well as with staff in the Anzac office regarding the need for homelessness funding. A call for proposals was advertised in the newspaper, *Fort McMurray Today*, on three consecutive Fridays, Jan 27, Feb. 3 and Feb 10, with a submission deadline of February 17, 2012. The advertisement was also placed in all rural newsletters, as well as on the New West Trade Partnership Agreement (NWTPA) website, as required by the provincial agreement for the funds.

Funding proposals were screened for compliance with the Plan's priorities and then reviewed by the Homelessness Initiative Strategic Committee on March 6, 2012. All recommended allocations were reviewed and approved by the Community Services Advisory Committee on March 21, 2012.

**Budget/Financial Implications:**

Funding for homelessness is provided through provincial and federal annual grant allocations. There is no Municipal funding included in the Municipality's Operating Budget.

**Rationale for Recommendation(s):**

The recommended applicants meet the guidelines outlined in the 10 Year Plan to End Homelessness.

**Attachments:**

1. Summary of Funding Recommendations
2. Summary of Proposals



## Summary of Funding Recommendations

### REGIONAL MUNICIPALITY OF WOOD BUFFALO 10 YEAR PLAN TO END HOMELESSNESS

COMMUNITY PLAN ON HOMELESSNESS AND AFFORDABLE HOUSING 2010/2011			
Organization	Priority addressed in the 10 Year Plan	Amount Requested	Recommended Allocation
<b>CHOICES Association of Fort McMurray</b> (Employment Counsellors)	Provision of Supports	\$172,521	\$148,348
<b>Centre of Hope Non Profit Society</b> (Extended hours)	Maintain Existing Resources	\$138,464	\$112,320
<b>Centre of Hope Non Profit Society</b> (Housing First)	Provision of Supports/ Rapid Re-housing	\$773,348	\$522,160
<b>Centre of Hope Non Profit Society</b> (Cecile's Place)	Provision of Supports/ Rapid Re-housing	\$91,550	\$81,630
<b>Fort McKay Métis Community Association</b> (Housing Research Project)	Prevention	\$ 20,000	\$20,000
<b>Fort McMurray Food Bank Association</b> (Basic Shelf)	Provision of Supports/ Rapid Re-housing	\$22,940	\$22,940
<b>Fort McMurray Food Bank Association</b> (Housing Hampers)	Provision of Supports/ Rapid Re-housing	\$51,530	\$0
<b>McMan Youth Family and Community Services Association</b> (Housing First)	Provision of Supports/ Rapid Re-housing	\$1,201,800	\$722,197
<b>McMan Youth Family and Community Services Association</b> (Chronic Home)	Provision of Supports/ Rapid Re-housing	\$243,394	\$175,669
<b>McMan Youth Family and Community Services Association</b> (Young Adult Home)	Provision of Supports/ Rapid Re-housing	\$180,199	\$112,450
<b>The Salvation Army Fort McMurray</b> (Housing First)	Provision of Supports/ Rapid Re-housing	\$625,478	\$512,128

<b>The YMCA of Wood Buffalo</b> (Housing First)	Provision of Supports/ Rapid Re- housing	\$458,280	\$427,530
<b>The YMCA of Wood Buffalo</b> (Homeless Connect)	Provision of Supports/ Prevention	\$2,500	\$2,500
	<b>TOTAL</b>	\$ 3,981,959	\$ 2,859,872

## SUMMARY OF PROPOSALS

Name of Organization	Purpose	Comments
<b>CHOICES Association of Fort McMurray</b> (Employment Counsellors)	To employ one full-time counsellor to work with recently housed Housing First clients to secure employment and/or volunteer opportunities. They will also employ one full time ID/employment assistant to help obtain necessary identification.	This service will enhance and complement the work of Housing First coordinators at other funded agencies serving the homeless.
<b>Centre of Hope Non Profit Society of Fort McMurray</b> (Extended hours)	To continue operating a daytime drop-in centre on weekends and holidays	This program provides the homeless with access to services 365 days a year.
<b>Centre of Hope Non Profit Society of Fort McMurray</b> (Housing First)	To maintain two Housing First coordinators to help homeless individuals stay housed. They will support 27 existing clients and house 10 new clients.	Coordinators provide the intensive case management support that is essential for those housed. As clients graduate, new clients will be added to the caseload.
<b>Centre of Hope Non Profit Society of Fort McMurray</b> (Cecile's Place)	To support an interim housing model for four chronically homeless women.	These chronically homeless individuals find it the most difficult to maintain stable housing and require additional live in support.
<b>Fort McKay Métis Community Association</b> (research)	To conduct research to determine the extent of homelessness in the Métis community of Fort McKay.	This project works in partnership with and is partially funded by Suncor and Shell.
<b>Fort McMurray Food Bank Association</b> (Basic Shelf)	To train local trainers to run two 12 week sessions on the importance of food purchasing, preparation, and storage. This will provide each participant with a food hamper and training booklet.	This project provides a series of workshops to newly housed individuals which will assist with food preparation, food storage, menu planning and budgeting for groceries.
<b>Fort McMurray Food Bank Association</b> (Housing Hampers)	To provide all Housing First individuals with a 30 day food hamper.	Food Hampers is not an approved project covered by the Federal or Provincial Government. Some of the initial costs is covered in the budgets of the groups providing Housing First services.
<b>McMan Youth Family and Community Services Association</b> (Housing First)	To employ a supervisor, a housing first coordinator and 1 outreach worker to assist 37 currently housed individuals and another 14 new clients.	Coordinators provide the intensive case management support that is essential for those housed. As clients graduate, new clients will be added to the caseload.
<b>McMan Youth Family and Community Services Association</b>	To employ 1 coordinator, 1 overnight worker, and 1 part time worker to help operate a home for	This home will be staffed 24/7 in order to assist chronically homeless sustain a quality of life off of the

(Chronic Home)	3 chronically homeless males.	streets. Intensive supports will be offered as well as vital living skills.
<b>McMan Youth Family and Community Services Association</b> (Young Adult Home)	To employ 1 full time coordinator and part time worker in order to help operate a home for 3 -18-24yr old homeless individuals.	This home will provide supports for 3 young adults, who have presented as homeless. Staff will provide essential supports needed for these individuals to sustain housing and independent living.
<b>The Salvation Army</b> (Housing First)	To hire a community liaison discharge planner and employ a Housing First coordinator to house a total of 25 previously homeless individuals.	The community liaison worker will work with Alberta Health Services to prevent individuals from being discharged into homelessness The Coordinator will work with the shelter clients to move them into permanent housing.
<b>The YMCA of Wood Buffalo</b> (Housing First)	To employ 1 supervisor and 3 follow-up/support workers to provide Housing First support services to 40 immigrant clients.	Supervisor and Coordinators will provide the intensive case management support that is essential for the homeless immigrants in our community.
<b>The YMCA of Wood Buffalo</b> (Homeless Connect)	To assist with the cost of two Homeless Connect events in our community.	Homeless Connect provides a one-stop shop during one day in the spring and fall to provide social, employment and health services for homeless, near homeless and Housing First individuals.

**Subject: Sale of Land - Plan 0722934, Block 2, Lot 2 and Plan 0840460, Block 1, Lot 15 (TaigaNova Eco-Industrial Park)**

**APPROVALS:**

Glen Laubenstein, Chief Administrative Officer  
Sid Bennett, Executive Director  
Keith Smith, Acting Director

**Administrative Recommendation(s):**

1. THAT the sale of Plan 0722934, Block 2, Lot 2 containing 1.4 hectares (3.4 acres) more or less to Property Solutions (2006) Ltd be approved; as outlined in Attachment 2.
2. THAT the sale of Plan 0840460, Block 1, Lot 15 containing 0.406 hectares (acre) more or less to Cormode & Dickson Construction Fort McMurray Ltd be approved; as outlined in Attachment 3.

**Summary:**

Council approval is required in order to authorize sale of the two municipally owned lots which will satisfy the condition precedent contained in the respective Sale Agreements.

The subject properties are zoned Business Industrial under the Land Use Bylaw and are fully serviced. Title to the property is free and clear of any liens or encumbrances.

The two Business Industrial lots were among four lots that were vested with the Municipality as part of the business arrangement that was entered into with Wood Buffalo Housing & Development Corporation (WBHDC) for development of the TaigaNova Eco-Industrial Park. Since the business industrial park was completed, the Municipality received numerous inquiries from prospective purchasers expressing an interest in purchase of the lots.

Based on consultation with all of the municipal departments, the subject lots were not deemed to suit any municipal need; therefore, the Land Administration Department marketed the properties for sale via a public tender process.

**Background:**

On March 27, 2007, Council approved the transfer of raw land consisting of Lots 2 and 5, Block 1, Plan 0120302 and Lot 3, Block 1, Plan 0421905 to WBHDC for the purpose of developing an eco-industrial park. As part of the business arrangement, upon completion of the business industrial subdivision, WBHDC was obligated to transfer ownership of a maximum of ten acres of fully serviced land back to the Municipality at no cost.

Of the four lots which were transferred to the Municipality, two of the lots were used to facilitate a land exchange which was required in order to accommodate development of the Prairie Loop Boulevard.

The two remaining lots have not been identified for any municipal use or committed towards any current or future municipal or infrastructure development.

Therefore, in response to a number of inquiries regarding the availability of business industrial land, Land Administration undertook to publically market the properties for sale through a public tender process whereby prospective purchasers were invited to submit sealed bids for the Municipality's consideration.

The market value appraisal conducted by an independent accredited appraiser was used to set a reserve bid for each lot. The bids were evaluated based on the purchase price offered with consideration given to financing requirements and the purchaser's proposed development plan.

Based on the evaluation criteria, two potential purchasers were selected. With respect to sale of municipal lands, all of the provisions in the *Municipal Government Act, RSA 2000, c.M-26*, as amended has been satisfied. Disposal of the subject lots was duly advertised, and the lots are being sold at fair market value. Prospective purchasers have also been given a sufficient time to satisfy themselves as to the condition of the subject properties.

#### **Budget/Financial Implications:**

In both instances the sale price either meets or exceeds the appraised market value which was used to set the reserve bid.

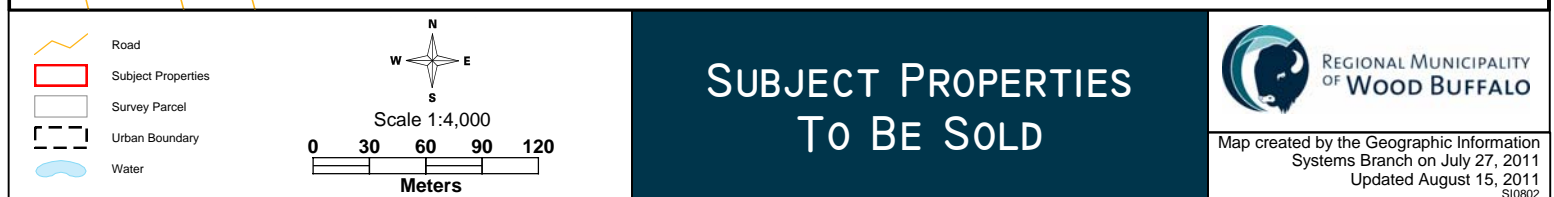
#### **Rationale for Recommendation(s):**

Based on the fact that the Municipality does not require the subject lots for its own use, Administration supports the sale of the two business industrial lots within the TaigaNova Eco-Industrial Park.

Sale of the subject lots will complement the Municipality's efforts in addressing the business community's demand for business industrial lots within the Municipality.

#### **Attachments:**

1. Subject Area Map
2. Summary Land Sale - Plan 0722934, Block 2, Lot 2
3. Summary of Land Sale - Plan 0840460, Block 1, Lot 15







## **Attachment 2**

### **Summary Sale of Business Industrial Lots TaigaNova Eco-Industrial Park**

<b>Legal Description:</b>	Plan 0722934, Block 2, Lot 2 containing 1.3760 hectares (3.4 acres) more or less excepting thereout: a) Plan 0840460 subdivision 0.087 hectares (0.21 acres) more or less excepting thereout all mines and minerals
<b>Purchaser:</b>	Property Solutions (2006) Ltd.
<b>Sale Price:</b>	\$ 4,470,000.00. (Four million four hundred and seventy thousand dollars)
<b>Land Use Zoning:</b>	The subject lots are zoned BI (Business Industrial) under the Land use Bylaw
<b>Environmental Considerations:</b>	The subject lots will be sold on an “as is – where is” basis.
<b>Fees and Disbursements:</b>	The purchaser(s) shall be responsible for all legal and registration fees associated with the transactions.



## **Attachment 3**

### **Summary Sale of Business Industrial Lots TaigaNova Eco-Industrial Park**

<b>Legal Description:</b>	Plan 0840460, Block 1, Lot 15 containing (1 acre) more or less excepting thereout all mines and minerals.
<b>Purchaser:</b>	Cormode & Dickson Construction Fort McMurray Ltd.
<b>Sale Price:</b>	\$1,700,000.00 (One million seven hundred thousand dollars)
<b>Land Use Zoning:</b>	The subject lots are zoned BI (Business Industrial) under the Land use Bylaw
<b>Environmental Considerations:</b>	The subject lots will be sold on an “as is – where is” basis.
<b>Fees and Disbursements:</b>	The purchaser(s) shall be responsible for all legal and registration fees associated with the transactions.



**Subject: Request to Proceed with the 2012 Municipal Census****APPROVALS:**

Glen Laubenstein, Chief Administrative Officer  
Carol Theberge, Executive Director  
Samuel Alatorre, Director

**Administrative Recommendation(s):**

THAT the Planning and Development Department be authorized to conduct a municipal census in 2012.

**Summary:**

A Council resolution is required to authorize a census.

**Background:**

The Regional Municipality of Wood Buffalo has conducted municipal censuses regularly over the last decade, with the latest census conducted in 2010. In 2011, however, the Municipality chose not to conduct a census in order to facilitate a federal census in collaboration with Statistics Canada.

This year the Municipality proposes to collect more detailed socioeconomic data to enhance the municipal databases used to guide decision making on public service delivery. This data will give Administration a clearer picture of the characteristics of the population as well as the current household composition and occupancy of various housing types in both the Urban Service Area of Fort McMurray and in the rural hamlets.

Conversations with stakeholders indicate the Municipality should focus on pursuing a better understanding of the shadow population, which generally includes the transient workers in the region and may represent a large demographic proportion; however, a review of the recent censuses conducted in the region reveals some challenges with large scale coverage and public engagement.

Following conversations with Alberta Municipal Affairs with respect to the challenges of conducting a municipal census in Wood Buffalo, Administration will request authorization from the Government of Alberta to use the online enumeration process, the shadow population count, and the extrapolation procedure supported by the *Municipal Government Act*. These elements will help improve response rates and obtain more thorough results for the 2012 Municipal Census.

In order to provide a regular census day each year, it is recommended that the enumeration process be in place by May 10, 2012 as a reference date for the Municipal Census. Census

operations may start earlier but not beyond this date. Census enumeration should be accomplished by June 30, 2012 in order to submit the municipal population affidavit to the Government of Alberta by September 1, 2012.

**Budget/Financial Implications:**

The budget for the municipal census has been included in the 2012 Operating Budget for the Planning and Development Department.

Provincial grant funding is based on the official population as approved by Alberta Municipal Affairs. Currently, grant funding for the Regional Municipality of Wood Buffalo is based on the official 2010 population and is \$60 per capita. Should Alberta Municipal Affairs not approve the 2012 Municipal Census results, grant funding will be based on the 2011 Federal Census number of 65,565 for the municipality.

**Rationale for Recommendation(s):**

Current population data is essential to a number of projects and initiatives that relate to economic growth and training, culture and quality of life enhancements, municipal programming, and improvements to municipal infrastructure and capital projects. Accurate population data is also required to update municipal socioeconomic databases and to improve social programs in the region.

The census information is not only critical to validating population forecasts; it provides the Municipality with an historical context for planning and administrative purposes. It is also important to note that other local organizations use the census information to support their initiatives.

The Planning and Development Department will coordinate specific actions with other municipal departments and industry stakeholders to address work camp populations, improve the strategy on public engagement, and track further demographic variables such as housing counts, population mobility and shadow population behavior.

Administration recommends that the Planning and Development Department be authorized to proceed with the 2012 Municipal Census and to continue to work closely with Alberta Municipal Affairs to arrive at a mutually agreeable outcome.