

# **Town of Drumheller COMMITTEE OF THE WHOLE MEETING AGENDA**

November 20, 2017 at 4:30 PM  
Council Chamber, Town Hall  
224 Centre Street, Drumheller, Alberta



Page

## **1.0 CALL TO ORDER**

## **2.0 DEVELOPMENT OR REVIEW OF STRATEGIC PLAN**

## **3.0 DEVELOPMENT OR REVIEW OF POLICIES**

## **4.0 DELEGATIONS**

## **5.0 REPORTS FROM ADMINISTRATION**

### **5.1. CAO'S REPORT**

5.1.1 Aquaplex Update

### **5.2. DIRECTOR OF INFRASTRUCTURE SERVICES' REPORT**

### **5.3. DIRECTOR OF CORPORATE SERVICES' REPORT**

### **5.4. DIRECTOR OF COMMUNITY SERVICES' REPORT**

5.4.1 Request for Direction - Mobile Vending

### **5.5. DIRECTOR OF PROTECTIVE SERVICES' REPORT**

## **6.0 ANNUAL BUDGET REVIEW**

## **7.0 COUNCIL MEMBERS ROUND TABLE DISCUSSION**

7.1 Mayor Heather Colberg - Discussion on first chapter of *Leading Change* by John P. Kotter (up to p. 23)

7.2 Mayor Heather Colberg - Formation of Special Task Force - Business Attraction and Retention (including the Terms of Reference)

7.3 Mayor Heather Colberg - Finalization of Vision, Mission and Values Statement for the Town of Drumheller

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**7.0 COUNCIL MEMBERS ROUND TABLE DISCUSSION**

21-23 7.4 Councillor Jay Garbutt - Remuneration Task Force (Amended Policy C-04-14)

**8.0 IN-CAMERA MATTERS**



**Town of Drumheller  
REQUEST FOR DIRECTION**

<b>TITLE:</b>	<b>Mobile Vending – Council Direction</b>
<b>DATE:</b>	November 14, 2017
<b>PRESENTED BY:</b>	Paul Salvatore, CLGM Director – Community Services
<b>ATTACHMENTS:</b>	Maps, Articles, Illustrations

**SUMMARY**

The Town of Drumheller has licensed Mobile Vending since the early 2000's. The guidelines for managing this type of use need to change based on past experience and Council's interest in doing so. While the this type of use has evolved, our policies have remained static. New policies should be considered and adopted in order to effectively manage into the future.

A Mobile Vendor Bylaw is an option that has been used in other communities. The proposed Mobile Vendor Bylaw currently exists in the Town of Olds and has been identified as the best fit for how we do business.

The City of Camrose uses an Administrative Policy to manage this use as an alternative to passing a Bylaw.

Another option we have is to amend the Land Use Bylaw include specific zoning for Mobile Vending.

**RECOMMENDATION:**

- Council to provide clear direction on the number of vendor units, locations, hours of operations, types of vendor units, allowance for use of portable electrical generators (or alternatives for the use of electrical power at vendor locations) and the policies and processes that should be followed in relation to this topic.
- Council to adopt a policies that designate the Municipal Planning Commission as the body to review Mobile Vendor development applications (using the same process as any other development) thereby ensuring consistency for the annual management of this function and a reasonable level of enforcement.
- The Development Authority (Development Officer and / or MPC) currently process all Mobile Vendor applications that are located on private / commercial lands. Taking this approach on public lands would ensure consistency.

**DISCUSSION (OPTIONS / BENEFITS / DISADVANTAGES):**

- Other municipalities have Food Truck Bylaws (ie. Calgary) and as a result the business license fees for Mobile Vendors is typically higher than brick and mortar restaurants to reflect the absence of property taxes for food truck operators. The notion of "fair pay" for

the opportunities that are given for the use of prime public lands should be factored into the discussion. The issue of a lease fee could also be a way for certain types of vendor units. (ie. Shipping Containers) to pay fair value for the spaces that they are and could occupying.

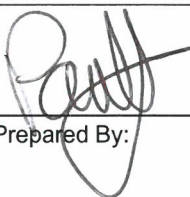
- The types of vendor units under consideration have changed over time. Council should identify acceptable types of vendor units while determining whether or not certain vendor units (or features) should be excluded, if at all. (ie. Push carts vs. food trucks, vs. shipping containers, etc.)
- Clarity on the accepted locations on public parks / lands needs to be made.
  - Are there any public lands that should be restricted?
  - Should Mobile Vendors be located on any public lands subject to approval?
  - Is there a maximum number of Vendors that should be allowed?
  - How does this fit with Public Markets? And other Special Events such as Canada Day?
- Should mobile vendors be subject to a fee? (If so, should that fee represent a token amount, or should it reflect the value of the location(s) where mobile vendors are located?
- What is the best way to select vendors for vendor locations? (By way of a draw, previous experience? Competitive bid / proposal?) This needs to be defined.

**FINANCIAL IMPACT:** Fees associated with Mobile Vending could generate revenue for the Town (other than the regular business license fee)

**STRATEGIC POLICY ALIGNMENT:** The adoption of a mobile vendor bylaw or alternative policy approach will ensure that we manage this function fairly, effectively and that this potential use is maximized in the Town of Drumheller.

**COMMUNICATION PLAN:** To move the policy forward by informing the public through the Town Page (Drumheller Mail), Dinosaurvalley.com, Weekly Radio Communications, Social Media and Discussion with vendors that have provided service in the past.

**DIRECTION BASED on Council Discussion:**



Prepared By:

Reviewed By:

Approved By: Darryl Drohomerski  
Chief Administrative Officer



## ***Agenda Item # 5.4.1***

### **Town of Drumheller Bylaw 17-XX**

#### **Mobile Vendor Bylaw**

#### **A BYLAW OF THE TOWN OF DRUMHELLER A MUNICIPAL CORPORATION IN THE PROVINCE OF ALBERTA**

**WHEREAS** the Municipal Government Act, RSA, 2000, c. M-26 and amendments thereto, authorizes a Council to pass bylaws for municipal purposes; and **WHEREAS** pursuant to section 7(e) of the Municipal Government Act, a council may pass bylaws for municipal purposes respecting businesses, business activities and persons engaged in business; and

**WHEREAS** pursuant to section 7(i) of the Municipal Government Act, 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; and

**WHEREAS** pursuant to section 8(c) of the Municipal Government Act, a council may in a bylaw provide for a system of licenses, permits or approvals, including any or all of the matters listed therein; **AND**

**WHEREAS** it is deemed expedient to provide for the permitting of mobile vendors operating in the Town; **NOW THEREFORE**, the Municipal council of the Town of Drumheller, in the province of Alberta, duly assembled, hereby enacts as follows:

1 **BYLAW TITLE**: This Bylaw may be cited as the **Mobile Vendor Bylaw**.

2 **DEFINITIONS**: In this Bylaw, unless the context otherwise requires:

"Act" means the Municipal Government Act, Chapter M-26 of the Revised Statutes of Alberta, 2000 and amendments thereto.

"Applicant" means any person who makes an application for a Mobile Vendor Permit under the provisions of this Bylaw.

"Business" means: (a) a commercial, merchandising or industrial activity or undertaking; (b) a profession, trade, occupation, calling or employment; or (c) an activity providing goods or services, however organized or formed, including a cooperative or association of persons.

"Business License" means a license to be issued, pursuant to the Town of Drumheller Business License Bylaw, and all amendments thereto, for the purpose of licensing any business operating within the Town.

"Business Premises" means the store, office, warehouse, factory, building, enclosure, yard or other place occupied or capable of being occupied, by any person for the purpose of any business.

"Enforcement Officer" means any person employed by the Town to enforce this bylaw.

## ***Agenda Item # 5.4.1***

“Charitable or Non-profit Organization” means any person, association, or corporation engaged entirely in charitable activities, or engaged in the promotion of general social welfare within the Town, as defined by Revenue Canada under the Income Tax Act and that has a valid Revenue Canada Registered Charity number.

“Chief Administrative Officer” means the Chief Administrative Officer of the Town and includes any person to whom the Chief Administrative Officer’s powers are delegated or any person appointed to act in the absence of the Chief Administrative Officer.

“Council” means the Municipal Council for the Town of Drumheller in the Province of Alberta, as duly elected and defined in the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended.

“Development Authority” means the person, commission or organization authorized to exercise development powers and perform duties on behalf of the Town as referred to in Division 3 of the Municipal Government Act.

“Development Officer” means a person appointed as a Development Officer pursuant to the Town’s Land Use Bylaw.

“Farmers’ Market” means an open air or fully or partly covered market, for the sale of goods directly by the producers, or their representatives who are involved in the production, of local fresh, dried or frozen fruit and vegetables, local dried or frozen meat and seafood, local eggs, local dairy products, local plants, locally prepared and ready to eat foods and local artisan crafts.

“Fee” means the monetary amount levied on each application for a business license as set out in this bylaw. “Hawker” or “Peddler” means any person who, whether as principal or agent; (a) goes from house to house selling or offering for sale any merchandise or service, or both, to any person and who is not a wholesale or retail dealer in that merchandise or service; (b) offers or exposes for sale to any person by means of samples, patterns, cuts or blueprints, merchandise or a service, or both, to be afterwards delivered in and shipped into the municipality to the customer; (c) sells merchandise or a service, or both, on the streets or roads or elsewhere other than at a building that is a permanent place of business; and (d) does not have a permanent place of business in the municipality.

“Land Use Bylaw” means the Town of Drumheller Land Use Bylaw and any amendments thereto.

“Market” means the business of providing for rent, stalls, tables or spaces to merchants displaying for sale, offering for sale and selling goods to the public.

“Merchandise” means commodities or goods that are bought and sold in business. ‘Mobile Vending Unit’ means a motor vehicle, trailer, temporary structure or display, or stand that is not permanently affixed to real property.

“Mobile Vendor” means any person selling goods, food, amusements or services from a Mobile Vending Unit that is designed for offering the sale of goods, food, amusements or services.

## ***Agenda Item # 5.4.1***

“Mobile Vendor Permit” means a document authorizing a Mobile Vendor to operate in the Town of Drumheller pursuant to this Bylaw.

“Municipal Ticket” means a form prescribed by the Chief Administrative Officer, or his designate, allowing payment to the Town of the penalty specified by this Bylaw for an offence, which shall be accepted by the Town in lieu of prosecution of the offence.

“Non-resident” means a person who is not a resident of the Town of Drumheller.

“Permitee” means a person holding a valid Mobile Vendor Permit issued pursuant to this Bylaw.

“Person” means a natural person or a body corporate, and includes a partnership, a firm, an association or other group of persons acting in concert.

“Resident” means a person who: (a) is located or permanently resides within the boundaries of the Town; and/or (b) utilize the space and services including office area, telephone, mailing address or postal box from premises that are listed on the Town Tax Roll.

“Resident Business” means any business which ordinarily locates or maintains a permanent place of business within the Town.

“Sidewalk” means that part of a road or highway especially adapted to the use of or ordinarily used by pedestrians, and includes that part of a road or highway between the curb line (or the edge of the roadway, where there is no curb line) and the adjacent property line, whether or not paved or improved.

“Temporary Business” means commercial or industrial business activity; a profession, trade, occupation; or an activity providing goods or services, where the duration of the business activity is equal to or less than four (4) consecutive weeks.

“Town” means the Municipal Corporation of the Town of Drumheller in the Province of Alberta, and or the area contained within the corporate boundaries of the said municipality, as the context may require.

“Vendor”, in this Bylaw, means a Mobile Vendor.

“Violation Ticket” means a violation ticket as defined in the Provincial Offences Procedure Act, R.S.A.2000.

### **3 PERMIT REQUIREMENTS / GENERAL REGULATIONS**

3.1 The Development Authority for the Town of Drumheller is the Development Officer for permitted uses, or the Municipal Planning Commission, (MPC) for discretionary uses. The Development Authority responsible for carrying out the provisions of this Bylaw.

3.2 No person shall carry on a Mobile Vendor Business without a valid Mobile Vending Permit from the Development Authority.



## ***Agenda Item # 5.4.1***

3.3 Submission of the Mobile Vendors Permit application to the Development Authority shall require the payment of the applicable fee as listed in Schedule "A", and a detailed site plan showing the area or areas in which the Mobile Vending Unit and signage is proposed to be located, and an Alberta Health Services Food Handling Permit if required.

3.4 If required, it is the responsibility of the Vendor to obtain an Alberta Health Services Food Handling Permit.

3.5 It is the responsibility of the Vendor to obtain and hold valid Provincial and Federal licenses, permits, approvals, clearances, and/or insurances required to operate this business legally and produce copies of the same to the Development Authority with the completed application.

3.6 For Mobile Vendors operating on Town owned property, the final approval of the application shall require that the Vendor indemnify and save harmless the Town of Drumheller, its employees and agents, from and against all claims, expenses, actions, losses, costs and suits caused by or arising out of, directly or indirectly, the performance of the Mobile Vendor Permit, or by reason of any matter or thing done by or not done by the Vendor, its employees or agents. Vendors are required to show proof of liability insurance.

3.7 A Mobile Vendor Permit and all other required permits and licenses must be clearly visible at the Mobile Vending Unit at all times

3.8 A new application, documentation and payment of the fee for a Mobile Vendor Permit is required each and every year. A Mobile Vendor Permit will be valid only in the year the permit has been approved and issued.

3.9 Vendors shall assume all responsibility for themselves and anyone whom they have hired or otherwise authorized to sell goods or products at the vending location and to see that they are aware of and comply with the terms and conditions of their permit approval.

3.10 Charitable or Non-Profit Organizations from within the Town who utilize the proceeds from the sale of goods and services to support projects within the community, may be exempted from permit fees, at the discretion of the Development Authority, but must meet the other requirements of this bylaw.

3.11 No Vendor, Hawker or Peddler may sell goods, foods, amusements or services within 25 metres of a commercial retail storefront operation which sells similar goods, foods, amusements or services.

3.12 Permission will not be granted to Vendors to locate where a conflict with an existing business is evident. Where a conflict arises with an existing business, the Development Authority reserves the right to relocate the Mobile Vendor.

3.13 Mobile Vendors operating their business on public property must stay within the permitted area/s approved by the Development Authority, as indicated on the approved Mobile Vendor Permit site plan.

## ***Agenda Item # 5.4.1***

3.14 Mobile Vendors shall not set up their Business on private property without first obtaining written authorization from the property owner, signed, and submitted to the Development Authority at the time of application for a Mobile Vendor Permit.

3.15 The Mobile Vendor and the location of the Mobile Vending Unit shall not impede traffic and/or pedestrians, endanger public safety or cause an unwelcome disturbance and must be cognitive of and compliant with all other Town Bylaws.

3.16 The Vendor shall not engage in any illegal activity.

3.17 The Mobile Vending Unit and business equipment must be kept in clean and presentable condition at all times.

3.18 Advertising or signage for this type of business is limited to the space available on the Mobile Vending Unit and the location/s approved on the site plan of the Mobile Vendor Permit.

3.19 Generators used to provide power to the Mobile Vending Unit are only permitted if they do not create a noise or pollution disturbance. A Mobile Vending Unit may be relocated if the Mobile Vending Unit creates a noise or pollution disturbance.

3.20 Vendors shall provide garbage and recycling receptacles at the Mobile Vending Unit for all customers to discard any waste from the product sold.

3.21 The Development Authority may suspend or revoke a permit issued under this Bylaw and may order the relocation or removal of any structure, sign, object, Mobile Vending Unit or display unit if, in the opinion of the Development Authority, the holder of the permit, or their employee, agent or authorized representative, has failed to comply with the provisions of this Bylaw.

3.22 A Mobile Vendor may only carry on Business daily within the hours approved on their Mobile Vendor Permit.

3.23 Vendors are not permitted to leave the Mobile Vending Unit unattended during operation. Page

3.24 If, in the sole discretion of the Development Authority or a Peace Officer, the safety of the Mobile Vendor operator or the general public is at risk, a the Development Authority or the Peace Officer may request that the Mobile Vendor either relocate or cease carrying on business from that location.

3.25 Despite anything to the contrary in this Bylaw, an individual Vendor who participates in a Farmers' Market located on a street does not require a permit or written permission under this Bylaw if the operator of the Farmers' Market has obtained a Mobile Vendors Permit in accordance with this Bylaw.

3.26 Mobile Vendors that carry on business at a Market, as defined in the Business License Bylaw or are associated with any events that are directly supervised and controlled by a Market are not required to obtain a Mobile Vendors Permit.



## ***Agenda Item # 5.4.1***

3.27 Mobile Vendors that carry on business at an event that is coordinated, supervised and controlled by the Town of Drumheller, are not required to obtain a Mobile Vendors Permit.

3.28 No person shall carry on business as a Mobile Vendor without a valid Business License from the Town of Drumheller.

### **4 APPEALS**

4.1 Where an application for a Mobile Vendor Permit has been refused, or where an existing Mobile Vendor Permit has been revoked, suspended, or issued subject to conditions, the Applicant or Permittee as the case may be, is entitled to appeal to the Community Standards Appeal Board regarding the refusal, suspension, or revocation of the license.

4.2 The Applicant or Permittee, as the case may be, shall have five (5) business days from the date of refusal, revocation, suspension, or issuance subject to conditions, in which to appeal to the Community Standards Appeal Board, in writing; otherwise, the right of appeal shall be barred and extinguished.

4.3 Any person desiring to appeal the decision of the Development Authority, pursuant to this bylaw, shall be required to pay an appeal fee as outlined in Schedule "A".

4.4 The Community Standards Appeal Board shall hear the appeal within fourteen (14) days of receipt and shall give forty-eight (48) hours notice of the hearing in writing to the appellant.

4.5 The Community Standards Appeal Board, after hearing an appeal, may: a) Direct a Mobile Vendor Permit be issued without conditions, b) Direct a Mobile Vendor Permit be issued with conditions, or c) Uphold the decision of the Development Authority on grounds which appear just and reasonable.

4.6 A decision of the Community Standards Appeal Board is final and binding on all parties.

### **5 OFFENCES & PENALTIES**

5.1 Any person who contravenes any provision of this Bylaw by: a) doing any act or thing that is prohibited under the terms of this Bylaw; or b) fails to do any act or thing that is required to be done under the terms of this Bylaw; is guilty of an offence and the Town of Drumheller shall utilize whatever means deemed appropriate to affect collection.

5.2 A Violation Ticket may be issued by an Enforcement Officer to any person alleged to have breached any provision of this Bylaw. The Violation Ticket shall require the payment to the Town of the Specified Penalty set out in Schedule "B" to this Bylaw.

5.3 Should a person not pay the penalty provided or contravene any section of this Bylaw and a prosecution has been entered against him, he shall be liable on summary conviction to the penalties legislated under Section 566 of the Municipal Government Act, Chapter M-26, R.S.A. 2000 and amendments thereto, in addition to any Mobile Vendor Permit Fee he may be required to pay.

## ***Agenda Item # 5.4.1***

5.4 The Development Authority is authorized to take the necessary steps to initiate legal proceedings to enforce this Bylaw, by way of injunction or otherwise, against any Mobile Vendor business deemed in non-compliance of this Bylaw.

### **6 DUTIES OF AN ENFORCEMENT OFFICER**

Where an Enforcement Officer believes on reasonable and probable grounds that a person is

- a) operating a Mobile Vendor business without a valid Mobile Vendor Permit issued under this bylaw;
- b) has violated a Mobile Vendor Permit condition imposed by the Development Authority; or
- c) contravened any other provision of this Bylaw; the Enforcement Officer may commence proceedings by issuing a summons by means of a Violation Ticket in accordance with Part 2 of the Provincial Offences Procedure Act R.S.A. 2000 c. P- 34.

### **7 SEVERABILITY PROVISION**

Should any provision of the Bylaw be adjudicated invalid such provision shall be severed and the remaining Bylaw shall be maintained in entirety.

### **8 AMENDMENTS TO SCHEDULES**

Town Council may by resolution amend Schedules "A" and "B" from time to time as required.  
Administration may amend Schedule "C" from time to time as required.

### **9 EFFECTIVE DATE OF BYLAW**

This Bylaw shall come into effect upon third and final reading.

Read for a first time on the XXth day of August 2017

Read for a second time on the XXth day of August 2017

Read for a third and final time on the XXth day of August 2017

Terry Yemen, Mayor \_\_\_\_\_

Ray Romanetz, Chief Administrative Officer \_\_\_\_\_

Signed by the Mayor and Chief Administrative Officer this day of 2017.

## ***Agenda Item # 5.4.1***

### Town of Drumheller Mobile Vendor Bylaw 17-XX

#### Schedule "A"

##### **Fees Mobile Vendor Permit Fees Resident**

Business.....\$ 300.00 per Calendar Year

Non-Resident Business.....\$ 350.00 per Calendar Year

Appeal Request .....\$ 150.00

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## ***Agenda Item # 5.4.1***

### **Town of Drumheller Mobile Vendor Bylaw 17-XX**

#### **Schedule "B" Penalties**

The specified penalty for breach of this Bylaw is:

First Offence - \$ 200.00

Second Offence - \$ 400.00

Third Offence - \$ 800.00

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## Agenda Item # 5.4.1

### Schedule "C"

224 Centre Street Drumheller AB T0J0Y4

Main: 403.823.6300 Fax: 403.823.7739

Email: [developent@dinosaurvalley.com](mailto:developent@dinosaurvalley.com)

MVP # \_\_\_\_\_

Business License # \_\_\_\_\_

Permittee Information Trade or Business Name Applicant Tel Fax Cell Business Address Postal Code Email

Vendor Unit Type ICE CREAM TRUCK Make: \_\_\_\_\_ Model: \_\_\_\_\_ Year: \_\_\_\_\_  
Color: \_\_\_\_\_ License Plate #: \_\_\_\_\_

FOOD TRUCK Make: \_\_\_\_\_ Model: \_\_\_\_\_ Year: \_\_\_\_\_ Color: \_\_\_\_\_  
License Plate #: \_\_\_\_\_

TRAILER / VEHICLE Make: \_\_\_\_\_ Model: \_\_\_\_\_ Year: \_\_\_\_\_ Color: \_\_\_\_\_  
License Plate #: \_\_\_\_\_

SIDEWALK PUSH CART License Plate #: \_\_\_\_\_

TABLE / KIOSK

OTHER: Describe Unit:

NOT APPLICABLE (HAWKER / PEDDLER) Products / Services Provided

Signage Yes If Yes, describe what type of signage

\_\_\_\_\_ \*Note: Show signage  
location/s on site plan.

No Proposed Location/s Civic Address:



## Agenda Item # 5.4.1

\_\_\_\_\_ Site Plan Provided (site plan is required showing the location of the Mobile Vendor Unit and signage) Owner Authorization Provided Checklist A Business License application has been submitted. A copy of Alberta Health Services Food Handling Permit, if required. A copy of Direct Sellers License, if required. Insurance documentation, if required. A photo of mobile vending unit, if required. A copy of other Provincial licenses as required. Mobile Vendor Permit Application

### 11 OFFICE USE ONLY

Mobile Vendor Permit App Fee \$ \_\_\_\_\_ Receipt # \_\_\_\_\_

#### PERMIT APPROVAL

Approved By \_\_\_\_\_ Date Approved: \_\_\_\_\_

Hours of Operation / Days of Week Approved:

\_\_\_\_\_ Permit Expiry Date: \_\_\_\_\_ Special Conditions:

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Refused Reasons for Refusal:

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Notes:

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## ***Agenda Item # 5.4.1***

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I hereby make application under the provisions of the Mobile Vendor Bylaw # 17-XX for a Mobile Vendor Permit in accordance with the plans and supporting material submitted herein and which form part of this application. \_\_\_\_\_ Applicant

\_\_\_\_\_ Signature of Applicant

Date The personal information on this form is collected under the Freedom of Information and Protection of Privacy Act and will be used in order to process this form. Please forward questions or concerns to the FOIPP Coordinator at 224 Centre Street, Drumheller, AB T0J0Y4.

Phone 403.823.1339, Fax 403.823.8006, or email [FOIP@Dinosaurvalley.com](mailto:FOIP@Dinosaurvalley.com)

## Agenda Item # 5.4.1

### Authorization to Allow Mobile Vendor on Property As owner and/or manager of:

\_\_\_\_\_  
\_\_\_\_\_, owner/operator for \_\_\_\_\_ Name of  
business owner name of business to operate as a Vendor on my property located at  
\_\_\_\_\_ civic address for the time period of  
\_\_\_\_\_. \_\_\_\_\_ Print name  
of property or business owner \_\_\_\_\_  
Signature of property or business owner Date If signing on behalf of a property owner or business  
owner, paperwork must be included showing the persons authorization to sign on behalf of the property  
owner or business owner.

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## ***Agenda Item # 5.4.1***







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## ***Agenda Item # 5.4.1***



# DRUMHELLER

## COUNCIL POLICY

**Agenda Item # 7.4**



### COUNCIL POLICY #C-04-14(as amended)

Supersedes #C-01-11

### REMUNERATION AND EXPENSE ALLOWANCE FOR MAYOR AND COUNCIL

#### THE PURPOSE OF THIS POLICY IS TO:

Establish a fair and equitable basis of remuneration for time and compensation for expenses incurred by the Mayor and members of Town Council for attendance at meetings and conferences or other related business on behalf of the Town whether within the Town or out of Town.

#### POLICY STATEMENT:

The Mayor and members of Town Council will receive remuneration for time and compensation for expenses incurred for attendance at meetings, conferences and business relating to Town operations.

#### **1.0 REMUNERATION AND COMPENSATION ARE HEREINAFTER OUTLINED**

In accordance with Revenue Canada's provisions for Municipal Officials, one-third (1/3) of the total allowances and honoraria paid to municipal officials shall be deemed to be in lieu of expenses (general expense allowance). The remaining two-thirds (2/3) is income from elected or appointed office (honoraria), and is therefore subject to income tax and considered as earnings. The general expense allowance is paid with the honoraria through the payroll system.

#### **2.0 REMUNERATION REVIEW**

Following a General Municipal Election, Council shall appoint an independent committee composed of Drumheller residents to review this Policy and report back to Council with recommendations. The appointment of the committee and the committee's report shall be completed within 90 days following a General Municipal Election.

#### **3.0 ANNUAL REMUNERATION PAYMENTS**

3.1 Annual remuneration shall be paid to Members of Council and shall consist of an honorarium and general expense allowance (which is one third of the total).

**As of January 1, 2014**

POSITION	HONORARIUM	GENERAL EXPENSE ALLOWANCE	ANNUAL REMUNERATION
Mayor	\$24,732.00	\$12,366.00	\$37,098.00
Councillors	\$12,958.00	\$ 6,479.00	*\$19,437.00

3.2 Mayor and Councillors salary shall increase retroactive to January 1<sup>st</sup>, 2013 by 3.0%, increase a further 3.0% effective January 1, 2014 and increase January 1<sup>st</sup>, 2015 by 3.5%.

The Mayor and Council, for the remaining term of service, shall receive annual increases as set out in the negotiated Union Agreements for Local 4604 and Local 135. Should the increases between the two Unions vary, the Council shall receive the average of the Union Agreement settlements.

## **Agenda Item # 7.4**

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Remuneration and Expense Allowance for Mayor and Council

3.3 The remuneration is in payment for:

- Regular council meetings
- Special council meetings
- Public or "Town Hall" meetings
- Attendance at Community Events
- Appointed committee meetings
- Meeting with individual ratepayers and community organizations
- Time spent in the execution of duties of the portfolio
- ~~Conventions and Conferences, such as the AUMA or FCM or other government events.~~

3.4 This general expense allowance is for:

- In-Town travel and car expense
  - In-Town entertaining for portfolio or committee responsibilities
  - Dry cleaning and laundry costs
  - Office supplies for personally owned equipment such as fax or computers
  - Incidental expenses incurred in the normal execution of duties
- As Revenue Canada deems travel costs to attend regularly scheduled council or committee meetings is of a personal nature, this type of expense is not included in the general expense allowance, and is not reimbursed.

3.5 The Task Force recommends that a 3% pension or RRSP for members of Council with matching contributions be implemented as part of the benefit package.

### **4.0 PER DIEMS**

4.1 A Per Diem shall be paid to Members of Council for Meetings authorized by Council as follows:

- \$250 per full day (subject to income tax).

A Full Day is defined as work in excess of 4 continuous hours to attend meeting or business on behalf of the Town.

The per diem is for Full Day meetings as authorized in advance either by Council or vicariously through committee appointment where attendance is mandatory to fulfill responsibilities of committee appointments and excludes meetings as outlined in Clause 3.3.

4.2 A Per Diem of up to 5 days annually per Councillor and 10 days annually for the Mayor shall be paid for attendance at meetings, conventions or other business on behalf of the Town, but specifically includes Council orientation and strategic and business planning sessions. The balance of the annual per diem allotment is to be used to attend meetings, conventions etc. at the individuals discretion.

4.3 In such case as a Local State of Emergency is declared by Council, the Mayor and Councillors duties relating specifically to emergency operations and coordination, in excess of 4 hours per day shall qualify the parties for per diem, subject to approval from Council. Any per diem days related to a Local State of Emergency shall not count against the maximum per diem days allowed per year.

### **5.0 ADDITIONAL EXPENSES**

5.1 Additional expenses will be reimbursed for items related to:

- Education
- Conventions registrations

## ***Agenda Item # 7.4***

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Remuneration and Expense Allowance for Mayor and Council

- Out of Town travel or lodging

5.2 Mileage shall be paid in accordance with the Government of Alberta mileage rate, as revised from time to time.

5.3 Non receipted meal allowances shall be increased as follows:

Breakfast	\$10.00
Lunch	\$15.00
Dinner	\$25.00

with a maximum cap for meals of \$150.00 per day, including up to 15% gratuity and GST, when receipts are provided. Alcoholic beverages are not allowed.

Reimbursed expenses are paid by submission of an Expense Claim Form with receipts attached, and must be approved by the Mayor. There will be no reimbursement on payments for alcoholic beverages. Travel rates are in accordance with the Town's Human Resource Policy.

6.0 Expenses incurred and per diems requested by Council in relation to conferences, conventions and courses are only eligible for reimbursement / payment once a report to Council has been presented.

Adopted by Council  
Date: February 10, 2014

Terry Yemen,  
Mayor of Drumheller

R.M. Romanetz, P. Eng.  
Chief Administrative Officer

### **Amendments**

October 3, 2016 Motion No. MO2016.131

November 14, 2017 Motion No. MO2017.135