

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

**June 18, 2018 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**

- 4.1 Drumheller Early Childhood Development Coalition (DECD) - Diana Rowe / Linde Turner

## **5.0 REPORTS FROM COUNCIL AND ADMINISTRATION**

- 5.1 FCM 2018 Annual Conference Reports from:
  - Councillor Fred Makowecki
  - Councillor Jay Garbutt
  - Councillor Lisa Hansen-Zacharuk
  - CAO Darryl Drohomerski

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

- 5.1.1 Draft Public Participation Policy Discussion

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

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

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

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

## **6.0 ANNUAL BUDGET REVIEW**

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

3-12

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**7.0 COUNCIL MEMBERS ROUND TABLE DISCUSSION**

13-29

7.1 Mayor Heather Colberg - Bylaw Enforcement Policy Discussion



7.2 Mayor Heather Colberg - Summer Meeting Schedule Discussion

**8.0 IN-CAMERA MATTERS**

# Implementation Fact Sheet

Amendments to the Municipal Government Act, 2015-17

## Public Participation Policy

Legislation	<a href="#">Municipal Government Act (MGA)</a> 
Regulation	Public Participation Policy Regulation 
Category	Governance
Section Number	s. 216

### Previous MGA requirement:

The MGA did not require municipal public participation policies.

### What's changed?

- Municipalities are required to adopt a public participation policy. [s.216.1\(1\)](#)

### What do municipalities need to know?

- The new requirements clarify how each municipality approaches public engagement, and will provide citizens and stakeholders with an understanding of when and how they will be engaged.
- Ensure that any existing or newly created public participation policy meets the new requirements:
  - the policy must identify the types or categories of approaches the municipality will use to engage municipal stakeholders, and the types or categories of circumstances in which the municipality will engage municipal stakeholders;
  - make the policy available for public inspection, which may include posting it on the municipality's website; and
  - review the policy at least once every four (4) years.

### When does this change take place?

- These sections come into force October 26, 2017.
- Municipalities must establish a public participation policy by July 23, 2018 (270 days (9 months) from the date it came into force.

### What resources are/will there be available to assist?

- Sample Template and Bylaws are under development (AUMA/AAMDC). 
- [Municipal Affairs Regional Training Sessions](#). 
- Public Input Toolkit [www.municipalaffairs.alberta.ca/documents/MDRS/AMA\\_Public\\_Input\\_Toolkit\\_Sept2014.pdf](http://www.municipalaffairs.alberta.ca/documents/MDRS/AMA_Public_Input_Toolkit_Sept2014.pdf) ) 
- [Citizen Engagement Toolkit and Social Media Resource](#) (AUMA/AAMDC). 
- [Elected Officials Education Program](#) (EOEP) – [www.eoep.ca](http://www.eoep.ca) (AAMDC/AUMA) 
- [Municipal Government Amendment Act, 2015](#) 



# DRUMHELLER

## C O U N C I L P O L I C Y



### Council Policy # C03-18

## Public Participation Policy

### I. POLICY PURPOSE:

In accordance with Section 216.1 of the *Municipal Government Act*, this Public Participation Policy has been developed to recognize the value of public participation and create opportunities for meaningful public participation in decisions that directly impact the public.

This Public Participation Policy is in addition to and does not modify or replace the statutory public hearing requirements in the *Municipal Government Act*.

### II. BACKGROUND

Council recognizes that good governance includes engaging Municipal Stakeholders in Public Participation by:

- 1) Creating opportunities for Municipal Stakeholders who are affected by a decision to influence the decision;
- 2) Promoting sustainable decisions by recognizing various Municipal Stakeholder interests;
- 3) Providing Municipal Stakeholders with the appropriate information and tools to engage in meaningful participation; and
- 4) Recognizing that although Councillors are elected to consider and promote the welfare and interest of the Town of Drumheller as a whole and are generally required to vote on matters brought before Council, facilitating Public Participation for matters beyond those where public input is statutorily required can enrich the decision making process.

### III. DEFINITIONS:

**CAO** means the Chief Administrative Officer of the Town of Drumheller or their delegate.

**Municipal Stakeholders** means the residents of the Town of Drumheller, as well as other individuals, organizations or persons that may have an interest in, or are affected by, a decision made by the Town of Drumheller.

**Municipality** means the Town of Drumheller.

**Public Participation** includes a variety of non-statutory opportunities where Municipal Stakeholders receive information and / or provide input to the Municipality.



**Public Participation Plan** means a plan which identifies which Public Participation Tools to be used to obtain public input in a particular circumstance.

**Public Participation Tools** means the tools that may be used, alone or in combination, to create Public Participation opportunities include, but not limited to:

- (a) In-person participation which may include at-the-counter interactions, door-knocking, interviews, meetings, round-tables, town halls, open houses and workshops;
- (b) Digital participation which may include online workbooks, chat groups, webinars, message boards / discussion forums, and online pools or surveys;
- (c) Written participation which may include submissions, email, and mail-in surveys, pools and workbooks; and
- (d) Representative participation which may include being appointed to an advisory committee, ad hoc committee or citizen board.

#### **IV. ROLES AND RESPONSIBILITIES**

##### **1) Council Responsibilities**

- (a) Council is responsible for:
  - (i) Being familiar with the Town of Drumheller Public Participation Plans and promoting its proper use, including clarity of roles between staff, Council and residents;
  - (ii) Reviewing and approving Public Participation Plans developed by the CAO in accordance with this policy or as directed by Council;
  - (iii) Ensuring that sufficient staff and financial resources are dedicated to solicit public participation in accordance with this policy;
  - (iv) Promoting awareness of and participation in public participation activities;
  - (v) Considering input obtained through public participation; and
  - (vi) Review this Policy to ensure the Policy complies with all relevant legislation, municipal policies and the spirit and intent of Public Participation.

##### **2) Administration Responsibilities**

- (a) CAO is responsible for:
  - (i) Ensuring that this policy is used by all staff when they develop and implement projects that require public participation and having public participation project plans reviewed by Council when necessary;
  - (ii) Ensuring that there is an effective internal approval and coordination process for public participation initiatives by and through various departments, such that the

...

## Agenda Item # 5.1.1

Town of Drumheller capacity for such initiatives and events do not overlap or cause confusion;

- (iii) Ensuring that staff and financial resources are available to support the planning and execution of projects and processes that are approved under this policy;
- (iv) Implement approved public participation plans;
- (v) Report on the activities, the findings, and the quality of and effectiveness of public participation efforts to Council; and
- (vi) Evaluate the effectiveness of the Town of Drumheller in using this policy and keeping the roles of staff, Council and public clear and distinct.

(b) Communications Officer is responsible for:

- (i) Maintaining the Town of Drumheller communication channels with up-to-date information and opportunities for public participation, in conjunction with each department and their directors;
- (ii) Use the internal process to coordinate public participation activities to prevent overlap and confusion, in conjunction with department directors/staff;
- (iii) Maintaining the Public Participation Plan of participation activities/formats;
- (iv) Supporting departments undertaking public participation with social media, media, advertising and other promotion efforts; and
- (v) Helping departments develop and resource their public participation projects and activities.

## V. PUBLIC PARTICIPATION OPPORTUNITIES

(a) CAO shall develop and implement a Public Participation Plan in the following circumstances: (Policy must identify circumstances when Council will seek public participation – a list of possible options is provided below):

- (i) (Optional) when new programs or services are being established;
- (ii) (Optional) when existing programs and services are being reviewed;
- (iii) (Optional) when identifying Council priorities;
- (iv) (Optional) when gathering input or formulating recommendations with respect to budget;
- (v) (Optional) when gathering input or formulating recommendations with respect to the Town of Drumheller's strategic plans or business plans;
- (vi) (Optional) when gathering input or formulating recommendations with respect to the Town of Drumheller's capital plan and / or financial plan; or
- (vii) (Optional) as otherwise directed by Council.

## VI. POLICY EXPECTATIONS

## ***Agenda Item # 5.1.1***

### **1) Legislative and Policy Implications**

- (a) All Public Participation will be undertaken in accordance with the Municipal Government Act, the Freedom of Information and Protection of Privacy Act and any other applicable legislation.
- (b) All Public Participation will be undertaken in accordance with all existing municipal policies.
- (c) This Policy shall be available for public inspection and may be posted to the Town of Drumheller's website.
- (d) This Policy will be reviewed at least once every four years.

### **2) Public Participation Standards (Optional)**

- (a) Public Participation will be conducted in a sustainable and inclusive manner having regard to different levels of accessibility.
- (b) Public Participation activities will be conducted in a professional and respectful manner.
- (c) Public Participation plans will consider early, ongoing and diverse opportunities to provide input.
- (d) Municipal Stakeholders who participate in any manner of Public Participation are required to be respectful and constructive in their participation. Municipal Stakeholders who are disrespectful, inappropriate or offensive, as determined by Administration, may be excluded from Public Participation opportunities.
- (e) The results of Public Participation will be made available to Council and Municipal Stakeholders in a timely manner in accordance with municipal policies.

### **VII. PUBLIC PARTICIPATION PLANS (Optional)**

- (a) When so directed by this Policy or Council, the CAO shall develop a Public Participation Plan for approval by Council which shall consider the following:
  - (i) The nature of the matter for which Public Participation is being sought;
  - (ii) The impact of the matter on Municipal Stakeholders;
  - (iii) The demographics of potential Municipal Stakeholders in respect of which Public Participation Tools to utilize, level of engagement and time for input;
  - (iv) The timing of the decision and time required to gather input;
  - (v) Available resources and reasonable costs.
- (b) Public Participation Plans will, at minimum, include the following:



## **Agenda Item # 5.1.1**

- (i) A communication plan to inform the public about the Public Participation Plan and opportunities to provide input;
- (ii) Identification of which Public Participation Tools will be utilized;
- (iii) Timelines for participation;
- (iv) Information about how input will be used;
- (v) The location of information required, if any, to inform the specific public participation.

### **VII. REPORTING AND EVALUATION (Optional)**

- (a) Information obtained in Public Participation will be reviewed by CAO and a report shall be provided to Council.
- (b) The report shall include, at minimum, the following:
  - (i) An overview of the Public Participation Plan and how it was developed;
  - (ii) An assessment of the effectiveness of the plan based on the level of engagement and the quality of input;
  - (iii) A summary of the input obtained; and
  - (iv) May include recommendations for future Public Participation Plans.
- (c) Reports shall be provided to Council for review.

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Chief Administrative Officer**

\_\_\_\_\_  
**Mayor**



# DRUMHELLER

## C O U N C I L P O L I C Y



### Council Policy # C03-18

## Public Participation Policy

#### I. POLICY PURPOSE:

In accordance with Section 216.1 of the *Municipal Government Act*, the municipality (Council and Administration) recognizes that municipal decisions have an impact on the public, and that decisions may be improved by engaging with the public before a decision is made.

This Public Participation Policy is in addition to and does not modify or replace the statutory public hearing requirements in the *Municipal Government Act*.

#### II. GUIDING PRINCIPLES

The municipality is committed to transparent public participation processes. We will tell the public early on why they are being engaged and how the information will be used.

The municipality is committed to inclusive public participation processes. We acknowledge that people are busy and have many responsibilities; we endeavour to make it as easy as possible for people to participate.

The municipality is committed to accountable public participation processes. We will measure the outcomes of each public participation process and use the information to improve future processes.

The municipality is committed to effective public participation processes. We will make sure we communicate in plain language, and that the process respects the time and energy of everyone involved.

The municipality is committed to using empathy in public participation processes. We will strive to understand and respond to other people's viewpoints.

#### III. DEFINITIONS:

**Municipality** means the Town of Drumheller.

**Public Participation** is any process that involves the public, or anyone interested in or affected by an issue or opportunity, in contributing to a decision to be made by the municipality about the issue or opportunity.

#### IV. HOW WE WILL USE INPUT

## ***Agenda Item # 5.1.1***

The municipality recognizes there are varying levels of influence found within public participation processes. Depending on the level(s) selected, there is an increasing amount of public influence over the decision.

- 1) Inform: providing the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and / or solutions.
- 2) Listen and Learn: obtaining public feedback in analysis, alternatives and / or decisions.
- 3) Involve: working directly with the public throughout the process to ensure that the public concerns and aspirations are consistently understood and considered.
- 4) Collaborate: partnering with the public in each aspect of the decision, including the development of alternatives and the identification of the preferred solution.
- 5) Empower: delegating aspects of the final decision to the public.

### **V. WHEN WE ENGAGE THE PUBLIC**

The municipality recognizes that the public is affected by municipal decisions, and recognizes the following opportunities for participation: planning, policy and projects.

### **VI. HOUSEKEEPING**

- 1) Public Participation will be undertaken in accordance with the Municipal Government Act, the Freedom of Information and Protection of Privacy Act and any other applicable legislation.
- 2) This Policy will be made available to the public for information and will be posted to the Town of Drumheller's website.
- 3) This Policy will be reviewed at least once every four years.

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Chief Administrative Officer**

\_\_\_\_\_  
**Mayor**

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This policy provides the community with an indication of when and how public participation opportunities are expected to be provided by the Town.

### 4.0 Principles

*Shared commitment and responsibility* – for public participation to be meaningful, the Town must provide opportunities and community members must take advantage of these opportunities as part of our democratic decision making processes

*Transparent and accountable* – opportunities for public participation, relevant information, and the ways public participation influenced the decision are clearly and openly communicated

*Inclusive and accessible* – the design and delivery of public participation is based on the diverse needs, abilities, preferences and viewpoints of members of the community and facilitates exchange and understanding of differing perspectives

*Informed and open sharing of information* – the process conveys accurate and appropriate information for all participants and includes opportunities to communicate and understand the views of other participants

*Respectful and safe* – open discussion and exchange of views occurs in a polite, frank, respectful and physically safe manner for all participants

*Evolving and continuously improving* – public participation approaches and techniques change and improve over time to best suit the needs and preferences of our community

### 5.0 Application

#### Example of Public Participation Plan

The application of this public participation policy must be balanced with the understanding that Council is elected to make decisions that set the direction for the municipality. While taking into account all of the information available to them, including the input of the public, Council must ultimately bear the burden of making significant and often difficult choices. Furthermore, to allow for timely and efficient governance, public participation must be proportional to the scope of the decision to be made.

This policy applies to the Town's policies, programs, projects, approvals and services. Public participation is intended to support and inform a decision-making process related to:

- Designing or implementing a new policy, program, project or service;
- Evaluating, changing or ending an existing policy, program, project or service;
- Establishing annual and multi-year operating and capital budgets;



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- Fulfilling a legislated or regulated requirement; or
- Responding to a community initiated request.

The following factors shall be considered in determining if public participation is required and the level of participation to be used based on the Public Participation Spectrum (see Appendix A):

- Council priorities in terms of initiatives identified in the Strategic Plan;
- Background and history of the issue;
- Opportunity for public input to influence the decisions and outcomes;
- Scope of potential impact in terms of geographic area or amount of people involved;
- Previous expressions of concern or interest in the decision or the results;
- Nature of potential impacts (financial, quality of life, health and safety, environmental, etc.);
- Need or desire for public support for the outcome;
- Time sensitivity in terms of when a decision needs to be reached; and
- Availability and allocation of resources.

The following items or circumstances shall require public participation:

1. Community sustainability plan;
2. Annual and multi-year operating and capital budgets;
3. Creation and amendment of statutory plans and the land use bylaw as described in the Municipal Government Act;
4. Creation and amendment of non-statutory plans related to a planning approval as described in the Municipal Government Act;
5. Creation and amendment of master plans for Town infrastructure and facilities, including such plans as the Transportation Master Plan, Recreation and Culture Master Plan, and Infrastructure Master Plan; and
6. Offsite levy bylaws, local improvement tax bylaws, and special tax bylaws as described in the Municipal Government Act.

The following items or circumstances may require public participation:

1. Bylaw creation and major review/amendment;
2. Policy creation and major review/amendment;
3. Policy pertaining to Council remuneration and expenses;
4. Resolutions dealing with highly impactful matters such as the acquisition or disposal of assets; and
5. Site designs, conceptual plans and detailed plans for Town owned lands and facilities.

At the Town's discretion, items not specifically listed above may be subject to the requirement for public participation.

*Presented to Council*  
*Apr 4 /*  
*2011*

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# TOWN OF DRUMHELLER COMMUNITY ENFORCEMENT 2011 WORK PLAN

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## Mission

Community Enforcement, will work in partnership with the citizens of the Town of Drumheller to improve quality of life by providing a safe place to live, work and play. This is done through **progressively informing, educating and enforcing** municipal and provincial laws in a **fair, just** and **professional** manner.

**"IN PARTNERSHIP WITH THE COMMUNITY"**

## Background

In September of 2009 the Town of Drumheller presented a Community Enforcement Work Plan to Council in order to clearly set goals and identify the core focus areas for the program.

The Community Enforcement program focuses the majority of its activities on municipal bylaws in addition to the full range of policies and regulations that are vested under the authority of the municipality.

The Community Enforcement business unit functions as a multi-disciplinary enforcement body that collaborates with and contributes to the success of various Town of Drumheller departments including (but not limited to) development control, infrastructure, waste management, recreation, risk management and protective services where required.

Community Enforcement acts under the authority of municipal bylaws, or provincial statutes to ensure that residents and visitors are aware of applicable regulations as citizens meet expectations associated with established community standards.

Town of Drumheller Community Enforcement staff approach all interaction with the public from the perspective that citizens should be respected, while they also have the responsibility to know about the accepted standards of care for private property.

Drumhellerites are informed about the community's expectations through public information media ([www.dinosaurvalley.com](http://www.dinosaurvalley.com)) and the Town Page – (as posted in the Drumheller Mail) but are most affected by the direct interaction that occurs amongst community members and the officers that build relationships within the community as a whole.

Our staff approaches the public with a focus on creating positive awareness and understanding. We try to let everyone know about the importance of being a responsible citizen.



**Unsightly Before**



**Unsightly After**

Community Enforcement's daily activities are also in synch with the vision outlined in the Town of Drumheller's Municipal Sustainability Plan (2010) "... a to Provide a safe, caring, affordable, quality of life,"



Community Enforcement Officers work co-operatively with the general public, groups/organizations and other enforcement agencies pursuing the goal of voluntary compliance and ultimately a community that enjoys a very high quality of life.

## Links to Drumheller's Municipal Sustainability Plan

### *"What Success Looks Like"*

#### **Social Sustainability - Sense of Community**

Drumheller is recognized as a friendly, proud, inclusive / vibrant community. The community atmosphere is described as cooperative and residents feel connected to their neighbourhoods and the community as a whole. When Drumhellerites are asked about Drumheller, they express a long list of positive remarks to describe their community.

The community is relatively clean and most residents make an effort to make their property(s) appear attractive.

#### **Environmental Sustainability - Clean look**

Residents and visitors perceive Drumheller as safe, secure, tidy and litter free. It is clearly evident that property owners take the time and energy to make their properties attractive. Residents regularly receive positive feedback from visitors about how attractive Drumheller appears.

Continue to emphasize a cooperative approach to litter pickup, street sweeping and building maintenance. Determine community standards of cleanliness based on a "neighbourhood benchmark."

#### **Governance -Vision to Action (Results)**

There is a clear understanding of the community's highest priorities. Leaders are able to identify opportunities and see these ideas through as they are implemented. Transparency is considered a core theme to decision making. New ideas are encouraged and municipal officials are well informed about issues.



**Unsightly before**



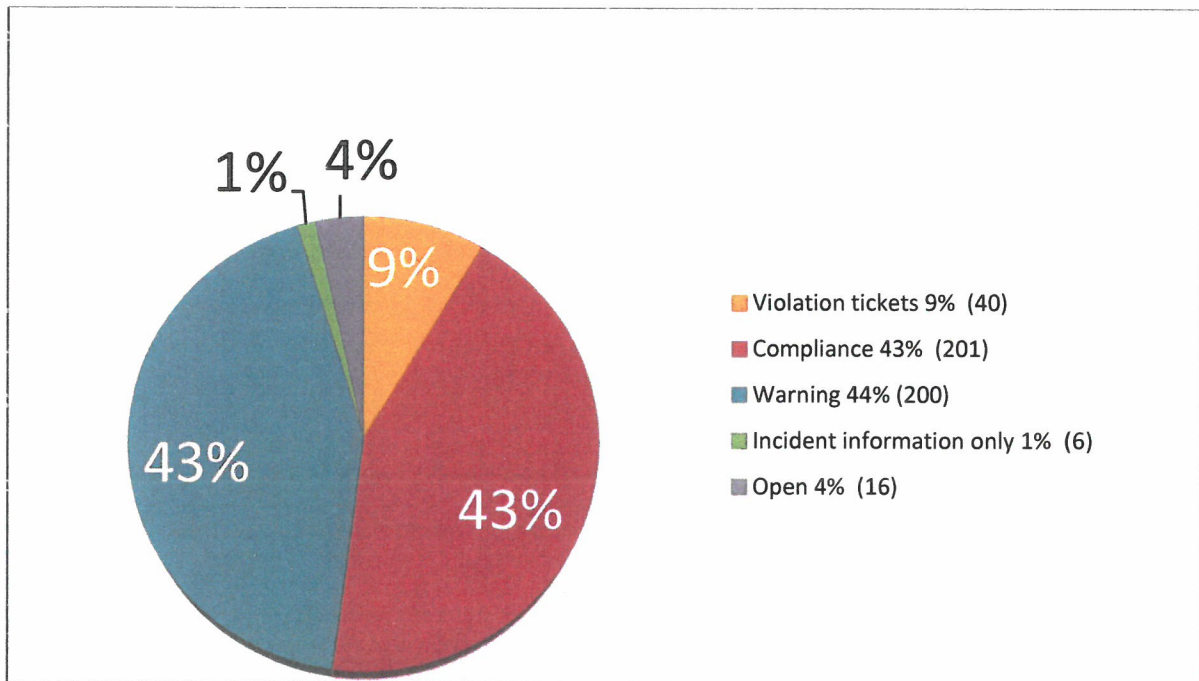
**Unsightly after**

## Community Enforcement – working with *the Community*

Community Enforcement is:

1. A business unit within the “Community” Services department
2. Includes “Community” Peace Officers
3. Focuses on “Community” standards as identified in the **Community Standards Bylaw** and other laws and regulations
4. Strives to improve communication and community support as identified in the Municipal Sustainability Plan
5. Emphasizes cooperation and positive interaction with a wider range of “Community” members

## 2011 FIRST QUARTER STATISTICS – FILE STATUS



## Community Enforcement Program Overview

The Town of Drumheller relies on the skills of well trained staff operating as Community Enforcement Officers (0.5 FTE) and Community Peace Officers (2.0 FTE) under the provincial *Peace Officer Act*. The duties and functions within the program vary throughout the province, from parking control personnel, animal control specialists, to traffic enforcement officers as employed by the municipality. Regardless of the participating agency, the Town of Drumheller’s



Community Enforcement Program is designed to ensure high standards of training, accountability, and professionalism.



**Park 5m of a fire hydrant**



**Park unattached trailer**

Community enforcement staff must comply with both their respective municipal policies and the policies established through provincial regulations. The most common enforcement activities include enforcing local policies and laws. Areas of focus include all aspects of the Community Standards Bylaw and others while also responding to reported incidents, proactive patrols and the investigation of local complaints generally related to:

#### **Areas of Focus**

- **Property Protection**
- **Regulation**
- **Matters of Public Safety**

In this work plan, each of these enforcement activities is delivered as a core focus of the program.

While this work plan cannot provide specific, detailed procedures for every possible enforcement situation the work plan provides a basic outline in order to facilitate flexibility in accommodating the Town of Drumheller's local needs.

All Community Enforcement Officers are involved in a wide range of activities as guided by the core focus of the program. This work plan is intended to be a 'living' document, in other words, one that allows for flexibility as the regulations and policies governing the program can change and, as such, approaches to program delivery can adapt to accommodate new program requirements.

The direction and focus of the program targets issues that are proactively and progressively enforced in partnership with the community. The program is "reactive" only when complaints are received. Currently, only 10% of the Community Enforcement program's activities are generated in response to complaints. All other program activity is a result of Community Enforcement Officers actively taking the initiative to identify and respond to situations that

require the cooperation of community members. Officers assess all situations to determine the best approach to take.

## Annual Work Cycle - A Seasonal Enforcement Focus

While there is a range of enforcement activities that can be achieved regardless of weather, there is a strong relationship between the seasons and the range of activities that our Community Enforcement Officer will face due to weather.

- **Winter** (November – March) - snow, parking, derelict vehicles, educational opportunities.
- **Spring** (April – May) – weeds, animal control, unsightly premises, parking, road infrastructure protection, weights and dimensions
- **Summer** (June – August) – unsightly premises, weeds, animal control, RV parking, parking etc.
- **Fall** (September – October) – animal control, unsightly premises



**Graffiti Before**



**Graffiti After**

## Focus on the following Bylaws

**Community Standards Bylaw** (which includes):

- |                             |                          |
|-----------------------------|--------------------------|
| ○ <b>Unsightly Premises</b> | ○ <b>Weeds</b>           |
| ○ <b>Derelict Vehicles</b>  | ○ <b>Public Nuisance</b> |
| ○ <b>Graffiti</b>           | ○ <b>Littering</b>       |
| ○ <b>Noise</b>              |                          |

### Additional Bylaws:

- |  |   |
|--|---|
| ▪ <b>Taxi Bylaw</b>  | ▪ <b>Sidewalk Bylaw</b> (snow removal)                |
| ▪ <b>Animal Control Bylaw</b><br>(with a focus on animal adoption with the Humane Society) | ▪ <b>Business License Bylaw</b>                       |
|  | ▪ <b>Vehicle, Animal and Pedestrian Traffic Bylaw</b> |

*Are these are SERVICE or Complaint driven?*





**Unsightly before**



**Unsightly after**

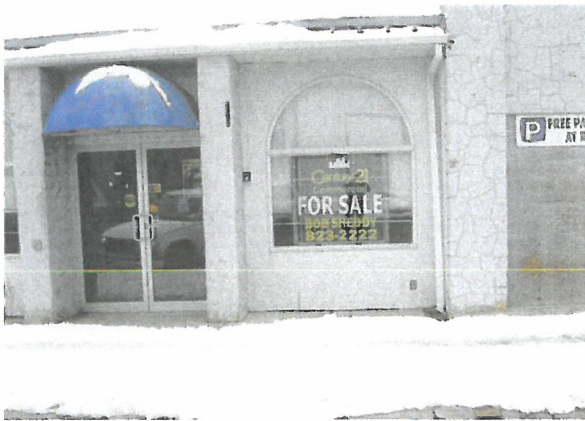
## Approaches to Activity

Drumheller's Community Enforcement Program is very active. In order to effectively communicate the expectations of the program, we need to be familiar with the following terms:

**Proactive:** Acting in advance to deal with an expected difficulty; serving to prepare for, intervene in, or control an expected occurrence or situation, especially a negative or difficult one; anticipatory. (eg. Daily neighborhood patrols that identify infractions that are considered part of the core focus of the program)

**Reactive:** Reacting to events or situations rather than acting first to change or preventing something. (eg. Complaints that are received via phone, dinosaurvalley.com, or individual contact with the public.)

**Progressive:** favoring or advocating progress, change, improvement, or reform, as opposed to wishing to maintain things as they are. A progressive enforcement approach seeks to change negative behaviour (or actions) in favour of improving the current circumstances.



**Snow - Before**



**Snow - After**

The level of activity (proactive, reactive, or progressive) is almost always determined by the context of the issue, or incident that is being managed, ranging from urgent to desirable. Urgent matters are handled immediately and others are prioritized according to level of impact on individuals and the community.

## The Enforcement Process

All enforcement action is handled on a priority basis. The response time will depend on availability of personnel at the time of the call, and the priority of your complaint compared with other calls received, as referenced in Council Policy C-1-99 – (C-2).



**Unightly before**



**Unightly after**

## Council Requests for Information

Elected officials may be contacted by the public regarding a matter related to bylaw enforcement. In most cases, forwarding basic information about an issue to our Community Enforcement Officers and connecting the complainant to our staff is the best step to ensure that the matter will be dealt with quickly and professionally. However, if the individual



requests that the councillor follow up on their concern, the councillor should submit the request for information to the CAO for response. A brochure is available for more information.



**Park off truck route/DG**



**Operate overweight truck**



**Snow / Ice Before**



**Snow / Ice After**

## Community Standards Bylaw – (Bylaw 16-10)

In 2010, the *Community Standards Bylaw (Bylaw 16-10)* consolidated a number of Drumheller's municipal bylaws, providing an opportunity to more consistently promote the enforcement of accepted "community standards" throughout Drumheller. An important feature of the Community Standards Bylaw is the authority to issue a violation ticket for failure to comply with a remedial order, instructing individuals to fix the problem or issue in a specified manner and timeframe. Residents that do not follow such instructions can face additional enforcement action, either as a warning, or otherwise.

*The Community Standards Appeal Board*, was established (also in 2010) to allow for the appeal of disputes through the Community Standards Bylaw. Appeals can be heard after an application is completed and an appeal fee is paid.



**Unsightly before**



**Unsightly after**

## **Collaborative Enforcement**

The Town of Drumheller **does not set quotas, or targets for the number of incidents** that it expects to handle at any given time. The emphasis is on cooperation and compliance that is a result of positive communication with the public. **At present, 90% of our enforcement incidents are handled without issuing a fine, or ticket.** While it would be most ideal for 100% of the incidents that we handle to be resolved without having to issue a fine/ticket – our statistics are exceptional compared to other municipalities - where it is generally accepted that 50% of the contact that is made results in a fine / ticket.



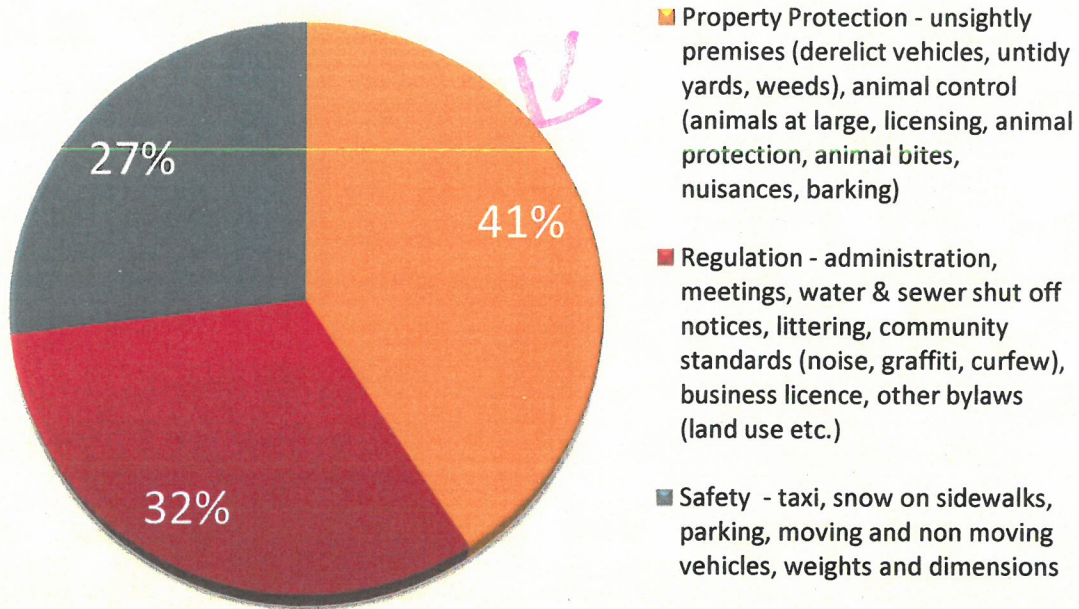
**Burning / Fire pit issues**



**Road Protection**



## Enforcement Core Focus 2009 / 2010 (combined)



In Drumheller, our current staff covers a full range of enforcement activities as noted in the above pie chart. Again, the emphasis of the program is dependent upon seasonal factors and changing priorities in consultation with the public at large and as implemented by staff.



**Incidental Traffic**

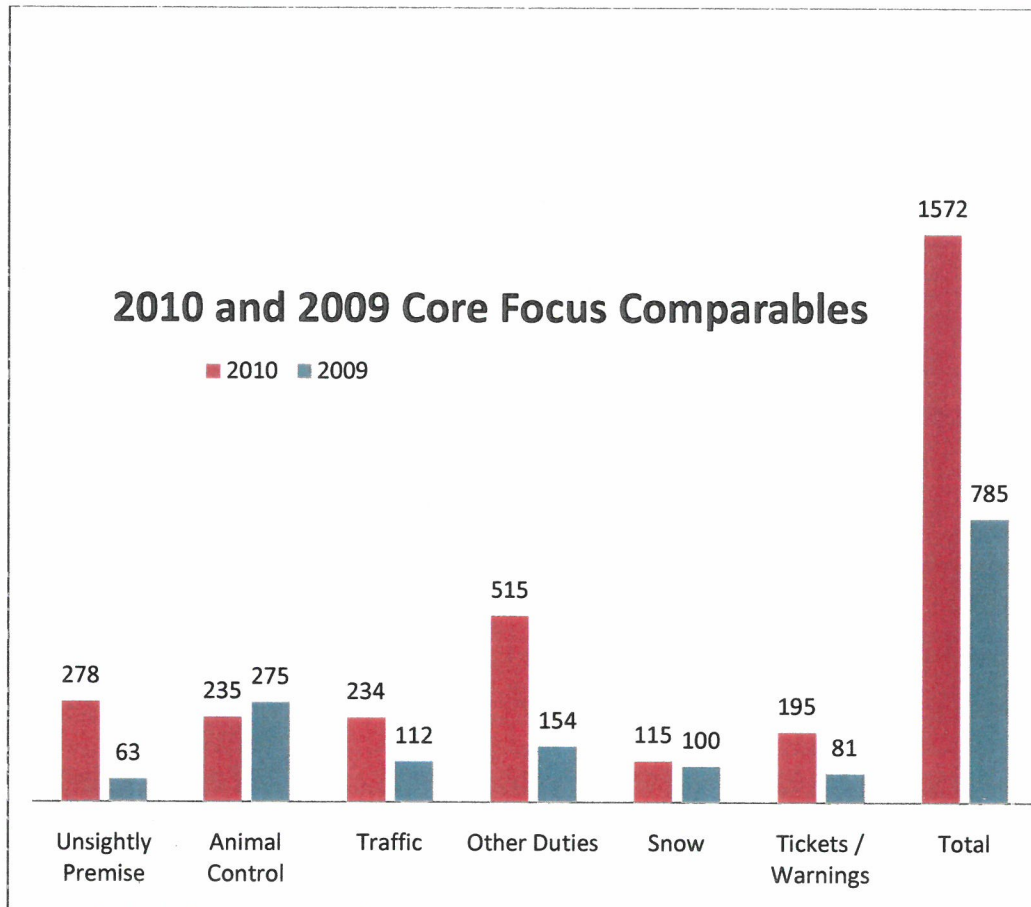


**Park off truck route/Dangerous Goods**

## Incident Management Statistics

**Total incidents 2009 / 2010 (combined) 2357**

**Total incidents 2011 First Quarter (combined) 558**



**Park 1.5 m of a driveway**



**Fail to obey traffic sign**

**Unsightly before****Unsightly after**

## **In conclusion**

Community Enforcement works on a daily basis to carry out the task of improving the Town of Drumheller's community image, by informing and assisting residents with issues that ultimately will make Drumheller a more attractive place to live, work and visit. The work that is being carried out by the Community Enforcement team requires the collaboration and support of all community members. While the enforcement of local bylaws can be a very emotional process for all involved, our staff are dedicated to delivering a professional service that is cost effective and reflective of the community's needs.

## **Attachments**

**Council Policy #C 1-99 "Bylaw Investigations and Enforcement" 1999 – Town of Drumheller**





### COUNCIL POLICY # C-1-99

## BYLAW INVESTIGATIONS AND ENFORCEMENT

### A. PURPOSE

The purpose of the Town's bylaw investigation and enforcement program is to achieve compliance with local regulations. The bylaw enforcement program involves: public education and awareness; investigation of complaints; voluntary compliance efforts; and enforcement measures.

### B. PRINCIPLES

The key principles for the Town's bylaw investigation and enforcement program include:

**Proactive public awareness** – to prevent non-compliance situations;

**Voluntary compliance** – to encourage appropriate remedies by the responsible party;

**Consistent approach** – to ensure procedural certainty;

**Reasonable work plan** – to establish criteria for program activities and priorities; and

**Viable bylaws** – to produce (and review) viable bylaws.

### C. POLICY

Bylaw investigation is undertaken both in response to verbal or written complaints of a violation by any person based on investigation priority criteria and observations by the Bylaw Enforcement Officer.

Bylaw enforcement is achieved, in the first instance, through voluntary compliance. Violators who are being investigated or given compliance notices are given the opportunity to achieve compliance before legal action is taken.

Town-initiated remedies may be taken at cost to the violator with or without notice to the violator.

*If we have standards why are the complaints driven*

The Town will initiate legal actions if the violator fails to achieve voluntary compliance.

Council involvement in the bylaw enforcement program is limited to approving legal actions.

#### **D. PROCESS**

The Bylaw Investigation and Enforcement Program involves five key components as depicted in Display 1 and described below:

##### **1.0 Complaint/Observation**

- 1.1 The Bylaw Enforcement Officer will record any bylaw violation upon his/her observation or receipt of a written or verbal complaint from any person (including a Councillor).
- 1.2 A preliminary review of the complaint is undertaken to assess its validity.
- 1.3 If the complaint is found to be invalid, the complainant is so advised and the record of the complaint will be closed.
- 1.4 Anonymous complaints have no priority. However, the Bylaw Enforcement Officer will use discretion to investigate them in any event.

↓ why is it  
anonymous

##### **2.0 Investigation**

- 2.1 The Bylaw Enforcement Officer will conduct investigations of validated complaints based on their urgency using the following bylaw investigation criteria:
  1. Threat to Life
  2. Liability to Town
  3. Threat to Property
  4. Repeat Offenders
  5. Nuisance to the Quality of Life
- 2.2 If the complaint is found to be valid, the complainant will be advised of the investigation process and a bylaw investigation file will be opened and maintained in a confidential manner for all investigations.

##### **3.0 Voluntary Compliance**

- 3.1 If a violation exists, the Bylaw Enforcement Officer will attempt to achieve a voluntary compliance by explaining the violation, possible remedies and consequences of failure to seek compliance.

## **Agenda Item # 7.1**

- 3.2 The voluntary compliance period is 30 days from the first written warning by the Town, or such lessor period at the discretion of the Bylaw Enforcement Officer.
- 3.3 If voluntary compliance is achieved, the complainant will be advised and the file closed.

### **4.0 Town-Initiated Remedies**


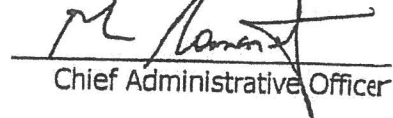
- 4.1 Town-initiated remedies may be initiated as deemed appropriate at cost to the violator if voluntary compliance is not achieved within 30 days of the first written warning by the Town, or such lessor period at the discretion of the Bylaw Enforcement Officer.
- 4.2 Town-initiated remedies may be initiated at cost to the violator with or without notice to the violator at the discretion of the Town Manager when there is a risk to life or property.
- 4.3 If a Town-initiated remedy is taken, the Town will attempt to recover its expenses.

### **5.0 Legal Action**

- 5.1 Notices seeking voluntary compliance will indicate that legal proceedings will be initiated if compliance is not achieved within 30 days, or such shorter term as the Bylaw requires or at the discretion of the Bylaw Enforcement Officer.
- 5.2 Where compliance is not achieved, the Bylaw Enforcement Officer will prepare a report indicating whether legal action should proceed and, if necessary, consult with the Town Solicitor.
- 5.3 The Town Manager will present a recommendation to Council at an in-camera session to receive approval for funding to proceed with legal action to deal with matters of substantial cost that are not routine in nature.

Adopted by Council

Date: July 5, 1999

  
Mayor of Drumheller  
  
Chief Administrative Officer

# **BYLAW INVESTIGATION ENFORCEMENT PROCESS**

