

Town of Drumheller COUNCIL MEETING AGENDA

February 9, 2015 at 4:30 PM
Council Chamber, Town Hall
224 Centre Street, Drumheller, Alberta



Page

1.0 CALL TO ORDER

2.0 MAYOR'S OPENING REMARK

3.0 PUBLIC HEARING

- 3-4 3.1 Mayor Terry Yemen called the public hearing to order at 4:30 PM. He advised that the public hearing was being held to consider Bylaw 02.15 being a bylaw to amend the Land Use Bylaw 10.08 Schedule A, The Land Use District Map, by redesignating Lot 1, Block 2, Plan 0210503 within the Town of Drumheller from "HWY-C" - Highway Commercial District to "CS" - Community Service District. and Bylaw 03.15 to amend Area Structure Plan Bylaw 26.08 to allow Community Service Land uses within Site 6.

4.0 ADOPTION OF AGENDA

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

- 5-9 5.1.1 Regular Council Meeting Minutes of January 26, 2015

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

5.3. BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1. CAO

8.1.1 2015 Capital Plan

10-25 8.1.2 Bylaw 04-15 Business License - Frist, Second and Third Readings

8.1.3 Agreement with Travel Drumheller

8.2. DIRECTOR OF INFRASTRUCTURE SERVICES

8.3. DIRECTOR OF CORPORATE SERVICES

8.4. DIRECTOR OF COMMUNITY SERVICES

8.5. DIRECTOR OF PROTECTIVE SERVICES

26-27 8.5.1 RFD Police Committee Board Appointment

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

10.0 PUBLIC HEARING DECISIONS

28 10.1 Bylaw 02.15 - Second and Third Reading

29-30 10.2 Bylaw 03.15 - Second and Third Readings

11.0 UNFINISHED BUSINESS

12.0 NOTICE OF MOTION

13.0 COUNCILLOR REPORTS

14.0 IN-CAMERA MATTERS

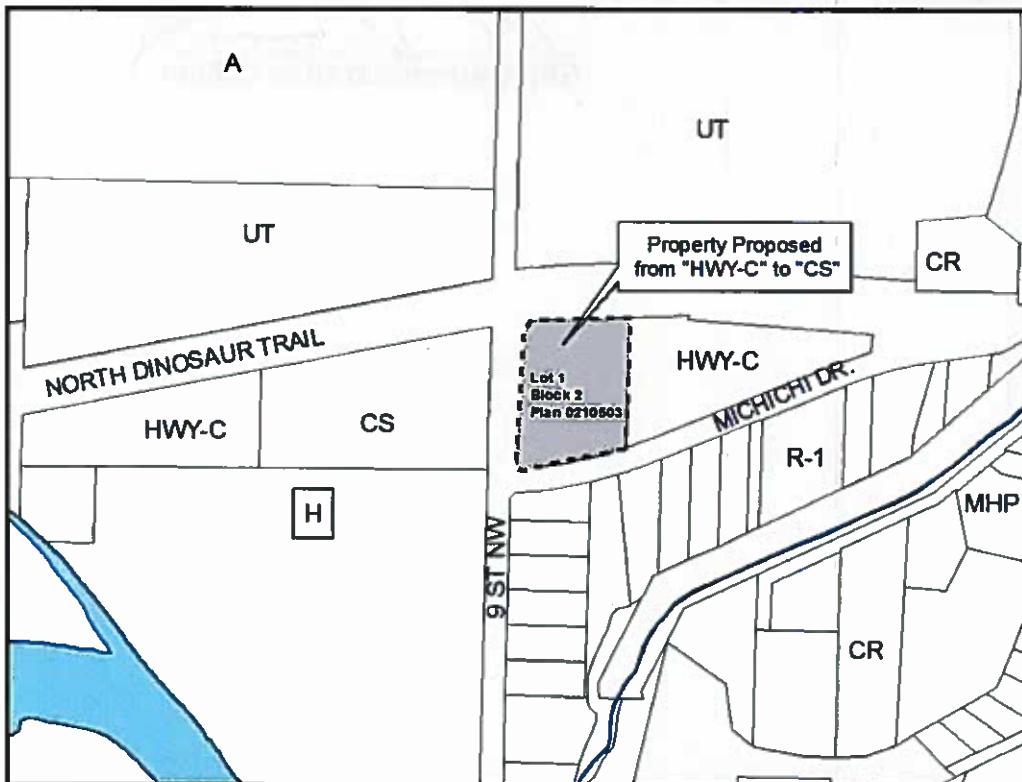
**NOTICE of PUBLIC HEARING FOR BYLAW 02.15 and 03.15
PROPOSED AMENDMENT TO LAND USE BYLAW NO. 10.08 AND
AREA STRUCTURE PLAN BYLAW NO. 26-08**

DATE: February 9, 2015

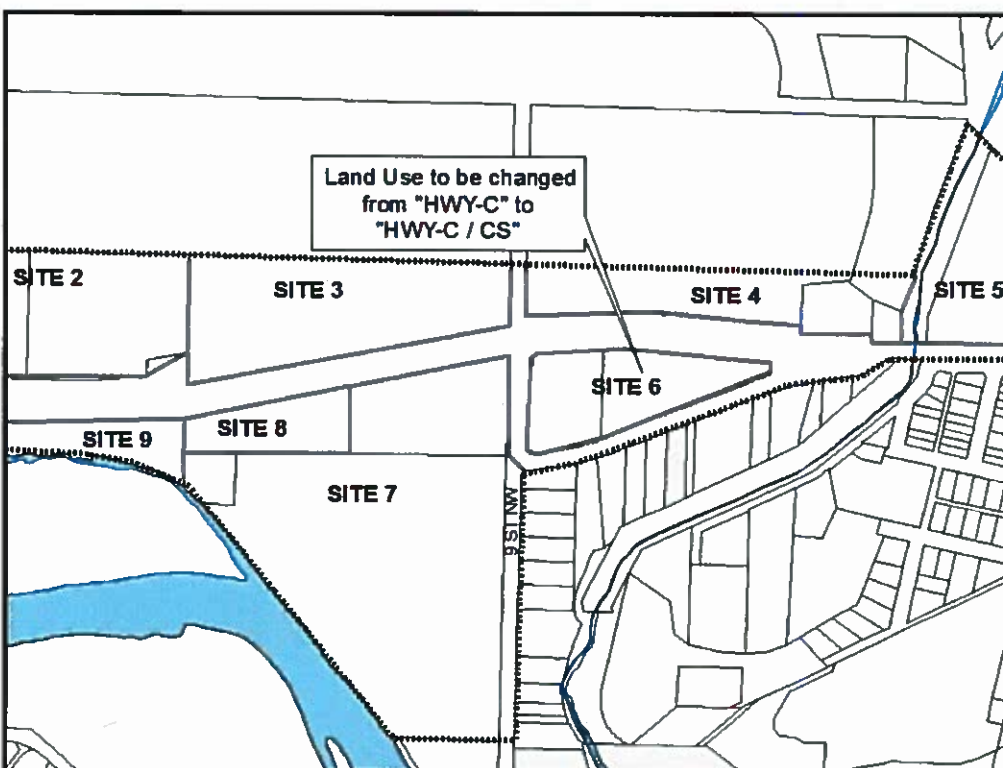
TIME: 4:30 P.M.

PLACE: Town of Drumheller Council Chambers, Drumheller, Alberta

1. PURPOSE: The purpose of Bylaw No. 02.15 is to consider an application to amend Land Use Bylaw No. 10.08 Schedule A, The Land Use District Map, by re-designating Lot 1, Block 2, Plan 0210503 within the Town of Drumheller from "HWY-C" – Highway Commercial District to "CS" – Community Service District as shown on the plan below:



2. PURPOSE: The purpose of Bylaw No. 03.15 is to consider an application to amend Area Structure Plan Bylaw No. 26.08 to allow Community Service land uses within Site 6 as shown on the plan below:



Agenda Item # 3.1

PRESENTATION: Oral and written comments and suggestions are invited and should be addressed to the point of the proposed amendment. They may be made by any person or group of persons or a person acting on his/her or their behalf, who claims to be affected by the proposed amendment, and by any other persons that the Council agrees to hear at the hearing. Written submissions may be made by the persons above, and may be received in the Town of Drumheller office by 4:00 P.M. on February 9, 2015. Oral presentation may be made at the hearing by the persons above. The time limit of oral presentations is subject to the direction of the Chairperson.

DOCUMENTATION: Copies of the proposed amendment to Land Use Bylaw No. 10-08 are available for public inspection at the Town of Drumheller office during regular office hours.

This notice is given pursuant to Sections 606 and 692 of the Municipal Government Act.

First Publication: January 23, 2015

Second Publication: January 30, 2015


Chief Administrative Officer

**Town of Drumheller
COUNCIL MEETING
MINUTES**

January 26, 2015 at 4:30 PM
Council Chamber, Town Hall
224 Centre Street, Drumheller, AB, T0J 0Y4



PRESENT:

MAYOR:

Terry Yemen

COUNCIL:

Jay Garbutt

Lisa Hansen-Zacharuk

Patrick Kolafa

Tara McMillan

Sharel Shoff

Tom Zariski

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Ray Romanetz

DIRECTOR OF CORPORATE SERVICES:

Barb Miller

DIRECTOR OF COMMUNITY SERVICES:

Paul Salvatore

DIRECTOR OF PROTECTIVE SERVICES:

Greg Peters

RECORDING SECRETARY:

Linda Handy

ABSENT: DIRECTOR OF INFRASTRUCTURE SERVICES Allan Kendrick

1.0 CALL TO ORDER

Mayor T. Yemen called the meeting to order at 4:30 PM.

2.0 MAYOR'S OPENING REMARK

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

Addition to Agenda 14.1 Personnel Matter

MO2015.19 Shoff, Hansen-Zacharuk moved the adoption of the agenda as amended.
Carried unanimously.

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

5.1.1 Regular Council Meeting Minutes of January 12, 2015

MO2015.20 Shoff, Zariski moved the adoption of the regular Council meeting minutes of January 12, 2015 as presented. Carried unanimously.

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

5.3. BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1. CAO

8.1.1 Bylaw 04.15 (Draft Business License Bylaw)

R. Romanetz presented the draft business license bylaw which has been reviewed by the Town's Solicitor and includes suggestions from Council's previous review and feedback from the Economic Development Task Force. He asked P. Salvatore to provide an overview of the changes to date. P. Salvatore stated that in addition to taking a closer look at comparable rates in Alberta, the substance of the bylaw is changed to make it easier to manage the function of business licenses. He further stated that examples to achieve better efficiency and ease of understanding of how the Town proposes to license include a simplified fee structure; short term business licenses at a lower cost; dealing directly with organizers of special events and markets to reduce the red tape for their vendors; and waiver of fees for nonprofit and charitable organizations. P. Salvatore stated that the proposed changes expect to increase the number of businesses being registered in our community by communicating that Drumheller is open for business in a revenue neutral way. He further advised that Schedule B proposed to deliver sustainable funding for Travel Drumheller and holds to the policy framework previously presented to Council which is to market the Town of Drumheller.

It was noted that the definition of a micro business is missing from the draft bylaw. P. Salvatore stated that a micro business is one that does not require a GST number (based on federal regulations is a business with revenue less than \$30,000 per year).

Councilor L. Hansen-Zacharuk asked if the bylaw proposes to implement campgrounds that are not operating but taxed on previous year's earnings. P. Salvatore stated that in terms of calculations the Town would apply the same rate for all campgrounds based on

the number of their campground stalls. He further explained that a third party agent (Travel Drumheller auditor) would review each case to determine if there are any exceptions. In response to a question from Council, P. Salvatore explained that there are provisions in the bylaw for those lodging businesses that are seasonal. There will be an adjustment to ensure that scenario is dealt with. Chris Curtis stated that Travel Drumheller partners with the businesses and will work with any business that requires special arrangements for their contributions. He further explained that the Town's Tourism Master Plan recommends that the DMO be funded by the tourism industry.

Councillor Tara McMillan asked for clarification on why there are a total of 1635 RV and campground sites included in the calculations when Drumheller only has 550 sites. Chris Curtis concurred that Drumheller only has 550 sites but they would work with other campgrounds who may be interested in joining and receiving the benefits of the destination marketing fund – those numbers included total 1635 campground and RV resort sites. He further explained that the calculations are based on industry performance over three years. It was confirmed that the business license rate of \$63.81 for campgrounds and RV resorts is based on overall historical occupancy and rates and not on the overall number of total campground and RV resort stalls.

Councillor J. Garbutt asked for a written recommendation from the Economic Development Task Force prior to a vote on the bylaw. Councillor T. McMillan stated that the Task Force was generally happy with the resident business license rate of \$238.00. Chris Curtis stated that the Task Force was not in favour of reducing the business license rates. Councillor J. Garbutt referred to Schedule B and stated that the existence of Travel Drumheller is to make businesses more profitable. He stated that the businesses profiting from tourism need to be weaned off the public teat. He explained that this bylaw provides a more responsible funding mechanism for businesses with the choice of either paying the fees directly and or move the costs along to their consumers. He stated that the bylaw focuses on businesses that are looking to grow and expand.

In response to a question from Council, P. Salvatore stated that notices have not gone out for 2015 as Administration did not want to redo the process and it is hopeful that Council will deal with this matter by the middle of February. Councillor L. Hansen-Zacharuk stated that this delay may hinder some businesses from starting a business. She asked if the Town would consider taking a deposit and for the business owner to pay the remainder when the bylaw is passed. B. Miller stated that when requested, Administration is writing a letter to any business owner that may require a letter of good standing.

Mayor Terry Yemen stated that the Business License Bylaw will be back on the agenda in two weeks and he will call for all three readings at that time. R. Romanetz stated that the Town is negotiating an agreement with Travel Drumheller and is requesting direction from Council. He explained that the bylaw and agreement work together.

8.1.2 RFD - 2015 Strategic Business Plan

R. Romanetz presented the 2015 Strategic Business Plan which was developed at the Strategic Business Workshop held on November 27th and 28th, 2014. He explained that the intent of the plan is to identify priorities, how they will be accomplished, who will do the work, by when and within what framework of accountability. The Strategic Business Plan includes 2015 Corporate, Organizational and Operational Improvements Work Programs.

MO2015.21 Shoff, Garbutt moved that Council approve the 2015 Strategic Business Plan as presented. Carried unanimously.

8.2. DIRECTOR OF INFRASTRUCTURE SERVICES

8.2.1 RFD - Recycled Concrete / Asphalt Products

R. Romanetz explained that the Town has been using recycled concrete asphalt products for over 20 years. The product is used as a base material for the Town's road programs. He stated that in early 2000, the Town used this product for the Bankview subdivision roadway and to date there is no sign of deterioration. He explained that the product stands up and drains very well. The cost involved in crushing is approximately \$8-9 dollars per tonne. The product goes into the Town's inventory and as the product is used it is charged against that project.

MO2015.22 Shoff, McMillan moved that the asphalt and concrete recycling tender be awarded to Fish Creek Excavating in the amount of \$376,920.00 (including GST). Carried unanimously.

8.2.2 RFD - Janitorial Contracts Award

R. Romanetz advised that three tenders were received for janitorial services at the Town Hall, RCMP Detachment, Water Treatment Plant and Public Works Shop A. The overall low tender was David Meeres. David Meeres has been doing an exceptional job for several years at the old and new Town Hall and RCMP Detachment.

MO2015.23 Shoff, Garbutt moved that the janitorial tenders be awarded to David Meeres for Town Hall in the amount of \$27,594.00; for the RCMP in the amount of \$22,554.00; for the Water Treatment Plant in the amount of \$3,024.00; and for the PW Shop A in the amount of \$4,914.00 annually over the three year term of the contract from 2015 - 2018. Carried unanimously.

8.3. DIRECTOR OF CORPORATE SERVICES

8.4. DIRECTOR OF COMMUNITY SERVICES

8.5. DIRECTOR OF PROTECTIVE SERVICES

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

- 9.1 CAO Quarterly Report to December 31, 2014
CAO 2014 Annual Report
- 9.2 Director of Infrastructure Services Quarterly Report to December 31, 2014
Director of Infrastructure Services 2014 Annual Report
Will be presented at the Council Committee Meeting of February 2, 2015
- 9.3 Director of Corporate Services Quarterly Report to December 31, 2104
Director of Corporate Services 2014 Annual Report
Will be presented at the Council Committee Meeting of February 2, 2015
- 9.4 Director of Community Services Quarterly Report to December 31, 2014
Director of Community Services 2014 Annual Report
- 9.5 Director of Protective Services Quarterly Report to December 31, 2014
Director of Protective Services 2014 Annual Report

10.0 PUBLIC HEARING DECISIONS

11.0 UNFINISHED BUSINESS

12.0 NOTICE OF MOTION

13.0 COUNCILLOR REPORTS

14.0 IN-CAMERA MATTERS

MO2015.24 Garbutt, McMillan moved to go in camera at 5:50 PM. Carried unanimously.

14.1 Personnel Matter

MO2015.25 Shoff, Hansen-Zacharuk moved to revert to regular Council meeting at 6:45 PM. Carried unanimously.

There being no further business, the Mayor declared the meeting adjourned at 6:45 PM.

Mayor

Chief Administrative Officer



BYLAW 04-15

TOWN OF DRUMHELLER

Business License Bylaw

A BYLAW OF THE TOWN OF DRUMHELLER, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE DEVELOPMENT AND REGULATION OF A BUSINESS LICENSE REGISTRY.

WHEREAS; Pursuant to Section 7 and 8 of the *Municipal Government Act*, being Chapter M-26.1 of the Revised Statutes of Alberta, 2000 as amended A Council may by Bylaw, do all things with respect to the regulation of any development, activity, industry, or business within the municipality, including the licensing thereof;

WHEREAS Council for the Town of Drumheller deems it appropriate to register businesses being carried on within the municipality;

NOW THEREFORE THE COUNCIL OF THE TOWN OF DRUMHELLER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

SECTION I: TITLE

1. This bylaw may be cited as the "Town of Drumheller Business License Bylaw."

SECTION III: DEFINITIONS

2. (1) In this Bylaw:

In this Bylaw, the following words shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future; words in the plural number include the singular; and words in the singular include the plural. The words he, she or they shall mean feminine or masculine. The word "shall" is always mandatory, and not merely directory.

"Act" means the *Municipal Government Act*, Chapter M-26.1 of the Revised Statutes of Alberta, 2000 as amended.

"Advertise" means to promote, describe or publicize merchandise or services in a public forum including but not limited to commercial vehicles, newspapers, flyers, radio, television, fax communications or internet communications, howsoever created and distributed.

"Agent" means a person hired by a home owner to fill out the mandatory Building Trade List to the Business License application supplied by the Town of Drumheller, and or a person hired by a commercial business to represent them.

"Applicant" means a person who applies for business license, a renewal of the business license, or a transfer of a business as required by this Bylaw.

"Application" means a written application for a business license, or a renewal of a business license, as required by this Bylaw.

"Application for Appeal" means the completion of a form provided by the Town of Drumheller to the Applicant after the Applicant has completed all steps in the decision review process as referred to in sections 31 and 32 of this Bylaw.

"Authority" means any employee of the Town of Drumheller designated by the License Inspector to collect information and payments required for the completion of the sale of a Business License as described in this Bylaw.

"Business" means:

- a) a commercial, merchandising, marketing or industrial activity or undertaking that invoices for goods or services;
- b) a profession, trade, occupation, calling or employment; or
- c) an activity providing goods or services, whether or not for profit and however organized or formed, including a co-operative or association of persons.

"Business Premises" means any store, office, warehouse, residence, yard or other place occupied, for the purpose of carrying on a business and where the Business telephone, computer or fax machine are located and in which the "Carrying on Business" is a permitted or discretionary use under the Town of Drumheller Land Use Bylaw.

"Business Registry" or "Registry" shall be the listing of all applicable businesses carrying on business within the Town of Drumheller.

"Business License" means a license to be issued, pursuant to this Bylaw, for the purpose of licensing any business operating within the Town.

"Building Trade List" shall mean a mandatory list attached to all building permit application forms from the Town of Drumheller Planning and Development Department. The list is to be filled out by the, homeowner, business owner, contractor or agent hired by the homeowner or business owner. (Building Permits are required for all leasehold renovations or new developments).

"Busker" shall mean a person who plays music or is to perform entertainment in a public place while soliciting money.

"Carry on Business" shall mean to operate, perform, keep, hold, occupy, deal in or use, for gain, whether as principal or agent.

"Charitable or Non-Profit Organization" shall mean any person, association, or body corporate engaged entirely in charitable activities, or engaged in the promotion of general social welfare within the Town, all the resources of which are devoted entirely to charitable activities and not for profit or gain, and which does not confer a monetary or other benefit upon its members or directors. Non-Profit Organizations shall apply for a Business License each year. These may include:

- a) Religious societies or organizations;
- b) Service clubs;
- c) Community, veteran or youth organizations;
- d) Social, sport or fraternal organizations or clubs;
- e) Employer or employee organizations;
- f) Museums, galleries, cultural organizations and educational institutions.

"Commercial & Light Industrial" means businesses in any sector located in commercial or light industrial zonings. A reasonable measure would be a business whose square footage is 300 sq. m. (3,229 sq. ft.) or less and is employing 3 or more people in the business.

"Council" means the Municipal Council for the Town of Drumheller in the Province of Alberta, as duly elected.

"Full Service Food Vehicle" means the business of operating a motor vehicle equipped for the storage and preparation of foods and beverages which is used as a mobile food premises and from which the foods and beverages are offered for sale directly to the public. A Full Service Food Vehicle shall not be more than 10 metres in length and not configured so customers can order and consume foods and beverages inside the motor vehicle.

"General Contractor" means the business of accepting contracts for the erection, alteration, construction, repair of buildings or structures of any kind or the person or firm engaged in such business, as the context requires; and includes any owner of property who supervises the erection, construction, alteration and repair of buildings or structures where a general contractor is not engaged in such a project.

"Goods" shall mean the commodities or goods that are bought and sold in business.

"Hawker" or "Peddler" means any person who, whether as principal or agent, who:

- i) 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, and not having a permanent place of business in the municipality;

- a. 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; or
 - b. Sells merchandise or a service, or both, on the streets or roads or elsewhere, other than at a building that is his permanent place of business, but does not include any person selling;
 - c. Meat, fruit or other farm produce that has been produced, raised or grown by himself within the Province of Alberta; or
 - d. Fish, of his own catching, caught in the Province of Alberta; or
 - e. Goes from house to house selling or offering for sale retail electrical or natural gas supply or service contracts and are licensed in accordance with the Electricity Marketing Regulations and / or Natural Gas Direct Marketing Regulation and not having a permanent place of business in Town; however,
- ii) The business of a Hawker or Peddler as hereinafter defined shall be deemed not to include:
- a. The sale of goods, wares and merchandise to businesses licensed under this By law where such goods, wares and merchandise are purchased for the exclusive purpose of resale and not consumption;
 - b. the delivery of goods, wares and merchandise purchased outside of the corporate limits of the Town provided the contract for purchase for such goods, wares or merchandise was not made in whole or in part within the corporate limits of the Town;
 - c. the installation of the goods, wares and merchandise described in subsection b) above provided that the services so rendered are of a relatively nominal value and can be reasonably considered incidental to the delivery of the goods, wares or merchandise; and

"Home Occupation" means any business of any sector holding a valid home occupation development permit as required in a residential zone in the Town of Drumheller Land Use Bylaw.

"Home Occupation Permit" means a permit issued from the Town of Drumheller Planning and Development Department to carry on a commercial business in a residential area. This application is to be approved and issued as a prerequisite to obtaining a Business License.

"Large Commercial & Heavy Industrial" means larger businesses located in commercial or heavy industrial zonings. A reasonable measure would be a business whose square footage is 300 sq. m. (3,229 sq. ft.) or more.

"License" or "Licensed" shall mean the holder of a valid and subsisting Business License issued and pursuant to the provisions of this Bylaw.

"License Inspector" means the Chief Administrative Officer of the Town, or any designated employee referred to in this bylaw as **"Officer"** hired by the Town of Drumheller to administer, issue and / or enforce the licensing of any and all businesses operating within the Town pursuant to this Bylaw.

"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.

"Micro Business" means a resident business whose annual revenues are less than \$30,000 per year as verified by Canada Revenue Agency.

"Mobile Business Unit" means a motor vehicle, trailer, temporary structure or display, stand, push cart or other wheeled unit from which a business is carried on and for which the licensee is not listed on the Town tax assessment roll and includes a "Full Service Food Vehicle."

"Natural Person" means an individual human being.

"Non-Resident" means a person who does not qualify as a Resident or Home Occupation. This includes all commercial businesses utilizing Town of Drumheller facilities that do not make their business premises in the Town of Drumheller.

"Officer" shall mean the Town of Drumheller Bylaw Enforcement Officer, or any member of the Royal Canadian Mounted Police; or such other officers of the Town of Drumheller as may be appointed or authorized by the Chief Administrative Officer of the Town to enforce the provisions of this Bylaw.

"Permanent structures" shall mean any shelter, booth, stand or other structure constructed so as to not be moveable without dismantling.

"Person" means a natural person, a body corporate, partnership, firm, organization, society or group, including but not limited to a group of persons acting in concert or association.

"Resident" means a person, either living in the Town or maintaining business premises of a permanent nature in the Town

"Services" shall mean the provision of labour or assistance or the performance of duties or functions whether or not for the purposes of receiving remuneration.

"Special Event" shall mean an activity or occasion taking place on or within the Town of Drumheller and requiring the completion of a Special Events Permit and adherence of any conditions determined by the Town for the staging of a Special Event by an Officer.

"Special Event Permit" shall mean a document obtained by an applicant who intends to organize a Special Event on or within Town lands as approved by an Officer.

"Specialized Services" shall mean a necessary service performed by a business that is a non-resident under this Bylaw and is a service which cannot be provided by a resident or home occupation.

"Stall" shall mean a space as defined for rental in a Market, or by the organizers of a Special Event at another location as approved by an Officer.

"Street Vendor" means any person, whether as a principal or agent, offers or exposes for sale to any other person, any merchandise, processed or unprocessed foodstuffs or other thing from:

- a) a push-cart, wagon, or other wheeled vehicle; and
- b) any mobile business unit located on a public street, highway, or park; and
- c) shall not be less than fourteen years of age.

"Sub-Contractor" means a person providing sub-contract services to a general contractor in relation to a particular trade, project or contract.

"Temporary License" refers to non-resident business owners conducting business in the Town of Drumheller for a period up to:

- a) seven days; or
- b) one month; or
- c) four months

"Third Party Agent" refers to a person retained by the Travel Drumheller Marketing Association to audit, or verify the manner of collection and adjustment of fees collected within Schedule "B" of this bylaw.

"Town" means the Municipal Corporation of the Town of Drumheller in the Province of Alberta, or the area contained within the corporate boundaries of the said municipality.

SECTION III: DUTIES OF THE OFFICERS

3. The Town's Officers are hereby appointed to enforce the provisions of this Bylaw, and shall be considered responsible for the enforcement of all provisions of this Bylaw.

4. The Bylaw Enforcement Officers shall:

- a) grant, renew and transfer business licenses pursuant to this Bylaw;
- b) maintain appropriate records pertaining to the licensing of businesses, infractions of this Bylaw, and generally all matters arising out of the application and Bylaw Enforcement of this Bylaw.

5. License Inspection Officers may refuse to grant, renew or transfer a business license if, in the Officer's determination:

- a) the applicant is in breach of this or any other Bylaw of the Town, or any applicable municipal or federal statute or regulation;

b) the applicant does not hold current and valid Municipal, Provincial or Federal permits, approvals, licenses, clearances or insurances as required by the relevant Municipal, Provincial or Federal Bylaw statutes or regulations.

When an application has been refused, the Officer shall provide written reasons for the refusal.

SECTION IV: REGISTRATION PROVISIONS

6. The Business License Office for the purposes of this Bylaw shall be Town Hall, located at 224 Centre Street, Drumheller, Alberta, T0J0Y4, or other place as designated by the Town from time to time.

7. An Applicant for a Business License shall complete an application on the approved form, furnishing such information as the form shall require and such additional information as the Officer or Town's representative may reasonably require.

(a) An Officer may require a policy of liability insurance to be held in connection with the carrying on of any business:

- i. The applicant shall furnish an Officer with documents proving the existence of such insurance to the satisfaction of an Officer, and
- ii. such policy of liability insurance associated to the carrying on of any business shall indemnify and save harmless the Town against any and all loss, damage, actions, claims, judgments, costs and expenses suffered or sustained in connection with, or because of, the carrying on of business or a business license shall not be issued.

(b) The liability insurance policy required by an applicant under this section must:

- i. be in an amount that is adequate, in the opinion of the CAO, to cover public liability for all personal injury and property damage which may occur in the course of operation of the business, and the insurance shall be endorsed to add the Town as an additional insured and with thirty days written notice to be given to the Town prior to cancellation of, or any material change made to the policy and the policy shall include the following cross liability clause:

(c) Notwithstanding the existence of any liability insurance or the failure of the town to require the acquisition of such insurance, neither the Town nor any servant, official employee or agent of the Town is liable for any damage or loss sustained or suffered by any person by reason of:

- i. any acts or omissions of a licensee or person acting on his behalf;
- ii. the issuance of any license; or
- iii. anything done or not done in any way connected with a license or this Bylaw.

(d) Where a policy of liability insurance expires during the license year the Licensee shall provide the Town with proof of renewal.

(e) When the policy of insurance expires or is terminated or cancelled, then the applicable license shall be automatically revoked and the Licensee shall cease carrying on business until the revocation is lifted or a new license issued by the Town.

8. Except where permitted in clause 10, no person shall carry on any business referred to in this Bylaw without first having obtained a Business License for the business in accordance with the terms of this Bylaw.

9. Notwithstanding clause 8 of this part, a business shall not be required to be licensed if:

- a) the business is carried on or operated by the Town or at a location operated by an official or employee of the Town acting on behalf of the Town in his capacity as such official or employee; or
- b) the business is carried on by the Government of the Province of Alberta or Canada; or
- c) any Statute of the Province or Canada exempts such business or person from the requirements of Municipal licensing; The business or practice of a profession, trade or calling which, by the Laws of the Province of Alberta, a municipality is not empowered to license to carry on business within the municipality, including, without limiting the generality of the foregoing, the practice of medicine, law, dentistry, accounting by persons registered pursuant to the Chartered Accountants Act, Certified General Accountants Act and Certified Management Accountants Act, architecture, surveying and engineering and chiropractic; or
- a) Council has, by resolution, exempted said business.

10. Notwithstanding clause 9 of this Part, a charitable or non-profit organization may be exempted from the requirement of being registered with the Town, upon the charitable or non-profit organization establishing, to the satisfaction of the Officer or the Authority that:

- a) all of the resources of the organization are devoted entirely to charitable activities; or
- b) no monetary or other benefits are conferred upon the members of the organization or its directors; or
- c) the activities of the organization are of benefit to the Town and residents of the Town; or
- d) the majority of return or income is utilized for the promotion of the objectives of the organization in the Town.

11. Notwithstanding the business being licensed under the provisions of this Bylaw, such license does not authorize or permit the Licensee to "Carry on Business" or any pursuit contrary to the provisions of other Town Bylaws and other applicable Provincial or Federal acts, regulations, standards and codes.

12. Any business, with the exception of temporary licenses, which commences business or operation after:

- a) January 1st and before December 31st shall pay the full amount of the appropriate Business License fee set out in applicable Schedule adopted by Council.

13. A Market Licensee must, upon request, furnish to an Officer the following:

- (a) the name and address of any operator of any stall, table or space; and
- (b) the type of goods, wares or merchandise sold by the operator.
- (c) A license is not required of a person who rents a stall, table or space in a Market and operates within the Market's hours of operation.

14. No business shall be licensed until such time as the applicant holds a valid Provincial or Federal license where required by law; and holds any other such permits and approvals as may be required by Federal or Provincial law, or municipal Bylaw. Copies of all such licenses, permits and approvals must be provided to the Officer or Authority upon request.

15. Each license issued pursuant to this Bylaw shall automatically terminate at midnight on the 31st day of December in the calendar year for which such license was issued.

16. All licenses issued pursuant to this Bylaw remain the property of the Town.

17. When a business license is revoked , the applicant is not entitled to any refund of license fees unless it is a home occupation permit that is not approved through the Planning and Development Department in the Town of Drumheller.

18. All licenses issued pursuant to this Bylaw shall be posted in a conspicuous place on the business premises of the licensee, so as to be clearly visible to the public.

For those businesses that are not carried on at a fixed location, the license must be:

- a) carried on the person of the Licensee ; or
- b) carried in or on the vehicle or apparatus from which such business is conducted; and shall be shown to the Officer, or members of the public upon demand.

19. Each license shall be issued to a person who owns or carries on a particular business either in the Town or in specified premises in the Town.

20. A subsisting business license issued under this Bylaw shall not be transferred from one person to another nor from one location to another.

21. A general contractor shall be responsible for ensuring that an accurate listing of all of its trades, sub-trades, and sub-contractors is provided to the Authority prior to issuing a business license. Failure of the general contractor to provide an accurate listing to the Authority will result in the denial of a business license to the general contractor and any affiliated businesses operating under its direction.

SECTION V: PROVISIONS FOR HAWKERS, PEDDLERS, BUSKERS AND STREET VENDORS

22. No person shall carry on business as a Hawker, Peddler, Busker or Street Vendor within the Town without first obtaining a Business License.
23. Those Hawkers, Peddlers and Buskers who require a stationary but non-permanent booth or location shall be required to obtain written permission of the property owner unless within the Market area under the direction of the market organizers.
24. Hawkers, Peddlers, Street Vendors and Buskers shall comply with all provisions contained in the Community Standards Bylaw.
25. Council may by resolution designate any area, park, street, or part thereof within the Town as a street vending area .
26. No person shall use any area, park, street or any part thereof for the purpose of offering or exposing for sale or selling any merchandise, processed or unprocessed foodstuffs or other thing unless such person is the holder of a subsisting license issued pursuant to this Bylaw.
27. Where the vending license referred to herein is to be used for the purpose of and during a special event, the License Inspector may impose conditions on the license respecting the area to be covered by the license, the number and location of vendors permitted within the area and such other conditions as the License Inspector deems necessary.
29. Street vendors shall ensure that both the vending unit and its operator are located within the marked boundaries of the assigned location when carrying on business.
30. No street vendor may carry on business;
- b) within three (3) metres of a building entrance or exit;
 - c) within six (6) metres of an intersection as defined in the Traffic Safety Act;
 - d) within three (3) metres of a back alley or lane;
 - e) within three (3) metres of another street vendor or a food service location such as a restaurant or a food takeout window;
 - f) where the sidewalk is less than three and one half (3.5) metres wide;
 - g) where the vending unit or its operator obstruct a transit zone, fire hydrant, driveway, loading zone, emergency access or standpipes, unless otherwise approved by an Officer.
31. If in the sole discretion of an Officer, the safety of the street vendor or the general public is at risk, an Officer may request that the street vendor either relocate or cease carrying on business from that location.

SECTION VI: INSPECTION AND BYLAW ENFORCEMENT

32. Where a business has been licensed pursuant to this Bylaw, the Officer or Authority may revoke the Business License if, the Officer or Authority determines:
- a) the business was improperly licensed; or

- b) the requirements of this Bylaw have not been complied with; or
- c) the business has changed to the extent that a new application for the Business License would be refused; or
- d) there are other just and reasonable grounds for the revocation of the license.

33. Notice of the revocation or suspension of a Business License shall be given to the applicable Licensee by:

- a) Personal service of such notice to the Business License holder; or
- b) Delivery of a notice to the address shown on the application for license; or
- (c) Sending a notice by any means shown on the application supplied to the Town; or
- (d) By any of Canada Post's methods allowing for receipt signature to the address shown on the application for a license.

The business may request a review of the Officers or Authority's decision to suspend or revoke the license. The business is allowed to remain in operation until final determination is made by the Town's Chief Administrative Officer.

34. The Officer or Authority shall at all reasonable times have the right to enter upon any premises under the provisions of this Bylaw for the purpose of inspection or for the purpose of ascertaining if the provisions of this Bylaw are being complied with.

35. Where a person or business is found to be in contravention to any of the provisions of this or any other Bylaw, the Authority or the Officer may temporarily suspend the Businesses License until such time as the contraventions are rectified.

36. The advertising of any business, merchandise or service insofar as the business, merchandise and/or service is located or intended to be provided within the Town shall be prima facie proof of the fact that the person advertising is "Carrying on Business" within the Town.

37. Where upon inspection, a business has failed to be licensed pursuant to this Bylaw or is otherwise in non-compliance with this Bylaw, Bylaw Enforcement may be commenced.

SECTION VII: DECISION REVIEW

38. Where a person disputes the decision of the Officer or Authority with respect to the requirement to obtain a Business License, or where a person disputes the decision of the Officer or the Authority to refuse, revoke or suspend the person's Business License, that person may in writing request the Town's Chief Administrative Officer to review the decision. The Town's Chief Administrative Officer will render a decision within 30 days of receipt of the request to review.

39. Where a person disputes the decision of the Chief Administrative Officer with respect to the requirement to obtain a Business License, or where a person disputes the decision of the Chief

Administrative Officer to refuse, revoke or suspend the person's Business License, that person may in writing request to appeal the decision in accordance with the provisions identified in the Community Standards Appeal Board Bylaw.

SECTION VIII: VIOLATIONS

40. All annually renewable resident business license fees shall be paid on or before March 31st of the current year.

41. Nothing contained in the Bylaw in any way prohibits or otherwise affects the Town's ability to utilize the Bylaw Enforcement provisions contained in Part 13, Division 4 of the Municipal Government Act, S.A. 1994, Chapter M-26.1, as amended.

42. Any person, business, trade, or contractor who contravenes any provision of this Bylaw shall be guilty of an offence and shall be liable to a fine which is the greater of \$500.00 for a first offence, \$1000.00 for a second offence, and \$1,500.00 for a third, or any further offences. In the event such person is a partnership, each or any partner is liable for the penalty aforesaid. All fines are minimum fines.

43. An Officer is hereby authorized and empowered to issue a Violation Tag to any person, business or trade who the Officer has reasonable and probable grounds to believe has contravened any provision of the Bylaw.

44. The Town may require any person, business, or trade to complete a statutory declaration. Any person, business or trade, who unlawfully completes the statutory declaration will be subject to a minimum fine of \$1,000.00.

45. A Violation Tag may be issued to such person, business or trade:

- a) personally; or
- b) by emailing or faxing a copy to such person at the email address, or fax number supplied on the application; or
- b) by mailing a copy to such person at his or her last known post office address.

46. The Violation Tag shall be in a form approved by the Officer and shall state:

- a) the name of the defendant;
- b) the nature of the offence;
- c) the appropriate penalty for the offence as specified in the Bylaw;
- d) that the penalty shall be paid within 30 days of the issuance of the Violation Tag; and
- e) any other information as may be required by the Officer.

47. Where a contravention of this Bylaw is of a continuing nature, further Violation Tags may be issued by the Officer, provided however, that no more than one Violation Tag shall be issued for each day that the contravention continues.

48. Where a Violation Tag is issued, the person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the Violation Tag.

49. Nothing in this Bylaw shall prevent an Officer from immediately issuing a Violation Ticket.

50. In those cases where a Violation Tag has been issued and if the penalty specified on a Violation Tag has not been paid within the prescribed time, then an Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the Provincial Offences Procedure Act, S.A. 1988, Chapter P-21.5 as amended.

51. Notwithstanding anything to the contrary, an Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to Part II of the Provincial Offences Procedure Act, SA 1988, Chapter P-21.5, as amended, to any person who the Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

SECTION IX: GENERAL

52. The revenues generated from licensing fees pursuant to this Bylaw, shall be dedicated to municipal priorities as outlined in the approved municipal budget by Council. All business licensing fees collected by the Authority or Officer are to be made payable to the Town of Drumheller.

53. Town Council may amend the Business License fees outlined in any schedule attached to this Bylaw.

54. In the event that a Court of competent jurisdiction finds that any provision(s) of this Bylaw to be unlawful or outside the jurisdiction of the Town, such provision(s), as the case may be, will be severed from the Bylaw and the remaining provisions will be valid, notwithstanding any invalidity of any provision of this Bylaw.

REPEAL

Town of Drumheller Bylaw number 04-09 is hereby repealed.

COMMENCEMENT

This bylaw shall take effect on the date of the third and final reading.

READ A FIRST TIME this (DATE), 2015

READ A SECOND TIME this (DATE), 2015

READ A THIRD TIME this (DATE), 2015

Mayor

Chief Administrative Officer

SCHEDULE "A" 2015 FEE SUMMARY

Annual Micro Business = \$50 (Resident's only)

Charitable / Non-Profit Organizations = \$0

Resident Business License = \$238 (Annual).

Temporary Non Resident License Fees are as follows:

1 Week: \$75

1 Month: \$150

4 Months: \$350

Annual Non Resident License Fee: \$350

Special Event License Fee shall be the same as the Temporary Non Resident License Fees as shown above, unless organized by a Charitable or Non-Profit Organization. An Officer may require proof of non profit /charitable status.

Temporary Non Resident Licenses apply for Hawkers and Peddlers including Non-Resident Event Organizers. Temporary Non Resident Licenses also apply to Specialized Services, including Sub Contractors.

Schedule "B" – 2015 ANNUAL License Fees

All Classes referred to in Schedule "B" are approved annually based on the recommendations of a Third Party Agent as administered by Travel Drumheller Marketing Association and approved by the Town of Drumheller.

Class 29: LODGING SECTOR

Hotels, Motels, Bed and Breakfast Establishments and Country Inns	\$496.78/room /year
---	---------------------

Lodging sector fees are calculated based on the current hotel inventory using a 3-year historical average for Occupancy and Average Daily Rate (ADR) or

58% (Occupancy rate based on Historical Performance for Alberta South) x \$117.33 (Average Daily Rate)
x 2% (Destination Marketing Fee) x 365 days = \$496.78

Calculations are based on industry performance in the years: 2011, 2012 & 2013 and subject to adjustment.

Seasonal Hotels, Motels, Bed and Breakfast Establishments and Country Inns (those operating less than 6 months per year) shall remit 75% of the required fees, upon proof satisfaction of the License Inspector – that operations were suspended for more than 6 months each year.

Class 30: RV RESORT & CAMPGROUND SECTOR

RV Resorts & Campground Sites	\$63.81/site/ year
-------------------------------	--------------------

RV Resort & Campground sector fees are calculated based on an average of \$34.00/day at an average occupancy of 51% (all site types) from the period May 1 – Oct 31st

51% (Occupancy rate based on Historical Performance for Alberta South) x \$34.00 (Average Daily Rate)
x 2% (Destination Marketing Fee) x 184 days = \$63.81

Calculations are based on industry performance in the 'six-month operating timeframe' for sector in the years: 2011, 2012 & 2013.

Payment Schedule for all Sectors	% of Annual Fee Due
March 31st	15%
June 30 th	25%
September 30 th	50%
December 31 st	10%



DRUMHELLER

CHIEF ADMINISTRATIVE OFFICER

Agenda Item # 8.5.1



Request for Decision

Date: January 28, 2015

Topic:	POLICE COMMITTEE BOARD APPOINTMENT		
Proposal:	<p>The terms of membership for the Police Committee states as follows:</p> <p><i>"The Committee shall consist of nine (9) voting members who shall be appointed by resolution of Council as follows: (a) Five (5) members selected from the public at large as residents of the Town of Drumheller; (b) One (1) Mayor or designate by resolution of the Town of Drumheller, Municipal Council (c) Three (3) public members selected to a maximum of one (1) from any of the following communities, as defined within the boundaries of the Drumheller Detachment, RCMP – Starland County, Kneehill County, The Village of Delia, The Village of Morrin, the Village of Carbon and the Village of Munson. One (1) to three (3) year term, whichever Council deems appropriate, commencing October 31st." <u>The term of any citizen member shall not exceed six (6) consecutive years, except by special resolution of Council.</u></i></p> <p>The Committee has two vacancies: one from public at large as resident of Drumheller and one for rural member (either from Delia, Morrin, Carbon and Munson). Councillor Robert Sargent was appointed as representative from Starland County (Delia) for 2014/2015.</p> <p>The public at large as resident of Drumheller will continue to be advertised.</p>		
Proposed by:	Town of Drumheller		
Correlation to Business (Strategic) Plan			
Benefits:			
Disadvantages:			
Alternatives:			
Finance/Budget Implications:			
Operating Costs:		Capital Cost:	
Budget Available:	\$0.00	Source of Funds:	
Budget Cost:	\$0.00	Underbudgeted Cost:	
Communication Strategy:			
Recommendations:	That Council approve the appointment of Councillor Bob Sargent for a one year term.		
Report Writer:	R.M. Romanetz, P. Eng.	CAO:	

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

Telephone: (403) 823-1339

	Created By: Linda Handy	1
--	-------------------------	---

P.O. Box 249, Morrin, Alberta, Canada T0J 2B0
Tel: (403) 772-3793 | Fax: (403) 772-3807
www.starlandcounty.com

Our file: 120-2-3

November 25, 2014

RECEIVED

DEC - 3 2014

RCMP Citizen's Action Committee
c/o Detachment Commander
Box 1030
Drumheller, AB T0J 0Y0

ATTENTION: Ray Romanetz

Dear Sir:

RE: Representative of Starland County


The Council of Starland County, at its October 29th, 2014 Organizational Meeting, re-appointed Councillor Robert Sargent as the representative from Starland County for the RCMP Citizen's Action Committee for the 2014/2015 term.

Mr. Sargent can be contacted by the following, or through our office:

Mailing Address:	Box 238, Della, AB T0J 0W0
Telephone:	(403) 820-1509
Email:	bsargent@starlandcounty.com

If you require any further information relative to this appointment, please feel free to contact our office.

Yours truly,



Ross D. Rawlusk
Chief Administrative Officer
RDR/hf

cc: Robert Sargent

**TOWN OF DRUMHELLER
BYLAW NUMBER 02.15**

Agenda Item # 10.1

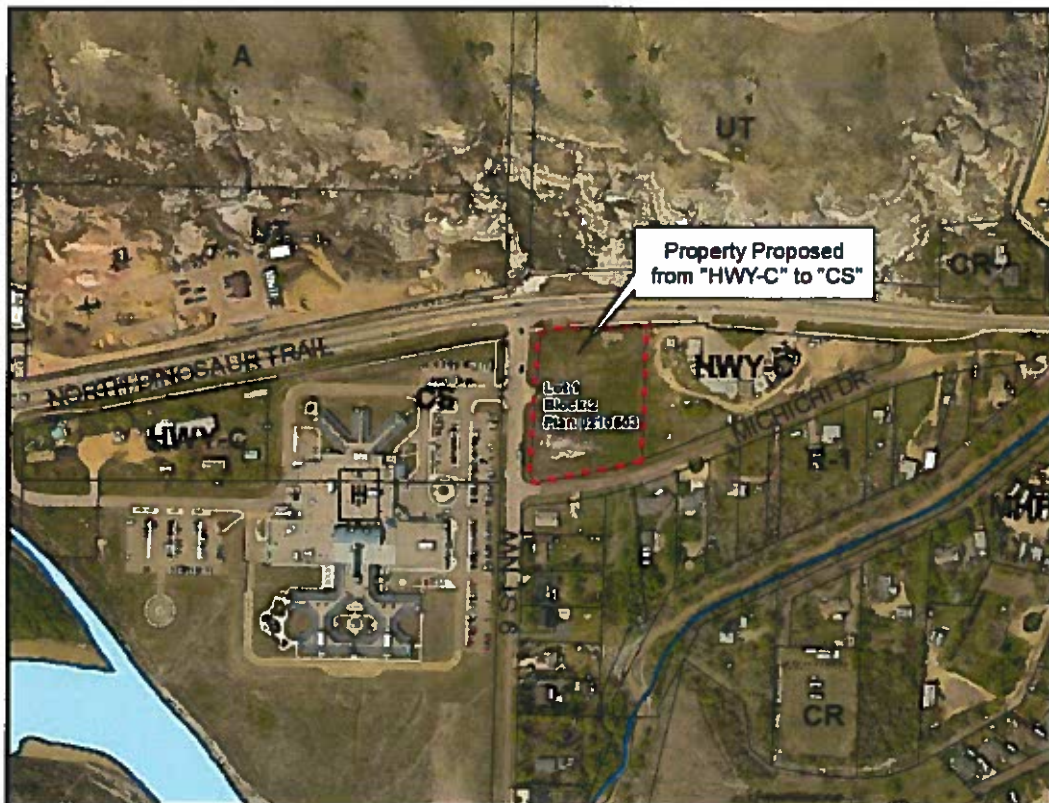
BEING A BYLAW TO AMEND LAND USE BYLAW NO. 10-08 FOR THE TOWN OF
DRUMHELLER IN THE PROVINCE OF ALBERTA.

WHEREAS pursuant to the provision of Section 639 of the *Municipal Government Act*, RSA 2000, Chapter M-26, the Council of the Town of Drumheller (hereinafter called the Council), has adopted Land Use Bylaw No. 10-08;

AND WHEREAS the Council deems it desirable to amend Land Use Bylaw 10-08; and

NOW THEREFORE the Council hereby amends Land Use Bylaw No. 10-08 as follows:

Schedule A, Land Use District Map, by re-designating Lot 1, Block 2, Plan 0210503 within the Town of Drumheller from "HWY-C" – Highway Commercial District to "CS" – Community Service District as shown on the plan below:



READ A FIRST TIME THIS 12th day of January, 2015.

READ A SECOND TIME THIS ____ DAY OF _____, 2015.

READ A THIRD TIME AND PASSED THIS ____ DAY OF _____, 2015.

MAYOR

Bylaw 02.15 - Second and Third Reading

CHIEF ADMINISTRATIVE OFFICER

Page 28 of 30

**TOWN OF DRUMHELLER
BYLAW NUMBER 03.15**

Agenda Item # 10.2

BEING A BYLAW TO AMEND LAND USE BYLAW NO. 10-08 FOR THE TOWN OF DRUMHELLER IN THE PROVINCE OF ALBERTA.

WHEREAS pursuant to the provision of Section 639 of the *Municipal Government Act*, RSA 2000, Chapter M-26, the Council of the Town of Drumheller (hereinafter called the Council), has adopted Area Structure Plan Bylaw No. 26-08;

AND WHEREAS the Council deems it desirable to amend Area Structure Plan Bylaw 26-08; and

NOW THEREFORE the Council hereby amends Area Structure Plan Bylaw 26-08 as follows:

1. Amendment of Section 4.0 Site evaluation as follows:

'The remaining vacant portion of the parcel is conducive to further limited commercial, *community service use* or tourist oriented development.

2. Figure 5, by re-designating Site 6 from "HWY-C" – Highway Commercial to "HWY-C" – Highway Commercial / "CS" – Community Service as shown on the plan below:



READ A FIRST TIME THIS 12th DAY OF January, 2015.

...

READ A SECOND TIME THIS ____ DAY OF _____, 2015. ***Agenda Item # 10.2***

READ A THIRD TIME AND PASSED THIS ____ DAY OF _____, 2015.

MAYOR

CHIEF ADMINISTRATIVE OFFICER