

Town of Drumheller COUNCIL MEETING AGENDA

**February 5, 2018 at 4:30 PM
Council Chamber, Town Hall
224 Centre Street, Drumheller, Alberta**



Page

1.0 CALL TO ORDER

2.0 ACTING MAYOR'S OPENING REMARK

3.0 PUBLIC HEARING

4.0 ADOPTION OF AGENDA

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

3-13 5.1.1 Regular Council Meeting Minutes of January 22, 2018

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

14-26 5.2.1 Municipal Planning Commission Meeting Minutes of October 26, 2017
Municipal Planning Commission Meeting Minutes of November 30, 2017

5.3. BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

6.1 Loralie Martin - Drumheller Curling Club

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1. CAO

8.1. CAO

- 27-30 8.1.1 Bylaw 03.18 (RFD - Municipal Government Act Amendments pertaining to appeal timelines and development permit letters of completeness) - first reading

8.2. DIRECTOR OF INFRASTRUCTURE SERVICES

8.3. DIRECTOR OF CORPORATE SERVICES

- 31-33 8.3.1 Bylaw 02.18 being a bylaw to authorize the supplementary assessment for improvements within the Town of Drumheller for the purpose of imposing a tax under Part 10 of the Municipal Government Act for the 2018 Tax Year - first and second readings

- 34-35 8.3.2 RFD Write Off Bad Debt - Utility Accounts

8.4. DIRECTOR OF COMMUNITY SERVICES

- 36-48 8.4.1 Bylaw 01.18 being a bylaw to regulate mobile vending - first reading

- 49-50 8.4.2 RFD - Community Donation

8.5. DIRECTOR OF PROTECTIVE SERVICES

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

10.0 PUBLIC HEARING DECISIONS

- 51 10.1 Bylaw 13.17 being a bylaw to amend the Land Use Bylaw by redesignating ~~Plan 3099AD Block 24 Lots 39 and 40~~ Plan 1712437 Block 24 Lots 39 and 40 from CB (Central Commercial) District to DT (Downtown Transition) District - 2nd and 3rd readings as amended

11.0 UNFINISHED BUSINESS

- 52-53 11.1 RFD - Bad Debt - Business License Accounts MO2018.10 - Tabled from January 22, 2018 Meeting (In camera - *FOIPP S.16 Harmful to Business Interests of Third Party / S. 23 Local Public Body Confidences*)

12.0 NOTICE OF MOTION

13.0 COUNCILLOR REPORTS

14.0 IN-CAMERA MATTERS

**Town of Drumheller
COUNCIL MEETING
MINUTES**

January 22, 2018 at 4:30 PM
Council Chamber, Town Hall
224 Centre Street, Drumheller, AB, T0J 0Y4



PRESENT:

MAYOR:

Heather Colberg

COUNCIL:

Kristyne DeMott

Jay Garbutt

Fred Makowecki

Lisa Hansen-Zacharuk

Tom Zariski

CHIEF ADMINISTRATIVE OFFICER/ENGINEER:

Darryl Drohomerski

DIRECTOR OF INFRASTRUCTURE SERVICES:

Armia Mikhael

DIRECTOR OF CORPORATE SERVICES

Barb Miller

DIRECTOR OF PROTECTIVE SERVICES:

Greg Peters

DIRECTOR OF COMMUNITY SERVICES:

Paul Salvatore

RECORDING SECRETARY:

Linda Handy

ABSENT:

Councillor Tony Lacher

1.0 CALL TO ORDER

Mayor Heather Colberg called the meeting to order at 4:30 PM.

2.0 MAYOR'S OPENING REMARK

Mayor Heather Colberg stated that the gallery was full and noted that it was a special day with the recognition of our firefighters. She stated that we need to show gratitude to the firefighters who protect our community by volunteering their time to the Fire Department.

Mayor Heather Colberg stated that she was also grateful for our dignitaries and welcomed:

MP Kevin Sorenson

MLA Rick Strankman

Kevan Jess Alberta Fire Commissioner
and current and past Drumheller Firefighters

Federal Awards were presented by MP Kevin Sorenson
20 year medal and bar for 30 years and bar for 40 years

Bill Bachynski
Frank Kalman
Joe Gerlinger
Peter Gruber
Vince Seitz
Bob Repas

20 year medal and bar for 30 years

Bruce Wade
Duane Bolin
Doug Stanger
Pearl Pugh
Luigi Vescarelli
Doug Stanger

20 year medal

Rick Schinnour

Alberta Emergency Service awards were presented by MLA Rick Strankman

Frank Kalman bar for 22-32-40 years
Joe Gerlinger bar for 22-32-40 years
Bruce Wade bar for 22-32 years
Duane Bolin bar for 22-32 years
Rick Schinnour bar for 22 years
Merv Smith, Jeff Gerlinger, Lee Borshiem, Craig Comstock, Steven Wade, James
Martin all 12 year medal

3.0 PUBLIC HEARING

3.1 Mayor Heather Colberg called the public hearing to order at 4:50 PM.

Mayor Colberg advised that the purpose of the Public Hearing is to consider Bylaw 13.17 to amend the Land Use Bylaw 10.08 by redesignating Lots 18, 19 and 20, Block 24, Plan 3099AD in the Town of Drumheller from CB (Central Commercial) District to DT (Downtown Transition) District.

Mayor Colberg asked Cynthia Cvik – CEO, Palliser Regional Municipal Services (PRMS) to provide her planning report. C. Cvik advised that Bylaw 13.17 received first reading on December 11, 2107. She advised that the legal description for the subject

properties is now Lots 39 and 40, Block 24, Plan 1712473 as the plan of subdivision was registered on December 14, 2017. Her report is summarized as follows:

"The application proposes to rezone the two structures, which were sitting on three lots at the time of submission of the rezoning application from the CB (Central Commercial) District to the DT (Downtown Transition) District. Since that time, a subdivision application was approved by PRMS for registration at the Land Titles Office on November 8, 2017 and was registered on December 14, 2017. The subdivision consolidated the original three lots, into two lots. The zone requirements are based on the recently registered new plan of subdivision / consolidation".

C. Cvik advised that the Municipal Planning Commission endorses the recommendation of PRMS to support the proposal. She stated that the analysis presented indicates where the new lots are situated and the property lines relative to the existing structures and will need to be referred to should the owner or potential buyer want to change the building or structure in some way. Relaxations will be required in the future as the buildings are existing non-conforming (however the creation of the subdivision has lessened the degree of the relaxation). She explained that the uses within the DT District are all discretionary and are more varied. Each application must be reviewed by the MPC at their discretion. She concluded by stating that *"PRMS has no concerns with the proposed rezoning of the subject properties as presented. The Downtown Transition District affords more latitude for a wider variety of uses, (albeit all discretionary), than the existing Central Commercial land use designation. The relaxations to setbacks are justifiable, given that the structures currently exist"*. She recommended that the Bylaw be amended to reflect the new legal description of the properties being considered for rezoning.

Mayor Colberg asked the Secretary of the Public Hearing if any written submissions were received by the Town. Secretary L. Handy stated that there was no correspondence.

Mayor Colberg asked for those who wished to speak in favour of the proposal. Although the applicant was in attendance, there were no speakers.

Mayor Colberg asked for those who wished to speak in opposition. There were no speakers.

Mayor Colberg asked if there were any questions from Council.

Councillor T. Zariski stated that he has been privy to the discussion at the MPC meetings and concurred with C. Cvik's comments that the MPC are in favour of the rezoning.

Councillor L. Hansen-Zacharuk asked if the proposal creates spot zoning. C. Cvik stated that the properties in this area are mostly zoned Central Commercial District however this zoning does not differ greatly from the Downtown Transition District - the only difference would be the CB has permitted uses. Councillor J. Garbutt questioned whether the entire block should be rezoned DT rather than piece by piece. C. Cvik

stated that requests for rezoning are brought forward by the landowner and it is not common for Council to change zoning without the express wishes of the landowner. She further advised that there is a diverse range of uses in the downtown area - residential structures being used for commercial. Councillor J. Garbutt stated that if the Town is only broadening the discretionary uses in this zoning change and removing no freedoms it would hard to image any objections from included land owners. C. Cvik stated that this would be dependent on the land owners as they may be satisfied with the given permitted uses for their property which could now be approved without having to go to the MPC.

Mayor Colberg closed the hearing at 4:57 PM.

Mayor Colberg advised that 2nd and 3rd reading of the bylaw will be addressed at Council's Regular Meeting of February 5th.

4.0 ADOPTION OF AGENDA

MO2018.06 Hansen-Zacharuk, Makowecki moved to adopt the agenda as presented. Carried unanimously.

5.0 MINUTES

5.1. ADOPTION OF REGULAR COUNCIL MEETING MINUTES

5.1.1 Regular Council Meeting Minutes of January 8, 2018

MO2018.07 Zariski, Hansen-Zacharuk moved to adopt the Regular Council Meeting Minutes of January 8, 2018 as presented. Carried unanimously.

5.2. MINUTES OF MEETING PRESENTED FOR INFORMATION

5.3. BUSINESS ARISING FROM THE MINUTES

6.0 DELEGATIONS

6.1 Economic Development Advisory Committee – Downtown Beautification
Summer Manca (Chair Economic Development Advisory Committee) and Julia Fielding (EDO - Town of Drumheller) were in attendance to present the Downtown Beautification Concept Design. S. Manca explained that the Town was a recipient of the CARES grant of \$20,000 which was used to hire Urban Systems to update the 2004 revitalization project (gateway from the arena and other plans that fell off the planning radar).

She highlighted the project milestones: CARES grant was announced in April, 2017 with a public engagement held in July 2017, presented findings to Council in August 2017 (mixture of the open house, billboards, and online survey for feedback); another open house held in September 2017 at the Lowleft building which included a presentation on lighting upgrades for downtown; key stakeholders' meetings with

design charrettes held in November, 2017; with the design concept generation in December, 2017.

She presented the preferences from the public engagement as follows:

- The creation of a downtown plaza and enhanced maintenance of existing features were identified as top revitalization priorities, followed by additional soft landscaping and street furniture. Options were presented at the public engagement with Google pics of what other communities have done.
- More shaded areas, an outdoor performance area and seating as part of the downtown park or plaza;
- Ideas to support outdoor market experience - 80% of responders attended markets. They want to see improved signage and advertising, improved maintenance of the streetscape and more pedestrian-friendly features.
- More events/programming and entry signage were identified as the primary opportunities to improve branding of the Town, followed by the use of a logo / theming, banners / wayfinding signage and street furniture options.

She explained that during the key stakeholders meetings, the group decided what streets and areas to focus on with the draft concept plan overview provided by Urban Systems. The concept plan includes movable c-cans, pop up patios, boulevard plantings, gateway features, movable tents and market space, sidewalk beautification rather than a dead area of concrete, movable bollards, enhanced crosswalks with stamped concrete. A concept overview was presented that may or may not include a permanent structure on Centre Street however Urban Systems recommends that a traffic study be done prior to any installation. It was recommended that the placement of the plaza area be behind the gateway pillars with the patio area and shaded market area along 3rd Avenue as well as the creation of a c-can business area and more signage (possible digital board).

S. Manca presented the concept considerations which are achievable in 2018 and provides the gateway for future developments. The considerations are intended to boost economic activity, provide a community gathering space that will balance local and tourist needs; there will be marketing opportunities with flexible seasonal use and programming with buy-in from adjacent businesses. The concept is to create a friendly family environment.

She concluded by presenting the next steps which include Council feedback, online release of the concept design, creation of an implementation strategy, identifying the key location for the downtown plaza and identifying the timeframes for 2018.

Mayor and Council thanked Summer and Julia for their hard work and an excellent presentation.

Council's questions and directions are summarized below:

- More conversations with business owners on the reduction of parking stalls; Need to create more signage for free Town parking lots and encourage a more walkable

downtown space.

- What will be done with existing garbage containers and planters?
- Rethink the logistics of whether a traffic circle will work on Centre Street and 3rd Avenue in consideration of negatives comments from the residents on the Christmas tree and whether vacation trailers can maneuver a traffic circle;
- Impact on 2018 budget dollars - what has been allocated; are there any revitalization funds from last year left over from the \$200,000? B. Miller explained that these dollars have been accessed for the median improvements and not certain what remains.
- Increased workload for Infrastructure Services;
- Council discussion to be had on accessing the 2018 Street Improvement Program grant dollars by postponing a street overlay;
- D. Drohomerski confirmed that the costs (\$50,000 per year over three years) for the downtown lighting are not included in the costs for downtown beautification. The Town is in year two of the downtown lighting upgrade;
- J. Fielding explained that more downtown businesses are buying into the concept as they are realizing what can be achieved. She further explained that M. Todor (business owner) has been speaking about the concept on the radio;
- Any electric installs need to be metered to account for the c-can use;
- Public washrooms need to be identified or constructed;
- Community Futures had indicated support for the c-can project and need to identify their support through financing and loans for businesses; and
- Downtown businesses to be visited by the EDO / Advisory Committee for an explanation of the concept and to gain support.

In conclusion, Council agreed that the concept would have to be phased in over a number of years. D. Drohomerski suggested that in 2018, the Town consider a pilot project design, for example a movable deck on wheels to be placed within the downtown core and used to engage success of the concept and better prepare for more permanent structures in 2019. Councillor K. DeMott asked that the Town work with the restaurants on how they can have a common area patio. She also stated that if the sidewalks were widened they could have their own instant patio. D. Drohomerski explained that Administration will have to research the requirements for licensing. Mayor H. Colberg stated that the Town could start small with painting and install of lighting as the Town needs to begin the project. Mayor H. Colberg stated that she was proud to work with the Advisory Committee in moving the project forward.

Councillor J. Garbutt asked to see how these project costs impact the operational and capital budgets at the January 31st Budget Meeting.

Mayor Colberg called for a recess at 5:50 PM.

Mayor Colberg reconvened the meeting at 5:55 PM.

7.0 COMMITTEE OF THE WHOLE RECOMMENDATIONS

8.0 REQUEST FOR DECISION REPORTS

8.1 CAO

8.2 DIRECTOR OF INFRASTRUCTURE SERVICES

8.3 DIRECTOR OF CORPORATE SERVICES

8.3.1 RFD – Amendment to Policy C-04-14 Remuneration and Expenses Allowance for Mayor and Council (Compensation Realignment)

B. Miller presented Policy C-04-14 as amended by including an additional two days per diem in an election year for training under Clause 4.2 and the word "annually" to be defined by an election term. She further advised that minor housekeeping amendments were included as well.

MO2018.08 Zariski, Garbutt moved to adopt the amendments to C-04-14 as presented. Carried unanimously.

8.3.2 RFD – 2018 Service Fees

B. Miller presented the 2018 Service Fees with a 2% increase to recreation access and rental fees, cemetery fees and airport hangar fees. She further advised that hangar rates comparisons were provided for Council's consideration.

MO2018.09 Garbutt, Hansen-Zacharuk to adopt the 2018 Service Fees as presented.

D. Drohomerski clarified that the hangar rate comparison is an annual lease rate of \$225 per year in 2017 and \$175.00 in 2016; it is not a monthly rate. In response to a question from Council, D. Drohomerski explained that the Town only collects a land lease fee; the Town does not collect property taxes on the property nor does the Town pay taxes to Starland County (owner of the land). He further explained that the Town does maintain the airport and agreed with Councillor Lisa Hansen-Zacharuk that the hangar rental rate should be increased. He stated that in comparison to other communities, a \$300 hangar rental fee per year would be more in line for Drumheller. Councillor L. Hansen-Zacharuk stated that other comparable communities are most likely paying a property tax as well. Councillor J. Garbutt stated that the costs to maintain the airport is significant and Starland County is not interested in assuming the responsibilities of the airport so more thought must be given to recouping maintenance costs incurred by the Town. Councillor F. Makowecki requested research be carried out on how many are residents compared to non residents use the airport.

Councillor Garbutt asked for a friendly amendment to exclude the airport fees at this time until a further report on airport usage is provided to Council. Council agreed.

MO2018.09A Garbutt, Hansen-Zacharuk to adopt the 2018 Service Fees with the exclusion of an increase to Airport Hangar Fees.

Councillor J. Garbutt asked if the research has been carried out on the impact of waiving the user fees for youth at the facilities. P. Salvatore stated that Administration is analyzing this and a report will be provided to Council shortly.

Councillor J. Garbutt asked for the rationale for the exclusion of other user fees at 2% increase across the board. B. Miller stated that the recreation fees have been increased to reflect the increase of utilities, carbon tax and wages. She further stated that the safety code fees were adjusted last year and are adequate for 2018 as are the administration fees. She further explained that new options are being explored for the pet fees.

Mayor H. Colberg asked that Council keep the health and welfare of residents at the forefront when looking at increases as well as considering youth passes on a monthly basis as an option if an entire year free membership for youth was not an option.

Vote on Motion: Carried unanimously.

8.3.3 RFD – Bad Debt – Business License Accounts

B. Miller presented the request to authorize bad debts on two outstanding accounts relating to Bylaw 04.15 being the business license fee adopted in March 23, 2015 with a fee schedule for hoteliers and bed & breakfasts (formula for fee per room). The Town was responsible to collect these fees and then transfer the amounts to Travel Drumheller for marketing. This bylaw schedule has been repealed however two accounts remain in bad debt and she requested a motion from Council to write-off the accounts as presented.

MO2018.10 Hansen-Zacharuk, DeMott moved that Council authorize the write-off of 2015 Business License fees that remain outstanding on Account No. R5440 \$925.83 and Account No. R5507 \$4,476.57, against the allowance for bad debt.

Councillor L. Hansen-Zacharuk questioned whether the Town will stop collection of these funds if they are written off and the consequences for the Town by the hoteliers and bed and breakfast owners who paid their fees. B. Miller stated that the Town will not be pursuing collection of these two accounts. Councillor T. Zariski requested that Council go in camera.

MO2018.11 Hansen-Zacharuk, DeMott moved to go in camera at 6:15 PM under FOIPP S.16 Harmful to Business Interests of Third Party / S. 23 Local Public Body Confidences. Carried unanimously.

MO2018.12 Hansen-Zacharuk, DeMott moved to revert to regular Council meeting at 6:27 PM. Carried unanimously.

MO2018.13 Hansen-Zacharuk, Zariski moved to table motion **MO2018.10**. Carried unanimously.

8.4. DIRECTOR OF COMMUNITY SERVICES

8.5 DIRECTOR OF PROTECTIVE SERVICES

9.0 PRESENTATION OF QUARTERLY REPORTS BY ADMINISTRATION

10.0 PUBLIC HEARING DECISIONS

11.0 UNFINISHED BUSINESS

12.0 NOTICE OF MOTION

13.0 MAYOR AND COUNCILLORS REPORTS

13.1 Councillor Jay Garbutt – Sandstone 2018 Budget

Councillor J. Garbutt provided an overview of Drumheller's Housing Administration which was formed by a Ministerial Order. He explained that it includes social housing, affordable housing and a direct rent supplement program. He further explained that social housing includes the Hunts and Greentree housing with 51 units (ownership 90% by Province and 10% by the Town) and operations are accountable to the Ministry of Seniors and Housing. These programs are accessed by individuals based on their 30% of their income and the rest is subsidized by the tax payer (Province). He explained that Sandstone Manor (100% owned by the Town) falls under affordable housing and rental of units require a 10% discount to market rent, for example \$550 for a one bedroom includes gas, water and basic cable (\$615 down from previous years). Two bedrooms currently renting at \$640.00 (market rent \$700.00). The Town has 7 vacancies across the entire social housing units mostly in Greentree (only one vacancy in Hunts). He explained that the Provincial Direct to Tenant Program tenants and those who qualify receive up to \$400 a month from the province paid directly to the individual and is the Provincial response to the housing need. While at the AUMA, it was discussed that the Federal Government will become involved in housing with the announcement of the National Housing Benefit however they have not rolled out any program. There are currently 47 people in Drumheller on the red supplement. He stated that he has the application form and process for determining need, should Council wish to review.

Councillor J. Garbutt presented the 2018 Sandstone Manor budget. He explained that that the municipal portion of the taxes are waived annually by Council resulting in a surplus that contributes to an affordable housing dedicated reserve – \$40,000 in 2016; \$25,000 will be contributed to the affordable housing restricted reserve in 2017 and another \$10,000 payment budgeted for in 2018. He stated that revenue is only through rental of the 20 units. In response to a question from Council, he explained that Century 21 is paid under the contract management fee as the managing body for the units and contract labour costs include the costs to employ a handyman for fixes and clean up for rental turnover of the units.

MO2018.14 Garbutt, Zariski moved that Council accept the budget as presented. Carried unanimously.

13.2 Councillors Jay Garbutt and Tom Zariski presented the Version 1 Draft Vision (most inviting, most sought after community), Mission and Values as compiled by a team of staff representing the Administration, Finance, PW, BCF and themselves. Councillor T. Zariski explained that it was clear from the start that everyone had their thoughts on a vision with strong views and that the gist of the vision must include words that makes us a great community, what would be desirable in our community and what would make you want to come to the community with your business, with your family for a vacation or if you want to retire here. He further explained that the original vision (Version 2 - cleanest, friendliest, most sought after community) contained words that some people did not like as it suggested that we were not currently a clean or friendly community. He stated that the Version 1 draft vision, mission and values reflect not only an organization but the community as a whole. Councillor J. Garbutt stated that it is not a finished product; it is being presented to see if the team has reached the mark. He referred to Version 2 and stated that although the Mayor had solid rationale for Version 2, the team thought "*if we have to explain what we mean than maybe we picked the wrong words*". He further stated that some members of the team thought that Version 2 was working counter to the purpose instead of forwarding our purpose.

Mayor H. Colberg presented her rationale for Version 2, stating that the words "*cleanest, friendliest, most sought after community in Alberta*" were introduced by herself at the election forum. She explained that clean does not just mean aesthetically but includes environmental responsibilities such as recycling. She explained that being friendlier is something we can all strive for - including Town Hall and businesses. She further explained that these two words (cleanest and friendly) can be taken to another level by the entire community and should not be looked at negatively. She commended the team for their work and stated that the vision has not been changed for a long time and the Town needs a vision that we all can believe in and sell.

Councillor L. Hansen-Zacharuk explained that she felt that the words (cleanest and friendliest) held a negative connotation, meaning that the Town was dirty and unfriendly now and she could not support the Version 2 as written.

Councillor T. Zariski stated that he appreciated the value of the exercise in working alongside staff in developing the two drafts being presented to Council. And that each department would be developing their own Vision, Mission and Values.

Council recommended changes and requested that the Draft Vision, Mission and Values be reviewed by Council at a future Council Meeting.

14.0 IN-CAMERA MATTERS

MO2018.15 Zariski, Garbutt moved to go in camera at 7:24 PM under S.23 (FOIPP Act) Local Public Body Confidences. Carried unanimously.

14.1 Legal – (Flood Mitigation)

MO2018.16 Zariski, Garbutt moved to revert to regular Council meeting at 8:15 PM.
Carried unanimously.

There being no further business, the Mayor declared the meeting adjourned 8:16 PM.

Chief Administrative Officer

Mayor



DRUMHELLER

COMMUNITY SERVICES



Municipal Planning Commission MINUTES Meeting of Thursday October 26, 2017

Present: Clayton Gillis, Chair - Chairperson
Julie Steeper, Development Officer
Donna Kittridge, Recording Secretary
Sharon Clark, Vice Chairperson
Scott Kuntz, Member
Stacey Gallagher, Member
Tom Zariski, Councillor/Member

Absent: Sharel Shoff, Councillor/Member – regrets
Allen Hendriks, Member
Cynthia Cvik - Palliser Regional Municipal Services Representative - Regrets
Paul Salvatore, Director of Community Services - regrets
Linda Taylor, Recording Secretary - regrets

1.0 CALL TO ORDER – 12:06 pm

C. Gillis presented the Agenda for the October 26, 2017 meeting.

1.1 Agenda – Additions or Deletions

Deletion	3.3	T00298-17D – Renee King – accessory building
Replacement	3.6	T00301-17D – Robert Condon – addition to single family home.

1.2 Acceptance of Agenda

Motion: S. Gallagher moved to accept the agenda of October 26, 2017

Second: – S. Kuntz - Carried

2.0 MINUTES FROM PREVIOUS MEETINGS

2.1 September 14, 2017 – approved

Motion: S. Clark

Second: T. Zariski

Carried



DRUMHELLER
COMMUNITY SERVICES



3.0 DEVELOPMENT PERMITS

3.1 T00278-17D – Cindy Gerodo – Accessory building

J. Steeper presented Development Permit T00278-17D submitted by Cindy Gerodo for an accessory building located at 1323 – 2 Avenue W., Drumheller on Plan 6561CO; Block 2; Lot 28/29. Zoning is R-1A, Residential District.

J. Steeper advised this development permit is for a 286 square foot playhouse/shed with 910 square foot total site coverage for all accessory buildings on site. The height of the structure must follow the 15 foot maximum. The original approved application was for a playhouse, however when built the building did not follow the approved development permit. The applicant provided a drawing indicating a 5ft side yard but confirming measurements by the development officer show it to be 3.5ft which is still within Land Use Bylaw Requirements. The lots have been consolidated and the applicant has provided paperwork to show the consolidation.

Municipal Planning Commission discussed the application.

S. Clark recused herself from this application. T. Zariski asked if there was a circulation done, no there was no circulation. The building should be finished to compliment the current buildings on site.

Motion: T. Zariski moved to approve Development Permit T00278-17D submitted by Cindy Gerodo for an accessory building/playhouse located at 1323 – 2 Avenue W., Drumheller on Plan 6561CO; Block 2; Lot 28/29, subject to the following conditions;

1. Development shall conform to Town of Drumheller Land Use Bylaw 10-08.
2. Placement of construction as per submitted site plan.
3. Written consent from registered property owner to be provided to the Town of Drumheller prior to commencement of construction.
4. Height of accessory building as per plans submitted and not to exceed 4.57 m (15 ft.).
5. Construction to be in accordance with the Alberta Building Code.
6. Contact Alberta One-Call to request that buried utilities be located and marked before you dig; secondary utilities are the property owner's responsibility. 1-800-242-3447 Alberta One-Call.
7. If the holder of the permit wishes to make any changes from the site plan, the details of the application or from any condition, guideline or restriction imposed, the holder of the permit must obtain prior permission of the Development Officer/Municipal Planning Commission. An additional development permit application may be necessary.
8. All necessary Safety Codes permits (building, electrical, gas, plumbing, etc.) to be in place prior to commencement of any construction/installation.
9. Any and all local improvements including, however not limited to driveways, frontage charges, water/sewer services, are at the expense of the owner.
10. Development to conform to any and all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
11. All Contractors and Sub-Contractors to be in possession of a valid Town of Drumheller business license.
12. External finished appearance to be compatible with existing development and to the satisfaction of the Development Authority.

Second: C. Gillis



Carried with one no vote from S. Gallagher

3.2 T00289-17D – Doug Milligan – addition of a deck above garage

J. Steeper presented Development Permit T00289-17D submitted by Doug Milligan for the addition of a deck and stairs above the shop/garage located at 210 1 Street W, on Plan 3099AD; Block 24; Lots 25,26 & N ½ 27. Zoning is DT, Downtown Transitional District.

J. Steeper advised this development permit application is for the addition of a deck with stairs above the garage off of the upstairs back door. This deck would be 192 square feet in size. There was an internal circulation completed and would be reasonable to approve.

J. Steeper stated this application is discretionary in the Downtown Transitional District.

J. Steeper J.Steeper advised that the roof would need to be fixed (reinforced) to be sure it would support the new portion, and the applicant is aware of this.

Municipal Planning Commission Members discussed the application.

Motion: S. Gallagher moved to approve Development Permit T00289-17D submitted by Doug Milligan for the addition of a deck/stairs located at 201 – 1 Street W, on Plan 3099AD; Block 24; Lots 25,26/27.

1. Development shall conform to Town of Drumheller Land Use Bylaw 10-08.
2. construction as per floor plan submitted.
3. Construction to be in accordance with the Alberta Building Code.
4. All necessary permits (building, electrical, gas, or plumbing) to be in place prior to construction/installations.
5. All local improvements at owner's expense including, however not limited to, driveways, frontage charges, water/sewer services.
6. External finished appearance of the proposed construction to be compatible with that of existing development and to the satisfaction of the Development Authority.
7. If the holder of the permit wishes to make any changes in the proposed development from application as approved, the holder of the permit must first obtain permission of the Development Officer/Municipal Planning Commission. An additional development permit may be necessary.
8. Must conform to any/all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
9. Contractor(s) to have a valid Business License with the Town of Drumheller.

Second: S. Kuntz – Seconded, Motion carried.

3.3 REMOVED FROM THE AGENDA

3.4 T00299-17D – Lisa Lopez – Occupancy for Hearing Aid Clinic



J. Steeper presented Development Permit T00299-17D submitted by Lisa Lopez for a Hearing Aid Clinic located at 50 – 3rd Avenue W, Drumheller. Plan 3099AD; Block 24; Lot 4, 5 & 6. The property is located within a CB - Central Commercial District.

J. Steeper advised this application is for a clinic which is a discretionary use and must ensure ample parking will be available as it's a shared space.

Municipal Planning Commission Members discussed the application.

Motion: C. Gillis moved to approve Development permit T00299-17D submitted by Lisa Lopez for the opening of a Hearing Aid Clinic located at 50 – 3 Avenue W, on Plan 3099AD.

1. Development shall conform to Town of Drumheller Land Use Bylaw 10-08.
2. Development shall conform to the Town of Drumheller Community Standards Bylaw (16-10).
3. All necessary permits (building, electrical, plumbing, etc) to be in place prior to any construction/installation.
4. All contractors and/or sub-trades to possess a valid Town of Drumheller Business License.
5. Development to conform and meet the requirements of the Regional Fire and Health Authority. Prior to commencement of occupancy and business activities, confirmation must be provided to the Development Officer from the Local Fire and Health Authority that the building is occupiable for such purposes.
6. Applicant to ensure authorization from the property owner is obtained prior to any renovation/modification.
7. If the holder of the permit wishes to make any change in the conduct of the business that departs from the description in the application or from any other condition or restrictions imposed, the holder of the permit must obtain prior permission of the Development Officer/Municipal Planning Commission. An additional development application may be necessary.
8. Development application is required for signage placement and made under separate application prior to placement.
9. Applicant to ensure any/all modifications to water/sewer services to the satisfaction of the Town of Drumheller. Please contact Utilities Manager at 403-823-1330 for approval and specifications.
10. Development to conform to any/all Municipal, Provincial and Federal regulations and/or legislation that may apply.
11. Garbage and waste materials must be stored in weather proof and animal proof containers and screened from adjacent sites and public thoroughfares. Separate containment must be provided for the disposal and recycling of cardboard materials.
12. Annual Business License is required.

Second: S. Kuntz – Carried

3.5 T00300-17D – Keshia Schow – Occupy Retail Space



J. Steeper presented Development Permit T00300-17D submitted by Keshia Schow for Retail occupancy located at 15 3rd Avenue West, Drumheller on Plan 3099AD, Block 9, 10. The property is located within a C-B – Central Commercial District.

J. Steeper advised this development permit for a retail space is a permitted use but the parking availability is questionable and a parking variance would be required.

Municipal Planning Commission Members discussed the application. It was noted there is ample parking at the rear of the building.

Motion: S. Gallagher moved to approve Development Permit T00300-17D submitted by Keshia Schow for retail occupancy located at 15 - 3 Avenue West, Drumheller on Plan 3099AD, Block 9,10, subject to the following conditions;

1. Development shall conform to Town of Drumheller Land Use Bylaw 10-08.
2. Development shall conform to the Town of Drumheller Community Standards Bylaw (16-10).
3. All necessary permits (building, electrical, plumbing, etc) to be in place prior to any construction/installations.
4. All contractors and/or sub-trades to possess a valid Town of Drumheller Business License.
5. If the holder of the permit wishes to make any change in the conduct of the business that departs from the description in the application or from any other condition or restrictions imposed, the holder of the permit must obtain prior permission of the Development Officer/Municipal Planning Commission. An additional development application may be necessary.
6. Development application is required for signage placement and made under separate application prior to placement.
7. Applicant to ensure any/all modifications to water/sewer services to the satisfaction of the Town of Drumheller. Please contact Utilities Manager at 403-823-1330 for approval and specifications.
8. Development to conform to any/all Municipal, Provincial and Federal regulations and/or legislation that may apply.
9. Garbage and waste materials must be stored in weather proof and animal proof containers and screened from adjacent sites and public thoroughfares. Separate containment must be provided for the disposal and recycling of cardboard materials.
10. Annual Business License is required.

Second: C. Gillis – Carried

3.6 T00301-17D - Robert Condon/Susan Raymond – Addition to Home

J. Steeper presented Development Permit T00301-17D submitted by Robert Condon/Susan Raymond for a two storey addition to a single family dwelling located at 864 - 2 Avenue West, Drumheller on Plan 8358CQ, Block 45; Lot 4. The property is located within a R1-A – Residential District.

J. Steeper advised that Robert Condon applied for a rear covered deck that was approved Oct 20, 2016. Robert provided an Real Property Report at the request of the Development Officer. The applicant to requesting to



construct a two storey addition and to close in the covered deck portion. The RPR shows that one side is under 1.2m. The applicant can meet the 1.2m side yard with adjustments made to materials. J. Steeper advised a condition be added to ensure the addition meet the 1.2m side yard requirement.

Municipal Planning Commission Members discussed the application.

Motion: S. Clark moved to approve Development Permit T00301-17D submitted by Robert Condon/Susan Raymond for an addition to house located at 864- 2 Avenue West, Drumheller on Plan 8358CQ, Block 45; Lot 4, subject to the following conditions;

1. Development shall conform to Land Use Bylaw 10-08.
2. Placement of construction as per plans submitted with application.
3. The addition shall meet 1.2m side setback from both the left and right property lines.
4. If the holder of the permit wishes to make any changes in the proposed development from application as approved, the holder of the permit must first obtain permission of the Development Officer/Municipal Planning Commission. An additional development permit may be necessary.
5. Proper placement of foundation walls -- as per application -- to be determined by a Registered Alberta Land Surveyor. Real Property Report to be submitted to the Town of Drumheller upon completion.
6. Confirmation of coverage under the Alberta New Home Warranty Program required prior to the issuance of building permit.
7. Any required Safety Codes permits (i.e. building, electrical, etc.) to be obtained prior to commencement of construction/installation.
8. Make provisions for proper installation of water meter as per Town of Drumheller Water/Sewer Bylaw.
9. All contractors have to be in possession of a valid Town of Drumheller business license.
10. Offsite levies and local improvement to be paid prior to the issuance of Safety Code Permits.
11. Any/all local improvements or upgrade required for development are at owner/applicants expense. All local improvements, and construction thereof, must be approved by the Town of Drumheller including, but not limited to, approaches, driveways, frontage charges, water/sewer services, etc. Please contact 403-823-1330 for approval and specifications.
12. Landscaping Plan to be in accordance with Policy C04-02 and Land Use Bylaw 10-08 and to the satisfaction of the Development Officer/Municipal Planning Commission.
13. Development to conform to any and all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.

Second: T. Zariski – Carried

4.0 PALLISER REGIONAL MUNICIPAL SERVICES

4.1 No discussion items

5.0 OTHER DISCUSSION ITEMS

5.1 Municipal Planning Commission members discussed the removal of a fence that came to MPC for variance,

5.2 T. Zariski suggested he would like to see a by law committee formed.

6.0 Adjournment – Meeting adjourned at 12:45 pm.



DRUMHELLER
COMMUNITY SERVICES





Chairperson



Development Officer

Attachments: Agenda



**Municipal Planning Commission
MINUTES
Meeting of Thursday November 30, 2017**

Present: Paul Salvatore, Director of Community Services
Julie Steeper, Development Officer
Linda Taylor, Recording Secretary
Clayton Gillis, Chair
Sharon Clark, Vice Chair
Scott Kuntz, Member
Stacey Gallagher, Member
Shelley Rymal, Member
Tony Lacher, Councillor/Member
Cynthia Cvik - Palliser Regional Municipal Services Representative

Absent: Tom Zariski, Councillor/Member - Regrets

Delegates: Jamie Worman – T00314-17D
Mike Juniper – T00314-17D
Georgina Swanby – T00314-17D
Craig Swanby – T00314-17D all delegates exited at 12:30

1.0 CALL TO ORDER – 12:03 pm

C. Gillis presented the Agenda for the November 30, 2017 meeting.

1.1 Agenda – Additions or Deletions

1.2 Acceptance of Agenda

Motion: S. Kuntz moved to accept the agenda for November 30, 2017

Second: – C. Gillis - Carried

2.0 MINUTES FROM PREVIOUS MEETINGS

2.1 October 26, 2017 – tabled for corrections

2.2 November 2, 2017

Motion: T. Lacher moved to accept the minutes of November 2, 2017 with changes

Second: – S. Rymal - Carried

3.0 DEVELOPMENT PERMITS

3.1 T00306-17D – Eclipse Controls – Occupancy

J. Steeper presented Development Permit T00306-17D submitted by Eclipse Controls for occupancy located at 901 South Railway, Drumheller on Plan 9710916 Block 13 Lot 1. Zoning is M-1 – Light Industrial District.



J. Steeper advised this development permit is for occupancy of a retail space for instrumentation and electrical supplies in regards to the oil and gas industry. Retail is a discretionary use in this district.

Municipal Planning Commission discussed the application.

Motion: C. Gillis moved to approve Development Permit T00306-17D submitted by Eclipse Controls for occupancy located at 901 South Railway, Drumheller on Plan 9710916 Block 13 Lot 1, subject to the following conditions;

1. Development shall conform to Town of Drumheller Land Use Bylaw 10-08.
2. Development shall conform to the Town of Drumheller Community Standards Bylaw (16-10).
3. All necessary permits (building, electrical, plumbing, etc) to be in place prior to any construction/installations.
4. All contractors and/or sub-trades to possess a valid Town of Drumheller Business License.
5. Development to conform and meet the requirements of the Regional Fire and Health Authority. Prior to commencement of occupancy and business activities, confirmation must be provided to the Development Officer from the Local Fire Authority that the building is occupiable for such purposes.
6. If the holder of the permit wishes to make any change in the conduct of the business that departs from the description in the application or from any other condition or restrictions imposed, the holder of the permit must obtain prior permission of the Development Officer/Municipal Planning Commission. An additional development application may be necessary.
7. Development application is required for signage placement and made under separate application prior to placement.
8. Applicant to ensure any/all modifications to water/sewer services to the satisfaction of the Town of Drumheller. Please contact Utilities Manager at 403-823-1330 for approval and specifications.
9. Development to conform to any/all Municipal, Provincial and Federal regulations and/or legislation that may apply.
10. Garbage and waste materials must be stored in weather proof and animal proof containers and screened from adjacent sites and public thoroughfares. Separate containment must be provided for the disposal and recycling of cardboard materials.
11. Annual Business License is required.

Second: S. Kuntz - Carried

3.2 T00314-17D – Mike Juniper – Addition

J. Steeper presented Development Permit T00314-17D submitted by Mike Juniper for an addition to Single Family Dwelling located at 318 3 Street, Drumheller on Plan 2089BN; Block 15; Lot 36. Zoning is R-1A - Residential District.

J. Steeper advised this development permit was seen by MPC previously as T00259-16D, 460 square foot addition with 32% site coverage variance was approved with conditions, decision date December 23, 2016. The addition once complete did not meet the setbacks from the property line, and this affected the fire separation requirements to meet the Alberta building codes.



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COMMUNITY SERVICES



M. Juniper stated he has spoken with neighbors and they are aware and have no problem with the setbacks of the home, house to house on one side is 12 feet and the fence is 2 feet away. The options for bringing the addition up to Alberta building code is to A – have an exterior shutter that would automatically close should a fire be detected, cost \$10,000.00. B – install a fire sprinkler system, cost \$4,000.00, information sheet on the sprinkler system was given to the Development Officer. The applicant has a company ready to go forward with the sprinkler system for the addition. M. Juniper spoke to some issues arising during the survey.

Municipal Planning Commission discussed the application. Discussion items; does it adversely affect the neighbors, an increase to an already non-conforming home, and this addition along with the interior renovation extended the life of a non-conforming home.

Motion: S. Kuntz moved to approve Development Permit T00314-17D submitted by Mike Juniper for an addition to Single Family Dwelling located at 318 3 Street, Drumheller on Plan 2089BN; Block 15; Lot 36.

Second: S. Gallagher – Vote - 1 approve – 5 opposed – Motion denied.

REASON FOR REFUSAL

The Municipal Planning Commission denied the application for an addition for the following reasons:

1. "A non-conforming use of a part of a building may be extended throughout the building but the building, whether or not it is a non-complying building shall not be enlarged or added to and no structural alterations shall be made thereto or therein." as per Land Use Bylaw 10-08 Part VII General Land Use Regulations, 69, Non-Conforming Buildings and Uses (b), Page 141.
2. The previous application was approved on the basis that "A non-conforming may continue to be used but the building shall not be enlarged, added to, rebuilt or structurally altered except: (i) as may be necessary to make it a complying building; or (ii) as the Development Officer considers necessary for routine maintenance of the building, (iii) if, at the discretion of the development authority, the alterations do not increase the extent of non-compliance and within all other requirements of this Bylaw, the development may be permitted" as per Land Use Bylaw 10-08 Part VII General Land Use Regulations, 69, Non-Conforming Buildings and Uses (d), Page 141. The Municipal Planning Commission felt that the new application went against the intention of the original application which was to alter the structure so that it could conform to Land Use Bylaw requirements. The MPC suggest that to allow the addition with the side yard variance would make part of the building non-conforming for the life of the structure and creates fire related concerns.

3.3 T00315-17D – Lloyd Morgan – Change of Use

J. Steeper presented Development Permit T00315-17D submitted by Lloyd Morgan for a change of use located at 900 Premier Way, Drumheller, NE-03-29-20-W4. Zoning is M-2 – Medium Industrial District.

J. Steeper advised this development permit is to use existing land for a paintball park. Existing office trailer and 2 quonset buildings will be used. This property was used for auto recycling facility which has now closed down. There is 71 acres of land most of it coulee with only a small portion is usable for the paint ball venture. The existing flat areas where the vehicles were stored have been or will be cleaned up with any debris removed. Raw lumber (shelter belt) vertical slat fence material to be used for delineating boundaries; providing visual breaks and some security. Ample room for parking in the front area once the scrap vehicles have been removed. Applicant would like to hold events once established.



Municipal Planning Commission discussed the application. Discussion items; emergency management plan, and clean up vehicles / debris from the property.

Motion: S. Gallagher moved to approve Development Permit T00315-17D submitted by Lloyd Morgan for a change of use located at 900 Premier Way, Drumheller, NE-03-29-20-W4, subject to the following conditions;

1. Must conform to Land Use Bylaw 10-08.
2. Must conform to the Town of Drumheller Community Standards Bylaw.
3. Development to adhere to the Recreation Area Regulation from Alberta Health Services including but not limited to section 12(3) which states; The operator of a recreational vehicle must ensure that no waste material contained in or coming from the recreational vehicle is deposited in any manner that creates or may create a nuisance.
4. All necessary permits (building, electrical, plumbing, etc) to be in place prior to construction/installations.
5. If the holder of the permit wishes to make any change in the conduct of the business/development that departs from the description in the application or from any other condition or restrictions imposed, the holder of the permit must obtain prior permission of the Development Officer/Municipal Planning Commission. This includes any addition or creation of camping sites not specified on the application.
6. Garbage, grease and waste materials must be stored in weather proof and animal proof containers and screened from adjacent sites and public thoroughfares.
7. Development to conform to any and all Federal, Provincial and/or Municipal regulations and/or guidelines that may apply.
8. Any and all local improvements at owner's expense including, however not limited to driveways, curb cuts, service connections, etc.
9. The site and buildings, structures and improvements shall be maintained in a clean, neat, tidy and attractive condition and free from all rubbish and debris.
10. All contractor's to be in possession of a valid Town of Drumheller business license.
11. Emergency Plan to be submitted to the Town of Drumheller Development Officer prior to commencement of business activities.
12. The storage yard materials on site from the previous use/business shall be removed from site prior to commencement of business activities.
13. Course to be secured with 6' (1.8 m) perimeter fencing to the satisfaction of the Development Authority.

Second: S. Kuntz - Carried

4.0 PALLISER REGIONAL MUNICIPAL SERVICES

4.1 Bylaw No. 07-13 - A Proposed Bylaw to Amend Schedule "A", the Land Use Map, in Land Use Bylaw 10-08

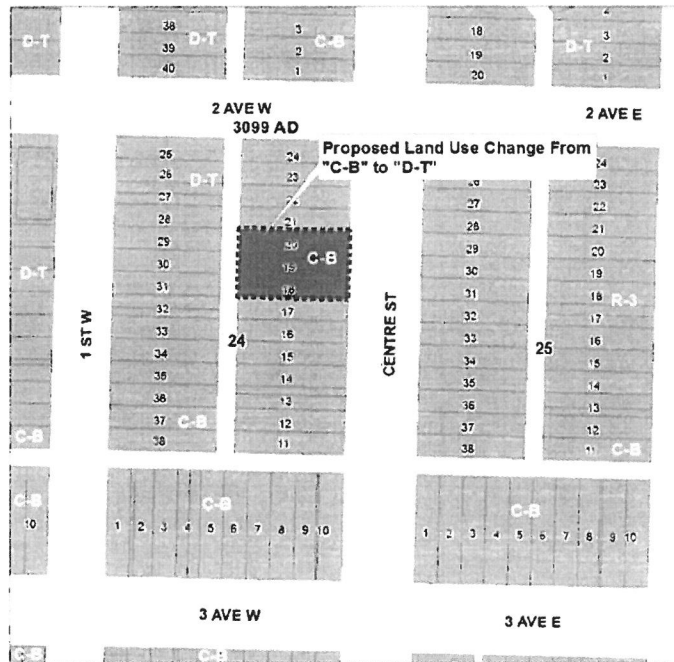
"Purpose of Application:

The purpose of Bylaw 07-13 is to consider an application to amend the Land Use Map, which forms part of Land Use Bylaw 10-08 to redistrict, (rezone), Lots 18, 19 and 20, Block 24, Plan 3099AD, in the Town of Drumheller, from CB (Central Commercial) District to DT (Downtown Transition) District as shown on the plan below:



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COMMUNITY SERVICES



History:

The application proposes to rezone the two structures, which currently sit on three lots from the CB (Central Commercial) District to the DT (Downtown Transition) District. There is an active subdivision application on the three lots which was approved by PRMS for registration at the Land Titles Office on November 8, 2017. (File No. 80/147). PRMS is still awaiting confirmation of registration. The subdivision application will take the three existing lots and consolidate them into two lots. The zone requirements listed below are based on 2 lots, as the registration of the subdivision will likely occur prior to consideration of the zone amending bylaw by Council

Recommendation

Palliser Regional Municipal Services has no concerns with the proposed rezoning of the three lots as presented. The Downtown Transition zoning affords more latitude for a wider variety of uses, albeit all discretionary, than the existing Central Commercial land use designation. (See attached owner correspondence and photo). Therefore, it is recommended that:

The Municipal Planning Commission support the proposal to rezone Lots 18, 19 and 20, Block 24, Plan 3099AD, in the Town of Drumheller, from CB (Central Commercial) District to DT (Downtown Transition) District."

Municipal Planning Commission discussed the proposal to rezone Lots 18, 19 and 20, Block 24, Plan 3099AD, in the Town of Drumheller, from CB (Central Commercial) District to DT (Downtown Transition) District.

The Municipal Planning Commission endorses the recommendation of Palliser Regional Municipal Services.



5.0 OTHER DISCUSSION ITEMS

6.0 Adjournment – Meeting adjourned at 12:50 pm.

A handwritten signature in blue ink, appearing to be 'S. J. Smith', is written above a horizontal line.

Chairperson

A handwritten signature in black ink, appearing to be 'D. J. Smith', is written above a horizontal line.

Development Officer

Attachments: Agenda



**Town of Drumheller
REQUEST FOR DECISION**

SUBJECT:	MUNICIPAL GOVERNMENT ACT AMENDMENTS PERTAINING TO APPEAL TIMELINES AND DEVELOPMENT PERMIT LETTERS OF COMPLETENESS
MEETING DATE:	February 1, 2018
PRESENTED BY:	Darryl Drohomerski, C.E.T., Chief Administrative Officer
BACKGROUND/ PROPOSAL	<p>Bill 21 (Modernized Municipal Government Act) sets out the processes and the timelines for reviewing and issuing decisions on subdivision application and development permit applications. The following two amendments came into force on October 26, 2017:</p> <p>Pursuant to Section 683 of the Municipal Government Act, there is now a requirement to notify applicants for a Development Permit if their application is complete or incomplete. This letter must go out within "20" days of the submission.</p> <p>Pursuant to Section 686(1)(a)(i)(A) of the Municipal Government Act, appeals for a development permit can now be submitted within a "21" day timeframe rather than the previous "14" days.</p>
DISCUSSION/ OPTIONS/ BENEFITS/DISADVANTAGES:	The new timelines for applications and decisions on subdivision and development permits will provide more flexibility.
COSTS / SOURCE OF FUNDING:	
COMMUNICATIONS:	Following adoption, the Bylaw will be posted on the Town's website and all planning documents will be updated with the new requirements.
LINK TO STRATEGIC PLAN:	
ATTACHMENTS:	
RECOMMENDED ACTION:	
COUNCIL OPTIONS:	
MOTION:	That Council give first reading to Bylaw 03.18 to amend the Land Use Bylaw by inserting new wording into the document to bring it into accordance with recent revisions to the Municipal Government Act and to allow for a public hearing to be held on March 5, 2018.

Prepared By: Linda Handy
Executive Assistant


Approved By: Darryl Drohomerski, C.E.T.
Chief Administrative Officer

...
TOWN OF DRUMHELLER *Agenda Item # 8.1.1*

BYLAW NUMBER 03.18

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 No. 10.08; and

NOW THEREFORE the Council hereby amends Land Use Bylaw No. 10.08 as follows:

Part III, Development Permit Application

In Section 8, Application for a Development Permit, add the following immediately after (2):

“(3) The Development Authority shall issue a notice of “Complete” or “Incomplete” application, within 20 days of the submission in accordance with the requirements of the Act.”

Part IV, Appeals

In Section 11 (3) Replace “14” with “21” days.

READ A FIRST TIME THIS ____ DAY OF _____, 2018

READ A SECOND TIME THIS ____ DAY OF _____, 2018.

READ A THIRD TIME AND PASSED THIS ____ DAY OF _____, 2018.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

Updated MGA Excerpt

Agenda Item # 8.1.1

RSA 2000

Section 683

MUNICIPAL GOVERNMENT ACT

Chapter M-26

Development Permits

Permit

683 Except as otherwise provided in a land use bylaw, a person may not commence any development unless the person has been issued a development permit in respect of it pursuant to the land use bylaw. 1995 c24 s95

Development applications

683.1(1) A development authority must, within 20 days after the receipt of an application for a development permit, determine whether the application is complete.

(2) An application is complete if, in the opinion of the development authority, the application contains the documents and other information necessary to review the application.

(3) The time period referred to in subsection (1) may be extended by an agreement in writing between the applicant and the development authority or, if applicable, in accordance with a land use bylaw made pursuant to section 640.1(a).

(4) If the development authority does not make a determination referred to in subsection (1) within the time required under subsection (1) or (3), the application is deemed to be complete.

(5) If a development authority determines that the application is complete, the development authority must issue to the applicant an acknowledgment in the form and manner provided for in the land use bylaw that the application is complete.

(6) If the development authority determines that the application is incomplete, the development authority must issue to the applicant a notice in the form and manner provided for in the land use bylaw that the application is incomplete and that any outstanding documents and information referred to in the notice must be submitted by a date set out in the notice or a later date agreed on between the applicant and the development authority in order for the application to be considered complete.

(7) If the development authority determines that the information and documents submitted under subsection (6) are complete, the development authority must issue to the applicant an acknowledgment in the form and manner provided for in the land use bylaw that the application is complete.

X:\Municipalities\Updated MGA Excerpt on DPs - Complete and Incomplete.docx

(8) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in subsection (6), the application is deemed to be refused.

(9) If an application is deemed to be refused under subsection (8), the development authority must issue to the applicant a notice in the form and manner provided for in the land use bylaw that the application has been refused and the reason for the refusal.

(10) Despite that the development authority has issued an acknowledgment under subsection (5) or (7), in the course of reviewing the application, the development authority may request additional information or documentation from the applicant that the development authority considers necessary to review the application.

(11) If the development authority refuses the application for a development permit, the development authority must issue to the applicant a notice in the form and manner provided for in the land use bylaw that the application has been refused and the reasons for the refusal.

Development Appeals

Permit deemed refused

684(1) The development authority must make a decision on the application for a development permit within 40 days after the receipt by the applicant of an acknowledgment under section 683.1(5) or (7) or, if applicable, in accordance with a land use bylaw made pursuant to section 640.1(b).

(2) A time period referred to in subsection (1) may be extended by an agreement in writing between the applicant and the development authority.

(3) If the development authority does not make a decision referred to in subsection (1) within the time required under subsection (1) or (2), the application is, at the option of the applicant, deemed to be refused.

(4) Section 640(5) does not apply in the case of an application that was deemed to be refused under section 653.1(8) or 683.1(8).

**TOWN OF DRUMHELLER
BYLAW 02.18**

BEING A BYLAW TO AUTHORIZE THE SUPPLEMENTARY ASSESSMENT FOR IMPROVEMENTS WITHIN THE TOWN OF DRUMHELLER FOR THE PURPOSE OF IMPOSING A TAX UNDER PART 10 OF THE MUNICIPAL GOVERNMENT ACT FOR THE 2018 TAX YEAR.

**THE COUNCIL OF THE TOWN OF DRUMHELLER, DULY ASSEMBLED
ENACTS AS FOLLOWS:**

1. In this Bylaw unless the context otherwise requires:
 - (a) “Act” means the Municipal Government Act;
 - (b) “assessor” means the assessor for the Town of Drumheller;
 - (c) “improvement” means:
 - (i) a structure,
 - (ii) any thing attached or secured to a structure, that would be transferred without special mention by a transfer or sale of the structure,
 - (iii) a designated manufactured home, and
 - (iv) machinery and equipment;
 - (d) “linear property” and other words and phrases defined in the Act have the meanings provided in the Act.
 - (e) “Town” means the Town of Drumheller;
2.
 - (a) The assessor is authorized to prepare the supplementary assessments contemplated in Part 9 Division 4 of the Act for the purpose of imposing a tax under Part 10 of the Act for the 2018 tax year.
 - (b) The improvement tax contemplated in Section 2(a) shall be imposed on all improvements.
 - (c) The assessor shall not prepare supplementary assessments for linear property.
3.
 - (a) The assessor shall prepare supplementary assessments for machinery and equipment used in manufacturing and processing if those improvements are completed or begin to operate in the year in which they are to be taxed under Part 10 of the Act.

- (b) The assessor shall prepare supplementary assessments for other improvements if:
 - (i) they are completed in the year in which they are to be taxed under Part 10 of the Act;
 - (ii) they are occupied during all or any part of the year in which they are to be taxed under Part 10 of the Act; or
 - (iii) they are moved into the Town during the year in which they are to be taxed under Part 10 of the Act and they will not be taxed in that year by another municipality.
 - (c) A supplementary assessment shall reflect:
 - (i) the value of an improvement that has not been previously assessed; or
 - (ii) the increase in value of an improvement since it was last assessed.
 - (d) Supplementary assessments shall be prepared in the same manner as assessments are prepared under Division 1 of Part 9 of the Act, but must be pro-rated to reflect only the number of months during which the improvement is complete, occupied, located in the municipality or in operation, including the whole of the first month in which the improvement was completed, was occupied, was moved into the municipality or began to operate.
4. Before the end of the year in which supplementary assessments are prepared, the municipality shall prepare a supplementary assessment roll in accordance with section 315 of the Act.
5. Before the end of the year in which supplementary assessments are prepared, the municipality shall:
- (a) prepare a supplementary assessment notice for every assessed improvement shown on the supplementary assessment roll; and
 - (b) send the supplementary assessment notices to the assessed persons

in accordance with section 316 of the Act.

6. Town of Drumheller Bylaw No 10.17 is hereby repealed.
7. This Bylaw shall take effect on the day of the final passing thereof.

READ A FIRST TIME ON THE 5th day of February, 2018.

READ A SECOND TIME ON THE 5th day of February, 2018.

READ A THIRD AND FINAL TIME ON THE ____ day of February, 2018

MAYOR

CHIEF ADMINISTRATIVE OFFICER



Town of Drumheller REQUEST FOR DECISION

TITLE:	Write off of Bad Debt – Utility Accounts
DATE:	January 23, 2018
PRESENTED BY:	Barbara Miller, CPA, CGA, CLGM
ATTACHMENT:	n/a

SUMMARY

Administration is seeking authorization to write off outstanding utility account balances deemed uncollectable, to allowance for bad debt.

BACKGROUND

Section 553 (1) of the MGA provides municipalities with the legislation necessary to mitigate bad debt of utilities by granting authority to transfer outstanding balances to the tax roll, this can only be done if the utility account holder is also the property owner.

Prior to the adoption of Bylaw No. 02-17 Water and Wastewater in February 2017, the Town allowed utility accounts to be created in a tenants name, negating the protections afforded by Section 553(1) and consequently the water and wastewater operating results would include preventable bad debt expense on an annual basis.

One of the fundamental changes introduced in Bylaw No. 02-17 was that utility accounts must remain in the property title holder's name, meaning that the risk of financial loss due to utilities bad debt is largely mitigated.

When the bylaw came into effect, existing tenant accounts were grandfathered until such time as the service was disconnected due to a move request or failure to pay and although the number of these accounts is declining, occurrences of bad debt, which is also declining, will continue until such time as all of the accounts have been transitioned to reflect current practice.

As of December 31, 2017, the following 5 utility accounts that total \$5,059.63, remain outstanding from 2016, are deemed uncollectible at this time and have been referred to our third party collection agency.

004 0037509 011	\$ 148.40
003 0050009 012	\$ 247.43
010 0013002 020	\$ 273.13
025 0028256 011	\$ 359.64
016 0041753 008	\$4,031.03

As required by Generally Accepted Accounting Principles, an allowance equal to the probable bad debt has been recorded as an expense and accrued at year-end 2017.

RECOMMENDATION:

Administration recommends that council approve the write off of outstanding 2016 utility account balances against the allowance for bad debt.

DISCUSSION (OPTIONS / BENEFITS / DISADVANTAGES):

Although an allowance equal to the probable bad debt is accrued at each year end, at some point in time, uncollectable accounts need to be formally written off against this allowance.

Council Policy No. C-07-04 Accounts Collection and Write Off, approval of council is required in order for the bad debt to be formally written off against the allowance accrual.

It is important to note however that in doing so, this does not imply that the Town will cease to actively pursue collection of any outstanding amounts be it through our own or external party collection efforts.

Once a utility account balance is written off, successful collection of an amount reverses the bad debt expense realized at the time of write off.

Benefits – authorizing the write offs provides for a cleaner, more user friendly aged trial balance report and better reflects anticipated receivables to be collected.

Disadvantage – Sub ledger aging reports become less useful and more time consuming to users when long outstanding balances remain listed.

ALTERNATIVES:

Status quo - do not authorize the accounts to be written off against the ADA.

FINANCIAL IMPACT:

There is no financial impact to authorizing the write off of the accounts to the allowance for doubtful accounts.

Generally Accepted Accounting Principles (GAAP) requires an allowance for bad debt to be recorded at year to reflect probable uncollectable receivables. The allowance for these accounts was recorded as an expense in the financial statements as of December 31, 2017.

STRATEGIC POLICY ALIGNMENT:

COMMUNICATION PLAN:

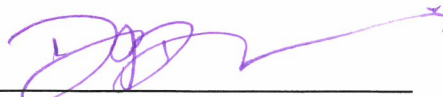
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MOTION: Councillor _____

Moves to adopt the amendments made to Policy No. C04-14 Remuneration and Expense Allowance for Mayor and Council as presented with Article 4.3 being in effect as of the 2017 organizational meeting of October 30th.

Seconder: _____

Prepared by: Barbara Miller


Approved By: Darryl Drohomerski, C.E.T.
Chief Administrative Officer

Town of Drumheller Bylaw 01-18

Mobile Vendor Bylaw

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

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

WHEREAS pursuant to section 7(i) of the Municipal Government Act, a council may pass bylaws for municipal purposes respecting the enforcement of bylaws made under the Municipal Government Act or any other enactment including any or all of the matters listed therein; and

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

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

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

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

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

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

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

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

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

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

Agenda Item # 8.4.1

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 PERMIT REQUIREMENTS / GENERAL REGULATIONS

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

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

Agenda Item # 8.4.1

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

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

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

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

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

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

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

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

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

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

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

Agenda Item # 8.4.1

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

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

3.16 The Vendor shall not engage in any illegal activity.

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

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

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

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

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

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

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

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

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

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

3.27 Mobile Vendors that carry on business at an event that is coordinated, supervised and controlled by the Town of Drumheller, are not required to obtain a Mobile Vendors Permit, however Mobile Vendors participating in a Public Market organized by the Town may be required to pay a fee to the Town as the Public Market organizer.

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

4 APPEALS

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

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

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

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

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

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

5 OFFENCES & PENALTIES

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

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

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

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

6 DUTIES OF AN ENFORCEMENT OFFICER

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

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

7 SEVERABILITY PROVISION

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

8 AMENDMENTS TO SCHEDULES

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

9 EFFECTIVE DATE OF BYLAW

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

Read for a first time on the 5th day of February 2018

Read for a second time on

Read for a third and final time on

Heather Colberg, Mayor _____

Darryl Drohomerski, Chief Administrative Officer _____

Signed by the Mayor and Chief Administrative Officer this day of 2018.

Town of Drumheller Mobile Vendor Bylaw 01-18

Schedule "A"

Fees Mobile Vendor Permit Fees Resident

Business.....	\$ 250.00 per Calendar Year
Non-Resident Business.....	\$ 350.00 per Calendar Year
Appeal Request	\$ 150.00

Town of Drumheller Mobile Vendor Bylaw 01-18

Schedule "B" Penalties

The specified penalty for breach of this Bylaw is:

First Offence - \$ 200.00

Second Offence - \$ 400.00

Third Offence - \$ 800.00

Schedule "C"

224 Centre Street Drumheller AB T0J0Y4

Main: 403.823.6300 Fax: 403.823.7739

Email: developent@dinosaurvalley.com

MVP # _____

Business License # _____

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

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

FOOD TRUCK Make: _____ Model: _____ Year: _____ Color: _____
License Plate #: _____

TRAILER / VEHICLE Make: _____ Model: _____ Year: _____ Color: _____
License Plate #: _____

SIDEWALK PUSH CART License Plate #: _____

TABLE / KIOSK

OTHER: Describe Unit:

NOT APPLICABLE (HAWKER / PEDDLER) Products / Services Provided

Signage Yes If Yes, describe what type of signage

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

No Proposed Location/s Civic Address:

Agenda Item # 8.4.1

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

11 OFFICE USE ONLY

Mobile Vendor Permit App Fee \$ _____ Receipt # _____

PERMIT APPROVAL

Approved By _____ Date Approved:

Hours of Operation / Days of Week Approved:

_____ Permit Expiry Date: _____ Special Conditions:

Refused Reasons for Refusal:

Notes:

Agenda Item # 8.4.1

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

_____ Signature of Applicant

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

Phone 403.823.1339, Fax 403.823.8006, or email FOIP@Dinosaurvalley.com

Agenda Item # 8.4.1

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

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



**Town of Drumheller
REQUEST FOR DECISION**

TITLE:	Community Donation
DATE:	February 1, 2018
PRESENTED BY:	Darren Goldthorpe, Manager of Recreation, Arts and Culture
ATTACHMENT:	

SUMMARY

On Monday, January 15, 2018 an individual who wishes to remain anonymous, presented to Council that they would like to contribute back to the community in the form of a community donation. They would like to purchase 1000 Multi-Facility Drop-in Passes at a reduced rate to distribute to members of the community, including schools, as discussed in the presentation to Council.

Administration would establish a system to enable us to track the passes as they are redeemed and report back to both the donor and Council on the uptake and increase of usage of the passes.

RECOMMENDATION:

Council direct Administration to accept the community donation by means of selling 1000 Multi-Facility Drop-in Passes at the cost of \$2.00 (two-dollars) per pass with an expiry date of August 31, 2018.

DISCUSSION (OPTIONS / BENEFITS / DISADVANTAGES):

There are no real disadvantages to this request other than it may set a precedence for large quantity pass requests to be received. If that is the case the 1000 could be used as a minimum.

FINANCIAL IMPACT:

1000 Multi-Facility Passes would typically cost:

Youth x \$9.00 = \$9000.00

Adult x \$11.75 = \$11,750.00

The 1000 Passes at \$2.00 (total value = \$2000.00) should be considered as positive revenue in addition to normal admissions and pass sales.

Costs to print the passes are estimated to be \$100.00 at the expense of the Town.

STRATEGIC POLICY ALIGNMENT:


COMMUNICATION PLAN:

As per discussion and agreement with the anonymous donor.

MOTION:


Prepared By: Darren Goldthorpe

Reviewed By:


Approved By: Darryl Drohomerski
Chief Administrative Officer

TOWN OF DRUMHELLER BYLAW NUMBER 13.17

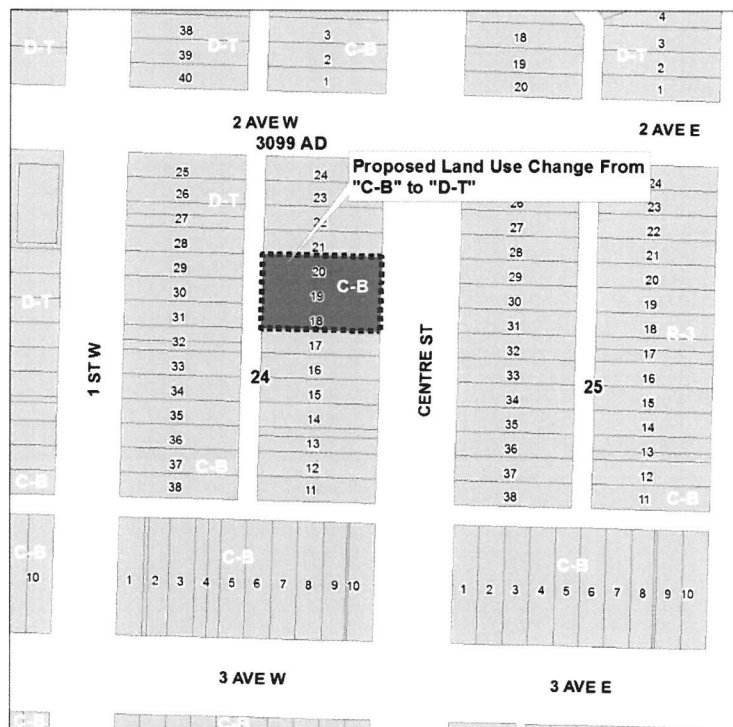
BEING A BYLAW TO AMEND LAND USE BYLAW NO. 10-08 FOR THE TOWN OF DRUMHELLER IN THE PROVINCE OF ALBERTA.

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 No. 10-08; and

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

On Schedule "A", the Land Use District Map, redesignate Lots 18, 19 and 20, Block 24, Plan 3099AD, Lots 39 and 40, Block 24, Plan 1712437 in the Town of Drumheller, from CB (Central Commercial) District to DT (Downtown Transition) District as shown on the plan below:



READ A FIRST TIME THIS 11th DAY OF December, 2017

READ A SECOND TIME **as amended** THIS ____th DAY OF _____, 2018.

READ A THIRD TIME **as amended** AND PASSED THIS ____th DAY OF _____, 2018.

MAYOR

CHIEF ADMINISTRATIVE OFFICER



**Town of Drumheller
REQUEST FOR DECISION**

TITLE:	Bad Debt – Business License Accounts
DATE:	January 15, 2018
PRESENTED BY:	Barbara Miller, CPA, CGA, CLGM Director, Corporate Services
ATTACHMENT:	

SUMMARY

Request for authorization to write off uncollectable 2015 Business License account balances against allowance for bad debt

BACKGROUND

On March 23, 2015, Bylaw No. 04.15 Business License Bylaw was adopted by council.

This bylaw introduced annual per room business licensing fees that were applicable to Hotels, Motels, Bed & Breakfast establishments and Country Inns. The per room licensing fee was calculated using a pre-determined formula that included (but not limited to) industry measured variables such as average occupancy rates and average rental rates.

At the time, the intent of the newly passed bylaw was for the Town to act as the catalyst for “flow through” funding to be collected under this model and fully submitted to Travel Drumheller to fund Destination Drumheller advertising and activities.

Although the business licence model that was applicable to accommodation providers proved to be unfavorable and was subsequently repealed in 2016 so that Travel Drumheller and accommodation vendors could enter into voluntary funding partnerships, all but two (2) of the accommodation owners complied and paid the 2015 amount due as was determined by bylaw and/or through a subsequent 3rd party fee review and adjustment. In all, \$132,568.46 in Schedule B fees were invoiced in 2015 and subsequently paid to Travel Drumheller Marketing Association, with \$127,166.06 of the total fees being collected.

The two amounts that remain outstanding are as follows:

Acct no. R5440 \$ 925.83
Acct no. R5507 \$4,476.57

An allowance equal to the probable bad debt is accrued annually at year end. An allowance was written for both of these account balances at year-end 2015.

However, at some point in time, the uncollectable accounts need to be formally written off against this allowance.

As per *Council Policy No. C-07-04 Accounts Collections and Write Off*, approval of council is required for the bad debt to be written off.

RECOMMENDATION: Administration recommends that council approve the write off of uncollectible 2015 business license fees (Acct no's. R5440 and R5507), against the allowance for bad debt.

DISCUSSION (OPTIONS / BENEFITS / DISADVANTAGES):

Benefits: Cleaner business license sub ledger account
Disadvantages: Sub ledger aging reports become less useful and more time consuming to users when long outstanding balances remain listed.

ALTERNATIVES: Remain status quo – with balance due in sub ledger account and off-setting allowance for bad debt remaining as liability on balance sheet

FINANCIAL IMPACT: Generally Accepted Accounting Principles (GAAP) requires an allowance for bad debt to be established at year end in order to properly reflect probable uncollectable receivables.

The 2 accounts presented for write off are historical and as a result the financial impact of these arrears balances were realized in the 2015 financial statements therefore, there is a sufficient balance in the allowance account to support the requested write-off.

The total RFD is Five thousand four hundred and two dollars and forty-cents (\$5,402.40).

STRATEGIC POLICY ALIGNMENT:

N/A

COMMUNICATION PLAN:


N/A

MOTION: Councillor _____

Moves to authorize the write off of 2015 Business License fees that remain outstanding on Acct no. R5440 for \$925.83 and on Acct no. R5507 for \$4,476.57, against the allowance for bad debt.

Seconder: _____

Barbara Miller
Prepared By: _____


Approved By: Darryl Drohomerski
Chief Administrative Officer