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BYLAW 1322/14

A BYLAW OF STURGEON COUNTY TO REGULATE THE PROCEEDINGS OF THE INTERMUNICIPAL AFFAIRS COMMITTEE

Being a Bylaw of Sturgeon County in the Province of Alberta to Establish and Define the Functions of the St. Albert/Sturgeon County Intermunicipal Affairs Committee

WHEREAS Section 145 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, provides that Council may pass bylaws to establish council committees and define their functions;

AND WHEREAS the municipal councils of the City of St. Albert and Sturgeon County recognize the value of ongoing communication between the two municipalities and the importance of having a mechanism to discuss matters of mutual interest;

AND WHEREAS the municipal councils of the City of St. Albert and Sturgeon County want to establish a joint council committee to facilitate this Intermunicipal communication and information sharing;

AND WHEREAS the municipal councils have agreed on the form of and functions for this committee;

AND WHEREAS to bring the joint council committee into existence as a joint committee of the two municipalities both municipal councils must pass a bylaw to establish the joint committee;

NOW THEREFORE BE IT RESOLVED, that the Council of Sturgeon County, hereby repeals the - St. Albert-Sturgeon County Intermunicipal Affairs Committee Bylaw 1307/13 – Intermunicipal Affairs Committee and enacts bylaw 1322/14 establishing the mandate for the St. Albert/Sturgeon County Intermunicipal Affairs Committee as follows:

1. In this Bylaw:

- a) "Act" means the *Municipal Government Act*, R.S.A. 2000, C. M-26, as amended.
- b) "Business Case" means a proposed initiative between the City of St. Albert and Sturgeon County that may require financial or other resources that may support the mutual success of the communities, or be otherwise recommended;
- c) "County" means the municipal corporation of Sturgeon County or, where the context so requires, the area contained within the boundaries of the County;
- d) "County Council" means the municipal council of Sturgeon County; and
- e) "City Council" means the municipal council of the City of St. Albert;
- f) "City" means the municipal corporation of the City of St. Albert or, where the context so requires, the area contained within the boundaries of the City;

- g) *“Committee”* means the St. Albert/Sturgeon County Intermunicipal Affairs Committee established by this Bylaw and as established by bylaw an amendment to Bylaw 32/2011 Being a Bylaw of the City of St. Albert to Establish and Define the Functions of the St. Albert/Sturgeon County Intermunicipal Affairs Committee;
- h) *“Intermunicipal Notice”* means a written description of a municipality’s Intermunicipal concern, including request(s) of the other municipality, a clearly defined problem description and issue background, implications of request(s), and additional documentation as required or as requested.
- i) *“Robert's Rules”* means *Robert's Rules of Order Newly Revised* 10th Edition.

2. Establishment

A joint council committee is hereby established by the City and the County. The name of the joint council committee shall be the St. Albert/Sturgeon County Intermunicipal Affairs Committee.

3. Membership

The Committee shall consist of all of the members of the City of St. Albert and Sturgeon County Municipal Councils.

4. Committee Roles and Responsibilities

- a) The role of the Committee is advisory only.
- b) The Committee will:
 - i. create an effective communication link between the City and the County;
 - ii. provide a forum for the exchange of information of mutual interest;
 - iii. explore opportunities for Intermunicipal cooperation in the provision of services to residents;
 - iv. develop the framework for Intermunicipal initiatives;
 - v. direct the chief administrative officers of the City and/or the County to conduct research or prepare reports or business cases pertaining to matters of Intermunicipal importance.
 - vi. form administrative sub-committees, with terms of reference as approved by the Committee, to consider matters related to the development or implementation / resourcing of proposed projects between the City and County. Administrative sub-committees shall contain administrative officials from the City and the County, and shall function in an advisory capacity to the Committee;
 - vii. form inter-municipal task forces, with terms of reference as approved by the Committee, to consider matters related to long-term strategic opportunities

- between the City and County. Inter-municipal task forces shall function in an advisory capacity to the Committee and contain an equal number of elected officials from the City and the County. Recommendations on the human and/or financial resources required to support the work of the taskforces shall be provided by the chief administrative officers of the City and County;
- viii. develop and approve work plans pertaining to Committee or sub-committee reviews, when deemed appropriate;
 - ix. make presentations to the respective municipal councils on Intermunicipal service opportunities and programs; and
 - x. deliberate land use planning matters.
- c) The chief administrative officers, or designate, of the City and the County shall attend the meetings of the Committee but may not make motions or vote on matters before the Committee.

5. Meetings and Rules of Procedure

- a) A quorum of the Committee will be eight (8) members and must include a minimum of four (4) representatives from each municipality.
- b) The Committee shall meet three times a year on the last Wednesday of February, June and October except in a municipal election year where the October meeting will be cancelled.
- c) Special meetings of the Committee may occur at any time upon the call of either the Mayor of the City or the Mayor of the County.
- d) The Mayor of the City, or designate, and the Mayor of the County, or designate, shall chair the meetings on an alternating basis.
- e) Meetings shall be held in the municipality of the Mayor scheduled to chair the meeting.
- f) The agenda for each Committee meeting shall be established by the Mayors, or designates, in advance of the meeting date.
- g) The municipality whose Mayor is scheduled to chair the meeting shall provide administrative support for the Committee including the provision of staff to prepare the agenda, provide public notices as required and record the minutes of the Committee meeting.
- h) The Committee shall conduct its meetings in public unless otherwise authorized by the
 - a. *Act.*
- i) The Committee may invite, or accept requests from, interested parties to attend Committee meetings to make verbal presentations or to make written submissions to the Committee on a specific item on the Committee's agenda.

- j) The meetings of the Committee shall be conducted in accordance with the *Act* and Robert's Rules.
- k) Minutes shall be prepared and circulated to all Committee members within two weeks of each Committee meeting.
- l) The minutes shall be adopted by the Committee at its next meeting.
- m) The Mayor chairing the meeting at which the minutes are adopted shall sign the minutes.
- n) Signed copies of the minutes of all Committee meetings shall be provided to both the City and the County.

6. Dispute Resolution

- (a) If either the City or the County identifies a matter of Intermunicipal concern between the municipalities, the following process shall be followed:
 - (i) Any matter of Intermunicipal concern between the municipalities shall first be informally discussed by relevant administrative officials employed by the City and County, culminating with discussions between the chief administrative officers, with the goal of resolving the concern.
 - (ii) If the matter of Intermunicipal concern is not resolved pursuant to Section 6(a)(i), the initiating municipality may request that a confidential review by the Committee be scheduled. All requests to the Committee shall include a copy of a Council resolution authorizing the request and a copy of an Intermunicipal Notice, which shall be circulated to Committee members within fourteen (14) calendar days of a scheduled or special meeting date.
 - (iii) The Committee shall review an Intermunicipal Notice *in camera*, and may provide direction to resolve the matter or add the matter to the work plan of an administrative sub-committee following the review. Work plan additions shall require a majority of each municipality's representatives to vote in the affirmative.
 - (iv) If the matter of Intermunicipal concern is not resolved pursuant to Section 6(a)(iii), the Committee may recommend to the Councils of the City and the County that a third party mediation, focused on interest based negotiation and mutual success, be commenced within sixty (60) calendar days. The decision to act upon such a recommendation from the Committee is subject to approval by the Council of each Municipality.
 - (v) If the matter of Intermunicipal concern is not resolved pursuant to Section 6(a)(iv), the Committee may recommend to the Councils of the City and the County that an alternative dispute resolution process, including but not limited to binding arbitration or legal proceeding, be commenced. The decision to act upon such a recommendation from the Committee is subject to approval by the Council of each Municipality.

(b) Direct costs incurred by both municipalities pertaining to the above dispute resolution process shall be borne by the municipality initiating the Intermunicipal Notice, unless the matter is ultimately resolved in favor of the initiating municipality following a third party mediation, arbitration, legal process or other alternative dispute resolution process, in which case, the direct costs incurred by both municipalities shall be paid by the other municipality.

7. Repeal

If either the City Council or County Council intends to no longer participate in this Committee, they shall give the other municipal council no less than thirty (30) days written notice of that intention prior to the meeting at which any motion or bylaw to cease participation in the Committee is to be considered.

8. Effective Date

This Bylaw shall come into effect upon the later of:

- a) Its passage by Sturgeon County.
- b) The passage by the City of St. Albert of a corresponding amendment to their bylaw 11/2007 St. Albert/Sturgeon County Intermunicipal Affairs Committee.

NOTE: Consolidation created under Section 69 of the *Municipal Government Act*, RSA 2000,c.M-26 and Bylaw 929/02, and printed under the authority of Legislative Services

Bylaw 1322/14, adopted by Council April 8, 2014

Amendments:

Bylaw 1340/14, adopted by Council November 25, 2014

Schedule "A"¹**Memorandum of Understanding****Sturgeon County and the City of St. Albert
Principles for Sub-Regional Planning and Boundary Discussions**

We, Sturgeon County and the City of St. Albert have come together, working in the spirit of co-operation and collaboration, for the mutual benefit of the City St. Albert and Sturgeon County. In particular, our focus is on those lands adjacent to the shared boundary of the municipalities and within the area defined as the Capital Region Board's Priority Growth Area "B" (PGA).

Both municipalities are committed to the development of strong, vibrant and sustainable communities, which includes pursuing mutually beneficial activities.

In general terms, Sturgeon County and the City of St. Albert:

- a) Will work together to enable orderly and effective decision-making regarding infrastructure, lands and boundaries;
- b) Will work together in a manner which respects the rights of landowners;
- c) Are committed to the policies and principles of the Capital Region Growth Plan, and to compliance with all statutes and regulations of the Province of Alberta;
- d) Are committed to timely, seamless and cost effective design and delivery of mutually supported infrastructure for mutual benefit;
- e) Agree that the cost of mutually beneficial growth is ultimately to be funded by growth itself and that the municipality(ies) incurring costs for such infrastructure shall be reimbursed from the benefitting parties;
- f) Recognize that development within the PGA area requires further statutory planning and consultation, and that formal approval of both municipalities is required prior to new multi-lot developments within the PGA;
- g) Will jointly and positively communicate with the public regarding the progress of their collaborative efforts;
- h) Shall conduct periodic reviews of their shared boundary that consider a delineation between urban and rural built form, municipal servicing requirements and costs, and other considerations as required;
- i) Acknowledge that the City St. Albert is in the best position to provide for the development and servicing of higher density urban built form as a natural extension

¹ 1340/14

of the city;

- j) Acknowledge that Sturgeon County is in the best position to provide for the development and servicing of lower density rural built form; and
- k) Agree that funding to develop opportunities will continue to be jointly pursued through provincial or federal grant programs where possible, or through internal resources as required.

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.