

Request for Decision

Title	Bylaw 1400/18, Community Aggregate Payment Levy Bylaw
Proposed Motion	That Council give first reading of Bylaw 1400/18, Community Aggregate Payment Levy Bylaw.
Administrative Recommendation	Manager of Community Services supports this action as part of best practice and implementation of the updated Alberta Regulation.
Previous Council Direction	September 12, 2017 – Motion 378/17 That Council approve the recommended Modernized Municipal Government Act Regulations submission, and authorize the Mayor to submit it to the Minister of Municipal Affairs on behalf of Sturgeon County Council.
Report	<p><u>Background Information</u></p> <ul style="list-style-type: none"> • The <i>Municipal Government Act</i> (MGA) was amended by three bills over three years: Municipal Government Amendment Act 2015, Modernized Municipal Government Act (2016) and An Act to Strengthen Municipal Government (2017). • Sturgeon County’s submission on Round Two proposed changes included: Sturgeon County is pleased to see a slight increase to the maximum levy rate, and that municipalities will be the entity that continues to collect the levy. The revised rate gives greater flexibility for Councils, more closely aligned with inflation rates since the levy rate was last updated. Council would support the addition that clear public reporting should be mandatory on how CAP Levy funds are allocated, as to ensure transparency and to showcase industry’s contributions to community. • Calahoo-Villeneuve Sand and Gravel Advisory Committee submission on the proposed changes included: <ul style="list-style-type: none"> ○ It should be mandatory for municipalities to invest CAP Levy funds in affected areas where aggregate operations occur, ○ We support the mandatory provincial collection of CAP levy on all aggregate extraction regardless of the nature of the project - no exceptions including public infrastructure projects, ○ We support the mandatory provincial collection of CAP levy by all municipalities and all producers,

- We support the increase in levy subject to the uniform collection, transparency in reporting and emphasis on benefit to the affected community, and
- The Committee supports the inclusion of an orphan pit fund as part of the CAP levy.
- Most of the changes contained in three MGA Review amending bills and their associated regulations came into force on October 26, 2017, including the Community Aggregate Payment Levy Regulation.
- This regulation enables municipalities to voluntarily pass Community Aggregate Payment Levy (CAPL) bylaws to impose a levy on shipments of sand and gravel (aggregate) operations in a municipality. This regulation is relevant only in municipalities where aggregate operations take place and enables municipalities to adopt a bylaw to collect a levy to offset the impacts of aggregate operations, such as those associated with road infrastructure, or towards other community benefit projects, as determined by municipal councils.
- The maximum levy rate is increased from \$0.25 to \$0.40 per tonne of shipped sand and gravel, keeping the rate in line with inflation and helping municipalities maintain the safety of roads and bridges impacted by heavy industry. The expiry date was extended by five years to December 31, 2022.
- Sturgeon County's current bylaw set the uniform levy rate at \$0.25 per tonne in 2006 and it has not been reviewed or amended.
- In support of continuous improvement, ensuring compliance with our policy and procedure framework and best practice, Administration is recommending a repeal and replacement of the bylaw versus an amendment.

External Communication

- Brief consultation with the Calahoo-Villeneuve Sand and Gravel Advisory Committee occurred during the draft for first reading.
- The draft Bylaw was reviewed by Legal Counsel and specific advice was received regarding the offences.
- Additional consultation will take place after Council has passed first reading and the Bylaw becomes public and open for debate.

Relevant Policy/Legislation/Practices:

- *Municipal Government Act*, RSA 2000 c.M-26 - Section 409.1 authorizes the passing of a bylaw to regulate the collection of a levy.
- *Alberta Regulation 263/2005* - Section 3(1) identifies the provisions of a bylaw and section 5(2) identifies the maximum levy rate.




<p>Implication of Administrative Recommendation</p>	<p><u>Strategic Alignment:</u></p> <p>Strong Local Governance and Regional Leadership – The update ensures financial plans are developed through Council policies that ensure the provision of core service and infrastructure to residents.</p> <p><u>Organizational:</u></p> <p>Core work around the collection and distribution of the CAP Levy will continue. Additional time and effort will be required to update Council policies that are linked to the collection of the Levy. Primarily the Community Association Grant policy.</p> <p><u>Financial:</u></p> <table border="1" data-bbox="527 546 1266 766"> <thead> <tr> <th colspan="2"></th> <th colspan="2"><u>Based on 2017 Tonnage - First 2 Qtrs</u></th> </tr> </thead> <tbody> <tr> <td>Revenue @ 0.25</td> <td></td> <td>234,865.22</td> <td></td> </tr> <tr> <td>Revenue @ 0.40</td> <td></td> <td>375,793.48</td> <td></td> </tr> <tr> <td></td> <td></td> <td>\$ 140,928.26</td> <td></td> </tr> </tbody> </table>			<u>Based on 2017 Tonnage - First 2 Qtrs</u>		Revenue @ 0.25		234,865.22		Revenue @ 0.40		375,793.48				\$ 140,928.26	
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<p>Alternatives Considered</p>	<p>Pass all three reading of the Bylaw and bring the change into effect immediately.</p>
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<p>Implications of Alternatives</p>	<p><u>Strategic Alignment:</u></p> <ul style="list-style-type: none"> Administration supports the alternative and the collection of funds that we are entitled to. <p><u>Organizational:</u></p> <ul style="list-style-type: none"> No organizational impact. <p><u>Financial:</u></p> <ul style="list-style-type: none"> Estimated impact is as reflected earlier in the RFD.
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<p>Follow up Action</p>	<ol style="list-style-type: none"> Share draft bylaw with all operators in Sturgeon County, effectively giving them notice of the change in rates (Community Services, February 2018). Bring back for second and third reading on March 13, 2018 (Community Services).
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Attachment(s)	<ol style="list-style-type: none">1. Bylaw 1400/182. Alberta Regulation 263/20053. Letter from Gravel Association4. Current Bylaw 1078/06
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Report Reviewed by:	 <p>Susan Berry, Manager Community Services</p>  <p>Shane Hogan, Acting Manager, Municipal Services</p>  <p>Bill Minnes, County Commissioner-CAO</p>
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Strategic Alignment Checklist

Vision: Sturgeon County: a diverse, active community that pioneers opportunities and promotes initiative while embracing rural lifestyles.

Mission: Provide quality, cost effective services and infrastructure to meet the diverse needs of the Sturgeon County community, while improving competitiveness and sustainability.

Focus Areas	Not consistent	N/A	Consistent
Strong Local Governance and Regional Leadership			
<i>We promote consistent and accountable leadership through collaborative and transparent processes (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Consistent with neighborhood role (see MDP), master plans, policies</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Considers fiscal stability and sustainability</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Has a positive impact on regional and sub-regional cooperation</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Respect the Natural Environment			
<i>We acknowledge the importance of a healthy environment and will minimize and monitor our impact on ecosystems (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <i>Compliance with Provincial and Federal regulations and/or legislation</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <i>Ensure effective environmental risk management</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community Identity & Spirit			
<i>We will build upon our strengths, where together we will create an inclusive, caring community (Strategic Plan, (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Promotes and/or enhances residents' identification with Sturgeon County</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <i>Enhances service provision through community partnerships</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Supports Sturgeon County's cultural history</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Planned Growth and Prosperity			
<i>We encourage varied and integrated enterprises that enhance our strong economic base, while balancing the needs of the community and natural environment. (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <i>Does the proposal align with the Integrated Regional Growth Strategy (map/policies) pg. 26 MDP</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <i>Considers cumulative costs and long-term funding implications</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <i>Targets growth around current or planned infrastructure</i> 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maintain and Enhance Strong Communities			
<i>We are committed to a safe, secure community, where our residents are respected and provided with access to opportunities. (Strategic Plan, pg. 27 MDP)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Positive impact on residents' quality of life</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Supports and promotes volunteer efforts</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Provides programs and services that are accessible to all residents</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Operational Excellence			
<i>We have the organizational capability to deliver consistent and defined levels of service to all stakeholders in a professional, efficient, and cost effective manner</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Staff have the knowledge, skills and capability to perform their jobs</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Streamlines operational processes and policies</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Promotes engagement and professional interaction with stakeholders</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <i>Considers a cost-structure which allows Sturgeon County to remain competitive within a regional, national and global context</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>