

SUMMER VILLAGE OF NAKAMUN PARK

AGENDA

Tuesday August 20th, 2024 – at Wildwillow Enterprises Inc. Main Office (2317 Township Road 545, Lac Ste. Anne County, Alberta, T0E 1V0, East End Fire Hall of LSAC) - 2:00 P.M.

1. Call to Order:
 - a) Land Acknowledgement:
The Summer Village of Nakamun Park acknowledges that we are meeting on Treaty 6 Territory and on the homelands of the Metis Nation. We acknowledge all indigenous peoples who have walked these land for centuries, and where wrongs have been done, we dedicate our efforts to moving forward in a renewed spirit of reconciliation and collaboration with our indigenous stakeholders, friends, and neighbours so that the mistakes of the past are never repeated in the future.

2. Agenda: (1-2) a) Tuesday August 20th, 2024 Regular Council Meeting Agenda
3. Minutes: (3-5) a) Tuesday July 16th, 2024 Regular Council Meeting Minutes
b)
4. Appointment: a) N/A
5. Bylaws/Policies: a) N/A
b)
6. Business:
 - (6-8) a) Request for Extensions to Letter of No Objection, Seasonal Dock Permit – Attached is RFD 2024-37 for background and review.
 - (9-24) b) Council Code of Conduct, Bylaw #2024-7 – RFD 2024-38 is attached, including the draft bylaw with changes in red text.
 - (25-33) c) Bylaw Enforcement Officer, Bylaw #2024-8 – RFD 2024-39 is attached, including the draft bylaw with changes in red text.
 - (34-35) d) New Resident/Realtor Information Package Discussion – RFD 2024-40 is attached for background.
 - e) Annual Information Meeting – Roundtable Discussion/Feedback.
 - f) Other
 - g) Other
 - h) Other

7. Financial a) N/A

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8. Councillor Reports

- a) Mayor
- b) Deputy Mayor
- c) Councillor

9. Administration Reports

- a) CAO:
 - a. Bill 20 Engagement – Meeting with MLA
 - b. Fire Service Negotiations Next Steps/Discussion
 - c. Reserve Clean-Up Progress Update
 - d. Community Volunteer Action Plan Update/Next Steps
 - e. Enforcement Updates and Next Steps
 - f. Weed Harvester – Post Season Retrofits and Servicing Plan
 - g. Fortis Alberta Street Light Shields/Shades

10. Information and Correspondence

(36-37)

- a) Government of Alberta, Municipal Affairs – July 23rd, 2024, Letter confirming the 2024 CCBF Allocation for the Summer Village of Nakamun Park, and extension of the CCBF program province-wide through fiscal year 2034.

(38-39)

- b) Municipal Musings, August 2024 Edition – Information newsletter on updates, trends and upcoming to-dos in municipal affairs/governments.

(40-41)

- c) Town of Mayerthorpe – CPO Reports (July 2024)

11. Closed Meeting

- a) Active Enforcement Matters: Developments, Updates and Next Steps - FOIP Section 17 (Disclosures Harmful To Personal Privacy), and FOIP Section 29 (Information That Is, Or Will Be, Made Available to the Public)

12. Next Meeting Date

- a) Schedule the next regular council meeting for September 17th, 2024, or some other date/time.

13. Adjournment

Upcoming Meetings:
September 17th, 2024 – Regular Meeting (Proposed)
September 28th, 2024 – SVLSACE Meeting

2

MINUTES OF THE REGULAR MEETING OF COUNCIL OF THE SUMMER VILLAGE OF NAKAMUN PARK, IN THE PROVINCE OF ALBERTA, HELD ON TUESDAY JULY 16, 2024 AT 2:00 P.M. AT THE WILDWILLOW ENTERPRISES INC.MAIN OFFICE.

	PRESENT	<p>Mayor: Keith Pederson Deputy Mayor: Marge Hanssen Councillor: Robert Charter</p> <p>Administration: Dwight Moskalyk, CAO</p> <p>Appointments: N/A Absent: N/A</p> <p>Public Works: N/A Public at Large: N/A</p>
1.	CALL TO ORDER	Mayor Pederson called the meeting to order at 2:00pm
2.	AGENDA 114 -24	MOVED by Deputy Mayor Hanssen that the agenda for the Tuesday July 16 th , 2024 regular meeting of council be approved, as presented. CARRIED.
3.	MINUTES 115 -24	MOVED by Mayor Pederson that the minutes for the Wednesday June 19 th , 2024 regular meeting of council be approved, as presented. CARRIED.
4.	APPOINTMENT	N/A
5.	BYLAW	N/A
6.	BUSINESS 116 - 24	MOVED by Deputy Mayor Hanssen that Council approve the ABmunis Alberta Municipal Services Corporation Retail Services Agreement and Transaction Confirmation for Fixed Price Electricity, as discussed, and authorize CAO Moskalyk to execute the agreement on behalf of, and under seal of, the municipality, as presented. CARRIED.

MINUTES OF THE REGULAR MEETING OF COUNCIL OF THE SUMMER VILLAGE OF NAKAMUN PARK, IN THE PROVINCE OF ALBERTA, HELD ON TUESDAY JULY 16, 2024 AT 2:00 P.M. AT THE WILDWILLOW ENTERPRISES INC.MAIN OFFICE.

	117 - 24	<p>MOVED by Deputy Mayor Hanssen that Council give first reading to Bylaw #2024-6, being a Procedural Bylaw for the conduct of meetings of the municipality, as presented.</p> <p style="text-align: right;">CARRIED.</p>
	118 - 24	<p>MOVED by Mayor Pederson that Council give second reading to Bylaw #2024-6, being a Procedural Bylaw for the conduct of meetings of the municipality, as presented.</p> <p style="text-align: right;">CARRIED.</p>
	119 - 24	<p>MOVED by Councillor Charter that Council give unanimous consent for Bylaw #2024-6, being a Procedural Bylaw for the conduct of meetings of the municipality, to proceed to third and final reading this day, July 16, 2024, as presented.</p> <p style="text-align: right;">CARRIED UNANIMOUSLY.</p>
	120 - 24	<p>MOVED by Deputy Mayor Hanssen that Council give third and final reading to Bylaw #2024-6, being a Procedural Bylaw for the conduct of meetings of the municipality, as presented, and authorize same to be executed by Mayor Pederson and CAO Moskalyk.</p> <p style="text-align: right;">CARRIED.</p>
	121 - 24	<p>MOVED by Councillor Charter that Council accept the discussion on the 2024 Annual Information Meeting program, set for July 20th, 2024, and approve the draft agenda as discussed, including the following topics:</p> <ul style="list-style-type: none"> -Fire Ban Signs, Fire Ban Process, and New Fire Bylaw (No Fire Works) -Weed Harvester Purchase and Harvesting Schedule 2024 -Plan for Municipal Reserves, Reminder to Comment -Fire Services (Partnership Restructuring) -Volunteer Clean-Up Committee -Regional Water and Wastewater Projects -Municipal Enforcement and Reminder of CPO Number -Emergency Management Presentation <p style="text-align: right;">CARRIED.</p>
7.	FINANCIAL 122 - 24	<p>MOVED by Councillor Charter that Council accept the Income and Expense Reports ended June 30th, 2024, as presented, for information.</p> <p style="text-align: right;">CARRIED.</p>
8.	COUNCIL REPORTS 123 - 24	<p>MOVED by Mayor Pederson that Council accept the Council Reports for information, as presented.</p> <p style="text-align: right;">CARRIED.</p>

MINUTES OF THE REGULAR MEETING OF COUNCIL OF THE SUMMER VILLAGE OF NAKAMUN PARK, IN THE PROVINCE OF ALBERTA, HELD ON TUESDAY JULY 16, 2024 AT 2:00 P.M. AT THE WILDWILLOW ENTERPRISES INC.MAIN OFFICE.

9.	ADMINISTRATION /PUBLIC WORKS REPORTS 124 - 24	MOVED by Deputy Mayor Hanssen that Council accept the Administration and Public Works reports for information, as presented. CARRIED.
10	INFORMATION / CORRESPONDENCE 125 - 24	MOVED by Councillor Charter that the following information and correspondence items be accepted as information: <ul style="list-style-type: none"> a) ABmunis, AMSC Insurance – Confirmation of the Volunteer Insurance Coverage (enhanced coverage added to policy as discussed). b) Summer Village of South View, Fire Hall Closure – June 28th, 2024 letter noting concern with the lack of communication about recent planned fire hall closures. c) Government of Alberta, Municipal Affairs – June 24th, 2024 Ministerial Order confirming the requisitions payable (and forgiveness thereof certain amounts via a program credit) for the Designated Industrial Property tax. The order include a report listing all DIPs issued, attached is only the page that includes Summer Village of Nakamun Park (indicating our credit back for the levied amount). d) Town of Mayerthorpe – CPO Reports (June 2024) CARRIED.
11.	CLOSED MEETING	N/A
12.	NEXT MEETING 126 - 24	MOVED by Deputy Mayor Hanssen that the next regularly scheduled meeting be held on Tuesday August 20 th , 2024 at 2:00 p.m. CARRIED.
13.	ADJOURNMENT	Mayor Pederson declared the meeting adjourned at 3:25 p.m.

 Mayor Keith Pederson

 Chief Administrative Officer Dwight Moskalyk



Summer Village of Nakamun Park Request For Decision - (RFD) 2024-37

Meeting:	Regular Council
Meeting Date:	August 20, 2024
Originated By:	Dwight Moskalyk, Chief Administrative Officer
Title:	Request for Extensions – Letter of No Objection (MR9, et al.)
Agenda Item Number:	6(a) – Regular Meeting Business

BACKGROUND/PROPOSAL:

As Council will recall, we have a few lake front Municipal Reserve (MR) lots in the community that are used by backlot property owners to access their private mooring structures/seasonal docks in adjacent water. This arrangement requires a permit from the provincial authority, and as part of that permit application, the applicant must also garner a Letter of No Objection from the municipality.

With the ongoing work on MR8 and MR9 this year, the usual process for access to and through these lots to place, use, and eventually remove docks associated with these lots may not be "normal" and may be less convenient than in the past. This is certainly the opinion of the property owners at 5607 and has resulted in their request for an extension to the 3-year approval that they are currently subject to (see attached).

The policy on requesting Letters of No Objection for seasonal docks does not speak to considering extensions, which means that consideration of this request is at Council's discretion.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

We have not received requests from other permit holders on these lots, despite the inconveniences caused by the work, and it does look as though most folks did manage the site their docks this year. Regardless, I do believe it is reasonable to assume that some permit holders felt the work jeopardized their benefit of the existing arrangement. As there is very little impact (certainly no significant financial or administrative impact) to issuing an extension letter, administration is perfectly agreeable to doing so if that is the direction of Council.

In considering this decision, I should Council consider:

- 1) Was the inconvenience great enough to warrant loss (of the year's "value" of the permit)?
- 2) If "Yes," is the best remedy:
 - a. Issue an extension to the requesting party?
 - b. Issue an extension to all impacted parties, regardless of if they request or not?
 - c. Issue all received requests for extensions now, and either authorize administration to review and approve similar (for same reason) as might arise this season, or direct that same shall be brought back to council for consideration during regular meetings?
 - d. Some other course of action?



For completeness in the discussion, we have four active permits between MR8 and MR9, as follows:

- MR 8 – 5616 (Expire 2024)
 - MR 8 – 5609 (Expire 2025)
 - MR 9 – 5607 (Expire 2026)
 - MR 9 – 5603 (Expire 2026)
- (* Expiry is the end of the calendar year indicated)

COSTS/SOURCE OF FUNDING (if applicable):

Minimal cost required to issue letters of extension, cost to write letter and mail out same.

RECOMMENDED ACTION:

1. That Council approve the request for a one-year extension to the previously approved "Letter of No Objection" time frame grant to Property Owners 5607 Nakamun Drive, resulting in a new expiry date of December 31st, 2027, AND Further that _____ (either a universal approval or authorize administration to review and grant extensions as may arise from this work).

Initials show support – Reviewed By: _____ **CAO: D. Moskalyk**

Date Thu, 25 Jul, 24 5:46:52PM
From T8N
t8n@shaw.ca
To cao
cao@svnakamun.com
Subject Placement of a seasonal dock adjacent to Reserve R9 - 3 year term.

Good Morning,

Asking Council approval for the request of a letter of no-objection, for the property owners at 5607 Nakamun Drive, for the placement of a seasonal dock adjacent to Reserve R9 (MR9) for a period of 3 years (2027, 2028, 2029).

We have lost enjoyment of the dock permit, this year and next year, due to summer village construction project within R9.

Asking Administration to prepare and execute the letter advising of same, to the applicant, to apply for dock permit.

Thank you in advance.

8



Summer Village of Nakamun Park Request For Decision - (RFD) 2024-38

Meeting:	Regular Council
Meeting Date:	August 20, 2024
Originated By:	Dwight Moskalyk, Chief Administrative Officer
Title:	Bylaw 2024-7 – Council Code of Conduct Bylaw (Revisions)
Agenda Item Number:	6(b) – Regular Meeting Business

BACKGROUND/PROPOSAL:

Council is required to adopt a Council Code of Conduct Bylaw, a concept which was introduced and in the 2017 round of MGA revisions by the province. In keeping with that obligation, Nakamun Park adopted their version of the bylaw in 2018. This version was reviewed in and passed without comment during our last Municipal Accountability Program review. Since then, we have undertaken a minor amendment in 2023 (resulting in the current iteration coded as Bylaw 2023-5) to address new legislation at that time.

In 2023 Castle Island, another municipality in our office, completed its MAP review, and in debriefing on same we have noted a few new changes that Municipal Affairs wants us to make in template – so we are updating in all our client municipalities.

Draft Bylaw 2024-7 is attached for review, including red font for sections which have been changed or are new.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

There are three main changes noted:

- 1) A small text amendment to the preamble (adding section 146.1 reference for clarity)
- 2) Adding/Inserting a "Review" clause – which outlines the frequency of review for this bylaw, specifically minimum of every new council term.
- 3) Revisions to Schedule B, Procedure for Complaints, Investigations And Sanctions Regarding Breach Of The Code Of Conduct – specifically remedying two areas:
 - a. that a councillor shall not be excluded from attending a closed session meeting where and allegation against them is being considered (as that would violate Section 153).
 - b. The list of sanctions provided, to be consistent with those set out in the MGA (whereas previous iterations used a modified list).



In passing this new bylaw, council would also repeal bylaw 2023-5, as noted in the Repeal clause.

COSTS/SOURCE OF FUNDING (if applicable):

N/A

RECOMMENDED ACTION:

1. That Council give all required readings to Bylaw 2024-7, as presented or with amendments, and authorized executions of same by Mayor Pederson and CAO Moskalyk.

Initials show support – Reviewed By:	CAO: <i>D. Moskalyk</i>
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**A BYLAW OF THE SUMMER VILLAGE OF NAKAMUN PARK, IN THE
PROVINCE OF ALBERTA, TO ESTABLISH A CODE OF CONDUCT FOR
MEMBERS OF COUNCIL, COUNCIL COMMITTEES AND OTHER BODIES
ESTABLISHED BY THE COUNCIL**

WHEREAS Municipal Councils must, by bylaw, establish a code of conduct governing the conduct of Councillors, pursuant to the *Municipal Government Act, RSA 2000 Chapter M-26, s.146(1)*, as amended from time to time; and

WHEREAS Municipal Council may establish a code of conduct governing the conduct of members of council committees and other bodies established by the council pursuant to the *Municipal Government Act, R.S.A. 2000 Chapter M-26* as amended from time to time; and

WHEREAS the elected officials of the Summer Village of Nakamun Park recognize that they have an obligation to serve the public in a conscientious and diligent manner; understanding that the function of Council members is to seek the common good of the municipality as a whole and acknowledging that they are held to a higher standard of ethical behavior and conduct due to the trust that has been placed in them; and

WHEREAS, the Council for the Summer Village of Nakamun Park wishes to exercise its authority pursuant to the Municipal Government Act to enact a bylaw to provide for the Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council;

NOW THEREFORE the Council of the Summer Village of Nakamun Park, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. SHORT TITLE

1.1. This Bylaw may be cited as the "Code of Conduct Bylaw".

2. DEFINITIONS

2.1. "Act" means the *Municipal Government Act, R.S.A. 2000 Chapter M-26*, as amended from time to time.

2.2. "Bylaw" means a bylaw of the Summer Village of Nakamun Park.

- 2.3. "*Chief Administrative Office,*" or "CAO" means the person appointed to the position of Chief Administrative Officer by Council.
- 2.4. "*Code of Conduct*" means the Summer Village of Nakamun Park Code of Conduct for Members of Council, Council Committees and Other Bodies Established by Council.
- 2.5. "*Committee*" means a board, commission, authority, task force or any other public body established by Council.
- 2.6. "*Confidential Information*" means any information that is prohibited from being disclosed under Alberta's Freedom of Information and Protection of Privacy Act (FOIPP) and also includes any information received by a Member in confidence by virtue of their position on Council, a Council Committee or other body established by the Council, as well as matters discussed in meetings that have been closed to the public, unless those matters have subsequently been made public by Council.
- 2.7. "*Council*" means the Council of the Summer Village of Nakamun Park.
- 2.8. "*Integrity Commissioner*" or "*Commissioner*" means the individual appointed by Council to receive, assess, investigate and adjudicate complaints regarding breach of the Code of Conduct.
- 2.9. "*Member*" is intended to include both Members of Council and Members of Council Committees or other bodies established by the Council.
- 2.10. "*Member of Council*" means a duly elected Member of Council and includes the Mayor and Deputy Mayor.
- 2.11. "*Member of Council Committee or other body established by the Council*" means member of a committee, board, authority, task force or other body duly appointed by Council.
- 2.12. "*Summer Village*" means the Corporation or the Summer Village of Nakamun Park.

3. CODE OF CONDUCT

- 3.1. That the *Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council* is attached hereto as "Schedule A" and forms part of this bylaw.

4. PROCEDURE FOR COMPLAINTS, INVESTIGATIONS AND SANCTIONS

- 4.1. That the *Procedure for Complaints, Investigations and Sanctions Regarding*

Breach of the Code of Conduct, is attached hereto as "Schedule B" and forms part of this bylaw.

5. AMENDMENTS

- 5.1.** That amendments or additions to the *Code of Conduct for members of Council, Council Committees and Other Bodies Established by the Council* (Schedule A) or the *Procedure for Complaints, Investigations and Sanctions Regarding Breach of the Code of Conduct* (Schedule B) will require an amendment to this Bylaw.

6. INTERPRETATION

- 6.1.** Terms which are not defined in the Code of Conduct Bylaw will be given their ordinary meaning.
- 6.2.** Within the text of the Code of Conduct Bylaw:
- a)** use of a pronoun or determiner which indicates one gender shall include all genders unless the context requires otherwise, and
 - b)** use of the singular shall include the plural and the plural shall include the singular as the context requires.

7. SEVERABILITY

- 7.1.** It is the intention of the Council of the Summer Village of Nakamun Park that each section of this Bylaw should be considered as being separate and severable from all other sections. Should any section or part of this Bylaw be found to have been improperly enacted, then such section or part shall be regarded as being severable from the rest of this Bylaw and that the Bylaw remaining after such severance shall be effective and enforceable.

8. REVIEW

- 8.1** This Bylaw shall be brought forward for review at the beginning of each term of Council, when relevant legislation is amended, and at any other time that Council considers appropriate to ensure that it remains current and continues to accurately reflect the standards of ethical conduct expected of Members.

9. REPEAL

- 9.1** This Bylaw repeals the previous version of the Councillor Code of Conduct Bylaw, **Bylaw 2023-5**.

10. COMING INTO FORCE

This Bylaw shall come into effect upon the third and final reading and signing of this Bylaw

READ a first time this ____ day of _____, 2024.

READ a second time this _____ day of _____, 2024.

UNANIMOUS CONSENT to proceed to third reading this ____ day of _____, 2024.

READ a third and final time this ____ day of _____, 2024.

SIGNED this ____ day of _____, 2024

Mayor, Keith Pederson

Chief Administrative Officer, Dwight Moskalyk

SCHEDULE A

THE SUMMER VILLAGE OF NAKAMUN PARK CODE OF CONDUCT FOR MEMBERS OF COUNCIL, COUNCIL COMMITTEES AND OTHER BODIES ESTABLISHED BY THE COUNCIL

1. PURPOSE AND PRINCIPLES

- 1.1. The purpose and intent of this Code of Conduct is to establish standards of conduct for Members of Council, Council Committees and other bodies established by the Council so that they may carry out their entrusted duties with diligence and impartiality while maintaining the highest standard of integrity.
- 1.2. The Code is intended to supplement existing superior legislation and municipal bylaws and policies that govern the conduct of Members of Council, Council Committees and other bodies established by the Council.
- 1.3. The key principles underlying this Code of Conduct are as follows:
 - a) The public should have confidence that the elected and appointed officials of the Summer Village of Nakamun Park operate from a basis of integrity, justice, courtesy and propriety and will carry out their duties in a fair, impartial and transparent manner;
 - b) Holding public office is a privilege and responsibility and Members shall put the interests of the residents and ratepayers of the municipality as a whole above personal interests;
 - c) Members should demonstrate respect for the law and for the policies, procedures and processes of the Summer Village of Nakamun Park;
 - d) Members have a duty to treat members of the public, representatives from other agencies or municipalities, each other and staff with respect and dignity and without abuse, bullying or intimidation;
 - e) Members of Council, Council Committees and other bodies established by the Council must exercise due care in the treatment of any Confidential Information obtained through their elected or appointed positions.

2. COMPLIANCE WITH CODE OF CONDUCT

- 2.1. This Code of Conduct applies to all Members of Council and Members of Council Committees and other bodies established by the Council and all Members must observe and comply with all provisions of the Code of Conduct as well as other policies and procedures established by Council which affect the Member.
- 2.2. Members of Council shall sign and agree to comply with the Code of Conduct at or prior to the first meeting of Council after their election to office.

- 2.3. Members of Council Committees or other bodies established by the Council of the Summer Village of who are not Members of the Summer Village of Nakamun Park Council or the Council of another municipality, shall sign and agree to comply with the Summer Village of Nakamun Park Code of Conduct on or before attending their first committee meeting. Members of Council Committees or other bodies established by the Council who are Members of a Council of another municipality will adhere to their own municipality's Code of Conduct for Members of Council.
- 2.4. Members of Council of the Summer Village of Nakamun Park, who are Members of another municipality's Council Committee or other body created by the Council of that municipality, are expected to adhere in their dealings with that committee to the Summer Village of Nakamun Park Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council.
- 2.5. Members of Council Committees or other bodies established by the Council who are not Members of a municipal council who fail to sign and agree to comply with the Code of Conduct may be required to relinquish their position on the Committee.
- 2.6. All Members shall respect the processes for complaints and investigations under the Code of Conduct and cooperate fully with these processes.
- 2.7. No Member shall threaten or undertake any act of reprisal against a complainant or a person providing information in the investigation of an alleged violation of the Code of Conduct.

3. GENERAL PERSONAL CONDUCT

- 3.1. Members shall strive for excellence in the performance of their duties of Council, Council Committees or other bodies established by the Council.
- 3.2. As representatives of the Summer Village of Nakamun Park, Members will, at all times, conduct themselves in all their affairs with integrity so as to reflect positively on the municipality and promote public confidence.
- 3.3. Members of Council shall carry out their duties with impartiality, putting the interests of the residents and ratepayers of the whole municipality above personal interests.
- 3.4. Members will take particular care to ensure that during meetings of Council, Council Committees or other bodies established by the Council, they do not make comments that could be offensive to other Members, staff or the public or that could be construed as sexist, racist or otherwise discriminatory.
- 3.5. Members will conduct municipal business and their duties in an open and transparent manner so that the public can understand the process and rationale that has been used to make decisions.

- 3.6.** Members of Council shall show respect for other Members of Council, for decisions and the decision-making process of Council and for Council procedures as outlined in the Summer Village of Nakamun Park Procedural Bylaw. Members of Council Committees or other bodies established by the Council who are Members of a Council of another municipality will adhere to their own municipality's Code of Conduct for Members of Council.
- 3.7.** Members of Council of the Summer Village of Nakamun Park, who are Members of another municipality's Council Committee or other body created by the Council of that municipality, are expected to adhere in their dealings with that committee to the Summer Village of Nakamun Park Code of Conduct for Members of Council, Council Committees and Other Bodies established by the Council.
- 3.8.** Members of Council Committees or other bodies established by the Council who are not Members of a municipal council who fail to sign and agree to comply with the Code of Conduct may be required to relinquish their position on the Committee.
- 3.9.** The venue for discussions on matters before Council, a Council Committee or other body established by the Council is within their respective meetings. Members shall not engage in debate with each other via public mediums such as letters to the editor, bios or social media.
- 3.10.** Members are expected to use good judgement as to what is appropriate use of electronic social media and must not communicate anything that could harm the reputation of the Summer Village of Nakamun Park. Providing personal comments on matters before Council, Council Committees or other bodies established by the Council on social media is inappropriate.
- 3.11.** All Members shall respect the processes for complaints and investigations under the Code of Conduct and cooperate fully with these processes.
- 3.12.** No Member shall threaten or undertake any act of reprisal against a complainant or a person providing information in the investigation of an alleged violation of the Code of Conduct.
- 3.13.** If a difference or conflict between Members is not easily resolved, processes outlined in the Procedure Bylaw and best practices in conflict resolution shall be employed in order to resolve the issue and maintain working relationships among Members.

4. OBLIGATIONS OF MEMBERS

- 4.1.** Members must conduct themselves in accordance with the requirements and obligations set out in municipal, provincial and federal legislation or regulations, including but not limited to the following:
- a)** Alberta Human Rights Act;
 - b)** Alberta Local Authorities Election Act;

- c) Canadian Human Rights Act;
- d) Criminal Code of Canada;
- e) Freedom of Information and Protection of Privacy Act;
- f) The Summer Village of Nakamun Park Procedural Bylaw;
- g) Municipal Government Act;
- h) Occupational Health and Safety Act, Regulation and Code, including the Summer Village of Nakamun Park Health and Safety Program.

- 4.2. As outlined in the Municipal Government Act, Members of Council have a duty to participate in council meetings, council committee meetings and meetings of other bodies to which they are appointed by Council. This duty includes an obligation to vote on all matters for which they are present, excepting any restrictions outlined in the Municipal Government Act including those outlined pertaining to conflict of interest situations.
- 4.3. All Members are expected to be suitably prepared for meetings of Council or any Committee or other body established by the Council on which they serve.
- 4.4. All Members must attend orientation or training sessions as offered by the municipality.

5. AVOIDANCE OF CONFLICTS OF INTEREST

- 5.1. Members of Council shall disclose any pecuniary or personal interest that may influence or appear to influence their decision in a matter that comes before the Council.
- 5.2. Members of a Council Committee or other body established by the Council shall disclose any pecuniary or personal interest that may influence or appear to influence their decision in a matter that comes before the Committee or other body on which they serve.
- 5.3. Members shall remove themselves from the proceedings regarding any matter in which they have a pecuniary interest. For clarity, as outlined in Section 172 of the Municipal Government Act, "proceedings" includes discussion and voting on the subject matter in a meeting and "remove" means both abstaining from voting and physically vacating the meeting room for the duration of the proceedings.
- 5.4. Members shall not influence or attempt to influence a decision in a matter that they have a pecuniary or personal interest which comes before Council, a Council Committee or other body established by the Council on which they serve.
- 5.5. Members shall not place themselves in a position of obligation to any person or organization which may benefit from special consideration or preferential treatment from Council, a Council Committee or other body established by the Council.

- 5.6. Members shall not allow their personal interests or connection to volunteer organizations to influence their impartiality with respect to the duties they carry out as Members of Council, a Council Committee or other body established by the Council.
- 5.7. Members shall not engage in any activity that is incompatible with the ethical performance of their official duties in the public interest, as members of Council, as Council Committee or other body established by the Council.

6. USE OF MUNICIPAL ASSETS AND SERVICES

- 6.1. Members shall use municipal assets and services for activities relevant to their role as Members of Council, a Council Committee or other body established by the Council, and in accordance with any applicable municipal policy or procedure.
- 6.2. Members shall use municipal computers, smart phones or other related technology devices or systems, including email and internet, in accordance with the municipality's policies and procedures
- 6.3. Members of Council shall not use the property, land, facilities, equipment, supplies, services or other resources of the municipality for any election campaign or campaign-related activities, unless otherwise authorized by policy or bylaw or expressly in cases when the use of public assets is part of a public election forum open to all candidates and sanctioned by the municipality.
- 6.4. No Member of Council shall use the services of persons for election-related purposes during hours in which those persons are receiving compensation from the municipality.
- 6.5. No Member shall obtain personal or financial gain or advantage through the use of municipal assets or services or from municipally developed intellectual property.

7. USE OF INFLUENCE OF OFFICE

- 7.1. No Member shall use the influence of his or her position on Council, a Council Committee or other body established by the Council for any purpose other than for the exercise of his or her official duties.
- 7.2. Members shall not use their position to obtain employment or contracts with the municipality for themselves, family members or close associates.

8. ACCEPTANCE OF GIFTS OR BENEFITS

- 8.1. Acceptance of gifts or benefits by a Member shall be in accordance with federal and provincial legislation and must be accepted or reported in accordance with any Summer Village policy or procedure.
- 8.2. Members shall ensure that they do not place themselves in a position of

obligation to any person or organization which may benefit from special consideration or preferential treatment from Council, a Council Committee or other body established by the Council through the acceptance of gifts or benefits.

9. INTERACTIONS WITH MUNICIPAL STAFF

- 9.1.** Council's sole employee is the Chief Administrative Officer (CAO); Members of Council will respect the CAO's authority to direct staff.
- 9.2.** Members will treat municipal staff with dignity, understanding and respect and will adhere to any of the Summer Village of Nakamun Park policies, procedures or directives in order to ensure that the municipal work environment is free from discrimination, bullying and harassment.
- 9.3.** No Member shall use, or attempt to use, their authority for the purpose of influencing any staff member with the intent of interfering in staff's duties.
- 9.4.** No Member shall maliciously or falsely impugn or injure the professional or ethical reputation of staff and all Members shall show respect for the professional capacities of the staff of the municipality.
- 9.5.** No Members shall compel staff to engage in partisan political activities or subject staff to threat or discrimination for refusing to participate in such activities.

10. INTERACTIONS WITH OTHER AGENCIES OR MUNICIPALITIES AND THE PUBLIC

- 10.1.** In the performance of their duties, Members will treat representatives of other agencies or municipalities and members of the public with dignity, understanding and respect and will adhere to any and or all of the Summer Village of Nakamun Park policies, procedures or directives put in place to ensure that workplace environments are free from discrimination, bullying and harassment.

11. CONFIDENTIAL INFORMATION

- 11.1.** Personal information collected by the Summer Village of Nakamun Park will only be used for the purpose for which it was collected, and only disclosed if such disclosure complies with Alberta's Freedom of Information and Protection of Privacy Act (FOIPP).
- 11.2.** Members are encouraged to acquire an understanding of the principles of FOIPP.
- 11.3.** Members shall not release information subject to solicitor-client privilege without express authorization from Council unless required by law to do so.

- 11.4.** Members shall not release or divulge any matters discussed while in a closed meeting including any aspect of the closed meeting deliberations to anyone, unless expressly authorized by Council or required by law to do so.
- 11.5.** Members who speak or write publicly are responsible for ensuring that they do not divulge Confidential Information.
- 11.6.** The responsibility for protecting Confidential Information includes the responsibility for ensuring that documents or digital information are not directly or indirectly made available to unauthorized persons.
- 11.7.** No Member shall use Confidential Information for personal gain or benefit, or for the personal gain or benefit of any other person or body.
- 11.8.** A Member's responsibility for maintaining confidentiality extends beyond the term of office or the period of appointment.

12. IMPLEMENTATION

- 12.1.** The Code of Conduct for Members of Council, Council Committees and Other Bodies Established by the Council and the Procedure for Complaints Investigations and Sanctions Regarding Breach of the Code of Conduct will be adopted by bylaw as required by Section 146.1 of the Municipal Government Act, or as amended from time to time.
- 12.2.** Amendments or additions to the Code of Conduct or the Procedure for Complaints Investigations and Sanctions Regarding Breach of the Code of Conduct will require an amendment to the Code of Conduct Bylaw.
- 12.3.** Council will review the Code of Conduct on an annual basis at the Organizational Meeting to ensure it is current and remains relevant to the day-to-day conduct of Members.
- 12.4.** Council will appoint an Integrity Commissioner who will be responsible for accepting, assessing, investigating and adjudicating complaints or requests for investigation regarding breach of the Code of Conduct.
- 12.5.** The process for appointing the Integrity Commissioner will be the same process as for appointments to Council Committees or other bodies established by Council.
- 12.6.** The position of Integrity Commissioner will be a paid contract position, with an appropriate hourly rate of pay or daily per diem, to be established by Council at the time of appointment. The Commissioner may also be reimbursed for expenses approved by the Mayor, or the Deputy Mayor or any 2 members of Council who are not the subject of any complaint under investigation.
- 12.7.** The term for an Integrity Commissioner will be 4 years; a Commissioner may be re-appointed at the end of their first term but may not serve more than two (2) consecutive terms.

- 12.8.** If at any time it is determined by Council that the Integrity Commissioner has conflict of interest or has acted in an unfair or unethical manner, Council may require the Commissioner to relinquish their position.
- 12.9.** Complaints and requests for investigations into allegations that a Member has breached the Code of Conduct will follow the procedure outlined in the *Procedure for Complaints Investigations and Sanctions Regarding Breach of the Code of Conduct*, Schedule B of the Code of Conduct Bylaw.

SCHEDULE B

THE SUMMER VILLAGE OF NAKAMUN PARK PROCEDURE FOR COMPLAINTS, INVESTIGATIONS AND SANCTIONS REGARDING BREACH OF THE CODE OF CONDUCT

Where a member of the public, a Member of Council, a Member of a Council Committee or other body established by the Council, or an employee of the Summer Village of Nakamun Park, has reasonable grounds to believe that a Member has breached this Code, a complaint or request for inquiry may be submitted in confidence to the Integrity Commissioner or to a designated alternate in the absence of the Commissioner.

All complaints or requests for inquiries must be in writing and should include:

- a) the complainant's name and contact information;
- b) the name of the Member(s) to whom the complaint relates;
- c) the nature of the alleged contravention;
- d) the specific provision(s) of the Code allegedly contravened;
- e) names of any witnesses to the alleged contravention;
- f) any other supporting documentation that will assist the Commissioner in evaluating the complaint.

The Commissioner may refuse to undertake an investigation if the complainant fails to provide sufficient documentation to support their complaint.

If after reviewing the complaint, if the Commissioner determines that the complaint is an allegation of a criminal nature consistent with the Criminal Code, the Commissioner will inform the complainant that the allegation must be made through the appropriate police service.

If the complainant is a Member or municipal staff, the Commissioner will review the complaint to determine if it falls under any of the Summer Village's harassment or respectful workplace policies, procedures or directives intended to ensure a working environment free of discrimination, bullying and harassment. If it does, the Commissioner will advise the complainant to contact the appropriate party (CAO, Manager or Supervisor) to initiate the process outlined in the applicable policy, procedure or directive.

Formal investigation of any complaint will be at the discretion of the Commissioner. If the Commissioner finds the allegations to be frivolous or unsubstantiated, he or she may decline to conduct an investigation and will inform the complainant of this decision.

If it is found that an investigation is warranted, the Member whose conduct is in question will be provided with a copy of the complaint and supporting documentation and be given the opportunity to provide a written response to the allegations being made.

Once the investigation is complete, the Commissioner will submit a written report which may include statements from both the complainant and the Member who is the subject of the complaint as well as a recommendation for appropriate sanctions (if any) to the Council of the Summer Village of Nakamun Park. The report will be discussed at a closed meeting session of Council. **The member who is the subject of the complaint and/or the**

complainant may submit written statements to the Commissioner for consideration and inclusion in the report to Council, if they choose to do so. Council (excluding the Member who is subject of the complaint) will then determine what sanctions (if any) will be imposed. In the event that all of Council are the subjects of the complaint, it will fall to the Commissioner to determine what sanctions (if any) will be imposed.

The Commissioner may recommend that Council impose any of the following sanctions:

- a) a letter of reprimand addressed to the Member;
- b) request the Member to issue a letter of apology;
- c) publication of a letter of reprimand or request for apology and the Member's response;
- d) suspension or removal of the appointment of a Member as the Chief Elected Official under s. 150(2) of the Act;
- e) suspension or removal of the appointment of a Member as the Deputy Chief Elected Official under s. 152 of the Act;
- f) suspension or removal of the Chief Elected Official's presiding duties under s. 154 of the Act;
- g) suspension or removal from some or all Council committees and bodies to which Council has the right to appoint members;
- h) reduction or suspension of remuneration as defined in s. 275.1 of the Act corresponding to a reduction in duties, excluding allowances for attendance at Council meetings;

A decision to apply one or more of the sanctions detailed above requires a simple majority of Council directing the Member to do all or some of the sanctions.

All discussions surrounding allegations and substantiated violations of this Bylaw shall be conducted at an In-Camera meeting of Council only, with the information being kept in confidence under the appropriate sections of the *Municipal Government Act* and *The Freedom of Information of Protection of Privacy Act*.

The results of an investigation by the Commissioner and the imposition (or lack of the imposition) of sanctions by Council or the Commissioner have no appeal mechanism and are to be considered final.



Summer Village of Nakamun Park Request For Decision - (RFD) 2024-39

Meeting:	Regular Council
Meeting Date:	August 20, 2024
Originated By:	Dwight Moskalyk, Chief Administrative Officer
Title:	Bylaw 2024-8 – Bylaw Enforcement Officer Bylaw (Revisions)
Agenda Item Number:	6(c) – Regular Meeting Business

BACKGROUND/PROPOSAL:

Much like the Council Code of Conduct Bylaw earlier on the agenda, following the most recent round of MAP reviews we have noted and drafted required changes to important sections of the Bylaw Enforcement Officer Bylaw.

The revised draft, known as Bylaw 2024-8, is attached for consideration.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

The main changes to note are highlighted in red, including sections 8 (Appeal Procedure), 9 (Decision), and then the administrative changes to 10 (Repeal).

The main changes are related to removing Council from the appeal and disciplinary procedure for the Bylaw Enforcement Officer. As an employee, and the BEO falls under the purview of the CAO, even if the service is engaged by contract approved by council. As such, Council should not/shall not be part of the appeal mechanism for disciplinary matters.

COSTS/SOURCE OF FUNDING (if applicable):

N/A

RECOMMENDED ACTION:

1. That Council give all required readings to Bylaw 2024-8, as presented or with amendments, and authorized executions of same by Mayor Pederson and CAO Moskalyk.

Initials show support – Reviewed By:	CAO: <i>D. Moskalyk</i>
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A BYLAW OF THE SUMMER VILLAGE OF NAKAMUN PARK, IN THE PROVINCE OF ALBERTA, FOR THE ESTABLISHMENT AND REVIEW OF THE BYLAW ENFORCEMENT OFFICER POSITION WITHIN THE MUNICIPALITY

WHEREAS, PURSUANT TO Part 2 of the Municipal Government Act, being Chapter M-26 R.S.A 2000 and amendments thereto, Council may enact a Bylaw;

AND WHEREAS PURSUANT TO Part 13 Section 556 of the Municipal Government Act, being Chapter M26 R.S.A 2000 and amendments thereto, the municipality must pass a bylaw relating to the establishment, designation of powers and duties, and review of the position of a Bylaw Enforcement Officer;

AND WHEREAS the Council of the Summer Village of Nakamun Park deems it proper and expedient to pass such a Bylaw;

NOW THEREFORE the Council of the Summer Village of Nakamun Park, in the Province of Alberta, duly assembled, enacts as follows:

1. TITLE

- 1.1 This bylaw may be cited as "Bylaw Enforcement Officer Bylaw"

2. DEFINITIONS

- 1.1 "Bad Faith" means filing the complaint with intentional dishonesty or with the intent to mislead,
- 1.2 "Bylaw" means a Bylaw or any of the Bylaws of the Municipality,
- 1.3 "Bylaw Enforcement Officer" means a person appointed to the position of Bylaw Enforcement Officer for the Summer Village of Nakamun Park and who has taken the oath prescribed by the Oaths of Office Act,
- 1.4 "Chief Administrative Officer" means the Chief Administrative Officer of the municipality or their designate,

- 1.5 "Council" means the municipal council of the Summer Village of NAKAMUN PARK,
- 1.6 "Frivolous" means a complaint made merely to harass or embarrass the responding party,
- 1.7 "Misuse of Power" of the Bylaw Enforcement Officer shall mean any one or more of the following:
- i. Failure to perform the duties of the office are required by law;
 - ii. Failure to carry out the duties and responsibilities granted to the position of Bylaw Enforcement Officer in their appointment to the office,
- 1.8 "Municipality" shall mean the Summer Village of Nakamun Park,
- 1.9 "Vexatious" means a complaint that has no basis in fact or reason, with its purpose to bother, annoy, and or embarrass the Bylaw Enforcement Officer or the Municipality.

3. ESTABLISHMENT OF THE POSITION

- 1.1 The Position of Bylaw Enforcement Officer for the Summer Village of Nakamun Park is hereby established.

4. POWERS AND DUTIES OF THE BYLAW ENFORCEMENT OFFICER

- 1.1 The Powers and Duties of the Bylaw Enforcement Officer for the Summer Village of Nakamun Park shall be:
- 1.2 To enforce the municipal bylaws with the boundaries of the municipality;
- 1.3 To follow the direction of the Chief Administrative Officer and to report the Chief Administrative Officer as required;
- 1.4 To response and investigate complaints related to animal control/dangerous animals, invasive animals, untidy/unsightly , noise, parking, traffic and various other municipal bylaws currently existing or as may lawfully arise, whether those complaints arise from the public or the municipality through

- the Chief Administrative Officer, or designate;
- 1.5 To conduct routine patrols of the municipality;
 - 1.6 To issue notices, tickets, and/or tags, as may be appropriate;
 - 1.7 To assist in the prosecution of bylaw contravention, including appearing in court to provide evidence as may be required;
 - 1.8 To perform all other duties as may be assigned by the Chief Administrative Officer from time to time;
 - 1.9 To take the Oath of Office as prescribed by the Oaths of Office Act upon being appointed to the office of Bylaw Enforcement Officer and to carry about their person at all such times when acting is Bylaw Enforcement Officer evidence in writing of their appointment and authorities;
 - 1.10 The Bylaw Enforcement Officer will be a Designated Officer of the municipality for the purpose of enforcement of orders under section 545 and 546 of the Municipal government Act.

5. COMPLAINTS

- 1.1 In order to ensure a transparent and accountable bylaw enforcement mechanism within the municipality, as is required under the Municipal Government Act, the Summer Village of Nakamun Park hereby established the follow to receive, review and process complaints:
 - i. Any complaint pertaining to the misuse of power by the Bylaw Enforcement Officer shall be dealt with in accordance with the provisions set out in this section and shall be forwarded directly to the Chief Administrative Officer for review and action;
 - ii. All complaints shall be in writing and addressed to the Chief Administrative Officer;
 - iii. Upon receipt of any complaint, the complaint shall be immediately forwarded to the Chief Administrative Officer;

- iv. The Chief Administrative Officer shall provide to the complainant within thirty (30) days, in writing, acknowledgement that the complaint has been received;
- v. The Chief Administrative Officer shall notify the Bylaw Enforcement Officer involved in the complaint when appropriate. In situations where such notification may unduly influence or negatively impact an internal investigation or place the complainant in an unduly unfavourable position the Bylaw Enforcement Officer's notification may be delayed for a period of time at the discretion of the Chief Administrative Officer.

6. INVESTIGATIONS

- 1.1 In determining the validity of a Complaint, the Chief Administrative Officer, or their designate, shall conduct an investigation by the following method:
 - i. An interview shall be conducted with the complainant, any witness the Bylaw Enforcement Officer(s) involved, if they so consent, and any other person who may have knowledge relevant to the occurrence, and the statements of these people shall be taken for the record;
 - ii. The Bylaw Enforcement Officer(s) shall be allowed the opportunity to make a full response to the allegations and investigates. The response shall be in writing and directed to the Chief Administrative Officer;
 - iii. Upon receiving the Bylaw Enforcement Officer's response and any other information the Chief Administrative Officer believes necessary or appropriate in the circumstance to determine the facts, the Chief Administrative Officer shall either dismiss the complaint as unfounded or as unsubstantiated, or find that the Bylaw Enforcement Officer has misused their power;
 - iv. If the Chief Administrative Officer finds determined a misuse of power occurred, the appropriate corrective disciplinary measures shall be commenced.
 - v. Upon conclusion of the investigation, the Chief Administrative Officer shall

provide notice in writing within five (5) business days to the Bylaw Enforcement Officer of the allegations made and the finds of the investigation;

- vi. The Chief Administrative Officer may choose not to investigate a complaint if it is, in the opinion of the Chief Administrative Officer, that the Complaint falls into one of the noted categories, as defined in this Bylaw:
 - a. Frivolous,
 - b. Vexatious
 - c. Bad Faith
- vii. Where a Complaint is not investigated for any of the noted reasons under 6.1.1(vi.), above, the Chief Administrative Officer shall explain the rationale for this conclusion in writing and provide this to the Complainant, along with the advise that they may appeal this decision directly to Council for further review;
- viii. The Chief Administrative Officer may resolve complaints informally, arriving at a solution that is satisfactory to the Complainant and the Bylaw Enforcement Officer against whom the Complaint is directed. Written notice that the Complaint has been so resolved will be provided to the Complainant within five (5) business days.

7. DISCIPLINARY ACTION

- 1.1 If it has been determined that a misuse of power has been committed by the Bylaw Enforcement Officer, any one of the following measures may be taken by the Chief Administrative Officer:
 - i. A Warning;
 - ii. A Written Reprimand;
 - iii. Forfeiture of Hours of Work Accumulated Through Overtime, Not Exceeding Ten (10) Hours;
 - iv. Suspension From Duties Without Pay for A Period Not to Exceed Ten (10) Hours of Work;
 - v. Dismissal.
- 1.2 If the disciplinary action is dismissal, the Chief Administrative Officer may,

at their sole discretion, offer the Bylaw Enforcement Officer the opportunity to resign from their office within a specified amount of time determined by the Chief Administrative Officer, rather than being dismissed, if the situation so warrants.

- 1.3 Where a Bylaw Enforcement Officer is found to have misused their power but on appeal is found that they have not misused their power, any disciplinary action imposed on the Bylaw Enforcement Officer shall be rescinded and any pay, benefits, or time forfeited or lost because of a suspension shall be returned to the Bylaw Enforcement Officer.
- 1.4 Where requested in writing by the Bylaw Enforcement Officer, the Employer shall provide the Bylaw Enforcement Officer with a copy of the transcript and any document and reports used in the Bylaw Enforcement Officer's hearing.
- 1.5 When a period of three (3) years has elapsed from the day an official warning or reprimand was issued to a Bylaw Officer, the official warning shall:
 - i. Be removed from the Bylaw Enforcement Officer's file and destroyed, and
 - ii. Not be used or referred to in any future proceedings respecting that Bylaw Enforcement Officer.
- 1.6 When a period of five (5) years has elapsed from the day the disciplinary action was imposed on a Bylaw Enforcement Officer, any record of the disciplinary proceedings respecting the discipline or contravention shall:
 - i. Be removed from the Bylaw Enforcement Officer's file and destroyed, and
 - ii. Not be used or referred to in any future proceedings respecting the Bylaw Enforcement Officer.

8. APPEAL PROCEDURES

- 1.1 A Bylaw Enforcement Officer may appeal in writing the decision of the Chief Administrative Officer within thirty (30) days from the day that the final notification is received by the Bylaw Enforcement Officer.

- 1.2 Where it is alleged that a Bylaw Enforcement Officer, in carrying out his/her duties, is guilty of misconduct as set out in this Bylaw, and wishes to appeal, the Chief Administrative Officer shall appoint an investigator to investigate such allegations, with such investigation to include:
- i. acknowledging receipt of any complaint received to the complainant, if the allegation stems from a complaint;
 - ii. meeting with the Bylaw Enforcement Officer alleged to have committed such misconduct and (if applicable) the complainant or other persons the investigator in his or her sole discretion considers to have information necessary to assess the allegations;
 - iii. informing the Bylaw Enforcement Officer of the facts in the investigator's possession or of the allegations received in sufficient detail to:
 - a) permit him/her to understand the facts or allegations;
 - b) afford him/her a reasonable opportunity to respond to the allegations, including to furnish relevant evidence and to contradict or explain the facts or allegations; and
 - c) to provide the Bylaw Enforcement Officer or his/her representative an adequate opportunity to make representations in writing to the investigator if they elect to do so.

ECISION

- 1.1 At the conclusion of the investigation, the investigator shall issue a decision in writing, with reasons, either dismissing the allegation, or confirming that the Bylaw Enforcement Officer has committed misconduct in carrying out his/her duties. If there is a finding of misconduct, the investigator shall also set out whether disciplinary action, including any of the following, shall apply:

- i. reprimand in writing the Bylaw Enforcement Officer
- ii. suspend without pay the Bylaw Enforcement Officer from acting as a Bylaw Enforcement Officer for the Summer Village for a term not exceed six months; or
- iii. terminate the appointment of the Bylaw Enforcement Officer.

D. COMING INTO FORCE

This Bylaw repeals Bylaw 2021-3 and comes into full force and effect upon the third and final reading and signing of this Bylaw.

READ a first time this _____ day of _____, 2024.

READ a second time this _____ day of _____, 2024.

UNANIMOUS CONSENT to proceed to third reading ____ day of _____, 2024.

READ a third and final time this _____ day of _____, 2024.

SIGNED this _____ day of _____, 2024.

Mayor, Keith Pederson

Chief Administrative Officer, Dwight Moskalyk



Summer Village of Nakamun Park Request For Decision - (RFD) 2024-40

Meeting:	Regular Council
Meeting Date:	August 20, 2024
Originated By:	Dwight Moskalyk, Chief Administrative Officer
Title:	New Owner/Realtor Community Standards Pamphlet
Agenda Item Number:	6(d) – Regular Meeting Business

BACKGROUND/PROPOSAL:

As enforcement has ramped up over the past few seasons, one of the prevailing concerns that we are hearing from aggrieved parties is that they are new owners and where either told by their realtors that certain land uses were allowed, or alternately they were not told certainly uses were not allowed, in the community. In general there is lack of understanding on many of the basics (taxation, municipal status, bylaws, community standards, etc.) with many newcomers to the summer village.

Deputy Mayor Hanssen has suggested that we consider creating a brochure or letter outlining some of the main points and share that with realtors as new signs go up, but also mail same out to any new addresses on file as properties sell.

This item is here for some general discussion and direction on next steps.

DISCUSSION/OPTIONS/BENEFITS/DISADVANTAGES:

Administratively we do like this idea. Certainly, a buyer should do the research prior to buying a lot, and some do, but many do not. Realtors should also do their homework, especially where expressly saying something is allowed in the community. Regardless, any time we can help share information and get ahead of their bigger enforcement issues is a good thing in our books – especially because the website is often difficult to find via a typical internet search (or at least I find that???).

Some ideas/considerations:

- 1) Letter? Brochure? – What Type of Format?
- 2) What Type of Information? – Bylaws? Office Contact? Local Amenities?
- 3) Is it "Ask before you Buy" or "Welcome to the Lake" – What Tone are you After?
- 4) Where/When/How do we Send It? – Every Land Title Change? Every New Realtor Sign/Posting that we Notice? Email or Regular Mail?
- 5) Examples from other Communities?

COSTS/SOURCE OF FUNDING (if applicable):



Depending on the direction of Council, this could be a relatively cost-effective undertaking. We can make the brochure inhouse, keep it on file and print as needed, or email to stakeholders.

RECOMMENDED ACTION:

1. Here for discussion, provide direction as warranted.

Initials show support – Reviewed By: CAO: <i>D. Moskalyk</i>
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35



ALBERTA
MUNICIPAL AFFAIRS

*Office of the Minister
MLA, Calgary-Hays*

AR115493

July 23, 2024

His Worship Keith Pederson
Mayor
Summer Village of Nakamun Park
PO Box 1250
Onoway AB T0E 1V0

Dear Mayor Pederson:

I am pleased to announce that Canada and Alberta have signed an agreement renewing the Canada Community-Building Fund (CCBF) to March 31, 2034. I can also confirm that Alberta will receive \$265 million in funding in 2024 under the newly negotiated CCBF agreement. This partnership between the province and the federal government will help ensure local governments in Alberta can continue to make needed investments in local infrastructure.

To that end, I am happy to confirm the allocation amounts to your community for the CCBF program. For the Summer Village of Nakamun Park, the 2024 CCBF allocation is \$9,544.

Payments to local governments are anticipated to flow by the end of summer, as communities meet the payment criteria.

CCBF funding amounts for all municipalities and Metis Settlements are also posted on the Government of Alberta website at open.alberta.ca/publications.

Your community's allocation reflects an updated allocation formula under the CCBF agreement, which ensures base funding for all local governments, with the remainder of funds allocated on a per capita basis.

In addition, the renewed CCBF agreement involves several other changes, including to local government reporting and new housing-related reporting requirements for larger local governments. Municipal Affairs will share the updated CCBF program guidelines reflecting these changes as soon as possible.

36

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- 2 -

The department will also be providing a Memorandum of Agreement for the renewed CCBF. Execution of this agreement is a condition to receive your community's 2024 CCBF allocation.

I look forward to working together with you and the federal government to help your community in addressing its infrastructure needs.

Sincerely,

Ric McIver
Minister

cc: Dwight Moskalyk, Chief Administrative Officer, Summer Village of Nakamun Park

37

Municipal Musings | August 2024

Municipal Services Division Newsletter



Key Updates

Municipal Census

24 municipalities have notified the ministry that a municipal census will be conducted in 2024. These will be completed by July 31, 2024. Municipalities must use the [Municipal Census Form](#) to submit census results by September 1, 2024. Those that wish to include estimates for non-contacted dwellings and refusals are required to use the required [Estimates for Non-Contacted and Refusals](#) template.

As part of the census process, Information Services will be conducting an audit of census results from September 1 to September 21, 2024. Census Coordinators may be contacted to provide further information on their municipal census. Final ministerial approval will take place by January 31, 2025, with the publication of the Municipal Affairs Population List.

From October to November, all municipalities that conducted a census in 2024 will be invited to participate in a review of the municipal census process. We look forward to receiving your input on the new census framework.

Elections Database

The next municipal general elections and summer villages elections will be held in 2025. As all municipalities are required to submit their election results on the Elections Database (EDB), Municipal Affairs will be updating access to the EDB. All chief administrative officers will receive an email with user access information to the EDB in early January 2025, and will be required to submit all changes by January 31, 2025.

Bill 20: the *Municipal Affairs Statutes Amendment Act, 2024* – Regulation Engagement

Engagement took place in July and August 2024 with municipal associations, Mid-Sized Cities Mayors' Caucus and the cities of Edmonton and Calgary. The topics discussed were municipal election expense limits, local political parties, defining 'public interest' and 'provincial policy' as it pertains to provincial oversight, Joint Use Planning Agreements, and code of conduct (provincial integrity commissioner). Thank you for your feedback on this engagement – a summary of what we heard will be shared.

Training sessions on changes to the *Municipal Government Act (MGA)* and the *Local Authorities Election Act (LAEA)* will be offered as part of the Municipal Affairs Administrators' Training Initiative (MAATI) in September and October 2024.



Municipal Affairs on the Road

We hope to see you at:

- **ARMAA Conference:**
Lethbridge, August 28 – 29
- **ABmunis Convention:**
Red Deer, September 25 – 27



Save the Date

- The 2024/25 [Alberta Community Partnership](#) program is now accepting applications for the fiscal year.
- **August 9 – 30, 2024:** RMA Fall Convention meeting request submissions
- **September 25, 2024:** LPRT New clerk and clerk refresher course
- **September 16 – October 31, 2024:** MAATI will be offered online. [Registration](#) for sessions will be available late August.
- **September 1, 2024:** Census results to be submitted.
- **October 1, 2024:** Deadline for applications to host an intern for the [2025 Municipal Internship Program](#).
- **October 9, 16, 23, 30, 2024:** EOEP Municipal Corporate Planning and Finance
- **February 3, 2025:** Deadline for applications for the [Mediation and Cooperative Processes](#) component.

Bill 18: the *Provincial Priorities Act*

Municipal Affairs is in the process of drafting a regulation which will set out the approval process, requirements that must be met to enter into an agreement with a federal entity, and any exemptions to the legislation. Regulations under the *Provincial Priorities Act* are expected to take force in early 2025. Targeted consultation on the regulation will occur in August 2024.

It is anticipated that the regulation will apply to all municipalities in the province. Provincial grants for infrastructure, such as the Local Government Fiscal Framework, and programs negotiated between the province and federal government, such as the Gas Tax Fund, are not expected to be impacted by regulations under the *Provincial Priorities Act*.

Program Overview: Municipal Accountability Program (MAP)



Contact the MAP Team:
map@gov.ab.ca

Toll free by dialing 310-0000
followed by 780-427-2225.

MAP is a collaborative program consisting of multi-year review cycles initiated by the Minister under the authority of Section 571 of the *MGA*. While this program is available to all municipalities upon the request of a council and with the approval of the Minister, municipalities with populations of 2,500 or less are automatically scheduled for a visit approximately once every five years.

With a focus on continuing to strengthen municipal accountability and transparency, the purpose of this program is to:

- enhance knowledge of legislative requirements with a primary focus on the *MGA*;
- assist municipalities in achieving legislative compliance;
- support municipalities in being well-managed, accountable, and transparent; and
- provide a collaborative partnership between Municipal Affairs and municipalities to address any legislative discrepancies that may exist.

To ensure that the program retains its value in the second five-year cycle, the program has been updated to include additional legislative requirements. Each review will revisit some of the mandatory requirements, as well as examine discretionary matters relevant to each municipality. Letters from Deputy Minister Cox were sent to the municipalities that will be receiving a MAP review within the 2024/25 fiscal year.

The Municipal Services Division will share highlights from MAP to spread the good news on the progress municipalities have made in addressing legislative compliance with the *MGA* and *LAEA*. Please watch for these highlights in future issues!

Recently updated resources:

- [Municipal Affairs Administrators' Training Initiative 2023 virtual session recordings](#)
- [2023 Municipal Affairs Population List](#)
- [Alberta Municipal Sustainability Strategy Self-Assessment Questionnaire](#)
- [Municipal data and statistics dashboards](#)
- [Recall of a municipal councillor handbook](#)



Town of Mayerthorpe

Report Title : NAKAMUN TOTAL CONTRACT HRS

Report Range

Start: 2024/07/01 0000

End: 2024/07/31 2359

Man Hour Report by User

S.V. NAKAMUN PARK

KASAMBA, GERVAIS

Event start: 2024/07/30 1639 Event end: 2024/07/30 1639 Time: 0 Minutes

Address: 4001-HILLCREST DRIVE

Activity Type: REPORT WRITING (CASE REPORT)

Total Time on Call for this Event : 0 Hours 0 Minutes

Event start: 2024/07/31 1622 Event end: 2024/07/31 1622 Time: 0 Minutes

Address: 5100-4ST

Activity Type: REPORT WRITING (CASE REPORT)

Total Time on Call for this Event : 0 Hours 0 Minutes

Event start: 2024/07/31 1622 Event end: 2024/07/31 1622 Time: 0 Minutes

Address: 5100-4ST

Activity Type: REPORT WRITING (CASE REPORT)

Total Time on Call for this Event : 0 Hours 0 Minutes

KASAMBA, GERVAIS : Total Time On Calls 0 Hours 0 Minutes

Total Group Time: ormato Padrão> Hours 0 Minutes

TOWN OF MAYERTHORPE

KASAMBA, GERVAIS

Event start: 2024/07/05 0830 Event end: 2024/07/05 1000 Time: (90) Minutes

Address: SUMMER VILLAGE

Activity Type: GENERAL PATROL

Total Time on Call for this Event : 1 Hours 30 Minutes

40

Town of Mayerthorpe

Report Title : NAKAMUN TOTAL CONTRACT HRS

Report Range

Start: 2024/07/01 0000

End: 2024/07/31 2359

Man Hour Report by User

Event start: 2024/07/12 1130 Event end: 2024/07/12 1300 Time: (90) Minutes
Address: SUMMER VILLAGE
Activity Type: GENERAL PATROL
Total Time on Call for this Event : 1 Hours 30 Minutes

Event start: 2024/07/19 1300 Event end: 2024/07/19 1430 Time: (90) Minutes
Address: SUMMER VILLAGE
Activity Type: GENERAL PATROL
Total Time on Call for this Event : 1 Hours 30 Minutes

Event start: 2024/07/26 1130 Event end: 2024/07/26 1300 Time: (90) Minutes
Address: SUMMER VILLAGE
Activity Type: GENERAL PATROL
Total Time on Call for this Event : 1 Hours 30 Minutes

Event start: 2024/07/30 1300 Event end: 2024/07/30 1430 Time: (90) Minutes
Address: SUMMER VILLAGE
Activity Type: GENERAL PATROL
Total Time on Call for this Event : 1 Hours 30 Minutes

Event start: 2024/07/31 1145 Event end: 2024/07/31 1215 Time: (30) Minutes
Address: SUMMER VILLAGE
Activity Type: GENERAL PATROL
Total Time on Call for this Event : 0 Hours 30 Minutes

KASAMBA, GERVAIS : Total Time On Calls 8 Hours 0 Minutes

Total Group Time: 8 Hours 0 Minutes

All Officers: Total Time On Calls 8 Hours 0 Minutes

41