

THE CITY OF SPRUCE GROVE

BYLAW C-1120-20

VIRTUAL PROCEDURES (COVID-19 SUPPRESSION) BYLAW

WHEREAS, pursuant to the Meeting Procedures (COVID-19 Suppression) Regulation, Alberta Regulation 50/2020 enacted pursuant to the *Municipal Government Act*, RSA 2000 cM-26, meetings may be held by electronic means;

AND WHEREAS, the City of Spruce Grove wishes to ensure that recommendations from the Chief Medical Officer of Health for the Province of Alberta are adopted and that physical distancing measures are maintained;

NOW THEREFORE, the Council for the City of Spruce Grove, duly assembled, hereby enacts as follows:

1. BYLAW TITLE

1.1 This bylaw is called the “Virtual Procedures (COVID-19 Suppression) Bylaw”.

2. DEFINITIONS

2.1 Defined terms used in this bylaw have the same meaning as in the bylaws referred to herein as the context so requires.

3. AUTHORITY GOVERNING PROCEDURES

3.1 Notwithstanding the Public Hearing procedures set out in sections 130 – 151 of C-724-09 – Council Procedure Bylaw, and subject to any other provisions in C-724-09 – Council Procedure Bylaw, Public Hearings may be conducted as indicated in this bylaw.

3.2 Notwithstanding the procedures set out in the sections 16 and 17 of C-439-02 - Subdivision and Development Appeal Board Bylaw, and subject to any other provisions in C-439-02 - Subdivision and Development Appeal Board Bylaw, Board hearings may be conducted as indicated in this bylaw.

4. STATUTORY PUBLIC HEARINGS

- 4.1 Public hearings shall be held in conjunction with a Council meeting.
- 4.2 Public hearings may be held by virtual means.
- 4.3 Members of the public wishing to ask a question of, or make a statement to Council during the Public Hearing may do so by sending an email to the City Clerk's Office before the Public Hearing is closed.
- 4.4 Persons interested in making a verbal submission as part of the public hearing shall contact the City Clerk's Office prior to 12:00 noon the day of the public hearing to register to make a presentation.
- 4.5 Those persons who register shall be provided the information to access the public hearing by virtual means.
- 4.6 If a presenter wishes to provide visual submissions such as photos, graphics, and PowerPoint slides, they shall do so by written submission.
- 4.7 Persons interested in providing a written submission shall provide the City Clerk's Office with their submission prior to 12:00 noon of the Wednesday preceding the public hearing. Written submissions received prior to 12:00 noon of the Wednesday preceding the public hearing shall become public information on the Friday prior to the public hearing.
- 4.8 Public hearings will commence, as close as reasonably practicable to the advertised time at a regular Council meeting.
- 4.9 Council may change the date, time, and place of a public hearing by resolution. If any of the date, time, or place is changed, the public hearing shall be re-advertised.
- 4.10 Council may cancel a public hearing by resolution.

5. NON-STATUTORY PUBLIC HEARINGS

- 5.1 Non-statutory public hearings may be held by virtual means.
- 5.2 The procedures set out in Part 4 of this bylaw shall apply to a non-statutory public hearing held by virtual means.

6. CONDUCT OF STATUTORY PUBLIC HEARINGS

- 6.1 The Mayor shall Chair all public hearings.
- 6.2 Once the Mayor has called the public hearing to order and identified the matter to be discussed, the Mayor shall review the process to be followed including the expectations relating to public feedback, rules for speaking, timelines and the process for decision making following the public hearing.
- 6.3 Administration shall introduce the matter and provide any background material.
- 6.4 The Mayor shall call upon those persons who have registered with the City Clerk's Office to speak.
- 6.5 All those who registered with the City Clerk's Office to speak to a matter (for or against) may only speak once and shall be limited to 5 minutes.
- 6.6 The decision of the Mayor with regard to imposition of the time limit to speak and the order of speaking shall be final and not debated.
- 6.7 A delegation of more than one member shall be considered to be one person for the purposes of a public hearing and only a spokesperson who has registered with the City Clerk's Office shall be entitled to speak once only for a limit of 5 minutes.
- 6.8 The Council shall not debate an issue with any speaker, but each member of Council may ask questions for clarification of each speaker. All questions must be directed through the Chair.
- 6.9 "Adjourn" used in relation to a public hearing means to take a short break in the public hearing, take a break with the intent of returning to the public hearing later in the same meeting, or to adjourn the public hearing to another Council meeting
- 6.10 "Close" used in relation to a public hearing means to terminate the public hearing.
- 6.11 When all persons who had registered with the City Clerk's Office to speak to an issue have been given their opportunity to speak, the Mayor shall declare the public hearing closed.

- 6.12 Once closed a public hearing shall not be reopened. Council may hold a second public hearing on the same subject; however, it is subject to the same requirements of advertising and rules for speaking as the initial public hearing.

7. SUBDIVISION AND DEVELOPMENT APPEAL BOARD HEARINGS

- 7.1 Board hearings may be held by virtual means.
- 7.2 Persons interested in making a verbal submission as part of the Board hearing shall contact the Board Clerk prior to 12:00 noon the day of the hearing to register to make a presentation.
- 7.3 Those persons who register will be provided the information to access the Board hearing by virtual means.
- 7.4 If a presenter wishes to provide visual submissions such as photos, graphics, and PowerPoint slides, they shall do so by written submission.
- 7.5 Persons interested in providing a written submission shall provide the Board Clerk with their submission prior to 12:00 noon of the Wednesday preceding the hearing. Written submissions received prior to 12:00 noon of the Wednesday preceding the Board hearing will become public information on the Friday prior to the Board hearing.
- 7.6 The Board Chair shall be responsible for the conduct of the meeting
- 7.7 The Board Chair may limit a submission if it is determined to be repetitious or in any manner inappropriate.
- 7.8 The Board Chair shall, when a hearing is tabled or adjourned and a time is not fixed for its continuation, announce that notice of the continuation of the meeting shall be sent to those persons who had registered with the Board Clerk to speak.
- 7.9 Once the hearing is closed, the Board shall not hear or consider any additional verbal or written evidence.

8. ELECTRONIC SIGNATURES

8.1 Pursuant to s. 213 of the Act, any minutes of Council or Council Committee meetings, bylaws, agreements, cheques and other negotiable instruments may be signed by electronic means subject to any applicable legislative or regulatory requirements and in accordance with any policies or procedures established by the City from time to time.

9. DELEGATION OF AUTHORITY

9.1 The City Manager shall determine whether public hearings (statutory and non-statutory), either generally or with respect to a specific hearing, shall be conducted by virtual means as set out in this bylaw.

9.2 The Subdivision and Development Appeal Board Clerk shall determine whether a Subdivision and Development Appeal Board, either generally or with respect to a particular hearing, will be conducted by virtual means as set out in this bylaw.

9.3 Nothing in this bylaw shall be interpreted to prevent or prohibit meetings of Council, Committee of the Whole or Council Committees, or Subdivision and Development Appeal Board hearings from proceeding in-person, with or without the option of participants attending by virtual means, if permitted or authorized by the City Manager or Subdivision and Development Appeal Board Clerk as the case may be.

10. SEVERABILITY

10.1 Every provision of this bylaw is independent of all other provisions and if any provision is declared invalid by a Court, then the invalid provisions shall be severed and the remainder provisions shall remain valid and enforceable.

11. EFFECTIVE DATE

11.1 This bylaw shall come into force and effect when it receives third reading and is duly signed.

12. REPEAL

12.1 This bylaw is repealed when the Meeting Procedures (COVID-19 Suppression) Regulation, Alberta Regulation 50/2020 is no longer in force.

First Reading Carried 11 May 2020

Second Reading Carried 11 May 2020

Third Reading Carried 11 May 2020

Date Signed 20 May 2020

Mayor

City Clerk

UNCERTIFIED COPY