



2012 Convention Policy and Resolutions Handbook

Alberta Urban Municipalities Association

**Edmonton, Alberta
September 26–28**

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I BYLAWS

Article I NAME

- 1.01 The name of the Association shall be the **Alberta Urban Municipalities Association**, referred to in these bylaws as the “Association.”

Article II PURPOSE OF BYLAWS

- 2.01 The purpose of these bylaws is to conform to the provisions of the *Societies Act*, R.S.A. 2000, c. S-14 and to set out how the Association will provide leadership in advocating local government interests to the Provincial Government and other organizations, and provide services that address the needs of its membership.
- 2.02 These Bylaws establish, and shall continue to establish in each and every year of the Association’s existence, a fundamental and paramount principle that the Association is owned and controlled by the Regular Members of the Association in every material way, and that the Association’s Bylaws, or any other constating document of the Association, shall be interpreted by the Association’s Members, any court of competent jurisdiction and any taxing authority having jurisdiction, in a manner consistent with this fundamental and paramount principle.

Article III – GENERAL

- 3.01 The Board of Directors may establish procedures for convening any meeting referred to in these Bylaws by electronic or other communication facilities including a conference telephone call, facsimile, e-mail or such other technology as may become available.
- 3.02 Notwithstanding anything in these Bylaws, if by virtue of severe weather conditions, a pandemic or other emergency reason, it is impossible for a quorum to participate in any scheduled or required meeting
- (a) the time for undertaking any action, and
 - (b) the terms of office of the President, Vice-Presidents and Directors are extended until the meeting can be reconvened.
- 3.03 When written notice is required to be provided under these Bylaws, the notice may be given by mail, facsimile or other electronic means which enables the recipient to review the entire text of the notice.
- 3.04 The classifications of Regular Members are
- (a) Cities over 500,000 population
 - (b) Cities up to 500,000 population
 - (c) Towns
 - (d) Villages
 - (e) Summer Villages
- 3.05 A reference in these Bylaws to “elected representative” means a member of the council of a Regular Member.
- 3.06 A reference in these Bylaws to a “special general meeting” means a meeting of the membership held at a time other than the annual general meeting.

Article IV MEMBERSHIP

- 4.01 Any municipality, organization or business which
- (a) desires to further the Object of the Association,
 - (b) qualifies under a membership category described in 4.02, and
 - (c) pays the relevant membership fee may become a member of the Association.
- 4.02 The categories of membership are:
- (a) **REGULAR MEMBERSHIP** which shall be available to
 - (i) any City, Town, Village, Summer Village, or Specialized Municipality located in Alberta; and
 - (ii) after July 1, 2007, any successor municipality of a Regular Member referred to in subsection (i) above, including any Municipal District or County if the Municipal District or County is the successor municipality thereof.
 - (b) **ASSOCIATE MEMBERSHIP** which shall be available to

- (i) any municipality other than a municipality referred to in Article 4.02(a)(i);
- (ii) any organization wholly owned by one or more municipalities that are eligible to be Regular Members or Associate Members, any municipally-related non-profit organization or special purpose board or commission;
- (iii) any municipally-related non-profit organization or special purpose board or commission that holds a reciprocal membership that has been approved by the Board of Directors; and
- (iv) any other local authority or related non-profit organization incorporated pursuant to provincial legislation.

(c) **AFFILIATE MEMBERSHIP** which shall be available to any company, organization or individual, in or outside of the Province of Alberta.

4.03 For purposes of determining membership classification, a Specialized Municipality, Municipal District or County which has a population equal to or greater than the population set out in the *Municipal Government Act*, R.S.A. 2000, c. M-26, or any amendments thereto, for a

- (a) city shall be considered a city,
- (b) town shall be considered a town,
- (c) village shall be considered a village, and
- (d) if less than the population set out for a village, shall be considered a summer village.

4.04 The Townsite of Redwood Meadows, the Special Areas Board and an Improvement District are eligible for inclusion in the classification of Regular Membership appropriate to its population.

4.05 The Board of Directors in its sole discretion may appoint any Past President of the Association and any person who has held municipal office or rendered any meritorious service to municipalities in general as a Life Member.

- 4.06**
- (a) Subject to sub-clause (b), any member may withdraw from membership in the Association at any time by notice in writing.
 - (b) A Regular Member which wishes to withdraw from membership in the Association shall provide at least 12 months notice in writing to the Association accompanied by a certified copy of the resolution of council.
 - (c) Any notice of withdrawal of membership shall be presented to the Board of Directors.
 - (d) A member which withdraws from membership is not entitled to reimbursement of any membership fees.

4.07 The membership year is the calendar year.

4.08 A “**member in good standing**” is a member in respect of whom the Association has received the membership fee for the current membership year or in the case of a Regular Member evidence of intention to pay satisfactory to the Board of Directors has been received.

4.09 For purposes of this section “**Association activities**” means all activities of the Association under its mandate other than business services, and “**business services**” means any product or service provided by the Association to its members either directly or indirectly through a service delivery entity owned by the Association.

- (a) **Regular Members** - Regular Members are entitled to participate in all Association activities and business services, including the right to vote as set forth in Article V.
- (b) **Associate Members** - Associate Members are entitled to participate in business services and may, on conditions set by the Board from time to time, be entitled to participate in some or all Association activities, not including the right to vote.
- (c) **Affiliate Members** - Affiliate members are not entitled to participate in business services but may, on conditions set by the Board from time to time, be entitled to participate in some or all Association activities, not including the right to vote.
- (d) **Eligible Members (Regular and Associate Member Categories)** - Municipalities or organizations eligible for the Regular or Associate Membership categories shall not be entitled to participate in Association activities when not a member in good standing, but shall be entitled to participate in the Association’s business services.

4.10 If a member ceases to be a member in good standing, at the expiration of six (6) months from the date for which the membership fee was due, the member shall be automatically expelled from the Association and thereafter shall not be entitled to participate in association activities or enjoy membership privileges until the member has been brought into good standing and reinstated by the Board of the Directors.

Article V VOTING RIGHTS

5.01 The persons entitled to vote at any annual general meeting or special general meeting are those elected representatives in attendance whose municipalities are Regular Members of the Association in good standing.

5.02 Each person qualified to vote at any annual general meeting or special general meeting shall be entitled to one vote.

Article VI NOMINATIONS

- 6.01** Nominations shall be conducted in accordance with the election procedures established by the Returning Officer.
- 6.02** To be eligible for nomination a person must
- (a) be an elected representative of a Regular Member in good standing,
 - (b) submit a completed nomination in the form prescribed by the Returning Officer, and
 - (c) be nominated by at least two other elected representatives of Regular Members in good standing.
- 6.03** The persons making a nomination and the person being nominated must be eligible to vote in the election for which the nomination is being made.
- 6.04** The persons eligible for nomination as Vice-President for a classification are the persons who are elected or appointed as Directors for that classification provided that, for purposes of electing a Vice-President,
- (a) the City of Calgary shall be considered as one classification
 - (b) the City of Edmonton shall be considered as one classification, and
 - (c) Villages and Summer Villages shall be considered one classification.

Article VII ELECTIONS

- 7.01** The Board of Directors shall appoint a person as Returning Officer who shall be responsible for the fair and proper conduct of elections.
- 7.02** The Returning Officer shall establish and publish election procedures in accordance with these bylaws and generally in accordance with the provisions of the *Local Authorities Election Act*, R.S.A. 2000, c. L-21 or any amendments thereto with any necessary modifications.
- 7.03** Elections shall be held at the annual general meeting.
- 7.04** The election of the
- (a) President shall be conducted among all of the persons.
 - (b) Vice-Presidents shall be conducted among all of the persons from the relevant classification as established in Clause 3.04.
 - (c) Directors shall be conducted among all of the persons from the relevant classification as established in Clause 3.04 and electoral zone if applicable who are eligible to vote and are in attendance at the meeting.

Article VIII BOARD OF DIRECTORS

- 8.01** The Association shall have a Board of Directors consisting of
- (a) the President, and
 - (b) 14 Directors.
- 8.02** The number of Directors representing each classification is:
- (a) two Directors appointed by the City of Calgary, one of whom shall be designated by the City as Vice-President for Calgary
 - (b) two Directors appointed by the City of Edmonton, one of whom shall be designated by the City as Vice-President for Edmonton
 - (c) three Directors representing Cities up to 500,000 population
 - (d) three directors representing Towns
 - (e) three Directors representing Villages
 - (f) one Director representing Summer Villages
- 8.03** The Directors representing Towns and Villages shall be elected by electoral zone.
- 8.04** For purposes of establishing electoral zones, the Board of Directors shall group
- (a) Towns into three zones in such a manner that the number of Towns in each zone is approximately the same
 - (b) Villages into three zones in such a manner that the number of Villages in each zone is approximately the same
- and shall publish the zone information by June 30 in each year.
- 8.05** The term of office for each position on the Board

- (a) commences at the organizational meeting of the Board following the annual general meeting and
- (b) continues until the end of the next annual general meeting at which time the position is available for election.

8.06 The term of office for the position of

- (a) President is one year
- (b) Vice-President is one year
- (c) Director is two years.

8.07 (a) The term of office for the following Director positions shall begin in odd numbered years

- (i) 1 Calgary Director
- (ii) 1 Edmonton Director
- (iii) 2 Cities up to 500,000 population
- (iv) Towns East
- (v) Villages South
- (vi) Summer Villages

(b) The term of office for the following Director positions shall begin in even numbered years

- (i) 1 Calgary Director
- (ii) 1 Edmonton Director
- (iii) 1 Cities up to 500,000 population
- (iv) Towns West and South
- (v) Villages East and West

- 8.08** (a) A President who no longer remains an elected representative is nevertheless eligible to remain a member of the Board of Directors and to continue in office as President until the next annual general meeting providing such period shall not exceed three months.
- (b) A Director who no longer remains an elected representative is nevertheless eligible to remain a member of the Board of Directors and to continue in office as a Director until the next annual general meeting providing such period shall not exceed three months.
- (c) In the case of either (a) or (b), if the period until the next annual general meeting is longer than three months, the position shall be deemed to be vacant.

8.09 Should the legal municipal status change of the municipality of which a Director is an elected representative,

- (a) the Director is eligible to remain in the position until the next annual general meeting, and
- (b) if the term of office for the position does not expire at the end of the next annual general meeting a by-election shall be held at the next annual general meeting to fill the position for the remainder of the term.

8.10 Should the office of the President become vacant, the remaining Board of Directors shall forthwith appoint a member of the Board to serve as President until the next annual general meeting.

- 8.11** (a) Should a vacancy occur in a Director position other than a Director appointed by the City of Calgary or the City of Edmonton or in a Vice-President position
- (i) the Board may appoint a replacement to serve until the next annual general meeting, and
 - (ii) if the term of office for the position does not expire at the end of the next annual general meeting a by-election shall be held at the next annual general meeting to fill the position for the remainder of the term.
- (b) Should a vacancy occur in a Director position or a Vice-President position appointed by the City of Calgary or the City of Edmonton, the relevant city may appoint a replacement for the remainder of the term of office of the position.

8.12 A person appointed to fill a vacancy in any position must be eligible for election to that position if an election were held.

8.13 In carrying out the responsibilities of a Director, every Director of the Association shall

- (a) act honestly and in good faith with a view to the best interests of the Association,
- (b) exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances,
- (c) comply with the Societies Act (Alberta) and any regulations under it and with the bylaws and policies of the Association
- (d) maintain the confidentiality of all Association information given to the Director that is considered confidential, except in the following circumstances
 - (i) the confidential information is or subsequently enters the public domain through no action of the Director; or
 - (ii) the confidential information is required to be disclosed by law and if the Director receives Association information that is considered confidential

- (iii) from his or her own independent sources; or
- (iv) any third party not under an obligation to keep the information confidential the Director will disclose to the Board that he or she has received that information.

8.14 A member of the Board of Directors ceases to be a Director if:

- (a) the person is disqualified from Council pursuant to Section 174(1) of the *Municipal Government Act*; R.S.A. 2000, c. M-26, or any amendments thereto, or
- (b) the person misses three consecutive regular meetings of the Board, unless authorized by resolution prior to the conclusion of the missed third consecutive regular meeting of the Board.

8.15 The Board of Directors may by resolution passed by at least three fourths (3/4) of the votes cast declare that a Board Member has ceased to be a Board member. The provisions of Article 9.05 regarding notice and an opportunity to be heard apply to a resolution under this Article.

ARTICLE IX DISQUALIFICATION OF BOARD MEMBERS

9.01 In this Article

- (a) "Board member's family" means the Board member's spouse, the Board member's children, the parents of the Board member and the parents of the Board member's spouse;
- (b) "spouse"
 - (i) includes a party to a relationship between a man and a woman who are living together on a bona fide domestic basis, and
 - (ii) does not include a spouse who is living apart from the other spouse if the spouses have separated pursuant to a written separation agreement or if their support obligations and family property have been dealt with by a court order.

9.02 (1) A member of the Board of Directors has a pecuniary interest in a matter if:

- (a) the matter could monetarily affect the Board member or an employer of the Board member, or
- (b) the Board member knows or should know that the matter could monetarily affect the Board member's family.

(2) For the purposes of subsection (1), a person is monetarily affected by a matter if the matter monetarily affects

- (a) the person directly,
- (b) a corporation, other than a corporation the shares of which are traded on a stock exchange, in which the person is a shareholder, director or officer;
- (c) a corporation, the shares of which are traded on a stock exchange, in which the person beneficially owns voting shares carrying at least 10% of the voting rights attached to the voting shares of the corporation or of which the person is a director or officer; or
- (d) a partnership or firm of which the person is a member.

(3) A Board member does not have a pecuniary interest by reason only of any interest

- (a) that the Board member or a member of the Board member's family may have by reason of being appointed by the Board as a director of a company incorporated for the purpose of carrying on business for and on behalf of the Association or by reason of being appointed as the representative of the Board on another body;
- (b) that the Board member or member of the Board member's family may have with respect to any allowance, honorarium, remuneration or benefit to which the Board member or member of the Board member's family may be entitled by being appointed by the Board to a position described in clause (a);
- (c) that the Board member may have with respect to any allowance, honorarium, remuneration or benefit to which the Board member may be entitled by being a Board member; or
- (d) that is so remote or insignificant that it cannot reasonably be regarded as likely to influence the Board member.

9.03 (1) When a Board member, or a Regular Member of which the Board member is an elected representative, has a pecuniary interest in a matter before the Board, a Board committee or any other body to which the Board member is appointed as a representative of the Board, the Board member must, if present,

- (a) disclose the general nature of the pecuniary interest prior to any discussion of the matter;
- (b) abstain from voting on any question relating to the matter;
- (c) abstain from any discussion of the matter; and
- (d) subject to subsection (2), leave the room in which the meeting is being held until discussion and voting on the matter are concluded.

- (2) If the matter with respect to which the Board member, or the Regular Member of which the Board member is an Elected Representative has a pecuniary interest is the payment of an account for which funds have previously been committed, it is not necessary for the Board member to leave the room.

- 9.04** (1) A member of the Board of Directors ceases to be a Board Member if he or she
- (a) as a Board Member, takes part in a decision knowing that the decision might further a private interest of
 - (i) the Board Member,
 - (ii) a corporation, firm or partnership referred to in section 4.1.2(2) of this Article 4.1, or
 - (iii) a Regular Member of which the Board member is an Elected Representative,
 - (b) where applicable, does not declare an interest and withdraw from a meeting without voting on or discussing a matter before the Board of Directors which might further a private interest referred to in clause (a)(i), (ii) or (iii), or
 - (c) accepts
 - (i) a fee of any amount other than a fee or honorarium paid by the Association for the Board member's services as a Board member, or
 - (ii) a gift or other benefit having a value of more than \$100 that is received because the Board Member is a Board Member.
- (2) Subsection (1)(c) does not apply if a Board Member is invited to attend an event or function as a representative of AUMA and the Board Member discloses such attendance in a manner approved by the Board from time to time.
- 9.05** (1) A meeting of the Board of Directors may be called under section 10.01 to determine whether a Board Member has ceased to be a Board member under this Article.
- (2) The Board Member
- (a) shall be given notice of a meeting of the Board of Directors called under this section;
 - (b) upon request
 - (a) shall be given particulars of the grounds on which it is alleged that he or she has ceased to be a Board member;
 - (ii) shall be given an opportunity to make representations to the Board of Directors in writing or in person, or by legal counsel, or any combination of the foregoing;
 - (c) is not entitled to be present while the Board of Directors discusses the question whether or not the Board Member has ceased to be a Board Member.
- 9.06** (1) The Board of Directors may by resolution state that the Board Member has ceased to be a Board Member.
- (2) The provisions of Article VIII relating to the filling of vacancies on the Board until the next annual general meeting apply to filling a vacancy under this Article.
- 9.07** A Board Member, by accepting appointment or election as a Board Member, agrees the Board Member will not be entitled to assert any claim or bring any legal action, whether for defamation or any other cause of action, against the Association or any officer, director or employee of the Association, in respect of anything done by any of them in good faith pursuant to this Article.

Article X POWERS AND DUTIES OF THE BOARD

- 10.01** Meetings of the Board of Directors shall be held:
- (a) pursuant to a regular schedule of meetings set by the Board at its organizational meeting following the annual general meeting, or
 - (b) at the call of the President, or
 - (c) upon the written request of four Directors with at least 72 hours notice.
- 10.02** A quorum of the Board is eight members.
- 10.03** At meetings of the Board of Directors each Board Member present shall have one vote and, in the case of a tie, the motion shall be lost.
- 10.04** The Board of Directors has the authority and responsibility to carry out as appropriate, or delegate to its committees, the powers and duties conferred upon the Association.
- 10.05** If the Board establishes and prescribes the terms of reference for any committee, or delegates that authority to the Executive Committee, the persons appointed as committee members may be:
- (a) Directors,

- (b) elected representatives of members,
- (c) other persons, or
- (d) any combination of the above.

10.06 Members of the Board of Directors and Executive Committee shall receive an honorarium for their service and shall be reimbursed for expenses reasonably incurred in performing their duties on the Board of Directors or Executive Committee.

Article XI EXECUTIVE COMMITTEE

11.01 The Executive Committee shall consist of the President and the Vice-Presidents.=

11.02 A quorum shall consist of three (3) members of the Executive.

11.03 The Executive Committee shall have all the powers of the Board of Directors between meetings of the Board on emergent issues in accordance with such rules as the Board of Directors may adopt provided that the Executive may only recommend

- (a) the employment or termination of the Chief Executive Officer of the Association,
- (b) the amount of membership fees under clause 15.04, and
- (c) borrowing money under clauses 15.07 and 15.08.

11.04 The Executive Committee shall report any action taken under clause 11.03 at the next meeting of the Board.

11.05 The President and Vice-Presidents have the duties and powers commonly assigned to such officers.

Article XII MEETINGS

12.01 The annual general meeting of the Association shall be held at such time and place as the Board of Directors may determine.

12.02 Written notice of the date of the annual general meeting shall be provided to each member not less than twelve (12) weeks prior to the date of the meeting.

12.03 A special general meeting of the Association may be held at the call of five (5) percent of the Regular Membership or by two-thirds vote of all the Board and written notice shall be provided to each member not less than fourteen (14) days before the date of the meeting.

12.04 A quorum at an annual general meeting or special general meeting shall be representation from twenty-five percent of the Regular Membership in good standing and the quorum shall be determined within fifteen minutes of the posted starting time of the meeting.

12.05 The President or another member of the Board delegated by the President shall chair the annual general meeting and any special general meeting.

12.06 The persons entitled to speak at an annual general meeting or special general **meeting** are

- (a) those elected representatives in attendance whose municipalities are Regular Members of the Association in good standing,
- (b) in the event a Regular Member is unable to be represented at the annual general meeting or special general meeting by an elected representative, an official appointed by motion of the Council to represent it, provided that notice of such appointment is submitted in writing to the Chief Executive Officer at least three (3) days prior to the date of the annual general meeting or special general meeting, and
- (c) upon a motion from the floor, a representative of an Associate Member.

12.07 Except as otherwise provided in these Bylaws, the Rules of Procedure to be followed at meetings of the Board of Directors, the annual general meeting and any special general meeting shall be those in "Robert's Rules of Order, Newly Revised."

Article XIII CHIEF EXECUTIVE OFFICER

13.01 The Board shall appoint a Chief Executive Officer to manage the affairs of the Association under the general direction of the Executive Committee.

13.02 The Chief Executive Officer shall ensure that:

- (a) accurate minutes of all meetings of the Association, the Board, the Executive Committee and any other committees are recorded,

- (b) accurate records of revenues and expenditures are recorded,
- (c) all money belonging to or held by the Association is deposited in a financial institution or invested in financial instruments approved by the Board, and
- (d) all records and the Seal of the Association are kept safe.

13.03 The Chief Executive Officer may employ any administrative staff required within the expenditure authority included in the Association's budget.

Article XIV SIGNING AUTHORITY

14.01 After they are approved, the minutes of all meetings shall be signed by the person presiding at the meeting and the Chief Executive Officer.

14.02 The Board of Directors shall designate signing authorities for any financial instrument and the use of the seal.

Article XV FINANCIAL AFFAIRS

15.01 The fiscal year of the Association shall be the calendar year.

15.02 Before the end of each fiscal year, the Board of Directors shall approve a budget for the next fiscal year which shall include revenues at least sufficient to pay the estimated expenditures.

15.03 The Board of Directors may approve an interim budget for part of the next fiscal year.

15.04 The Board of Directors shall annually determine a method of calculating membership fees which will generate the membership fee revenue projected in the budget.

15.05 If any number of Regular Members agree to undertake a special initiative, the Board of Directors may levy a special fee on those members to raise the required revenue.

15.06 The membership fees in effect on the date that these bylaws are approved are continued until they are changed by the Board of Directors.

15.07 The Board of Directors shall have the power to borrow on behalf of the Association and upon the credit of the Association for operating purposes an amount not in excess of sixty percent (60%) of annual fees or special assessments then levied or assessed by the Association to its membership but not yet collected.

15.08 By a two-thirds majority vote of the Board, the Association may borrow for capital purposes.

15.09 The Association may draw, make, accept, endorse, execute and issue promissory notes, bills of exchange and other negotiable instruments.

15.10 The books and records of the Association shall be available for the inspection by any Regular Member of the Association at the Association's office during normal business hours.

15.11 In the event the Association is wound up or dissolved, all of its remaining assets after payment of its liabilities shall be paid to such registered and incorporated non-profit organization or organizations with purposes similar to those of the Association as a Majority of the Regular Members determine. In no event shall any Member become entitled to any assets of the Association.

15.12 The Board of Directors shall appoint by resolution an auditor and an audited annual financial statement shall be submitted to each annual general meeting.

15.13 The Association may acquire by gift or purchase and have, possess and enjoy land, tenements, rents, annuities and other property of any kind whatsoever within the Province of Alberta.

15.14 The Association may from time to time sell, alienate, exchange, mortgage, let, lease or otherwise dispose of any part of its real or personal estate.

15.15 Every Director and officer of the Association and their heirs, executors and administrators, respectively, shall from time to time and at all times be indemnified and saved harmless out of the funds of the Association from and against:

- (a) all costs, charges, damages and expenses whatsoever which they sustain or incur in or about any action, suit or proceeding which is brought, commenced or prosecuted against them or in respect of any act, omission, deed, matter or thing whatsoever made, done or permitted by them in or about the execution of the duties of their office; and
- (b) all other costs, charges, damages and expenses which they sustain or incur in or about in relation to any act, omission, deed, matter or thing whatsoever made, done or permitted by them in or about the execution of the duties of their office;

(c) except such costs, charges, damages and expenses as are occasioned by their own wilful act, default or dishonesty.

Article XVI AMENDMENTS

- 16.01** The Board of Directors or a Regular Member may propose a special resolution, as required by the *Societies Act*, R.S.A. 2000, c. S-14, or any amendments thereto, to amend these Bylaws.
- 16.02** A proposed special resolution may be considered at the annual general meeting or at a special general meeting.
- 16.03** Written notice of a proposed special resolution shall be provided to each member not less than eight (8) weeks before the meeting at which the special resolution is to be considered.
- 16.04** An amendment to the Bylaws shall not be made unless a three-quarters (3/4) majority of the representatives of Regular Members in good standing present at the meeting vote in favour of the amendment.
- 16.05** Notwithstanding any other provision of contained in these Bylaws, every Special Resolution to amend these Bylaws shall contain the following preamble:

WHEREAS the following proposed amendment has been submitted to the Association only after taking into consideration:

- (a) the Association's fundamental and paramount principle of ownership and control of the Association by its Regular Members; and
- (b) the Association's tax exempt status under para. 149(1)(d.5) of the Income Tax Act, Canada as discussed by the Canada Revenue Agency in its letter dated March 14, 2007

and that the proposed amendment herein will not, by its nature, content or description, compromise, modify, alter, affect or change in any way the fundamental and paramount principle of the Association (the Association being owned and controlled by its Regular Members only) or the Association's tax exempt status under para. 149(1)(d.5) of the Income Tax Act, Canada as same may be amended from time to time.

- 16.06** In 2015 and every subsequent year divisible by five (5), the President shall establish a special committee to conduct a general review of the Bylaws of the Association.
- 16.07** In the event any provision of these Bylaws is in any manner determined to be inconsistent with, or in violation of, the fundamental and paramount principle of the Association set forth in Article 2.02 above, then such provision shall be deemed to be void *ab initio* and of no force and effect, and such provision shall be struck from these Bylaws without further notice or approval by the Regular Members.



AUMA Resolutions Policy

Resolutions

General

1. The Municipal Governance Committee shall serve as the Resolutions Committee of the Association.
2. The responsibilities of the Committee are to review proposed resolutions for format and content, and assign a category.
3. Resolutions may be submitted for consideration at the annual convention by
 - (a) a regular member or group of regular members or
 - (b) the Board of Directors.
4. Resolutions shall be in the form:
WHEREAS ...
AND WHEREAS ...
NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association (take some action)

Resolution Guidelines

5. Resolutions must meet the following criteria:
 - (a) Each resolution
 - i) must be approved by the council of the sponsoring municipality.
 - ii) should strive to address a topic of concern to municipalities throughout the Province.
 - (b) Resolutions must not direct a municipality to adopt a particular course of action, but must be worded as a request for consideration of the issue.
 - (c) Whereas clauses should clearly and briefly set out the reasons for the resolutions.
6. Each resolution should be accompanied by background information outlining the issue as it relates to the sponsoring municipality, when and how often the resolution has been submitted in the past, and how the resolution is related to AUMA policy. This material will assist the Municipal Governance Committee, and later the convention body, in understanding the issues.
7. The operative clause of the resolution (i.e. the one beginning **NOW THEREFORE BE IT RESOLVED THAT...**)
 - (a) must clearly set out what the resolution is meant to achieve, and
 - (b) state a specific proposal for action.
 - (c) The wording should be straightforward and brief so that the intent of the resolution is clear. Generalization should be avoided.
8. Resolutions are to be in the hands of the Chief Executive Officer no later than May 31 each year, provided that, the Chief Executive Officer may grant an extension of the deadline,
 - (a) if the annual convention is scheduled later than Thanksgiving Day in any year; or,
 - (b) if requested by a member, if the Chief Executive Officer is satisfied that severe weather conditions, a pandemic or other emergency reason, has made it impossible for the member to submit the resolution by the deadline date..
9. The annual call for resolutions may include information on key issues identified in the AUMA strategic or business plan on which the Board wishes to focus and/or information regarding any other matters on which AUMA seeks assistance in the coming year. As well, the annual call for resolutions will remind members that alternatives to convention resolutions available during the year include bringing Requests for Decisions to the appropriate Mayors Caucus and bringing a matter directly to the attention of the AUMA Board.

Extraordinary Resolutions

10. A resolution arising from the proceedings of the convention or related to a matter of an urgent nature arising after the resolution deadline may be considered an Extraordinary Resolution.
11. A regular member wishing to propose an extraordinary resolution shall present it, together with a rationale as to why it is extraordinary, to the Chief Executive Officer after the first day of the convention. The sponsoring municipality(ies) shall provide 1000 copies of the resolution.
12. The determination whether the proposed resolution meets the criteria of an extraordinary resolution will be made by
 - (a) in the case of a proposed extraordinary resolution submitted after the Resolution Deadline but before the final Board meeting prior to the Convention, by the Board on the recommendation of the Municipal Governance Committee,
 - (b) in the case of a proposed extraordinary resolution submitted after the final Board meeting prior to the Convention, by the Executive Committee, in consultation with the Resolutions Session Chair.
13. The AUMA Executive Committee, in consultation with the Municipal Governance Standing Committee chair, will determine whether the proposed resolution meets the criteria of an extraordinary resolution.
14. Criteria for an Extraordinary Resolutions are:
 - (a) they deal with an emergent issue of concern to the general membership that has arisen after the resolution deadline;
 - (b) they deal with an emergent issue of concern to the general membership that will be addressed by another order of government BEFORE the next AUMA annual Convention; and
 - (c) they comply with the guidelines for resolutions set out elsewhere in this policy (AP002).
15. A 2/3 majority vote of the assembly is required prior to any Extraordinary Resolution accepted by the Executive Committee being considered by the assembly.
16. No debate on the merits or “urgency” of any Extraordinary Resolution will take place prior to the vote.
17. Extraordinary resolutions accepted for consideration by the assembly shall be presented following debate of the **Targeted Scope** resolutions.

Administrative Review

18. The Chief Executive Officer may return any submitted resolution to the sponsoring municipality to have deficiencies corrected.
19. Deficiencies may include but are not limited to:
 - (a) absence of any indication of the resolution being endorsed by the council of the sponsoring municipality;
 - (b) preliminary clauses which are contradictory to the operative clause or the absence of preliminary clauses;
 - (c) lack of a clear supporting narrative where the rationale of the resolution is unclear.
20. The return by the Chief Executive Officer of any proposed resolution for the correction of any deficiencies will not affect its categorization nor will it make a timely resolution late.

Committee Review

21. The Municipal Governance Committee shall review each proposed resolution and may recommend that the Board refuse to submit to the convention any resolution deemed inappropriate for consideration by the Association.
22. The Municipal Governance Committee will notify the appropriate policy committee of any proposed resolution related to its policy.
23. The Municipal Governance Standing Committee may:
 - (a) amend the grammar or format of the resolution;
 - (b) consolidate resolutions of similar intent or subject matter;
 - (c) provide comments on each resolution with regard to its background:

- (d) inform the sponsoring municipality where the resolution will materially change or contradict current AUMA policy.
 - (e) recommend to the Board of Directors, that resolutions already adopted and/or forming AUMA policy (see clause 54 of this Policy) NOT be considered at the Convention, and be returned to the sponsor(s) of the resolution(s) with an explanation of the reason for return.
24. When the Committee determines that a proposed resolution is appropriate for submission to the convention, the Committee shall categorize the resolution as:
- (a) AUMA Strategic/Business Plan Priorities
 - (b) Provincial Scope
 - (c) Targeted Scope
 - (d) Endorsement Requests
 - (e) Non-Municipal Matters
25. The AUMA Strategic/Business Plan Priorities category would address matters related to implementing the AUMA strategic and/or business plans.
26. The Provincial Scope category would have resolutions that address matters of significance to all or most municipalities in the province.
27. The Targeted Scope category would have resolutions that address matters of significance to all or most municipalities located in one area of the Province or municipal members of a similar size.
28. The Endorsement Requests category would address requests of regular Members to endorse positions they are taking without any advocacy action by AUMA.
29. The Non-Municipal Matters category would address matters outside of municipal jurisdiction and therefore not appropriate for presentation to the convention.
30. When the Board has approved the resolutions report (section 31), proposed resolutions assigned to the Non-Municipal Matters category will be returned to the sponsoring member(s) with an explanation of why the resolution will not appear in the Policy and Resolutions Book at the convention.
31. The Committee will prepare a resolutions report which will include all proposed resolutions determined appropriate for submission to the convention including the following information on each resolution:
- (a) Number and Title of Resolution
 - (b) Name of Sponsoring Member(s)
 - (c) Proposed Resolution
 - (d) Resolutions Category
 - (e) Municipal Governance Committee Comment (if any)
32. Resolutions will be presented in the following order:
- (a) AUMA Strategic/Business Plan Priorities
 - (b) Provincial Scope
 - (c) Targeted Scope
 - (d) Endorsement Requests
33. The Committee will recommend to the Board a Policy and Resolutions Book including the resolutions report together with such other information on bylaws, policies and procedures as the Committee may deem appropriate which shall be provided to members at least eight (8) weeks prior to the Convention.

Resolution Session Agenda

34. Prior to the beginning of the first resolution session the Chair will ask for a motion from the floor to adopt the Resolution Session Agenda as presented in the Policy and Resolutions Book.
35. Amendments from the floor to the Resolution Session Agenda will be accepted when duly moved and seconded.
36. No debate on the proposed amendments to the Resolution Session Agenda will occur.

37. A 2/3rds majority of the delegates will be required to change the Resolution Session Agenda.
38. If there are no amendments to the Resolutions Session Agenda, resolutions will be debated in the order they are presented in the resolution booklet. No further amendments to the resolution agenda will be accepted.

Considering Resolutions

39. The Board, after consulting with the Municipal Governance Committee Chair, will appoint a Resolutions Sessions Chair.
40. The Session Chair will introduce each proposed resolution by indicating its number, the name of the sponsoring municipality, and then will move the resolution. The Session Chair will then call on the sponsoring or a supporting municipality to second the resolution. If no municipality seconds the resolution, the resolution dies.
41. If the resolutions report includes a comment by the Municipal Governance Committee on the proposed resolution, the Session Chair will then call on a member of the Municipal Governance Committee to give the views of the Municipal Governance Committee (if necessary).
42. The Session Chair will then call for a spokesperson from the sponsoring municipality(ies) to speak to the resolution and open the debate. The spokesperson will be allowed two (2) minutes for the opening.
43. In the case of a proposed new policy position paper, the Session Chair will allow a spokesperson or designate a maximum of five (5) minutes to introduce the new policy position paper and place the resolution on the proposed new policy before the convention and to name the seconder.
44. Following the initial speaker, the Session Chair will then call alternately for persons opposing and supporting the resolution. These speakers will have a two (2) minute time limit and shall not speak more than once on any one question. When no alternate position speaker is available, the Session Chair will declare the end of the debate and the spokesperson will be allowed one (1) minute for the closing of debate.
45. If no one rises to speak in opposition to a proposed resolution, the question will be immediately called.
46. A sponsoring municipality or designate may declare its intent to withdraw a proposed resolution when the resolution is introduced. In this event, the Session Chair shall declare the resolution withdrawn and no further debate or comments will be allowed.
47. Amendments, including "minor amendments" from the floor will be accepted when duly moved and seconded. Amendments, including "minor amendments" must be submitted in writing to the Session Chair prior to the amendment being introduced.
48. The Session Chair will rule whether or not an amendment complies with the intent of the original resolution.
49. Discussion procedures for an amendment shall be the same as for a resolution.
50. The conflict of interest guidelines for council votes, as outlined in the *Municipal Government Act*, shall also apply to convention resolution votes for all delegates. It is incumbent upon each delegate to ensure adherence to this rule.
51. Voting may be by
 - (a) a show of delegate accreditation cards, or
 - (b) electronic means.
52. As long as there is a quorum present (as provided in the Bylaws a quorum is comprised of representatives of twenty-five percent [25%] of the Regular Members) the final resolution session shall not be closed until all resolutions listed in the agenda are debated and voted upon, or the allotted time for the session has expired unless the majority of delegates present vote to extend the allotted time.
53. Resolutions which are not debated at a convention resolutions session because of insufficient time or lack of quorum, will be considered by the Municipal Governance Committee, with its recommendations, to a meeting of the Board of Directors following the convention.

54. Resolutions passed by the membership shall not be amended or modified by the Municipal Governance Standing Committee or the Board of Directors.
55. Carried resolutions will be referred to the relevant Standing Committee which will
 - (a) develop policy statements and make a recommendation to the Board, or
 - (b) in the event that the committee determines that the background information of WHEREAS clauses are materially incorrect or misleading, may recommend to the Board that a resolution be returned to the sponsoring municipality(ies) with an explanation of the reasons for returning it.

Carried Resolutions

56. Carried resolutions will be referred to the relevant Standing Committee which will develop policy statements and make recommendations to the Board.
57. When the policy statements are approved by the Board, each statement will be sent to the relevant Minister(s).
58. The Chief Executive Officer will collect all advocacy responses and prepare a status of resolutions inventory on the AUMA website. The status of resolutions inventory will include the responses and an indication of what (if any) follow up action AUMA will take with regards to any resolution for which the advocacy was not successful.
59. Resolutions have an active life of three (3) years, then are deemed inactive.

AUMA Request for Decisions Adopted at Mayors Caucus in 2012

Receiving input and direction from members is critical to the AUMA. While the resolution process is an effective way for member-municipalities to request that AUMA take action or explore an issue further, there are also other options. One alternative method for gaining AUMA support is through a Request for Decision (RFD) submitted at a Mayors Caucus. RFDs are discussed, debated, and voted on at Mayors Caucus meetings. If the RFD is passed, it is then reviewed by AUMA's Board to determine possible next steps. During 2012, five member RFDs were presented and accepted by attendees. In an effort to keep all AUMA members up-to-date with issues that AUMA has been asked to consider, the RFDs are presented below.

The following RFD was adopted in February 2012:

Since the AUMA has been petitioning the Government of Alberta to continue developing a Renewable Energy Expert Panel, AUMA should also request that the Government of Alberta provide municipalities with the funding necessary to establish energy efficiency and sustainable energy standards.

The following RFDs were adopted in June 2012:

Actively and continually hold accountable and encourage the Government of Alberta to fully attend to its federally and provincially legislated responsibilities of providing sufficient funding, staffing and programming so that there are enough physicians and other medical support staff in place to deliver universal and accessible health care in all of Alberta.

That the AUMA lobby the provincial government to return to the 50/50 cost-shared operating deficit between the province and the municipalities, with no provincial funding cap, and that the AUMA lobby the provincial government to complete modernization of the Senior Citizen's Lodge program facilities which will result in accessible and market-relevant facilities and long term decreases in operating and capital costs, resulting in decreased requisitions.

Requests the Government of Alberta to amend the Municipal Sustainability Initiative Capital Program Guidelines to allow for a municipality to build a reserve with annual MSI allocation to fund major projects.

Actively engage the Government of Alberta in discussions to eliminate the policy of awarding tenders to the lowest bidder on municipal projects that receive grant funding, by allowing municipalities to conduct pre-qualification processes for bidders.



Resolutions

2012 Policy and Resolutions Book
Category AUMA Strategic/Business Plan Priorities

AUMA Resolutions Policy:

The **AUMA Strategic/Business Plan Priorities** category would address matters related to implementing the AUMA strategic and/or business plans.

4 resolutions recommended under this Category.

WHEREAS, The Building Canada Plan and a number of important federal-provincial transfer agreements vital to Canada's municipalities, will expire in March 2014;

WHEREAS, Federal investments over the last few years have helped to slow the decline of our cities and communities, and the Government of Canada has committed to develop a new long-term plan for municipal infrastructure funding in consultation with municipal and provincial/territorial governments;

WHEREAS, a seamless transition from the Building Canada Plan to a new long term plan is necessary to ensure that municipalities can continue planning their capital spending effectively;

WHEREAS, The Federation of Canadian Municipalities (FCM) has launched a campaign to ensure the new plan reflects municipal priorities across the country and asks its members to support this campaign; and

WHEREAS, AUMA has been a strong advocate for the need for stable and flexible, long-term municipal infrastructure funding for Alberta's urban municipalities;

NOW THEREFORE BE IT RESOLVED that AUMA endorses the FCM campaign and urges the Minister of Transport, Infrastructure and Communities to work with FCM to ensure the new long-term infrastructure plan meets the core infrastructure needs of cities and communities;

BE IT FURTHER RESOLVED THAT AUMA urges the Minister of Transport, Infrastructure and Communities to ensure that the new long-term plan is fully in place when existing programs expire in 2014.

WHEREAS in 2011 AUMA released a Water Primer and Discussion Paper (WPDP) to serve as a catalyst for discussion on water issues.

WHEREAS in 2012 the AUMA Board of Directors issued the mandate of developing Municipal Water Policies and approved advancing policies over a number of years with 2012 policies focused on water allocation and the viability of municipal water systems.

WHEREAS AUMA developed policy statements and sought members' input through workshops, webinars, Digest articles, and the June Mayors Caucus.

WHEREAS at its June meeting, the AUMA Board of Directors considered members' input and adopted the policies for consideration at the 2012 Convention.

NOW THEREFORE BE IT RESOLVED THAT the AUMA 2012 General Assembly approve the municipal water policies.



Municipal Water Policy 2012

- Water Resources Management
- Municipal Water System Viability

Convention Policy Paper



1 Background

Objective

In 2012, AUMA's Board approved a project to develop municipal water policies over a period of several years. The Board's rationale for developing water policies:

- Recognized that water is essential to municipal sustainability.
- Acknowledged that many municipalities have capacity issues and are struggling to maintain water and wastewater collection, distribution and treatment systems in light of rising standards, shortage of skilled water operators, revenue shortfalls and concerns over regionalization.
- The need for more proactive water management as increasing water demand and decreasing supply put pressure on aquatic ecosystems and constraints on economic and population growth.

The objective of the policies is to:

- Build municipal capacity to respond to water related challenges and opportunities.
- Respond effectively to provincial and federal legislation, policy and initiatives related to water.

The Municipal Context – Role of Municipalities

In formulating these policies, AUMA considered the leadership role municipalities play in many facets of water management. The following statements represent the roles municipalities would like to play, assuming the appropriate resources and support.

- Municipalities as an order of government have a role to play in responsible water management as leaders in water conservation, efficiency and productivity and maintaining healthy aquatic ecosystems.
- Municipalities operate water and wastewater systems and employ quality assurance, controls and asset management practices towards ensuring the sustainability of their water infrastructure and require support from other orders of government and the AUMA to succeed.
- Municipalities should have effective mechanisms and adequate resources contributing to the 'Water for Life' goals of ensuring Albertans have a safe and secure supply of drinking water, healthy aquatic ecosystems and reliable, quality supplies for a sustainable economy.
- Municipalities are engaged in shaping water policies and legislation, and have the authority and resources for effective monitoring, reporting and enforcement in conjunction with other orders of government.
- Municipalities are active partners in implementing provincial and regional land and watershed management plans that reduce the cumulative effects of development on aquatic ecosystems.

Process for Policy Development

AUMA's [Water Primer and Discussion Paper](#) (WPDP) was developed and communicated to members in September 2011 and was used as a foundation of research to begin development of a comprehensive water policy that addresses priority water issues. This policy will be developed over a number of years, with statements on specific topics added each year.

Through dialogue with members, AUMA's Board of Directors determined that the 2012 policy should focus on water allocation (in light of anticipated consultations by the provincial government) and the viability of municipal water and waste water systems (due to concerns raised by members around rising standards, shortage of skilled water operators, revenue shortfalls and concerns over regionalization). The focus on water allocation was expanded to include broader water resources management issues as it became evident in discussions with members that current water supply challenges could not be addressed through changes to the allocation system alone.

Policy recommendations pertaining to these topics were developed and informed through research and consultation with a panel of elected officials, CAOs, and technical staff who have a strong interest in water management. As well members' input was received through the workshops on allocations, webinars, AUMA's standing committees, Digest requests and Mayors Caucus discussions.

Over the next year, AUMA will work with its members, the Government of Alberta and other partners to begin implementing the 2012 policy. It will also begin a dialogue with members on how the policy should be expanded in 2013.

Principles for Municipal Water Policy

- Water is essential to municipal sustainability in terms of a community's economic viability, environmental integrity, social wellbeing, cultural vibrancy and good governance.
- Healthy aquatic ecosystems and source water protection are essential to providing Albertans with safe, secure drinking water and reliable quality water supplies for a sustainable economy.
- In times of water shortages, water for human health must be given the highest priority.
- Water allocation legislation, policies and practices recognize that water is a scarce limited resource with significant present and future value.
- Decision making is supported by clear, scientifically-based, accurate and publicly available information on water availability, quality, use and the health of aquatic ecosystems.
- Water management should be based on a risk management approach that balances capacity, aquatic and human health and economic prosperity.
- The costs of municipal water and wastewater services should be born primarily by users.
- Investment in water resources needs to be a high priority for governments and all water stakeholders.

2 Policies

Water Resources Management Policy

Proactive Water Management

Municipal Concerns:

Water allocation is the process by which the Government of Alberta grants licences for water use to municipalities, industry, irrigators and other water users. Increasing demands and decreasing supplies have placed strain on the allocation system, especially in southern Alberta. The Province has been considering potential changes to the system for a number of years and indicates its intent to hold public consultations in fall 2012 on this topic. For this reason, AUMA selected “water allocation” to be one of the initial focuses of its water policy development.

As AUMA began engaging its members in a discussion on water allocation¹, it became apparent that issues around how water licenses are granted or transferred cannot be solved without addressing broader water management concerns such as the lack of:

- Integration between land and water use decision making;*
- Incentives for collaboration or conservation;*
- Transparency around the impact of water use by the oil and gas sector particularly hydraulic fracturing and use in backflooding for additional extraction purposes;*
- Recognition of the true value of water; and*
- Accessible information on water use, quality, flow variability, groundwater and other data required to support sound decision making.*

Policy:

The Government of Alberta must:

- 1.1. Move beyond the current focus on water licenses to more proactively address management of water as an essential resource;*
- 1.2. Manage water on a watershed basis using a collaborative approach that includes public input from all the stakeholders in a basin via Watershed Planning and Advisory Councils.*
- 1.3. Integrate water management with air, land-use and biodiversity management such that the cumulative impact of our activities does not impair the sustainability of our ecosystems;*
- 1.4. Engage in an open discussion with Albertans to create a long term vision and practical strategy for water management;*
- 1.5. Use science to inform decision-making through making strategic investments in monitoring and reporting (i.e. to close data gaps) to ensure that publicly accessible information is available on:*
 - Water quality and quantity including the interaction of surface and groundwater and potential impacts of climate change.*

¹ For more information on the current allocation system and details on what municipalities think are its strengths and weaknesses see *Alberta’s Water Allocation System What We Heard Report* available at water.auma.ca

- Water use including information on water that is consumed (not returned to its source) and return flows.
- The impact of water use on other users and the health of aquatic ecosystems.

Conservation, Efficiency and Productivity

Concerns of Municipalities:

Albertans are among the highest water users in the world and municipalities see opportunity for water conservation, efficiency and productivity (CEP)² by all sectors to decrease pressure on the allocation system and contribute to improved water management overall. AUMA, along with other major water using sectors such as the irrigation and the oil and gas industry, have developed sector-wide CEP plans as part of a process led by the Alberta Water Council. The creation of these plans is a positive step forward, but a great deal of work is required to make sure they result in tangible benefits to Alberta's communities, economy and the environment.

Policy:

AUMA will work with the Government of Alberta, municipalities and other partners to promote more responsible water use through the following actions:

- 1.6. Raise awareness that water is a valuable limited resource and provide more public education on CEP.
- 1.7. Provide education and tools to assist municipalities in becoming leaders in water CEP.
- 1.8. To improve productivity and efficiency, remove barriers and move ahead with greater urgency in promoting responsible water re-use initiatives such as residential grey water re-use.

AUMA urges the Government of Alberta to:

- 1.9. Create incentives and reward innovation for water conservation, efficiency and productivity by all sectors.

Allocation System

Concerns of Municipalities:

Notwithstanding the desire to see the Government of Alberta focus its attention beyond the allocation system, municipalities see opportunities to address some of the weaknesses of the current system. While Alberta's allocation system is working well for many municipalities, some small to medium sized municipalities are caught in a situation where their current allocation will not meet future growth without going through a lengthy and complex process to obtain an additional license or absorbing tremendous costs associated with purchasing a license from another user in basins where no new licenses are available.

² AUMA uses the definition of CEP agreed to by the Alberta Water Council:

Water conservation: 1. Any beneficial reduction in water use, loss, or waste. 2. Water management practices that improve the use of water resources to benefit people or the environment.

Water efficiency: 1. Accomplishment of a function, task, process, or result with the minimal amount of water feasible. 2. An indicator of the relationship between the amount of water needed for a particular purpose and the quantity of water used or diverted.

Water productivity: The amount of water that is required to produce a unit of any good, service, or societal value.

Furthermore, municipalities are concerned that the current system does not do enough to incent wise water use or protect water for human health and the environment.

Policy:

To improve the ability of the current allocation system to support improved water management, AUMA recommends that the Government of Alberta:

- 1.10. Confirm in legislation that water cannot be allocated out of province: make sure that only Albertans can control Alberta water;
- 1.11. Build greater transparency into the financial and technical details around transfers (who purchased what volume at what price for what purpose) and performance assessment into the allocation system;
- 1.12. Realign the allocation system to take care of basic human health and hygiene and the environment first, and then let the market manage economic needs;
- 1.13. Hold in reserve allocation room for population growth. Municipalities are a small part of water use: the province can protect future growth without significant changes to the system;
- 1.14. Ensure that the use of Holdbacks does not penalize municipalities for administrative transfers;
- 1.15. Develop a plan under the current system for the next big drought so that Albertans are prepared and know in advance what actions can be taken, how responsibilities will be shared, and how regulatory decisions will be made during times of hardship; and
- 1.16. Require anyone applying for an additional licence or to buy or sell an existing licence to have a Water, Conservation and Efficiency Productivity (CEP) Plan in place that demonstrates best practices are being used to minimize water use.

Regional Collaboration

Concerns of Municipalities:

Watershed Planning and Advisory Councils (WPACS)³ have a key role to play in various aspects of the water management system. WPACs are multi-stakeholder, non-profit organizations whose core function is to assess the state of a watershed and develop a watershed management plan. They provide a venue for municipalities to work with and learn more about major water-using sectors such as Irrigation Districts and the Oil and Gas industry. These plans are intended to address the Water for Life goals of providing Albertans with a safe, secure supply of drinking water, healthy aquatic ecosystems and reliable supplies for the economy. Developing and implementing these plans is costly and the eleven WPACs in the province do not have a consistent funding source despite the importance of their work mandated by the government. They also lack a consistent process of engaging sectors such as municipalities in the development of plans which rely on these same sectors to implement them.

Policy:

AUMA will:

- 1.17. Promote municipal participation on Watershed Planning and Advisory Councils.

³ For more information on WPACs and their relationship with municipalities visit the Water Governance and Legislation Page of water.auma.ca

- 1.18. Advocate for a consistent process for engagement of municipalities and other sectors on WPACs.
- 1.19. Advocate for the Government of Alberta to provide sufficient, consistent core and project funding for WPACs to carry out their primary mandate of watershed assessment and planning.
- 1.20. Advocate that WPACs place significant attention to source water protection upstream of municipalities to ensure a safe, secure supply of drinking water to our citizens.

Municipal Water System Viability Policy

Drinking Water Quality Standards

Concerns of Municipalities:

Municipalities are responsible for implementing drinking water standards that are set and enforced by the Government of Alberta, but derived from national guidelines. These standards and guidelines take into account operational considerations, while protecting public health. Rising standards can be a significant cost driver for municipal systems.

Policy:

- 2.1. AUMA urges the Governments of Alberta and Canada to engage municipalities early in the process of developing new standards to facilitate greater understanding of potential impacts on the municipal systems and enable municipalities to better prepare for changes.
- 2.2. The Government of Alberta should advance collaboration with health authorities and post-secondary institutions to build greater understanding and capacity to meet the standards.
- 2.3. The Government of Alberta should work with AUMA to explore opportunities for smaller systems to partner with larger systems to gain a better understanding of how to efficiently and effectively meet standards.
- 2.4. AUMA will urge the Governments of Alberta and Canada to work with municipalities to develop a funding strategy when new standards or regulations are introduced.

Drinking Water Safety Plans

Concerns of Municipalities:

The Government of Alberta has mandated all municipalities to develop a Drinking Water Safety Plan (DWSP) by December 31, 2013 with subsequent annual reviews. A DWSP aims to ensure the safety of drinking water through a risk assessment and risk management approach which considers the source of water, how it is treated and the storage and distribution of treated water. To support the adoption of the DWSPs, the Government of Alberta has been holding workshops throughout the province and has launched a website which includes a DWSP template and tips. Feedback from water operators who have attended these workshops has been positive. However it needs to be recognized that drinking water policies create extra demands on drinking water operators.

Policy:

- 2.5. AUMA supports the Government of Alberta's approach to Drinking Water Safety Plans and requests the continuation of tools and resources to support their implementation.

- 2.6. AUMA encourages the Governments of Alberta and Canada to take a similar approach to engagement and support in developing and implementing other water related standards and regulations.

Wastewater Regulations

Concerns of Municipalities:

The wastewater treatment standards that municipalities must achieve have been the exclusive domain of the provincial government until recently, when the federal government introduced draft Waste Water System Effluent Regulations in an attempt to harmonize standards across the country. AUMA supported and facilitated member input in the development of the Canada-wide Strategy for Management of Municipal Wastewater Effluent on which the regulations are based.

These regulations will have less impact in Alberta than in the rest of the country as standards in the province are already high. However, there are some concerns over the potential impact of increased reporting requirements and aspects of the regulations that may deviate slightly from the original Strategy.

As well, harmonization is an imperative as some municipalities have already been charged for violating a federal standard, while being in full compliance with a provincial standard.

Policy:

- 2.7. Harmonized regulations pertaining to wastewater effluent must be developed through collaboration and coordination of federal, provincial and municipal governments in order to ensure optimal and consistent protection of human and environmental health.
- 2.8. The Governments of Alberta and Canada should engage municipalities in implementing the regulations so that communities can be prepared for any necessary changes to system operations, capital upgrades and the associated cost.
- 2.9. All levels of government should work together to develop a one-window approach to reporting to ensure that the new federal regulations do not place unnecessary administrative burdens on municipalities.

Water and Wastewater Operators

Concerns of Municipalities:

No matter what the standards and protocols, the provision of a safe, secure drinking water supply and protection of the environment depends on the people who operate water systems. Concern is growing because municipalities are struggling to attract and retain qualified water and wastewater operators. Operator training courses in the province are currently oversubscribed, and there are concerns that the certification process creates obstacles for those who want to advance their career. Certified operators often go on to seek employment in large centres or the oil and gas sector instead of small communities.

The Alberta Water and Wastewater Operators Association (AWWOA) is leading a number of initiatives to encourage more people to choose water operations a career. Municipalities are also collaborating through operational consortiums to share operators and through reciprocal agreements to provide qualified oversight when operators are on holiday or on illness leave. They are also interested in other options such as circuit rider programs employed in First Nations communities.

Policy:

- 2.10. AUMA will continue to partner with the AWWOA and other organizations to develop and promote resources to support the attraction and retention of qualified water and wastewater operators.
- 2.11. AUMA urges the Government of Alberta and AWWOA to identify and remove barriers to entry into the certification process.
- 2.12. AUMA urges the Government of Alberta, the AWWOA and post-secondary institutions to collaborate in maintaining and expanding operator education programs that enable operators to be trained in local communities as opposed to having to travel to a central location.
- 2.13. AUMA will seek the support of the Government of Alberta and the AWWOA to provide members with information and examples on operational consortiums, reciprocal agreements and operating contracts.
- 2.14. Additional means of providing qualified oversight of water systems should be explored such as circuit rider programs and remote monitoring.

Funding

Concerns of Municipalities:

Municipalities face a wide variety of funding pressures, including:

- Aging infrastructure
- Users treating water as an unlimited and low cost resource
- The cost of maintaining large systems built to meet sprawling land uses
- Maintaining systems in the face of population decline or expanding systems in the face of growth
- Meeting increased standards and expectations
- Declining revenue base due to effective water conservation initiatives while fixed operational and capital expenditures continue to increase through time.

Many municipalities do not use full cost accounting so there is minimal awareness and understanding by municipal governments and users of the true cost of the water services. Full cost accounting calculates all costs related to providing drinking and waste water services: operating and maintenance expenses, depreciation of assets, and returns for the replacement of capital assets. It may also include the cost of implementing source water protection and water conservation initiatives.

Therefore, in most municipalities, residents and businesses do not pay for the full cost of the water services they use, nor is money put in reserves for future upgrades.

To fill this financial gap, municipalities turn to overtaxed general revenues and oversubscribed grants. The resulting shortfall leads to deferred maintenance and upgrades, which in turn contribute to the municipality's overall infrastructure deficit and concerns about the ongoing ability of the system to provide safe drinking water.

Policy:

- 2.15. AUMA encourages and will partner with the Government of Alberta to support municipalities in adopting full cost accounting and implementing water pricing that will:

- Educate users on the true cost of the water resources they are consuming, thereby providing a financial incentive to conserve and use more efficiently:
 - Provide enough revenue to cover the full costs of providing water and wastewater services including maintaining and replacing infrastructure and implementing water conservation and source water protection measures; and
 - Provide financial reporting on water and wastewater utility functions separate from general revenues.
- 2.16. The Government of Alberta should update the criteria for water funding to give priority to requests from municipalities that have implemented or are working towards full metering, water conservation, efficiency and productivity planning, asset management and full cost accounting.
- 2.17. AUMA urges the Government of Alberta to aid in funding and supporting small municipal and regional systems, where populations may be decreasing and/or users may not be able to fully cover capital costs.
- 2.18. AUMA urges the Government of Alberta to improve alignment between the water policy-makers, regulators and infrastructure funders.
- 2.19. The Government of Canada should make water and wastewater infrastructure eligible for funding under the Long Term Infrastructure Plan as opposed to creating a dedicated funding stream in order to allow municipalities to set their own infrastructure priorities.

Asset Management

Concerns of Municipalities:

Asset management is the process of looking at the life cycle of all the assets in a municipality to develop information about future maintenance, new development and the capacity to resource. Asset management applies to a broader set of infrastructure considerations than just water. Still, it is important to highlight the critical role it plays in the viability of municipal water systems. Asset management is closely linked to full cost accounting for water as both require a detailed understanding of costs and capital assets related to municipal water systems. AUMA is a member of the Asset Management Alberta Working Group which also includes representatives of AAMDC and the Government of Alberta and is open to any municipality who wants to attend. The intent of the group is to provide practical tools and a forum for knowledge sharing around best practices in managing assets in a capacity constrained environment.

Policy:

- 2.20. AUMA will work with the Government of Alberta, municipalities and other partners to help build the capacity of municipalities to implement a strategic asset management system that applies financial, technical, economic and other information to the management of physical assets with the objective of providing the required level of service in the most cost effective manner.
- 2.21. AUMA and AMSC will explore options to provide municipalities with programs and services for reducing water losses from water distribution systems and inflow and infiltration in wastewater collection systems.

Regional Systems

Concerns of Municipalities:

Given the challenges facing municipal water systems, an increasing number of municipalities are turning to regional systems to maximize economies and increase access to skilled operators. However, regional systems come with their own challenges including:

- Concerns over control governance structures
- Funding
- Long term pricing
- Land use implications

Policy:

- 2.22. The Government of Alberta should increase funding for regional systems and extend the funding commitment to cover all phases of regional system development and transitional costs.
- 2.23. Funding for regional systems should be consistent with inter-municipal and regional plans where they exist.
- 2.24. AUMA will work with Government of Alberta to explore emerging issues with regional systems such as a lack of direct access to funding for capital upgrades and disparities in regional funding programs.
- 2.25. The Government of Alberta should ensure full consideration of long-term implications on water servicing and water use demand in land use decisions.
- 2.26. AUMA will partner with the Government of Alberta to inform and support municipalities in reviewing and implementing regional systems including but not limited to:
 - Factors to consider when deciding on viability of regional systems.
 - Governance options and funding models in establishing a regional system.
 - Governance in terms of the appropriate relationship between the regional system and each member municipality.
 - The process for establishing regional systems.
 - Critical factors for success in regional systems.
 - Options for operational oversight of municipal distribution/ collection systems even after joining a regional system.
 - Implications of regionalization on municipal water allocation.

WHEREAS in 2011 AUMA members attended the President’s Summit on Energy, and confirmed their interest in proactively addressing the impacts of the energy sector on urban municipalities, and identified significant issues and opportunities that should be addressed.

WHEREAS in 2012 the AUMA Board issued the mandate of developing an Energy Policy Framework and approved advancing policies over a number of years with 2012 policies focused on abandoned energy infrastructure and the impact of energy driven growth on transportation and utility corridors.

WHEREAS AUMA developed a Framework, Reference Guide, and recommended policy statements and sought members’ input through webinars, Digest articles, and the June Mayors Caucus.

WHEREAS at its June meeting, the Board considered members’ input and adopted the policy for consideration at the 2012 Convention.

NOW THEREFORE BE IT RESOLVED THAT the AUMA 2012 General Assembly approve the municipal energy policies.



Municipal Energy Policies

- Abandoned Energy Infrastructure
- Transportation and Utility Corridors

Convention Policy Paper



1 Background

Objective

In 2012, AUMA's Board approved a project to develop municipal energy policies over a period of several years in consideration of the significant economic, environmental, social and governance impacts that the energy sector has on Alberta's urban municipalities.

The objective of the policies is to:

- Proactively resolve municipal challenges and opportunities arising from the energy sector.
- Respond effectively to provincial and federal legislation, policy and initiatives related to energy.

The Municipal Context – Role of Municipalities

Municipalities are both integral and essential to the successful development of energy in Alberta. Their role includes:

- Municipalities provide infrastructure to support energy related development in the province including support for transporting goods to and from markets and social infrastructure for the required workforce (e.g., affordable housing, emergency response, culture and recreation).
- Municipalities are significant consumers of energy in the province and are therefore impacted by federal and provincial regulations that impact the cost and variety of energy available.
- Municipalities are integral to the successful transportation of energy as critical utility corridors impact the land use planning decisions of municipalities and their residents.
- At times, municipalities are owners of utilities that provide services to residents and therefore are directly impacted by federal or provincial decisions to regulate industry.
- Municipalities are often held accountable for social, health, environmental, economic development impacts associated with energy sector development.

Process for Policy Development

The 2011 President's Summit on Energy created an opportunity for members to dialogue on various municipal impacts and identified topics of interest for policy development. AUMA then carried out comprehensive research which has been consolidated into a Reference Guide and Energy Policy Framework (available at <http://www.auma.ca/live/AUMA/Document+Library/Reports>) containing the vision statement and principles summarized on the following page.

The Board selected 2012 policy topics of abandoned infrastructure and transportation and utility corridors. Both topics were in the top five priorities identified by members at the President's Summit. Policy recommendations pertaining to these topics were developed and informed through research and consultation with external organizations and members' input received through the 2011 President's Summit, webinars, AUMA's standing committees, Digest requests, and Mayors Caucus discussions.

Vision

Municipal governments are responsible energy stewards and effectively and efficiently manage the environmental, infrastructure, social, and financial impacts of the energy sector on their communities.

Principles for Municipal Energy Policies

- Municipalities should set an example in managing energy consumption and implementing energy efficient technologies and practices in their operations.
- Reliable, affordable, and well planned energy production, distribution and transmission systems, based on effective long term land use planning between provincial and municipal governments, are essential to the growth and prosperity of Alberta.
- The development of renewable energy in Alberta should be strategic by balancing the short-term limitations of renewable energy to meet all of Alberta's energy demands with the long-term need to have an economically and environmentally sustainable energy future.
- Consumers, producers, and distributors should be encouraged using regulation, incentives and other pricing mechanisms to practice wise energy use.
- Federal, provincial, and municipal governments have a shared and increasing leadership role in education and awareness so that consumers can make informed choices about their energy use.
- The future development of Alberta's energy industry must strengthen municipal economies and address social, economic, and municipal infrastructure issues associated with rapid growth.
- The federal, provincial, and municipal governments should develop publically accessible accountability measures to monitor progress on energy and environmental goals.

2 Policies

Abandoned Energy Infrastructure

| Subject | Concerns of Municipalities | Policy |
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| Reclamation/R emediation (Abandoned Wells, Pipelines, brownfields, etc) | While Alberta has fairly comprehensive legislation, regulations, and policies for remediation/ reclamation, there are a number of areas in need of improvement: <ul style="list-style-type: none"> • As the pace of reclamation/remediation has not kept pace with abandonment rates, there are growing numbers of sites that have not been remediated. • The Province has had to financially contribute (ie., to the provincial Orphan Well Program) in cases where operators' do not have the financial capacity to fulfill their obligation for remediation of abandoned infrastructure. • Government and industry have not been able to overcome barriers to the remediation of brownfield sites, particularly those relating to liability issues and economic viability. • Left in their current state, abandoned infrastructure can: <ul style="list-style-type: none"> ◦ Pose potential risks to human health and the environment, ◦ Become eyesores, ◦ Reduce property values and/or tax revenue and/or limit economic growth, and ◦ Contribute to neighborhood crime. | <p>1.1 The Province should ensure that there are effective mechanisms for reclaiming and remediating energy infrastructure that is no longer in use, through:</p> <ul style="list-style-type: none"> • Engaging municipalities in regular reviews of existing legislation, programs, and processes associated with remediation and reclamation of energy development to ensure they reflect best practices and the pace of economic development in the province. • Requiring adequate financial reserves funded by operators to address remediation (e.g., ensure sufficient contributions to Orphan Well Program). • Ensuring adequate ongoing monitoring. • Ensuring remediation programs have the capacity to keep pace with abandonment rates. |
| | | <p>1.2 The federal government should ensure that there are effective mechanisms for remediating pipelines under their jurisdiction.</p> |
| | | <p>1.3 The Province should work with municipalities, industry, and not for profit organizations to ensure that policies are developed and enforced to create an effective disincentive to leaving brown field sites idle, including:</p> <ul style="list-style-type: none"> • Immediately implementing all of the recommendations of the Brownfield working group including addressing concerns around liability, financial incentives, coordination and education, and risk management and registration. • Ensuring appropriate support is provided to municipalities who inherit brownfield sites as a result of a tax recovery process to ensure that the |

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| | | site can be redeveloped and to minimize the liability impact on the municipality. |
| Abandoned Wells | There is a need to protect buyers and annexes from unwittingly purchasing land with undisclosed abandoned oil or gas wells. | <p>1.4 The Province should ensure that accurate information is publicly available on properties that contain or are in close proximity to abandoned wells, including:</p> <ul style="list-style-type: none"> • Developing a process to identify abandoned wells. • Developing requirements to close-off wells that have been inactive or substantially inactive for an extended period of time. • Registering through the land titles system any parcel of land which contains an abandoned oil or gas well or is within 15 meters of an abandoned well head on an adjacent parcel of land. • Streamlining the well class review process to provide updated information as soon as possible. |
| Pipelines | There are situations throughout the province where active high pressure gas lines run through communities and have very little ground cover making development more costly and increasing the risk of catastrophic blow-outs. In addition, oil pipeline bursts put international attention on Alberta and jeopardize our economic future. | <p>1.5 The Provincial and Federal governments should ensure that industry is held accountable for:</p> <ul style="list-style-type: none"> • Monitoring, repairing and maintaining existing pipelines and having adequate emergency response mechanisms. • Maintaining a safe life expectancy for active pipelines and replacing them once this expectancy has been passed. • Relocating or digging down pipelines that come into contact with encroaching developments. |
| Abandoned Carbon Capture and Storage Infrastructure | As carbon capture and storage is a relatively new process, there is a need to strengthen the requirements to monitor their impact and fully remediate these sites. | <p>1.6 The Province should identify, monitor, and mitigate the health risks, safety risks and liability issues associated with the use of carbon capture and storage technology and sites.</p> <ul style="list-style-type: none"> • Consideration should be given to implementing a process to hold industry funds in trust for future reclamations, especially where the operator fails to meet reclamation obligations. |

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| Reputation and Brand Management | Alberta's reputation and image have been damaged by perceptions of "dirty oil" and poor environmental stewardship. | 1.7 The Province, with the support of municipalities, should ensure timely, fact based, and credible information about Alberta's stewardship and reclamation efforts is communicated within and outside of Alberta's borders. |
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Transportation and Utility Corridors

| Subject | Concerns of Municipalities | Policy |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Land Use Planning | <p>There is a need to improve the consultation process pertaining to Land Use Plan approvals. In particular, more advance information on corridor developments will enable municipalities to effectively anticipate, plan and identify funding sources for related infrastructure impacts.</p> <p>As well, the rights of property owners need to be considered, along with impacts on property values.</p> | <p>2.1 The Province should work with municipalities to ensure that there are effective mechanisms for incorporating transportation and utility corridors into regional land use planning, including:</p> <ul style="list-style-type: none"> • Working cooperatively with municipalities to create long term land use and transportation plans that clearly indicate need and identify the proposed location of future transportation and utility corridors. • Developing a process to make that information more publicly available to minimize the need for future expropriations and to ensure property owners are aware of future developments that may impact their land values prior to purchasing the property. • Ensuring effective consultation between land use planning areas is completed prior to any formal plan approval and that effective consultations occur with impacted municipalities in the absence of a land use planning area. • Determining routing and transmission type and scale options to minimize the impact on municipal land and citizens. • Developing a process to more effectively group pipelines throughout the province. |
| Environmental Stewardship | The development and use of transportation and utility corridors will have an impact on the environmental | 2.2 The Province should ensure that there are effective mechanisms to mitigate environmental risks associated with transportation and utility corridors, including |

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| | footprint. | <p>working with municipalities and other key stakeholders to:</p> <ul style="list-style-type: none"> • Develop a comprehensive environmental monitoring, evaluation and reporting system. • Develop regional land use plans. • Enhance the energy regulatory process. • Manage cumulative environmental effects. |
| Health and Safety Protection | There is a risk that transportation and utility corridors could adversely impact the health and safety of our citizens (e.g., traffic accidents, electric and electromagnetic fields). | <p>2.3 The Province should work with municipalities to mitigate any adverse effects on public health as a result of transportation and utility corridors, including:</p> <ul style="list-style-type: none"> • Continuing to monitor the effects of electric and electromagnetic fields and developing appropriate citizen protection policies (i.e., setback requirements, voltage types, line placement decisions, etc) based on the best available science. |
| Funding Mechanisms | The growth of the energy sector places significant demands on municipalities to develop and maintain infrastructure to support the movement of labour and goods to and from production areas. Many municipalities lack the financial capacity to meet these demands, particularly in cases where they are not receiving any direct financial benefits associated with these production areas. | <p>2.4 The Province should ensure that there is a robust mechanism(s), including appropriate municipal revenue authorities, to fund required transportation and utility corridors by:</p> <ul style="list-style-type: none"> • Reflecting the added costs imposed by the energy sector (including the impact of heavy equipment hauls) along key energy transportation routes in their capital planning process, and providing impacted municipalities with the capacity to address these added expenses. • Providing mechanisms to incent revenue and cost sharing in resource areas to ensure that those municipalities bearing added costs share in the associated financial benefits. • Ensuring municipalities have appropriate revenue raising authorities (e.g., toll roads, ability to charge for lost tax revenue associated with industrial TUCs). |
| Market Access | There is a need to ensure that | 2.5 The Province should ensure that |

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| | <p>transportation and utility corridors and the infrastructure within them effectively connect resources to markets.</p> | <p>requirements for transportation and utility corridors are given appropriate consideration in the development of the province's long term transportation plan.</p> |
| | <p>The lack of integrated rail corridors is putting added pressures on municipal roads and bridges.</p> | <p>2.6 The Province should work with industry to develop an integrated rail system (including high-speed rail and industrial corridor linkages), to connect Alberta's communities to markets. Given that this would be a significant benefit to the energy industry, consideration should be given to a cost sharing approach with industry.</p> |
| <p>Education and Awareness</p> | <p>There is a lack of awareness and information about TUCs available to the general public and by municipal planners.</p> | <p>2.7 The Province should work with industry, municipalities, and the public to increase awareness about TUCs, including:</p> <ul style="list-style-type: none"> • Having regulators spend more time educating municipal planners on existing requirements and on changes when they occur. • Requiring utility companies to provide maps of planned TUC developments. |
| <p>Electricity Transmission Costs</p> | <p>Without a definitive policy, the cost of new transmission infrastructure may be borne by existing consumers, while energy providers profit from energy sales to an expanded client base.</p> | <p>2.8 The Province should ensure that the cost of energy transmission is allocated over the lifetime of the asset to both consumers (including export based consumers) and producers in a fair manner.</p> <p>2.9 The province should consider options to increase the competitiveness of small distributors, including:</p> <ul style="list-style-type: none"> • Considering options to help municipalities take an ownership stake in transmission infrastructure, where a municipality determines it would be beneficial to do so. • Developing a competitiveness review process when large distributors purchase small distributors. |

WHEREAS the AUMA Board of Directors appointed a 2012 Task Force to develop recommendations on the remaining property assessment and tax policy issues that were not included in the initial set of recommendations submitted to the Government of Alberta in the form of a 2010 Resolution.

WHEREAS at its July 2012 meeting, the AUMA Board of Directors considered the Task Force's and members' input and adopted a set of recommended changes for consideration at the 2012 Convention.

NOW THEREFORE BE IT RESOLVED THAT the AUMA 2012 General Assembly approve these recommended changes to the property assessment and taxation system.



Changes to Property Assessment and Taxation

Convention Policy Paper



1 Background

Scope and Process

In 2010, AUMA's members approved a resolution pertaining to a number of changes to Alberta's property assessment and taxation system (available here:

<http://www.auma.ca/live/AUMA/Document+Library/Resolutions/Resolution?unid=1609>).

Municipal Affairs indicated that these recommendations will be reviewed during the upcoming MGA Review and suggested that further work be undertaken on some issues that they heard were of concern to our members but not included in the 2010 resolution.

Accordingly, AUMA's Board appointed a 2012 Task Force comprised of assessors across the province and elected officials and administrators from urban municipalities to identify remaining issues and to recommend solutions. The issues of concern, as identified by the Task Force, were reviewed with AUMA's Municipal Governance Committee, members (February 2012 Mayors Caucus) and Alberta Assessors Association. The scope of issues included farm property, industrial property, split mill rates and a variety of other matters ranging from the complaint system to the need for more effective governance and training.

The 2012 Task Force developed principles for an effective assessment and taxation system and used them to analyze options pertaining to the issues of concern to members. This analysis informed the development of recommended changes to property assessment and taxation. These recommended changes were reviewed with a number of AUMA's standing committees and, based on their endorsement, were then presented via webinars to urban municipalities and assessors from urban and rural communities. As well, the changes were discussed in detail with the Alberta Assessors Association who recently sent a letter to AUMA endorsing the principles. Consultation on these changes concluded with a presentation to members at the June Mayors Caucus.

The AUMA Board reviewed the feedback from the various consultation activities and has prepared this Policy Paper outlining the recommendations. Note that the Board decided not to include a recommendation presented at the June Mayors Caucus relating to additional sub-classes for non-residential property. There were no other changes from what was presented at the June Mayors Caucus.

Principles for Property Assessment and Taxation

The recommendations outlined in this resolution are based on the following principles:

Fairness and Equity

- By appraising property objectively, equitably and uniformly, a market value assessment on all property forms the basis for the distribution of the property tax burden.

Openness and Transparency

- Assessment and tax processes are outlined in legislation and function independently from each other.
- Taxation policies, including tax exemptions, are rationalized, authorized through regulation or bylaw, and regularly reviewed and evaluated to ensure they are realizing their intended outcomes.

Sufficient Capacity

- There is sufficient capacity, provincially and locally, to administer the assessment and taxation system, ensuring property is assessed in a consistent and accurate manner.

- This includes clearly defined roles and responsibilities for provincial and municipal governments, comprehensive and timely training and associated materials, a sufficient base of resources, and clear separation of provincial policy decisions and system administration.

2 Policies

1. Assess the following properties on the basis of market value:
 - a) buildings and structures used for farming operations;
 - b) linear property used for farming operations;
 - c) incomplete industrial property;
 - d) rural gas and electric power distribution systems;
 - e) oil sands trucks and shovels; and
 - f) dams and the land they are located on.
2. Assess farm land on the basis of market value.
3. Assess and tax farm residences on the basis of market value.
4. Assess oil and gas wells using up to date regulated rates.
5. Review and update railway assessment provisions.
6. Review assessment and taxation of “for profit” water and waste water systems with a view to ensuring that they are assessed but that potable domestic water is not taxed.
7. Establish a consistent and equitable approach for property taxes for seniors (e.g., full municipal levy on seniors accommodation).
8. Enable a one-time bylaw for supplementary assessment and taxation and apply to all property, including linear, and to changes in land values due to use.
9. Ensure a grant in lieu of taxes is paid on all property owned by the Province.
10. Ensure privately owned property leased by the Crown is taxed.
11. The Province is responsible for delinquent taxes on leased Crown-owned property.

12. Use actual equalized assessments for calculating education property tax requisitions and, if necessary, cap to address excessive increases in property values.
13. Cap the residential/farmland education property tax requisition.
14. Use mass appraisal approach for assessment and business tax.
15. Ensure municipalities have information about linear assessments and appeals.
16. Discontinue charging municipalities for linear assessments.
17. Enable electronic administration of property assessment and taxation.
18. Require the Province to consult with municipal government on property assessment and tax legislation, policy and processes.
19. Define roles and responsibilities for the property assessment and taxation system.
20. Require the Province to ensure sufficient resources for assessment function, with appropriate and timely training and advisory services, internships, and supports for succession planning.
21. Streamline and modernize the assessment complaint process through the following:
 - a) Reduce the complaint period to 30 days;
 - b) Require faster disclosure of complainant's evidence;
 - c) Enable an effective and efficient arbitration process prior to a hearing;
 - d) Award costs on a consistent basis;
 - e) Improve complaint form and disclosure provisions;
 - f) Enable corrections during a complaint;
 - g) Review fees to ensure they are a fair reflection of administrative costs;
 - h) Provide training for assessment review boards;
 - i) Require quality assurance reviews of board decisions; and
 - j) Require information for mass appraisal.
22. Legislate positions of Assessment Commissioner and Chief Provincial Assessor.

23. Amend legislation to reflect up to date definitions:

- a) Farming operations, including income requirement
- b) Definitions relating to regulated property (e.g., section 1, 284, 297, 317, 322)

2012 Policy and Resolutions Handbook
Category Provincial Scope

AUMA Resolutions Policy:

The **Provincial Scope** category would have resolutions that address matters of significance to all or most municipalities in the province.

20 resolutions recommended under this Category.

WHEREAS the Alberta Safety Codes Act (SCA) is the overarching legislation relating to Provincial codes; and

WHEREAS an amendment to the 2006 Alberta Building Code was adopted in May of 2009 clarifying the 10 minute Fire Department response and limiting Distance, Division B 9.10.15.3.; and

WHEREAS the Alberta Building Code and the National Fire Protection Association (NFPA) recognizes that sprinklers provide additional life safety; and

WHEREAS sprinklers contribute to sustainability by way of reduced fire water usage and diminished air pollution generated by fire; and

WHEREAS the emphasis on life safety must remain the highest priority; and

WHEREAS other Canadian and American municipalities have adopted sprinkler bylaws; and

WHEREAS the Alberta Safety Codes Act Section 66(1) does not allow a municipality to regulate a matter that is regulated by this Act.

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request the Government of Alberta to amend the Alberta Safety Codes Act Section 66(2) to include an additional notwithstanding provision allowing municipalities to mandate residential sprinklers.

BACKGROUND:

With the inception of Alberta Building Code changes relating to High Intensity Residential Fires, clarification of the Fire Department's ability to respond to an area within 10 minutes from receipt of call was provided. This 10 minute calculation is based on when a call is received by a dispatch center to the time a fire department unit is on the scene with the capabilities of commencing fire suppression activities. In areas outside the 10 minute response area, the Building Code defines the spatial separations and construction methods to be used. The spatial separations and construction methods do not require any variations if the building in question is sprinkled, regardless of the ability for the fire department to respond.

This current method of protection focuses on protecting buildings and reducing the risk of fire spread, not on life safety, and relies on early detection of a fire to notify the fire department. Within the past few years, the issue of residential sprinklers has come to the forefront of fire services.

Residential sprinklers are proven to be a reliable and effective way of enhancing life safety by controlling the development and subsequent spread of a fire in its early developmental stages. Sprinkler systems are installed within key areas of a residence where a fire is most likely to originate and can function consistently without human intervention in both occupied and unoccupied dwellings.

It has been well documented in recent studies that smoke alarms, considered a firstline warning device and mandatory in all new residential homes, are in some cases not sufficient to awaken occupants from a deep sleep. In an effort to address this issue, some manufacturers have developed voice alarm warnings.

The better way of ensuring preservation of life and reducing the damage to property and environment is to reduce, slow down, or eliminate the development of a fire in its early stages which sprinkler systems achieve. In doing this, valuable time is provided for occupants to escape the home in an atmosphere that will most likely not have harmful effects, such as high heat and poisonous gases that may damage their health.

Empirical studies on the usage of residential sprinklers also support overall sustainability by significantly reducing both

greenhouse gases emitted during a fire and fire water usage.

Municipalities in other provinces, including Vancouver and Pitt Meadows BC, have adopted municipal sprinkler bylaws which have proven to be very effective over the years. For example, Vancouver's experience has demonstrated 94% less damage in houses equipped with residential sprinkler systems than those without. In the United States, Scottsdale Arizona has reported that since implementing a mandatory residential sprinkler bylaw, fire fatalities were reduced by 50% and fire loss by 90% in buildings with sprinkler systems.

Section 7 of the Municipal Government Act allows municipal Councils to pass bylaws respecting the safety, health, and protection of people and property. This section enables municipalities to pass bylaws for fire protection.

In its current form, the Alberta Safety Codes Act does not allow municipalities the choice of mandating sprinklers to further enhance fire protection in residential properties. An amendment to the SCA to include an additional notwithstanding provision allowing municipalities to mandate residential sprinklers would give municipalities the option to enhance fire protection in their communities should they choose.

WHEREAS the Provincial Lodge program has been in operation since the 1950s, and there are approximately 149 Senior Citizens' Lodges operated throughout the Province, which are legislated under the Alberta Housing Act; and

WHEREAS in 1994, the lodge program funding changed from a 50/50 cost-shared deficit with the municipalities and the province to a capped lodge assistance grant, with the municipalities responsible for the remaining deficit, thereby increasing municipal risk exposure and financial responsibility; and

WHEREAS in 2008-2010 Alberta Infrastructure conducted building assessments on lodge program facilities and concluded that the costs to maintain the facilities in their existing condition represented an increased financial burden, and the province also determined the cost to modernize the lodge program facilities but did not provide the financial resources to complete the project; and

WHEREAS there are no provisions to modernize the lodge program facilities which are often in excess of 30 years of age and are not barrier-free; and

WHEREAS the lodge assistance program grant does not contain any provisions to address inflation, aging infrastructure, marketability and increasing operational costs (utilities, insurance, salaries and benefits, etc.); and

WHEREAS the only recourse after rent to cover these increasing costs is to place the burden of funding on municipalities since the provincial funding is capped.

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association (AUMA) lobby the Provincial Government to return to the 50/50 cost-shared operating deficit between the province and municipalities with no provincial funding cap, and

FURTHER BE IT RESOLVED THAT the AUMA lobby the Provincial Government to complete modernization of the senior citizen's lodge program facilities which will result in accessible and market-relevant facilities and long term decreases in operating and capital costs, resulting in decreased requisitions.

BACKGROUND:

Since its inception, the provincial lodge program has provided a valuable service to Alberta's seniors. The program provides supportive living services which allow seniors to stay in their local community and age in place until they require a higher level of care.

The provincial senior citizen's lodge program (lodge program) is unique to Alberta and was created by the province in partnership with local municipalities. The legislation governing the lodge program—the Alberta Housing Act—requires municipalities to pay the annual operating deficit and any reserves necessary to operate the lodges.

The Provincial Government (Alberta Seniors) provides a lodge assistance grant to the lodge program, which is based on qualifying seniors and occupancy rates. The province has capped its financial responsibility with the lodge assistance grant at \$8.75 per qualifying resident per day for 2012. While the lodge assistance grant has kept pace with the Consumer Price Index (CPI) since 1994, the province has continued to establish grant restrictions such as occupancy rates and seniors income (the lodge program has no income cap for admission but management bodies are penalized as the lodge assistant grant only provides grant funding for seniors with income below \$27,880).

In addition, the provincial budget for 2012-2013 does not contain provisions for an increase in the lodge assistance grant program which means the bulk of increased operating costs become the responsibility of municipalities to requisition.

Rental rates for many lodge operators over the same time period (1994 to 2012) have moved from flat rate rent to rents based on seniors' income, leaving a lot of seniors with \$265 after paying rent (as per legislation). However, this still leaves a significant operating cost which the municipalities end up funding.

In 1995-2000 Alberta Infrastructure completed upgrading to the lodge program facilities that were already at the end of their life-cycle in order to extend the useful life of those lodges by 5-10 years. In the past 10 years, Alberta Seniors has provided the lodge program with a total of \$1,185 per unit for maintenance which is woefully inadequate given that the average unit turnover is approximately 3 years.

Lodge facilities have continued to be in operation beyond their expected life-cycle. Many management bodies in rural areas continue to operate lodges constructed prior to 1970 which do not provide residents with barrier-free/ accessible units or such necessities as private baths. In the last 5-10 years, there has not been any meaningful contribution from the province to assist in modernizing these facilities, leaving the municipalities to carry the burden of those costs, which are often significant infrastructure costs (e.g. building envelope, mechanical, electrical and hvac systems).

The lodges operate in a highly competitive environment for human resources and need to maintain a stable customer-service base of well-trained, caring individuals resulting in competitive compensation and consequently increases in operating costs. Similar to municipalities, lodges also face increasing operating costs in insurance and utilities and in other areas such as food costs. These challenges coupled with an aging infrastructure and no long term redevelopment plans from the province are putting significant strains on municipalities to address and provide financial assistance. These are unreasonable expectations of the lodge program.

WHEREAS under the Police Act urban municipalities with a population of more than 5,000 are responsible for 70 per cent of the cost of policing their communities; and

WHEREAS under the same legislation municipal districts and counties receive service from the RCMP at no cost, regardless of population; and

WHEREAS this funding arrangement is inconsistent with the principles of intermunicipal equity and fairness and places an unreasonable burden on the residential and commercial tax payers in urban municipalities; and

WHEREAS previous efforts to address this issue have met with limited success.

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the provincial government to develop and adopt a funding formula that is fair and equitable and allows urban municipalities to continue to meet the needs of their residents without facing a disproportionate share of the overall costs of policing the province.

BACKGROUND:

According to the AUMA's report on Policing in Alberta (February 3, 2009) the cost of law enforcement constitutes 15 per cent of the operating budget of towns with a population of over 5,000 and as much as 25 per cent in the case of Alberta's cities. While some provincial assistance is available through the Municipal Policing Assistance Grant, this funding is not adequate to offset the costs of policing to the urban municipalities. In contrast, Alberta's rural municipalities receive RCMP service at no cost.

WHEREAS the oil and gas industry continues to be the major driver of Alberta's economy, with an estimated \$11 billion in royalties and land lease sale revenue going to the Province in 2012 alone; and

WHEREAS much of the strain of accommodating the labour force for the oil and gas industry is borne by urban municipalities; and

WHEREAS this situation places considerable pressure on the housing, infrastructure and services provided by those urban municipalities; and

WHEREAS virtually none of the revenues generated through taxation on oil and gas installations goes to those urban municipalities.

NOW THEREFORE BE IT RESOLVED THAT that the Alberta Urban Municipalities Association urge the provincial government to develop and adopt a funding formula that is fair and equitable and allows urban municipalities to continue to meet the service, infrastructure, and housing needs of residents, businesses and the oil and gas industry without placing an unfair burden on the residential and business tax base of those municipalities.

BACKGROUND:

When the oil and gas sector heats up, Alberta's towns find themselves attempting to deal with an influx of workers from outside the area. These workers create demand for services ranging from garbage collection to policing, but they do not contribute to the municipal tax base since they are not long-term residents and do not typically own property in the area.

The oil and gas industry is a tremendous asset to the province as a whole. The provincial government is expecting to take in more than \$11 billion in royalties and land lease sales in 2012. The province also benefits from corporate income tax paid by the industry; however, little of the revenue generated by oil and gas flows to the province's urban municipalities.

The Provincial Government takes in a very large sum in the form of royalties. Alberta's municipal districts and counties also prosper from linear and other taxation on oil and gas installations. That leaves urban municipalities to deal with a disproportionate share of the pressures created by a booming economy while enjoying none of the benefits.

WHEREAS the current funding models for Alberta municipalities reflect varying levels of Provincial and Federal support for Policing, Crime Prevention and Community Safety Services depending on the type and size of the municipality; and

WHEREAS the current funding model is not reflective of the urbanization of rural municipalities and the economic capacity of municipalities to pay for policing services; and

WHEREAS there is a wide range of support provided by communities for Police, Crime Prevention and Community Safety Programs and initiatives across the Province and an inconsistent approach that creates gaps and confuses public profiles; and

WHEREAS there is limited focus on creating cross border, regional services or programs that would enhance public safety in an area; and

WHEREAS the system needs to consider the needs of all types of municipalities across the province; and

WHEREAS the interest of all municipalities is to have a greater capacity to ensure community safety and to ensure fair and equitable treatment for all citizens.

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association (AUMA) urge the Government of Alberta to establish a Commission or Board with a clear mandate to encourage improvements in dealing with top priority issues as it relates to improving Policing, Crime Prevention and Community Safety Services in Alberta.

FURTHER BE IT RESOLVED THAT AUMA urge the Government of Alberta to establish a funding model that reflects Policing, Crime Prevention and Community Safety Services priorities.

BACKGROUND

Municipalities, the Province, and the Federal Governments, as representatives of citizens, all have a vested interest in having consistent, comprehensive full functioning Police, Crime Prevention and Community Safety Programs that meet the needs of the communities they serve.

The current system surrounding Police Services, Crime Prevention and Community Safety Services has significant gaps in a number of areas including:

- The lack of agreed upon minimum services and adhered to service standards.
- The unfair police funding model that creates a gap between those that pay for policing services and those that do not pay.
- The competitive process for funding between the 3 parties that could positively influence public safety.
- The lack of structure in the system to provide for intentional learning from successful programs to other communities, stakeholders or programs.
- The limited focus on cross border, regional service or programs.

The capacity of our current systems are challenged by high growth, unexpected criminal activity, limited funding, inconsistent and rule-focused grant funding that involves high administration costs, various local constituents with a variety of program needs and limited agreement on the relationship of social and community programs to crime prevention processes.

The reality is neither the functions or programs are a stand-alone entity and each of them both affect and are affected by the others programs and processes that are established and supported.

In the interest of enhancing the safety of our communities, these issues must be addressed. Key principles to maintain through this process include: equitable levels of funding contributions and mutual opportunity for input, consideration for ability to pay, municipalities maintain local autonomy in the determination and addressing of local priorities, reinvestment of resources into community protection and crime prevention, and roles of existing Police Commissions and local Councils remain the same.

WHEREAS the City of Grande Prairie and all other municipalities in Alberta require the removal of abandoned vehicles from public and private property which necessitates the operation or contracting of an impound lot. And these impound lots dispose of unclaimed abandoned vehicles under the authority of the Alberta Abandoned and Seized Vehicle Program; and

WHEREAS the Traffic Safety Act (TSA) and the Vehicle Seizure and Removal Regulation (VSRR) allows for the person authorized to remove and store a vehicle to apply to the Administrator for the cost of such actions; and

WHEREAS the amount of payment for the removal and storage of an unclaimed abandoned vehicle is limited by the Motor Vehicle Accident Claims Regulation (MVACR); and

WHEREAS the fee schedule found in Sections 4 (1) and 4 (2) of the Motor Vehicle Accident Claims Regulation is outdated and inadequately represents the costs associated with disposing of unclaimed abandoned vehicles. (The rates in the schedule were last adjusted in 1982 for tow rates and in 1988 for vehicle storage rates).

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association requests the Government of Alberta to increase the reimbursement permitted to those authorized to remove, store, and dispose of unclaimed abandoned vehicles.

BACKGROUND

A vehicle can be seized or removed by a peace officer under authority of the Traffic Safety Act (TSA). A vehicle seized or removed is towed to a vehicle impoundment lot where it will be stored until it is authorized for release or disposal. The cost of towing and storage of a seized or removed vehicle often becomes the responsibility of the vehicle-owner and payment of these fees is required before an owner can reclaim his/her vehicle. Fees will vary between municipalities but they average \$75.00 to \$100.00 for towing and \$15.00 to \$30.00 for daily storage rates.

Once a vehicle is towed or removed, attempts are made to contact the last known owner of the vehicle and information is provided that indicates the current location of the vehicle as well as instructions on how it can be reclaimed. Unfortunately, in many instances the owner will choose to take no action and the vehicle remains in the impound lot until the expiry of the mandatory holding period (usually 30 days). Once the mandatory holding period has elapsed, the disposal process begins. By this stage, the accumulated costs associated with the towing and storage of the vehicle will average \$525.00 to \$1000.00.

When a vehicle is disposed of through the Alberta Abandoned Vehicle Program the revenue generated through the disposal of the vehicle is applied against the costs outlined in the fee schedule (usually between \$125.00 and \$200.00) are paid to the operator. Once the fee schedule costs are covered, the remaining proceeds are paid out to any holders of security interests and if monies remain, any person that can satisfactorily prove to the Administrator that they have a right to this money will have it paid to them.

In instances where the revenue generated from the disposal of the vehicle is insufficient to cover seizure costs, the Registrar may refuse to register a vehicle in the name of the vehicle owner, or the Registrar may suspend the registration of all vehicles already registered in the owner's name until the costs are covered.

The Motor Vehicle Accident Claims Regulation (MVACR) schedule includes the following rates:

| Towing Rates (last changed in 1982) | Storage Rates (last changed in 1988) |
|----------------------------------------|---------------------------------------|
| Calgary and Edmonton : \$30.00 per tow | Calgary and Edmonton : \$5.00 per day |

| | |
|------------------------------------------------|-----------------------------------------------|
| Other Cities, Towns, Villages: \$20.00 per tow | Other Cities, Towns, Villages: \$5.00 per day |
|------------------------------------------------|-----------------------------------------------|

Based on the above information, the following concerns need to be relayed:

1. The cost incurred by municipalities and private companies involved in this program have increased significantly over the past 30 years, yet there has been no changes made to the fee schedules of the Motor Vehicle Accident Claims Regulation in over 25 years.
2. The number of abandoned vehicles in many municipalities has greatly increased over the past decade. This is likely related to the significant influx of transient workers to Alberta and the relative availability of credit for newer vehicles. It can often be cheaper to purchase a newer vehicle than repair an old one or attempt to transport it across the country.
3. Often times, the discounted rates mandated by the Motor Vehicle Accident Claims Regulation encourage vehicle owners to use the impound lot as a dumping ground as it is cheaper than disposing of a vehicle through other means. Salvage yards and wreckers are no longer simple solutions in these cases because of strict environmental requirements related to certain metals and fluids found in older vehicles.
4. Private towing companies and impound lots have become very reluctant or outright refuse to deal with abandoned vehicles in many municipalities.

To this end, the need to revise the fee schedule as outlined in the Motor Vehicle Accident Claims Regulation is critical. Contracted tow rates continue to rise, as do the costs associated with operating a vehicle impoundment operation. Depending on the size of the municipality these costs can range from thousands of dollars to multimillions. Regardless, the result has been or will be a further burden on the municipal tax base.

AUMA Resolution 2012.D7

CITY OF EDMONTON, CITY OF FORT SASKATCHEWAN, STRATHCONA COUNTY Sustaining Alberta's Energy Value Chain

WHEREAS Alberta is a global storehouse of energy assets, and energy development is the largest contributor to the provincial Gross Domestic Product (25.7%); and

WHEREAS the provincial energy industry is a nationally strategic sector, accounting for 25% of the value of the Toronto Stock Exchange; and

WHEREAS there is global market demand for Alberta's energy resources and products; and

WHEREAS current projections show that the ratio of value added products to raw bitumen exports is declining as production increases; and

WHEREAS Alberta has a tremendous opportunity to sustain and stabilize its economy by strengthening and lengthening the energy value chain in the province; and

WHEREAS it is in everyone's interest to expand Alberta's energy sector value chain.

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Alberta Government to re-affirm its commitment to expand the energy value chain consistent with the Alberta Energy Strategy, Launching Alberta's Energy Future; and

FURTHER BE IT RESOLVED THAT the Alberta Government work with industry to address the potential constraint of labour shortages and cost competitiveness that might inhibit major value added projects and economic prosperity for its citizens; and

FURTHER BE IT RESOLVED THAT the Alberta Government advocate for the concept of value creation from natural resources in Canada into any proposed Canadian energy policy framework.

BACKGROUND

Alberta is home to Canada's world class petrochemical hub. Oil sands and unconventional natural gas are abundant in the province and new technologies to unlock these resources have resulted in significant production growth. In 2010, crude oil production levels were 1.6 million barrels per day [1] (bpd), of which about 75% is bitumen from oil sands. The development of this resource is estimated to see production volumes rise to 3.5 million bpd by 2020. The province has the technology, internationally recognized energy companies, skilled workforce, and resource diversity to produce a range of products along the energy value chain. As energy production is increasing in Alberta, the ratio of value added products to raw bitumen exports has been declining. Without an intentional policy to facilitate the expansion of the value chain the opportunities for future generations may be diminished.

Expanding the value chain will provide several strategic benefits to Alberta that include:

- greater wealth creation from resources,
- well paying jobs and greater economic activity throughout the province,
- creating a stable labour force over the long term,
- a hedge against low raw product prices, and
- improving environmental outcomes using new technologies in Alberta.

[i http://www.energy.alberta.ca/Org/pdfs/AB_ProvincialEnergyStrategy.pdf](http://www.energy.alberta.ca/Org/pdfs/AB_ProvincialEnergyStrategy.pdf)

AUMA Resolution 2012.D8

Town of Sylvan Lake, Summer Village of Birchcliff, Summer Village of Half Moon bay, Summer Village of Jarvis bay, Summer Village of Norglenwold, Summer Village of Sunbreaker Cove Regulation of Ice Fishing Huts on Alberta Lakes

WHEREAS Alberta's lakes are a valuable natural resource for all Albertans that must be used in a sustainable manner to ensure the long-term benefits are preserved for future generations; and

WHEREAS the wide variety of recreational uses on these lakes creates environmental challenges and results in potentially conflicting uses that need to be managed; and

WHEREAS an increasing number of fishermen engage in ice fishing on these lakes due to Alberta's rapid population growth and the popularity of the sport which has resulted in the placement of a record number of ice fishing shelters or huts on our lakes; and

WHEREAS many of these ice huts are left after the end of the seasons despite current legislation that prohibits the unlawful disposal of waste; and

WHEREAS these abandoned huts result in a number of negative consequences including pollutants in our lakes, hazards for other lake users such as boaters and swimmers, unsightly debris on our lakeshores, and risks for those who are left with the task of removing these abandoned huts; and

WHEREAS legislation in other Canadian provinces requiring the mandatory registration of ice huts has proven successful in controlling this problem.

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Government of Alberta to provide increased education and enforcement with regard to responsible ice fishing including the introduction of a mandatory registration program for ice fishing huts to assist in their timely removal from Alberta lakes.

BACKGROUND:

Section 181 of the Environmental Protection And Enhancement Act prohibits the deposit of waste on ice or into water.

Despite the legislation, many huts are being abandoned on Alberta lakes. For example, after the 2010-2011 ice fishing season there were still approximately 50 huts left on central Alberta lakes.

Alberta Environment and Sustainable Resource Development does attempt to remove some of these huts, sometimes under hazardous conditions, but still many sink into the lake or end up as debris on the shoreline.

In 2012 the Sylvan Lake Management Committee, a partnership of municipalities around the lake, spearheaded a voluntary registration program with the cooperation of Alberta Environment and the local RCMP.

Registration of huts will allow authorities to contact their owners if they are left on the lake after the end of the season. They can either arrange for the removal of these huts or be held accountable under the legislation.

Education is considered to be an important element in controlling this problem as compliance is likely to increase with public pressure and knowledge of the personal and environmental ramifications of abandoning these ice huts.

WHEREAS all Albertans are entitled to adequate health care services regardless of location; and

WHEREAS the availability of physicians within a community is vital to the sustainability of that community; and

WHEREAS the provision of health care including physician recruitment is a provincial responsibility; and

WHEREAS increasing difficulty to recruit and retain physicians in rural Alberta is forcing municipalities to expend resources to supplement the Provincial Government's responsibility and efforts to recruit and retain physicians in rural Alberta.

NOW THEREFORE BE IT RESOLVED that the Alberta Urban Municipalities Association urge the Provincial Government to increase its recruiting efforts and incentives for physicians to practice in rural areas to ensure all Albertans are afforded adequate access to physicians.

Background

Regardless of where Albertans reside in the province, their income tax dollars are used to fund health care services. Although it is understood that the full gamut of health services cannot be provided in every location of the province, convenient and timely access to physician care should be available to all residents.

Health care and physician recruitment is a provincial responsibility. The increasing lack of physicians in rural Alberta suggests that recruitment and incentive programs are lagging to the point that municipalities are being forced to augment these efforts with financial and human resources. This is now becoming another facet of competition between municipalities. When deciding where to locate a business or to raise a family, the existence of adequate health care services is a factor in the decision-making process. In the long term, these factors have an impact on a community's viability.

The province must enhance its recruiting efforts and financial incentives to ensure that an adequate number of physicians are practicing and retained in rural Alberta.

Please note that a similar resolution will be forwarded to the 2012 AAMD&C Fall Convention by the County of Newell.

WHEREAS it is becoming more difficult to recruit and retain physicians in rural Alberta such that municipalities are now forced to expend resources to supplement the Provincial Government's responsibility and efforts to recruit and retain physicians in rural Alberta; and

WHEREAS many successfully recruited physicians, unless trained in Canada, are required to complete lengthy assessments in locations other than where the physician was recruited prior to being licensed by the College of Physicians and Surgeons of Alberta; and to complete an assessment prior to receiving privileges to perform specialist services from Alberta Health Services; and

WHEREAS this assessment period may be financially difficult for physicians with families as they may have to keep a residence in the recruitment municipality and in the assessment municipality while only receiving a stipend during part of the assessment process; and

WHEREAS these physicians may become connected to the first community in which they reside, which would be the assessment community, and choose to remain there to practice resulting in wasted recruitment efforts and frustration to the recruiting municipality.

NOW THEREFORE BE IT RESOLVED that the Alberta Urban Municipalities Association urge the Provincial Government to increase its efforts in recruiting physicians to rural Alberta, especially Canadian trained physicians; work with the College of Physicians and Surgeons of Alberta to shorten the assessment period; and/or allow assessments to occur in the recruiting community; and ensure that Alberta Health Services review and streamline its assessment process for granting privileges.

Background

Health care and physician recruitment is a provincial responsibility. The increasing lack of physicians in rural Alberta suggests that recruitment and incentive programs are lagging to the point that municipalities are being forced to augment these efforts with financial and human resources.

Even if a municipality's recruitment efforts are successful, there are still several hurdles to overcome prior to the physician practicing in the community. First, the doctor must become licensed. The College of Physicians and Surgeons of Alberta has the responsibility to license doctors in the province. If the recruited physician is Canadian trained, however, this assessment period is not required. Prior to receiving a licence, those recruited physicians who received their training outside of Canada must successfully complete a two part assessment process. The first part is a pre-clinical assessment. This pre-clinical assessment can take up to 3-months and is completed at a facility with an assessor but cannot be at the clinic, or even the community, to which the doctor was recruited. The second part of the assessment is the clinical assessment. During this phase, the physician does practice in the actual clinic to which the physician was recruited. If the doctor is coming from another province, is trained in Canada and is fully licensed in that province, internal trade agreements insure that the doctor will be fully licensed. If the doctor is from another province but is trained out of country, the assessment period is not required but there may be exceptions. With regard to a physician that is recruited and has the capability to provide specialist services, the physician requires a medical staff appointment followed by a further assessment as relates to the specialty and then must be granted privileges to perform in hospitals. The assessment and the granting of the privileges are provided by Alberta Health Services. These assessments can take anywhere from two weeks to a month and even longer depending on the specialty. These assessments take place in the larger urban centres. Even though a specialist may come from another province within Canada, Alberta Health Services may still require an assessment period. There are concerns with the length and location of the assessments especially since the College of Physicians and Surgeons of Alberta have recently increased the length of the assessment period. Physicians certainly can become attached to the community in which they are completing their assessments to the point that they decide to practice there instead of the location to which they were recruited. This results in a waste of resources and frustration to the recruiting community. This is only exacerbated by the length of the assessment.

Also, if a physician does have a family and wants to establish the family in the recruiting community for reasons such as not having to have children switch school jurisdictions during the assessment period, they are forced to maintain a residence in both the recruiting community and the assessing community. This causes a financial hardship as these physicians only receive a small stipend while they are completing the first part of their assessment. This leaves a disincentive to locate to the recruiting community. In order to resolve this inequity, the Province must increase its efforts on recruiting physicians to rural Alberta, especially Canadian trained physicians; work with the College of Physicians and Surgeons of Alberta to shorten the assessment period; and/or allow assessments to occur in the recruiting community.

Please note that a similar resolution will be forwarded to the 2012 AAMD&C Fall Convention by the County of Newell.

WHEREAS it is difficult to recruit registered nurses to rural Alberta; and

WHEREAS the College & Association of Registered Nurses of Alberta (CARNA) requires successfully recruited foreign trained nurses to undergo a document review and will not accept document reviews completed by other provinces; and

WHEREAS obtaining the original document from foreign countries can take months if the prospective nurse is not physically present in his/her country of origin; and

WHEREAS all Canadian-educated registered nurses must successfully write the Canadian Registered Nurse Examination which gives them a license to practice independently; and

WHEREAS foreign trained nurses who pass this same exam must still complete 225 hours of supervised and satisfactory nursing prior to receiving a licence even if they already have several years of excellent experience.

NOW THEREFORE BE IT RESOLVED that the Alberta Urban Municipalities Association urge the Provincial Government to work with the College & Association of Registered Nurses of Alberta to accept satisfactory document reviews completed by other provinces and to licence foreign trained nurses when they successfully complete the Canadian Registered Nurse Examination.

BACKGROUND

Registered Nurses are an integral part of a health care team. As is the case with physician recruitment, the recruitment of registered nurses to rural Alberta is difficult. Unfortunately, even when successful in recruiting foreign nurses, there are hurdles that these prospective nurses must overcome prior to practicing in Alberta regardless if they are already practicing in other provinces.

In Alberta, registered nurses are licensed by the College & Association of Registered Nurses of Alberta (CARNA). All Canadian-educated registered nurses must successfully complete the Canadian Registered Nurse Examination which gives them a licence to practice independently. If a foreign nurse successfully completes this same exam, CARNA requires that they still complete 225 hours of supervised and satisfactory nursing prior to receiving a licence, even if they already have several years of excellent experience elsewhere.

Foreign-educated nurses are also required to undergo a document review by CARNA prior to receiving their license. CARNA will not accept a document review completed and accepted by another province even if these nurses are successfully practicing in that province. In some cases, obtaining the original document from foreign countries can take months if the prospective nurse is not physically present in his/her country of origin. The additional requirements hinder the recruitment process and Alberta's competitiveness to recruit these foreign nurses. To alleviate this situation, the Province must work with CARNA to reduce these barriers.

Please note that a similar resolution will be forwarded to the 2012 AAMD&C Fall Convention by the County of Newell.

WHEREAS the Province of Alberta has created the Green Transit Incentives Program (GreenTRIP), which is a one-time funding program that will support new and expanded public transit throughout Alberta; and

WHEREAS the Province of Alberta is encouraging municipalities to work collaboratively to establish regional solutions to transportation issues; and

WHEREAS public transit success is often incremental, and cost recovery improves once ridership is established; and

WHEREAS bus modernization legislation has led to significant service disruption or termination for smaller municipalities.

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request the Government of Alberta to broaden the scope of GreenTRIP funding to include a one-time initial operating subsidy for new regional transit service agreements. The subsidy would be used to encourage regional partnerships and stimulate ridership levels.

BACKGROUND:

GreenTRIP aims to provide Albertans with a wider range of public transit alternatives for local, regional, and intermunicipal travel, making public transit more accessible. It is anticipated that this program will help reduce the number of vehicles on Alberta roads and reduce greenhouse gas emissions. GreenTRIP will provide only capital funding assistance for sustainable public transit infrastructure and technology. This change would encourage regional collaboration and greatly reduce a significant barrier to entry for partner municipalities.

WHEREAS the Municipal Government Act (MGA) is the overarching legislation outlining the purpose, powers, and capacity of municipalities; and

WHEREAS Section 690 of the MGA provides for when a municipality is of the opinion that a Statutory Plan or a Land Use Bylaw, or amendment to either, is adopted by an adjacent municipality and is considered to have a detrimental effect on it, the municipality may give notice to the adjacent municipality that it intends to dispute the proposed bylaw; and

WHEREAS Section 690 of the MGA gives the Municipal Government Board (MGB) jurisdiction to hear inter-municipal disputes between adjacent municipalities; and

WHEREAS the current practice of the MGB with respect to the detrimental effect test is that an aggrieved municipality must demonstrate a "significant" detrimental impact thereby entitling the Board to give little weight to the respective agreements and bylaws adopted by the adjacent municipality and focus solely on the detrimental effects test; and

WHEREAS Section 638 of the MGA provides that all statutory plans adopted by the municipality must be consistent with one another; and

WHEREAS in order to give effect to the legislative intent and provide due consideration of an Intermunicipal Plan, an amendment to Section 690(5) of the MGA is required;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request the Government of Alberta to amend Section 690(5) of the MGA to oblige the MGB, upon determination of a breach of an intermunicipal development plan, to confirm that any significant breach of that plan is deemed to be detrimental within the context of this section.

BACKGROUND

The Municipal Government Act (MGA) encourages municipalities to negotiate and enter into intermunicipal development plans (IDPs) between adjoining municipalities to enable long term cooperative land use planning. The MGA further stipulates that IDP's are Statutory Plans that must be consistent with each other.

The current approach of the Municipal Government Board (MGB) with respect to the detrimental effect test is that an aggrieved municipality must demonstrate significant impact in a complaint to the Board. The Board has read in the "significant impact" requirement into the legislation. In doing so, the Board is entitled to give little weight to the respective agreements and bylaws adopted by adjacent municipalities and focus solely on a "detrimental effects" test. The problem is compounded by the interpretation requiring such an effect to be "significant," of a "permanent nature," "direct," "caused by the bylaw only," not speculative of the "future." As can be seen, any municipality which has planned its future around an IDP has an impossible task to meet the elusive test of "detrimental effect."

In the context of a dispute between municipalities where an IDP is in place, the MGB should have authority to interpret the IDP, rather than merely encouraging municipalities to negotiate away the impact through cost sharing agreements. Amendments to joint planning bylaws should be left to the respective parties. The proposed amendment to Section 690(5) would allow the MGB to determine the intent of the two municipalities based upon the recognized rules for interpreting legislation, and based upon the language of the validly enacted bylaws. The MGB should not be ignoring the hierarchy of various planning bylaws and documents established in the MGA.

The effect of the current legislation is to encourage developers to promote plans which may be contrary to an existing IDP. The present test for an adjacent municipality to stop such a proposal is unduly onerous. There needs to be a provision enabling the MGB to consider the legality and propriety of a proposed bylaw in the context of intermunicipal development agreements.

WHEREAS transportation for low income people is subsidized in urban centers; and

WHEREAS the cost of living is lower in rural municipalities; and

WHEREAS one of the top priorities of the Alberta Government is that all Albertans have equal access to the best medical services available; and

WHEREAS the mission of Alberta Health Services is to provide a patient-focused quality health system that is accessible and sustainable for all Albertans; and

WHEREAS there is an assumption by local governments, transit planners and other key decision makers that all rural and small community residents have access to a personal automobile; and

WHEREAS as Canada continues to urbanize, many services are often centralized to serve urban or higher density areas, which can result in less equitable access to these services by residents in small or rural communities; and

WHEREAS by 2031 one quarter of all Canadians (Statistics Canada) will be 65 years or older and, if trends continue, there will be a much higher proportion of seniors living in small and rural communities; and

WHEREAS the lack of transportation is a concern for those living in rural areas (Canadian Rural Partnerships); and

WHEREAS governments (Municipal, Provincial, and Federal) are often the primary bodies charged with finding sustainable transportation systems; and

WHEREAS public transit systems in most Canadian communities are funded through a partnership between municipal and other orders of government; and

WHEREAS the Canadian Urban Transit Association (CUTA) believes that a rising seniors' population will increase the demand for "community bus" type services to connect residents to shopping, health care facilities, and community centers; and

WHEREAS providing efficient transportation services for seniors can have an added benefit to the wider community since seniors may be able to stay in their homes for longer periods of time which could in turn decrease the demand for long-term care residences.

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Province of Alberta to provide financial support to municipalities so they can provide transportation for those that require ongoing or acute medical care and/or transportation to larger urban centers.

BACKGROUND

Equal access to medical care and larger urban centers can be a serious challenge for rural Albertans. Oftentimes, the burden of securing transportation for those who desperately need it falls on the already overburdened Family & Community Support Services offices. FCSS staff do their best to assist by trying to locate community volunteers to transport those needing care.

In the first week of April, Warburg's FCSS coordinator was contacted by a hospital from the city of Edmonton. They had a patient in their care who was a resident from our Seniors Lodge (Level 2 care facility). The patient had been ready for release since the beginning of March but the hospital had been working to connect with the patient's family or circle of support for assistance to no avail. They needed assurance that if they released the patient back to the Lodge that he could be transported three (3) times per week to an ongoing dialysis appointment to the city of Wetaskiwin. This is not something that anyone in our community was able to provide for him. At the time of this resolution being written (May 29th, 2012.), the hospital continues to care for this gentleman rather than release him from their care to ensure he receives the life sustaining medical treatment he needs. In our community as others like us this is not an isolated incident.

Follow up and specialist appointments, surgeries and even chemotherapy are just some of the ongoing and acute medical services that may not be equally accessed for all Alberta's residents due to the barrier of transportation. Transportation and equal access to medical care are issues for all levels of government to review and resolve collectively. Although transportation in general is an ongoing issue in our Province, this is one aspect of transportation that has been grossly overlooked and can truly save lives if given the attention it needs.

References:

www.albertacanada.com/about-alberta/1948.html

www.tc.gc.ca/eng/programs/environment-utsp-smallnruralcomms-1012.html

WHEREAS Part 10, Division 8 provides municipalities with the authority to collect tax arrears that relate to property taxes, local improvement taxes or special taxes as detailed under Section 382 of the Municipal Government Act (MGA); and

WHEREAS Alberta Municipalities' rely on property tax revenue to financially support the purposes of a municipality as defined in Part 1 Section 3 (a) (b) and (c) of the MGA; and

WHEREAS there are municipalities that are experiencing property tax arrears; and

WHEREAS the length of time required to enforce the tax recovery provisions of Part 10, Division 8 place excessive strain on the cash flows of municipalities.

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association (AUMA) and the Albert Association of Municipal Districts and Counties (AAMDC) recommend to the Government of Alberta to amend Section 412(1)(a) of the Municipal Government Act (MGA) to exclude "for more than one year" thereby enabling municipalities to initiate the tax recovery process one year after the date the tax is imposed rather than the two years that legislation now prescribes.

BACKGROUND

Over the last several years, property tax arrears due to the Municipality of Crowsnest Pass have been cumulating with the Director of Finance confirming that there is \$867,226.91 of property tax arrears due to the Municipality at December 31, 2011. The tax recovery process, as it exists, enables property owners to continue to maintain taxes in arrears for a continuous two year period after the date imposed before the property can be added to the tax arrears list. The current tax recovery process is a three year collection process that does not provide municipalities with a timely opportunity to recover uncollectible tax arrears thereby impacting cash flow required for operations and meeting tax requisitions on behalf of the Government of Alberta.

WHEREAS Part 10, Division 8 provides municipalities with the authority to collect tax arrears that relate to property taxes, local improvement taxes or special taxes as detailed under Section 382 of the Municipal Government Act (MGA); and

WHEREAS education funding is the responsibility of the Government of Alberta; and

WHEREAS Section 359, 359.1, 359.2 of the MGA delegates the responsibility to collect this education tax on behalf of the Government of Alberta; and

WHEREAS there are municipalities that are experiencing property tax arrears inclusive of tax revenues required to raise sufficient funds to pay the requisitions as per Section 359, 359.1, 359.2 of the MGA; and

WHEREAS the opportunity to include an allowance for non-collection of tax revenues for the purpose of raising funds to pay requisitions that are the responsibility of the Government of Alberta only places an unjust burden of taxation on the property tax owners who keep their taxes current as well as placing an excessive strain on the cash flows of municipalities.

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association (AUMA) and Alberta Association of Municipal Districts and Counties (AAMDC) recommend the Government of Alberta repeal Section 359 (2) and (3) of the Municipal Government Act (MGA) and institute legislation in Section 359 enabling all municipalities to submit to the Government of Alberta for reimbursement of all uncollected current year taxes imposed to raise funds to pay requisitions on behalf of the Government of Alberta. This payment to municipalities will replace any allowance for non-collection of taxes that municipalities must enact in order to collect requisitions that are the responsibility of the Government of Alberta.

BACKGROUND

Over the last several years, property tax arrears due to the Municipality of Crowsnest Pass have been cumulating with the Director of Finance confirming that there is \$867,226.91 of property tax arrears due to the Municipality at December 31, 2011. The collection of tax arrears resulting from the requirement to raise sufficient funds to pay the requisitions due to the Government of Alberta are approximately \$260,000 of this outstanding amount and have placed an unjustified burden of taxation on property owners that keep their taxes current as well as placing an excessive strain on the cash flows of the Municipality of Crowsnest Pass.

WHEREAS the best practices of building design and construction now incorporate greater safety, efficiency and a diversity in construction materials; and

WHEREAS the cost of constructing a mid-rise residential wood-frame structure can incur a saving of approximately \$100 per square foot; and

WHEREAS many municipalities are striving to increase residential density while providing attainable housing in their downtown or suburban core districts; and

WHEREAS the Alberta Building Code permits the construction of wood-frame structures only to a height of 4 stories; and

WHEREAS the British Columbia Building Code was amended in April 2009 to permit the construction of 6 story wood-frame structures; and

WHEREAS wood-frame structures in British Columbia must still meet strict building and safety code requirements, including being sprinklered to National Fire Protection Association (NFPA) 13 standards; and

WHEREAS other provincial and municipal jurisdictions are now also investigating the advantages of mid-rise wood-frame structures;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association encourage Alberta Municipal Affairs to adopt similar building and safety code provisions found in the British Columbia Building Code that pertain to 6 story wood-frame mid-rise structures.

WHEREAS the availability and use of vehicles such as golf carts would enhance the quality of life for those residents unable to use other registered means of travel; and

WHEREAS the operation of golf carts on municipal highways would be governed by the Traffic Safety Act of Alberta;

NOW THEREFORE BE IT RESOLVED that the Alberta Urban Municipalities Association strongly encourage the Minister of Transportation to include the golf cart as a legal mode of transportation on municipal highways; and

FURTHER BE IT RESOLVED THAT the golf cart as a mode of transportation be eligible as a registered vehicle.

BACKGROUND:

In regard to this matter, the following documents were reviewed by legal solicitors:

- The Traffic Safety Act,
- The Motor Vehicle Accident Claims Act,
- Off-Highway Vehicle Regulation (Alberta Regulation 319/2001),
- Operator Licensing and Vehicle Control Regulation (Alberta Regulation 320/2002)
- Alberta Government Publication, "Vehicle Plate Class Quick Reference, "
- Government of Alberta Parking Placard Application for Persons with Disabilities, including Certification proved by medical professionals,
- Related bylaws issued by Lacombe County, the Village of Breton, the Town of Sedgewick, the Town of Daysland and the County of Stettler.

Before drafting any bylaw that authorizes the operation of golf carts within a municipality it is necessary to review the legislation relevant to such a bylaw.

Part 6, section 128 of the Traffic Safety Act is Alberta's provincial legislation and governs the operation of off-highway vehicles. Section 128 of the TSA restricts municipal bylaws as follows:

- municipal bylaws must not be inconsistent with the TSA;
- municipal bylaws may require persons driving or otherwise riding on or in an off-highway vehicle to wear helmets;
- municipalities may set speed limits restricting the operation of off-highway vehicles with respect to property that is not a highway that is located within the municipality and to which members of the public have access while operating off-highway vehicles.

Section 120 (4) (b) of the TSA authorizes municipalities to issue permits to allow the operation of off-highway vehicles along any portion of a highway or class of highway that is under the direction, control or management of a municipality.

Section 117 of the TSA and section 2.2.11 of the Village of Delburne Bylaw 1061 contain identical definitions of "off-highway vehicle." Included in that definition is a list of off-highway vehicles that includes miniature motor vehicles, as well as a clause that describes an "off-highway vehicle" as "any other means of transportation that is propelled by power other than muscular power or wind, but does not include motorboats or any other vehicle exempted from being an off-highway vehicle by regulation."

Section 122 of the TSA restricts municipalities from making any bylaw that

- forbids the operation of an off-highway in a manner contrary to or inconsistent with the TSA;
- requires the owner or driver of an off-highway vehicle to pay any tax, fee or paying any license or permit other than the permit allowed by section 120 (4) (b) of the TSA, and
- affects the registration or numbering of off-highway vehicles.

A municipality is authorized by these provisions of the TSA to permit the operation of golf carts on specific highways or classes of highway that are under the direction, control or management of that municipality.

In this regard, it is important to note that the definition of a "highway" under the TSA includes: "any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:

- a sidewalk, including a boulevard adjacent to the sidewalk;
- if a ditch lies adjacent to and parallel with the roadway, the ditch; and
- if a highway right-of-way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be.

Given the above information, it is not possible in Alberta to obtain motor vehicle insurance for a golf cart. This prohibition against registering golf carts as motor vehicles in Alberta means that golf carts cannot be insured as motor vehicles in Alberta under existing Alberta legislation.

As well, golf carts are not subject to the provisions of, or provided the protection offered by Alberta's Motor Vehicle Accident Claims Act, which applies only to motor vehicles that are registered pursuant to provincial legislation and to off-highway vehicles (as defined in section 117 of the TSA) that are registered pursuant to provincial legislation.

A municipality could be exposed to significant liability in the event of an accident involving the operation of a golf cart on a highway within that municipality. The risk of liability could be reduced if it is required that each operator of each permitted golf cart obtain significant liability insurance that would hold the municipality blameless in the event of a liability claim.

WHEREAS the Province of Alberta initiated a Renewable Power Expert Panel, and

WHEREAS the Government of Alberta entered into a dialogue with Albertans around the issue of Renewable Energy, and

WHEREAS the Government of Alberta must make available additional funding to assist municipalities to save energy and take a more sustainable approach to using renewable energy resources, and

WHEREAS many Albertan Municipalities intend to take steps to increase efficiency and sustainability standards in keeping with principals of Alberta's Climate Change Strategy, and

WHEREAS the Alberta Urban Municipalities Association has been petitioning the Government of Alberta to continue developing a Renewable Energy Expert Panel;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association request that the Government of Alberta provide municipalities with the funding necessary to establish energy efficiency and sustainable energy standards.

BACKGROUND

Alberta's Provincial Energy Strategy provides a strategy that includes actions to reduce the environmental footprint of energy production and encourage the development of renewable energy sources. The Provincial Energy Strategy is also committed to developing an Alternative and Renewable Energy Policy Framework. The purpose of the framework is to identify opportunities, barriers and policy solutions to encourage alternative and renewable energy development in Alberta.

A Renewable Energy Expert Panel, if initiative by the Province, would enter into a dialogue with Albertans around the issue of Renewable Energy. It would determine the need for the Province to make additional funding available to assist municipalities to save energy and take a more sustainable approach to using renewable energy resources. A Renewable Energy Expert Panel would also assist Alberta municipalities that intend to take steps to increase efficiency and sustainability standards, in keeping with principles of Alberta's Climate Change Strategy.

WHEREAS the Police Act (Alberta) provides for a municipality to receive policing services by contracting with the Federal or Provincial Government or another municipality for the provision of policing services; and

WHEREAS many Alberta municipalities have contracted with the RCMP for the provision of policing services; and

WHEREAS municipal councils establish and fund the number of RCMP officers needed for the community; and

WHEREAS due to absences of RCMP officers for such reasons as maternity leave, paternity leave, illness, secondment, etc. the agreed upon complement of officers is rarely maintained resulting in reduced levels of policing services; and

WHEREAS the RCMP do not provide replacement officers during such noted absences resulting in the need for existing RCMP officers to work overtime, increasing the cost to the municipality; and

WHEREAS many municipalities are developing one-off strategies to ensure their agreed RCMP complement is maintained;

NOW THEREFORE BE IT RESOLVED THAT the Alberta Urban Municipalities Association urge the Alberta government to develop a strategy that ensures RCMP staffing levels are maintained at the agreed upon number even when RCMP absences occur.

BACKGROUND

Many mid-size cities have contracted policing services through the RCMP. Each municipality sets the desired strength of officers to meet the policing needs of the community. The RCMP contract outlines the obligation to assign the requested number of officers to the detachment strength and the process to request additional officers. Many RCMP detachments have been operating at below the identified officer strength level for long periods of time. Much of this situation is due to officers being on extended leaves for various reasons: maternity, paternity, long term sick, suspensions, or vacancies due to transfers. This situation places a real hardship on the detachment and the community. Officers in charge of detachments are challenged to provide quality police services while struggling to manage the financial and human costs of excessive overtime. Excessive staff shortages over long periods of time have impacted many communities and a long term, permanent solution is long overdue. It is understood that when an officer is absent from their detachment for more than thirty (30) days, the municipality is not billed for that officer. Although this may assist with police costs, this does not solve the officer shortage situation.

In order to address staffing shortages, municipalities and RCMP detachments are working together to develop viable options. For example, some detachments have requested additional officers be assigned to them, without increasing their established strength (called Surplus to Establishment – STE). In these cases, the STE officers will fill vacant spots and actual costs would be close to the budgeted amounts. There will be occasions where the strength is over the identified level and costs may be higher for periods of time.

With due respect to all options that are being considered, there appears to be an overriding issue of RCMP staff shortages and recruitment difficulty, which create challenges for many if not all detachments. If recruitment is affecting the ability to fill vacant positions, then the RCMP requires a long term plan to address this challenge.

Given these particulars as presented, it would be prudent that the Alberta Government develop a strategy to ensure that all RCMP detachments are kept at full staff capacity. The strategy may include the development by the RCMP of a backfill pool of officers to assist detachments that are short staffed until permanent officers are posted. In addition, financial assistance to cover overtime costs in the event of vacancies lasting beyond a reasonable time period would also merit inclusion.

2012 Policy and Resolutions Book

Category Targeted Scope

AUMA Resolutions Policy:

The **Targeted Scope** category would have resolutions that address matters of significance to all or most municipalities located in one area of the Province or municipal members of a similar size.

0 resolutions recommended under this Category.

2012 Policy and Resolutions Book

Category Endorsement Requests

AUMA Resolutions Policy:

The **Endorsement Requests** category would address requests of regular Members to endorse positions they are taking without any advocacy action by AUMA.

0 resolutions recommended under this Category.