



**BYLAW No. 1608-13
of the
TOWN OF PINCHER CREEK**

A BYLAW OF THE TOWN OF PINCHER CREEK, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING RESPONSIBILITIES AND AUTHORITY OF THE COMMITTEE OF THE WHOLE.

WHEREAS, pursuant to the provisions of the Municipal Government Act, R.S.A.2000, Chapter M-26 as amended, the Municipality has the authority to pass bylaws for municipal purposes respecting citizens' safety, health and welfare, property, services and business activities;

AND WHEREAS Section 145 of the Municipal Government Act allows a Council to pass bylaws for the establishment, functions, procedures and conduct of Council committees, and other bodies established by Council;

AND WHEREAS Section 153(e) OF THE Municipal Government Act states that a Councillor's duty is to keep in confidence matters discussed in private at a Council or committee meeting until discussed at a meeting held in public;

AND WHEREAS Section 180(1) of the Municipal Government Act requires Council to act only by resolution or bylaw;

AND WHEREAS Section 180(3) of the Municipal Government Act requires Council under this or any other enactment or bylaw to do something by resolution or to do something without specifying that it be done by bylaw or resolution, it may be done by bylaw or resolution.

AND WHEREAS Section 181(2) of the Municipal Government Act states that a resolution of a Council committee is not valid unless passed at a meeting of the committee held in public at which a quorum is present;

AND WHEREAS Section 197 (1) of the Municipal Government Act states that a Council and Council Committees must conduct their meeting in public;

AND WHEREAS Section 197(2) of the Municipal Government Act allows a Council and its committees to close all or part of their meetings to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the Freedom of Information and Protection of Privacy Act;

AND WHEREAS Section 199(1) of the Municipal Government Acts allows a Council and its committees to conduct a meeting by means of electronic or other communications facilities;

AND WHEREAS Section 203(1) of the Municipal Government Act allows a Council to delegate by bylaw any of its powers, duties and functions to a council committee;



AND WHEREAS Section 203(2) of the Municipal Government Act provides that a Council may not delegate:

- (a) its power or duties to pass bylaws,
- (b) its power to make, suspend or revoke the appointment of a person to the position of Chief Administrative Officer,
- (c) its power to adopt budgets under Part 8,
- (d) its power with respect to taxes under section 347, and
- (e) a duty to decide appeals imposed on it by this or another enactment or bylaw, whether generally or on a case by case basis, unless the delegation is to a council Committee and authorized by bylaw.

NOW THEREFORE the Council for the Town of Pincher Creek, in the Province of Alberta, duly assembled in a regular meeting, hereby delegates the following powers, duties and functions to the Committee of the Whole; as described in Schedule A as attached.

1. Committee of the Whole is a committee consisting of all Councillors;
2. Committee of the Whole meetings will be held on the first Wednesday of each month, at 8:00 a.m. in the Town Council Chambers, and/or at any other time as Council or COTW determines necessary.
3. Bylaw #1608-12 be repealed effective the date of final passing hereof.
4. Bylaw No. 1608-13 shall take force and effect on the day of its final reading.

Read a first time this 12 day of November, 2013.




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Mayor, Don Anderberg

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CAO, Laurie Wilgosh

Read a second time this 12 day of November, 2013.


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Mayor, Don Anderberg

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CAO, Laurie Wilgosh

Read a third time this 12 day of November, 2013.


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Mayor, Don Anderberg

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CAO, Laurie Wilgosh

SCHEDULE A – Bylaw No. 1608-13

The following list outlines the powers, functions and duties which may be delegated by Town Council to the Town Committee of the Whole.

1. Scheduled public delegations
2. Parade and other social invitations
3. Requests for waivers for town facilities fees
4. Unbudgeted funding powers under \$2500.00
5. Committee and Town Service Club requests
6. Policy Direction
7. Proclamation requests
8. Requests for letters of support
9. Citizen requests
10. Direct administration to provide information, reports, etc.
11. Direct ORRSC to provide information, reports, etc.

Schedule B – Bylaw No. 1608-13

TERMS OF REFERENCE

- 1.1 **Name** Committee of the Whole
- 1.2 **Purpose** This Committee meets on a regular monthly basis to discuss and review various issues and topics in detail for decision and/or referral to Town Council.
- 1.3 **Membership** All members of Town Council
- 1.4 **Meetings** Meetings are regularly scheduled on the first Wednesday of each month, at 8:00 a.m. in the Town Council Chambers. Other meetings may be scheduled as required.
- 1.5 **Authority** To receive various delegations, review information related to planning, administration, finance, operations, community services, and citizen requests to Council. Including, but not limited to:
Budget
Corporate Management
Economic Development
Financial Planning
Land Sales and Planning
Legal Services
Town Facilities
- 1.6 **Term** A permanent standing committee of Council