

TOWN OF HIGH RIVER
ALBERTA
BY-LAW NO. 4047/2003

Amended 4/29/2005
Amended Bylaw 4189/2008
Amended Bylaw 4224/2009
Amended Bylaw 4228/2009

Being a By-law of the Town of High River, in the Province of Alberta, to establish a High River and District Recreation Board.

WHEREAS The Municipal Government Act RSA 2000, Chapter M-26 provides that a council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and for services provided by or on behalf of the municipality and

WHEREAS The Municipal Government Act also provides that a council may pass bylaws in relation to the establishment and functions of council committees and other bodies; and the procedure and conduct of council, council committees and other bodies established by the council, the conduct of Councillors and the conduct of members of council committees and other bodies established by the council.

AND WHEREAS The Council of the Town of High River, in the Province of Alberta deems it proper and expedient to establish a Recreation Board to exercise such powers in the control, supervision and management of any recreation program, facility, parks and public space as Council may determine.

NOW WHEREFORE the Municipal Council of the Town of High River, in the Province of Alberta, duly assembled enacts as follows:

I. That there is hereby established a "High River and District Recreation Board".

II. That the Area Defined be the boundaries of the High River and District Recreation Board Area as set forth on the attached map labelled Schedule "A".

III. DEFINITIONS

In this By-law, unless another meaning is required by the Contract the interpretation set out in the following subsections shall be used:

- a) "Act" means The Municipal Government Act Revised Statutes of Alberta 2000, Chapter M-26.
- b) "Board" means the Town of High River and District Recreation Board.
- c) "Councils" mean the Municipal Council of the Town of High River and the Council for the Municipal District of Foothills No.31, in the Province of Alberta.
- d) "Secretary" means the Town Manager of the Town of High River or his/her designate.
- e) "Town" means the Town of High River, in the Province of Alberta.

IV. APPOINTMENT/TERM

1. The Board shall consist of a maximum of ~~nine (9)~~ ^{ten (10)} members appointed as follows:

~~One (1) representative from the Council of the Town of High River,~~

One (1) representative from the Council of the Municipal District of Foothills No. 31,

One (1) representative from the Foothills School Division,

One (1) Representative from the Christ the Redeemer School Division,

One (1) representative at large from the High River Recreation District in the Municipal District of Foothills No. 31,

~~Four (4)~~ ^{Six (6)} representatives at large from the Town of High River.

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Bylaw 4129/2005



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2. The Term of Office of the persons appointed to the Board shall be as follows:
 - a) ^{One (1) member of the MD Council}~~The two (2) members of the Councils~~ shall be appointed for a term commencing on the day of their appointment and ending on the day on which the first Organizational Meeting of the Councils following their appointments is held.
 - b) All appointed Board members holding office prior to the passing of this By-law shall be eligible to complete their existing Term of Office. All future terms of Board members shall be for a period of two (2) years with all terms expiring on the Organizational Meeting of the respective Councils.
3. Members may be appointed for three (3) consecutive terms.
4. Upon expiry of their term, members shall remain in Office until a successor is appointed by Council.
5. Any member of the Board may resign upon sending written notice to the Secretary. The date the resignation is received by the Secretary shall be the effective date of the resignation.
6. If any member of the Board dies, resigns or ceases to be a member of the board during the term, which he/she is appointed, the vacancy shall be filled as soon as possible thereafter, and such appointment shall be effective only during the remaining term of the person vacating.
7. A member of the Board shall be disqualified from holding Office if he or she:
 - i) Ceases to be a resident, within the meaning of the Municipal Government Act, of the Town of High River, in the Province of Alberta, or the area that he or she represents;
 - ii) Is removed by a majority vote of the respective Council;
 - iii) Is absent from three (3) consecutive meetings of the Board unless such absence be authorized by resolution of the board recorded in its minutes.
8. Members of the Board may receive such remuneration and expenses as established by resolution of the Council for the Town of High River.
9. ^{A member of the MD Council}~~Any member of either Council~~ who is a member of the Board as the Council representative who resigns from the respective Council shall be deemed to have resigned from the Board.
10. The Chairman of the Board may be consulted when an appointment to the Board is considered by either Council.

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V. PROCEDURE/MEETINGS

Amended Bylaw
4/29/2005

1. The Board shall elect a Chairman and Vice-Chairman from its membership each year at their first meeting following the organizational meetings of the two Municipal Councils. ~~Members of either Council shall not be elected as Chairman or Vice-Chairman.~~ ^{The member of the M.D. Council}
2. The Board should it deem desirable, may request a person or persons to attend its meetings in an advisory capacity, but such person or persons shall not be members of the Board and shall not have a vote there.
3. Only those members of the Board in attendance at a meeting of the Board may vote on any matter then before the Board.
4. A quorum of the Board shall be ~~five (5)~~ ^{four (4)} ~~five (5)~~ ^{five (5)} voting members.
5. The decision of the majority of the members present at a meeting duly convened shall be deemed to be the decision of the whole Board.
6. The Chairman shall vote on every question, and, in the event of a tie, the motion shall be lost.

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7. Motions put forth must be voted on by all members except motions in which a member has a pecuniary interest as defined in the Municipal Government Act.. A request to abstain from discussions and voting and the reason for same shall be recorded in the Minutes as per the Municipal Government Act. .
8. The Board shall hold no less than ten (10) regular meetings each year and it may hold special meetings at the call of the Chairman, or any ~~five (5)~~ ^{five (5)} members upon 24 hours notice.
9. The business of the Board shall be conducted in accordance with the Town of High River Council Procedure Bylaw, The Municipal Government Act and such rules or procedures as the members may agree upon.
10. Meetings of the Board shall be open to the Public, but all matters relating to, conduct, management employee relations shall be conducted in closed session.

Amended
Bylaw 4189/2008.
Amended
Bylaw 4224/2008

VI. POWERS & DUTIES

1. The High River and District Recreation Board is established to advise Council in pursuing and implementing Recreation Programs, facilities, parks and public open spaces and services within the corporate limits of the Town of High River, and the High River Recreation District in the M.D. of Foothills, in the Province of Alberta.
2. The Board shall have the power to make such rules, regulations and policy with regards to direct programming as it may deem necessary from time to time, provided such rules and regulations are not inconsistent with power herein confined, in keeping with the established policy.
3. The Board shall act in an advisory capacity to the Council of the Town of High River and the Council of the M.D. of Foothills shall be consulted in relation to all matters relating to the development, maintenance and operation of Recreation Facilities, parks and public open spaces provided or to be provided in the Town of High River^{or} in the High River Recreation Area of the M.D. of Foothills, in the Province of Alberta.
4. The Board shall establish rules and regulations for the users of public recreation facilities.
5. The Board shall be consulted whenever possible where it is proposed to lease or to sell or to otherwise dispose of any Town land that is held for park purposes, or for other public recreation purposes, and whenever it is proposed to purchase or otherwise acquire land for public recreation purposes.
6. The Board may identify the need for new or expanded facilities and shall make recommendations as to location and type. Alternatively, it shall recommend the alteration or discontinued use of existing facilities.
7. The Board may identify and recommend to The Town Manager, the need for additional staff requirements, staff cut-backs or job realignments.
8. The Board may appoint sub-committees to deal with any special phase of the matters coming within the scope and jurisdiction of the Board as herein set forth.
9. The Board may co-operate with and encourage all organizations, public, private, civic, social and religious, within the Town and the High River and District Recreation area of the M.D. of Foothills, supporting, promoting or working for any sport or recreation.
10. The Board may hear and consider representations by any individual, organization or delegation of citizens with respect to recreation and act on such recommendations arising therefrom as the Board shall deem to be in the general interests of all citizens.
11. Annually, the Board shall submit to the High River Town Council, by September 1st, a written statement showing in reasonable form and detail, the expenditures proposed to be made by the Board during the next following year with respect to all matters over which, under the terms of this By-law, the Board has jurisdiction.

12. The Board shall be restricted in its' expenditures to the amounts and purposes shown on the annual budget as approved by High River Town Council unless prior approval of Council is received to re-allocate funds.
13. The Board shall review and consider Recreation Projects and applications including grants received through the Office of the Community Services Manager and shall recommend approval, deferment or rejection of such projects; The recommendations of the board shall be subject to High River Town Council and the Council of the M.D. of Foothills approval unless it is concerned specifically with programming.
14. The Board shall assist the Community Services Manager in forming plans and priorities concerning Recreation, with a view to establishment of comprehensive programs to suit the assessed needs of the Community.
15. The Board shall annually review and recommend to Town Council, appropriate fees and charges based upon a percentage cost recovery formula or some other suitable means as determined by the Board.
16. The Board shall make complete annual reports to the Town Council and other reports from time to time as requested.

VII. GIFTS

The Board may receive, on behalf of the Town and the M.D. of Foothills, gifts or bequests of money or other personal property or any donation to be applied principal or income, for either temporary or permanent use for recreational purposes.

VIII. LIMITATION OF POWERS

1. Neither the said Board or any member thereof shall have power to pledge the credit of the Town or the M.D. of Foothills in connection with any matters whatsoever, nor shall the said Board nor any member thereof have any power to authorize any expenditure to be charged against the Town of High River or the M.D. of Foothills, in the Province of Alberta.
2. Except when appointed to communicate a decision of the Board no member thereof shall issue or purport to issue any order, direction or instruction to any member of the Town Staff.
3. Where a conflict arises between the Board (indicating a majority of Board members) and the Community Services Manager, which cannot be amiably and expeditiously resolved, then the Town Manager, at Council's discretion, will have the authority to resolve the conflict with the least possible interruption of service to the public.

IX. SECRETARY

1. The Office of Secretary of the Board is hereby constituted and shall be filled by the Town Manager or his designate, but he shall not have a vote thereon.
2. The secretary of the Board shall:
 - a) notify all members and advisors of the Board of the arrangements for the holding of each regular and special meeting of the Board,
 - b) keep proper and accurate minutes of the proceedings of all meetings of the Board, true copies of which shall be filed with the Town Office as soon as possible after each meeting;
 - c) carry out such other administrative duties as the Board may specify.

X. COMMUNITY SERVICES MANAGER

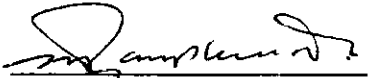
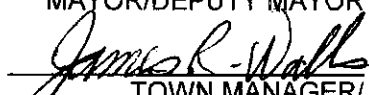
The Board shall hold the Community Services Manager responsible for carrying out programs and operations of recreation facilities within the Town and High River and District Recreation Area of the M.D. of Foothills and recognize the Community Services Manager as a consultant at all Board Meetings.

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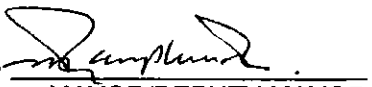

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- XI. BY-LAW NO. 3387/82 IS HEREBY REPEALED.
- XII. THIS BY-LAW SHALL COME INTO FORCE AND EFFECT UPON Third and Final reading.



READ A FIRST TIME THIS 20TH DAY OF JANUARY AD 2003


MAYOR/DEPUTY MAYOR

TOWN MANAGER/
DIRECTOR OF CORPORATE SERVICES

READ A SECOND TIME THIS 3RD DAY OF March, AD 2003.


MAYOR/DEPUTY MAYOR

TOWN MANAGER/
DIRECTOR OF CORPORATE SERVICES

READ A THIRD AND FINAL TIME THIS 24TH DAY OF MARCH, AD 2003.


MAYOR/DEPUTY MAYOR

TOWN MANAGER/
DIRECTOR OF CORPORATE SERVICES