

**TOWN OF HIGH RIVER  
ALBERTA  
BYLAW 4499/2016**

**BEING A BYLAW OF THE TOWN OF HIGH RIVER, IN THE PROVINCE OF ALBERTA, TO ESTABLISH THE COMMUNITY VITALITY ADVISORY COMMITTEE.**

**WHEREAS** pursuant to Section 145 of the *Municipal Government Act*, R.S.A. 2000, c.M-26 Council may pass bylaws in relation to the establishment, functions, procedures and conduct of Council Committees;

**NOW THEREFORE**, Council of the Town of High River, in the Province of Alberta, hereby enacts as follows:

**PART 1 - INTERPRETATION AND DEFINITIONS**

**Short Title**

1. This Bylaw may be cited as the "Community Vitality Advisory Committee Bylaw".

**Definitions**

2. In this Bylaw, unless the context otherwise requires:
  - (a) **"Act"** shall mean the *Municipal Government Act*, R.S.A. 2000, c.M-26;
  - (b) **"Committee"** shall mean the Community Vitality Advisory Committee;
  - (c) **"Council"** shall mean the Municipal Council of the Town;
  - (d) **"Community Vitality Fund"** shall mean the fund established by Council for the purposes of enhancing the overall community and quality of life for Town of High River residents;
  - (e) **"Mayor"** shall mean the Chief Elected Official of the Town;
  - (e) **"Member"** shall mean, a member of the Committee appointed by Council in accordance with the Council Procedure Bylaw 4294/2011 as well as the Appointments to Committees/Commissions/Boards Policy;
  - (f) **"Town"** shall mean the municipal corporation of the Town of High River; and
  - (g) **"Town Manager"** shall mean the Town Manager of the Town or his/her delegate.

**PART 2 – ESTABLISHMENT OF COMMITTEE**

3. The Community Vitality Advisory Committee is hereby established.

**Part 2 – STRUCTURE**

**Composition**

4. The Committee shall be comprised of:
  - (a) A minimum of three (3) to a maximum of nine (9) residents of the Town of High River; and
  - (b) A minimum of one (1) to a maximum of two (2) Councillors.

5. The Mayor shall be an ex-officio Member of the Committee.
6. Councillors appointed as Members shall be non-voting Members of the Committee.
7. All Members appointed will be appointed for a two (2) year term, except for the initial appointments where an equal number of Members will be appointed for one (1), two (2) and three (3) year terms.
8. Upon expiry of their term, each Member shall remain a Committee member until a successor is appointed by Council.
9. A Member ceases to be a Committee member if he or she:
  - (a) becomes an employee with the Town;
  - (b) is absent from three (3) consecutive meetings of the Committee, unless such an absence is authorized by a resolution of the Committee; or
  - (c) is removed by a majority vote of the Council.
10. Any Member may resign upon sending written notice to Council. The date the resignation is received by Council shall be the effective date of the resignation.
11. If any Member dies, resigns, or ceases to be a member of the Committee during the term which he or 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.
12. Any Member who is member of Council and resigns from Council, shall be deemed to have resigned from the Committee.
13. The Chair may be consulted when an appointment to the Committee is considered by Council.

#### **Chair and Vice-Chair**

14. The Committee shall select from its Members, a Chair and one or more Vice-Chairs.
15. The duties of the Chair shall be to:
  - (a) call meetings of the Committee;
  - (b) direct the conduct of all meetings of the Committee;
  - (c) ensure that the minutes from previous meetings are approved by the Committee; and
  - (d) represent the Committee at Council and in other public functions.
16. The duties of the Vice-Chair(s) will be to assume the duties of the Chair in the absence of the Chair or where the Chair is unable to act.

#### **Secretary**

17. The Committee shall select from its Members, one or more Secretaries who shall:
  - (a) prepare Committee meeting minutes as prescribed by the Town;
  - (b) circulate the draft minutes to Members in advance of meetings; and

- (c) shall submit the approved Committee meeting minutes to the Legislative Services division at the Town within 10 days from the date of approval.

### **Procedures**

18. The Committee shall follow the procedures prescribed by the Council Procedure Bylaw 4294/2011.

### **Meetings**

19. The Committee shall meet, at a minimum, during the months of January, May and September.
20. The Committee shall meet at the call of the Chair or on a schedule approved by the Committee.
21. Members shall be given at least ten (10) business days' written notice of a Committee meeting.
22. The Chair may call a special meeting of the Committee by giving at least 24 hours' written notice to each Member.
23. Quorum for the Committee is at least 50% of the existing voting Members.
24. Members may participate in a meeting in-person or by any other electronic method that permits them to hear with or without visual participation in the meeting.
25. The Committee must keep a record of all actions and decisions as minutes.

## **PART 3 – PURPOSE AND MANDATE**

### **Functions**

26. The Committee is advisory in nature and may make recommendations to Council by way of resolution. Specifically, subject to the provisions of this Bylaw and all other Town, Provincial, or Federal laws, the Committee may provide advice and make recommendations to Council regarding the distribution of Community Vitality Funds as established by the Community Vitality Fund Policy.

### **Process**

27. In fulfilling its functions, the Committee:
- (a) Will receive, assess and make recommendations to Council on the awarding of funds from the Community Vitality Fund;
  - (b) Will monitor the funds awarded by Council as well as the implementation of the community led initiatives funded by the Community Vitality Fund and make reports to Council;
  - (c) Will ensure that effective community communication and consultation play a major role in the efforts of the Committee to fulfil its purpose;
  - (d) Will strive to develop and maintain a positive relationship with other individuals, groups, agencies, organizations, etc., who are working towards community enhancement and overall wellbeing of the Town's residents;
  - (e) Shall be guided by the Corporate Strategic Plan, the Town Plan, the Social Wellbeing Plan, the Community Quality of Life Surveys and the Community

Vitality Policy.

**Limitation of Powers**

28. Neither the Committee nor any Member shall have power to pledge the credit of the Town, in connection with any matters whatsoever, nor shall the Committee or any Member have any power to authorize any expenditure to be charged against the Town.
29. No Member shall issue or purport to issue any order, direction or instruction to any employee of the Town.

**Finance and Administration**

30. Only Council may approve a budget related to the operation of the Committee.
31. The Committee budget shall be prepared and presented to Council annually by the Town Manager.
32. The Committee budget shall be administrated by the Town Manager.
33. Professional, technical and administrative support to the Committee will be provided at the discretion of the Town Manager.

**Staff Liaisons**

34. The following employees of the Town are liaisons to the Committee:
  - (a) The Manager of Economic Development or his/her delegate;
  - (b) The Manager of Legislative Service or his/her delegate;
  - (c) The Manager of Family and Community Support Services or his/her delegate; and
  - (d) The Town Manager or his/her delegate.
35. Staff liaisons shall act in an advisory capacity and shall not be entitled to vote on matters before the Committee.

**PART 4 – CODE OF CONDUCT**

**Pecuniary Interest**

36. For the purpose of this Part, the following terms shall have the same meaning as in Section 169 of the *Municipal Government Act*:
  - (a) "Corporation";
  - (b) "Director";
  - (c) "Distributing Corporation";
  - (d) "Officer";
  - (e) "Shareholder";
  - (f) "Voting Rights";
  - (g) "Voting Shares"; and

- (h) **"Spouse"**.
37. For the purpose of this Part, the term **"Member's Family"** shall have the same meaning as the term "Councillor's Family" under Section 169 of the Act.
38. No Member shall participate in a discussion of any matter before the Committee in which that Member has a pecuniary interest.
39. A Member has a pecuniary interest in a matter if:
- (a) The matter could monetarily affect the Member or an employer of the Member; or
  - (b) The Member knows or ought to know the matter could monetarily affect the Member's Family.
40. For the purposes of Section 37, a Member is monetarily affected by a matter if the matter monetarily affects:
- (a) The Member directly;
  - (b) A Corporation other than a Distributing Corporation, in which the person is a Shareholder, Director or Officer;
  - (c) A Distributing Corporation in which the Member beneficially owns Voting Shares carrying at least 10% of the voting rights attached to the Voting Shares of the corporation or of which the Member is a Director or Officer; or
  - (d) A partnership or firm of which the Member is a member.
41. For the purposes of determining whether a Member has a pecuniary interest in the matter before the Committee, the provisions of Section 170(3) of the *Municipal Government Act* shall apply, substituting the term "Member" for the term "Councillor".
42. Where a Member has a pecuniary interest in a matter before the Committee, that Member shall:
- (a) Disclose the general nature of the pecuniary interest to the Chair 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) Leave the room in which the meeting is being held until discussion and voting on the matter are concluded.

### **Member Conduct**

43. Members shall:
- (a) Keep in-camera discussions of Committee confidential, except where required to disclose that information by law; and
  - (b) Attend all Committee meetings to which he or she has been assigned unless prior notice of a Member's inability to attend has been provided to the Chair.
44. Members commit to:
- (a) Listen and respect the opinions of other Members and liaisons;

- (b) Respect and support the decisions of the Committee; and
- (c) Participate actively in Committee meetings and actions.

**Breach of Code of Conduct**

45. Where Council has reasonable grounds to believe that a Member has breached any of the provisions of this Part, Council may remove that Member from the Committee in accordance with the provisions for appointment and removal of a Member as set out in this Bylaw.

**PART 5 - GENERAL**


**Severability**


41. Every provision of this Bylaw is independent of all other provisions. If any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

**Effective Date**


42. This Bylaw shall come into force when it has received third and final reading and has been signed by the Mayor and Town Manager.


READ A FIRST TIME THIS 11 DAY OF October A.D 2016

  
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 MAYOR/DEPUTY MAYOR


  
 \_\_\_\_\_  
 TOWN MANAGER


READ A SECOND TIME THIS 11 DAY OF October A.D 2016

  
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 MAYOR/DEPUTY MAYOR

  
 \_\_\_\_\_  
 TOWN MANAGER

READ A THIRD AND FINAL TIME THIS 11 DAY OF October  
 A.D. 2016

  
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 MAYOR/DEPUTY MAYOR

  
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 TOWN MANAGER

