

## Request for Decision

<b>Title</b>	<b>Bylaw 1618/23 – Public Notification Bylaw – Second and Third Readings</b>
<b>Proposed Motion</b>	<ol style="list-style-type: none"> <li>1. That Council give second reading of Bylaw 1618/23 as amended.</li> <li>2. That Council give third reading of Bylaw 1618/23.</li> </ol>
<b>Administrative Recommendation</b>	Administration recommends that Council give second and third readings of Bylaw 1618/23, the proposed Public Notification Bylaw.
<b>Previous Council / Committee Direction</b>	<u>February 14, 2023 Regular Council Meeting</u> Motion 028/23: That Council give first reading of Bylaw 1618/23.
<b>Report</b>	<u>Background Information</u> <b>Requirements for Public Notification in Alberta Municipalities</b> <ul style="list-style-type: none"> <li>• Requirements for municipal advertising of matters before Council in Alberta are prescribed in the <i>Municipal Government Act</i> (MGA), which is provincial legislation.</li> <li>• Section 606 of the MGA specifies the requirements when the MGA or another enactment requires that a bylaw, resolution, meeting, public hearing, or something else be advertised pursuant to the MGA or another enactment.</li> <li>• Section 606(2) of the MGA requires that notice be:               <ul style="list-style-type: none"> <li>○ published at least once a week for 2 consecutive weeks in at least one newspaper or other publication circulating in the area to which the matter relates,</li> <li>○ Mailed or delivered to every residence in the area to which the matter relates, <u>or</u></li> <li>○ Given by a method provided for in an alternate advertising bylaw established pursuant to section 606.1 of the MGA.</li> </ul> </li> <li>• Sturgeon County has relied upon section 606(2)(a) of the MGA in giving notice of matters required to be advertised, publishing notice at least once a week for 2 consecutive weeks in at least one newspaper circulating in the area to which the matter relates.</li> </ul>

- Sturgeon County's minimum advertising requirements for land use planning matters are further clarified in section 3.3 of the Land Use Bylaw, which requires written notice to be provided to adjacent landowners (owners of property immediately abutting the subject property), municipalities located within 1.6 km of the subject property, and other affected landowners, as determined by the Manager of Planning & Development Services.
- For a number of years, Sturgeon County has published notices in the *Morinville Free Press*, *Redwater Review*, and *St. Albert Gazette*. Matters impacting the community generally have been advertised in all newspapers, while site-specific matters have been advertised in newspaper(s) most likely to reach citizens impacted by the matter (based on geography).
- There continues to be a decline in the print newspaper industry, particularly in smaller communities. Sturgeon County has been impacted by this trend, as the *St. Albert Gazette* has made the decision to cease distributing newspapers within Sturgeon County and is focusing efforts on online news. This change came into effect on December 1, 2022 with limited advance notice to the County.
- Although only one of three local newspapers, the *St. Albert Gazette* served the more densely populated areas of the County adjacent to St. Albert. Approximately 4,500 newspapers were distributed weekly to Sturgeon County residents through Canada Post.
- The *St. Albert Gazette* confirmed that it does not have paid subscriptions for the newspaper but is now available online without a subscription.
- Acknowledging the impact of the *St. Albert Gazette's* business decision on Sturgeon County residents' ability to receive timely information on matters impacting them, Administration completed a jurisdictional scan of how other rural municipalities are addressing this challenge.
- Most rural municipal comparators have passed an alternate advertising bylaw pursuant to section 606.1 of the MGA.

#### **Alternate Advertising Bylaws**

- Section 606.1 of the MGA provides that a municipality may pass a bylaw to provide for one or more methods, which may include electronic means, for advertising matters required to be advertised pursuant to section 606 of the MGA.
- The MGA requires that, before making such a bylaw, Council be satisfied that the method(s) the bylaw would provide for is likely to bring matters advertised to the attention of substantially all residents in the area to which the matter relates.

---

### Proposed Bylaw 1618/23 – Public Notification Bylaw

- Administration recommends that Council consider first reading of Bylaw 1618/23, the proposed Public Notification Bylaw, which:
  - Acknowledges that many residents are accessing information through newer channels, including online;
  - Acknowledges the impact of the *St. Albert Gazette's* business decision to cease circulation of its newspaper to Sturgeon County residents by introducing additional requirements for advertising of County public notices;
  - Acknowledges the diversity of Sturgeon County residents and requires that notices be provided in a number of ways in order to draw the attention of as many residents as possible;
  - **Provides a higher level of public notification** than is currently required by section 606 of the MGA;
  - **Provides a higher level of public notification** than is currently being undertaken by Administration;
  - **Is more comprehensive, clear, and robust** when compared to the alternate advertising bylaws of comparator municipalities; and
  - Requires that the Bylaw be brought forward for review within one year of being passed in order for Council to confirm that the means of public notification prescribed in the Bylaw continue to be appropriate.
- For General Matters, and in accordance with the MGA, the Bylaw requires the CAO to publish notice:
  - In all local newspapers that, in the CAO's opinion, would bring the matter to the attention of substantially all affected residents in the area to which the thing relates;
  - To a "Notices" page of the County website; **and**
  - To at least one social media site, which may include Facebook or Twitter, as determined by the CAO.
- For Site-Specific Matters, and in accordance with the MGA , the Bylaw requires the CAO to publish notice:
  - In at least one local newspaper that, in the CAO's opinion, would bring the matter to the attention of substantially all affected residents in the area to which the thing relates;
  - To a "Notices" page of the County website;

- To at least one social media site, which may include Facebook or Twitter, as determined by the CAO; **and**
- On at least one temporary road sign erected in close proximity to the site, the location and content to be such that, in the CAO's opinion, would bring the matter to the attention of substantially all affected residents in the area to which the thing relates.
- In addition to the General Matters requirements, and in alignment with existing requirements pursuant to the County's Land Use Bylaw, written notice of proposed Land Use Bylaw amendments must be provided to:
  - Adjacent landowners;
  - Municipalities located within 1.6km (one mile) of the parcel subject to the proposed bylaw, unless a different distance is stipulated within an Intermunicipal Development Plan, in which case that referral distance shall prevail; **and**
  - Other affected landowners, as determined by the CAO.
- Written notice provided under section 5.2 of the Bylaw must include:
  - The purpose of the proposed amending bylaw and the purpose of the public hearing;
  - The address where the proposed amending bylaw may be inspected;
  - An outline of the procedure to be followed by anyone wishing to provide input; and
  - The time, date, and place of the public hearing.
- Bylaw 1618/23 has been reviewed by legal counsel to ensure conformance with the MGA.
- The process for considering an alternate advertising bylaw pursuant to section 606.1 requires the opportunity for the public to provide input on the proposed bylaw, including:
  - At a public hearing as required by section 606.1(3) of the MGA, and/or
  - By way of petition as authorized by section 231(1) of the MGA

	<p><b>Public Hearing – May 9, 2023 Regular Council Meeting</b></p> <ul style="list-style-type: none"> <li>• Council held the statutory Public Hearing for Bylaw 1618/23 on May 9, 2023. One person attended the Public Hearing and spoke in favour of the Bylaw, noting that while there is support for the tactics proposed in the Bylaw, the County could improve on making notices clearer to intended recipients, including using plain language, clearly identifying municipal addresses of where matters are taking place, improving the readability of maps, and increasing advertisement text size.</li> <li>• Administration will consider this feedback; however, the Bylaw is focused on the means of providing public notification (tactics) and is not intended to address administrative matters such as how notices are prepared.</li> </ul> <p><b>Opportunity for Petition for a Vote of the Electors</b></p> <ul style="list-style-type: none"> <li>• Alternative advertising bylaws established under section 606.1 of the <i>Municipal Government Act</i> (MGA) are subject to petition pursuant to section 231 of the MGA.</li> <li>• Petitions filed under section 231 of the MGA must be filed within 60 days after the last date on which the proposed bylaw is advertised.</li> <li>• Bylaw 1618/23 was advertised for the second time on March 16, 2023 for the purposes of electors filing a petition. No petition has been received by the Chief Administrative Officer, and therefore Council can proceed with considering further readings of the Bylaw.</li> </ul> <p><b>Proposed Amendments Since Second Reading</b></p> <ul style="list-style-type: none"> <li>• To provide maximum clarity and consistency, Administration proposes an amendment to Bylaw 1618/23; specifically, the addition of section 3.1.6, which defines “Notice” to mean “the delivery of information such that it can be received by the intended recipient at least five days before the thing to be advertised occurs”. This ensures that regardless of the tactic (written letter, newspaper advertisement, road signage, social media post etc.), the public receives sufficient and consistent notice of the thing that is being advertised.</li> <li>• The addition of section 3.1.6 makes a portion of section 5.2 duplicative, and therefore this section is also proposed to be amended.</li> <li>• Administration recommends that Council give second reading of Bylaw 1618/23 as amended, followed by third reading of the Bylaw.</li> </ul> <p><u>Relevant Policy/Legislation/Practices</u></p> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act</i> (MGA), sections 606 and 606.1</li> <li>• Sturgeon County Land Use Bylaw 1385/17</li> </ul>
<p><b>Implication of Administrative Recommendation</b></p>	<p><u>Strategic Alignment</u></p> <p><b>Collaborative Governance</b> – The proposed Public Notification Bylaw contributes to ongoing community consultation and engagement and transparent and action-oriented decision making based on sound rationale.</p>

	<p><u>Organizational</u> The proposed Public Notification Bylaw introduces new requirements, including posting notices to the website and social media, as well as signage for site-specific matters, which can be managed with existing resources.</p> <p><u>Financial</u> The additional advertising requirements of the Public Notification Bylaw will have minimal financial impacts and can be managed within the existing operating budget.</p>
<b>Alternatives Considered</b>	<ol style="list-style-type: none"> <li>1. Council could amend Bylaw 1618/23 at second reading.</li> <li>2. Council could defeat Bylaw 1618/23 at second reading.</li> </ol>
<b>Implications of Alternatives</b>	<p><u>Strategic Alignment</u></p> <ol style="list-style-type: none"> <li>1. Dependent on the amendments proposed.</li> <li>2. Opportunities to increase public notification of matters impacting residents would be foregone.</li> </ol> <p><u>Organizational</u></p> <ol style="list-style-type: none"> <li>1. Dependent on amendments proposed.</li> <li>2. None.</li> </ol> <p><u>Financial</u></p> <ol style="list-style-type: none"> <li>1. Dependent on amendments proposed.</li> <li>2. None.</li> </ol>
<b>Follow up Action</b>	<ol style="list-style-type: none"> <li>1. Obtain Mayor and CAO signatures on the Bylaw (Legislative Services, May 2023).</li> </ol>
<b>Attachment(s)</b>	<ol style="list-style-type: none"> <li>1. Attachment 1: Bylaw 1618/23 – Public Notification Bylaw - Redline</li> </ol>
<b>Report Reviewed by:</b>	<p>Jesse Sopko, General Manager, Corporate Services</p> <p>Reegan McCullough, County Commissioner - CAO</p>

## Strategic Alignment Checklist

**Vision:** *Offering a rich tapestry of historical, cultural, and natural experiences, Sturgeon County is a municipality that honours its rural roots and cultivates desirable communities. Uniquely situated to provide world-class agricultural, energy, and business investment opportunities, the County prioritizes responsible stewardship and dreaming big.*

**Guiding Principles:** Collaboration | Accountability | Flexibility | Excellence | Safety | Future Readiness | Affordability | Innovation

Community Outcome	Not consistent	Consistent	N/A
<b>Planned Growth</b>			
<ul style="list-style-type: none"> <li>Internationally competitive to attract, grow and sustain diverse businesses; tenacious focus on new growth and innovation</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Modern broadband and digital capabilities</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Low cost, minimal red-tape regulations</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Reliable and effective infrastructure planning; comprehensive land use and infrastructure planning</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Thriving Communities</b>			
<ul style="list-style-type: none"> <li>Beautiful, surprising places with high standards; integrated natural spaces &amp; trail systems; healthy and resilient</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Engaging cultural, historical, and civic amenities; strong community identity and pride</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Safe, welcoming, and diverse communities; small community feel and personal connection; commitment to high quality of life</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Environmental Stewardship</b>			
<ul style="list-style-type: none"> <li>Clean air, land, and water; Carbon neutral municipal practices; circular economy opportunities</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Conservation of natural areas and agricultural lands; enhanced greening and biodiversity; safekeeping ecosystems</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Sustainable development; partnerships with industry and others to drive emission reductions</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Collaborative Governance</b>			
<ul style="list-style-type: none"> <li>Predictable and stable external relationships; volunteer partnerships</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Meaningful connections with Indigenous communities</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Ongoing community consultation and engagement; transparent and action-oriented decision making based on sound rationale</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Respectful and informed debate; clear and supportive governance processes</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Operational Excellence</b>			
<ul style="list-style-type: none"> <li>Engaged and effective people – Council, Admin and Volunteers; continuous learning and improvement mindset; nimble and bold, with strong leadership</li> </ul>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>Quality cost-effective service delivery; robust procurement and operational practices and policies; asset management and performance measurement; careful debt and reserve stewardship; long-term financial planning and sustainability</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Future focused thinking to proactively respond to emerging opportunities and challenges</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> <li>Alternative revenue generation and service delivery models integrated strategic and business planning</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>