

Village of Hines Creek Council Request for Decision (RFD)

Meeting:	Regular Council Meeting
Meeting Date:	September 10, 2019
Originated By:	Kimberley Kuntz
Title:	Unfinished Business-Council Size Bylaw
File:	0101

BACKGROUND

During the Regular Council Meeting on August 20, 2019 Council requested a new Bylaw be drafted to allow the Village of Hines Creek to have a 3 man council. The Village currently has a bylaw requiring a 5 man council and the MGA stipulates that in order to change the number of councilors the follow criteria must be met:

- 144(1)** A bylaw passed under section 143 must be passed by December 31 of the year before the general election at which it is to take effect.
- (2)** If a bylaw is passed in the same year a general election is held, it takes effect at the 2nd general election after the date on which it is passed.
- (3)** A bylaw passed under section 143 must be advertised.

ATTACHMENTS

Bylaw 587-19
Page 98 of the Municipal Government Act

RECOMMENDED ACTION:

For Council to review and provide feedback on Bylaw No. 587-19.

Initials show support- Reviewed by:	Manager: <i>KL</i>	C.A.O
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BYLAW NO. 587-19

COUNCIL SIZE BYLAW

**BYLAW NO.587-19 BEING A BYLAW OF THE VILLAGE OF HINES CREEK,
ALBERTA, FOR THE PURPOSE OF ESTABLISHING A 3 MAN COUNCIL**

WHEREAS, Section 143 of the Municipal Government Act provides that a Village may have a council of 3 unless council passes a bylaw specifying a higher odd number.

AND WHERAS Bylaw #78 stipulates the Village of Hines Creek have a 5 man council.

AND WHEREAS, Section 144(1) of the Municipal Government Act provides that bylaw passed under section 143 must be passed at least 180 days before the general election at which it is to take effect.

NOW THEREFORE, THE COUNCIL OF THE VILLAGE OF HINES CREEK, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED ENACTS AS FOLLOWS:

1. That the number of councillors for the Village of Hines Creek is hereby decreased from five (5) to three (3).
2. Bylaw #78 is hereby repealed effective upon the third reading of this bylaw.

READ A FIRST TIME IN COUNCIL THIS ____ Day of _____, 2019.

READ A SECOND TIME IN COUNCIL THIS _____ Day of _____, 2019.
Council unanimously resolved to proceed with third reading this _____ Day of _____, 2019.

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS _____ Day of _____ 2019.

X

Leanne Walmsley, CAO

X

Hazel Reintjes, Mayor

Number of councillors for municipalities

143(1) A council consists of the number of councillors provided for under this section, one of whom is the chief elected official, but in no case may a council consist of fewer than 3 councillors.

(2) The council of a city or town consists of 7 councillors unless the council passes a bylaw specifying a higher or lower odd number.

(3) The council of a village or summer village consists of 3 councillors unless the council passes a bylaw specifying a higher odd number.

(4) The council of a municipal district or specialized municipality consists of the number of councillors specified in the order forming it unless the council passes a bylaw specifying a higher or lower odd number.

(5) The council of any other type of municipality consists of the number of councillors provided for it by or under the enactment establishing it.

1994 cM-26.1 s143

Bylaw changing number of councillors

144(1) A bylaw passed under section 143 must be passed by December 31 of the year before the general election at which it is to take effect.

(2) If a bylaw is passed in the same year a general election is held, it takes effect at the 2nd general election after the date on which it is passed.

(3) A bylaw passed under section 143 must be advertised.

RSA 2000 cM-26 s144.2018 c23 s58

Bylaws respecting maternity and parental leave for councillors

144.1(1) A council of a municipality may, by bylaw, having regard to the need to balance councillors' roles as parents with their responsibilities as representatives of residents, establish whether councillors are entitled to take leave prior to or after the birth or adoption of their child.

(2) If a bylaw under subsection (1) entitles councillors to take leave, the bylaw must contain provisions

- (a) respecting the length of the leave and other terms and conditions of the leave entitlement, and
- (b) addressing how the municipality will continue to be represented during periods of leave.