

**AGENDA**  
**COUNCIL MEETING**  
**MUNICIPAL DISTRICT OF PINCHER CREEK**  
**July 11, 2017**  
**Immediately following the Public Hearing for Bylaw No. 1278-17**

A. ADOPTION OF AGENDA

B. DELEGATIONS

C. MINUTES

1. Public Hearing Meeting Minutes – Bylaw No. 1275-17
  - Minutes of June 27, 2017
2. Council Meeting Minutes
  - Minutes of June 27, 2017

D. UNFINISHED BUSINESS

1. Bylaw 1276-17 - Procedural Bylaw
  - Bylaw presented for consideration
2. Bylaw 1272-17 – Animal Control Bylaw Amendment for Chickens
  - Report from Director of Development and Community Services, dated July 5, 2017

E. CHIEF ADMINISTRATOR OFFICER’S (CAO) REPORTS

1. **Operations**

- a) Beaver Mines Water and Wastewater Project Briefing
  - Briefing Notes dated July 6, 2017
- b) Operations Report
  - Report from Director of Operations, dated July 6, 2017
  - Public Works Call Log
  - Agricultural Services Call Log
  - Environmental Services Call Log

2. **Planning and Development**

- a) Bylaw No. 1275-17 - Land Use Bylaw Amendment – Cowley Ridge Rezoning
  - Report from Director of Development and Community Services, dated July 5, 2017

3. **Finance**

- a) Bylaw 1277-17 - Taxation of Mobile Unites in Manufactured Home Parks
  - Report from Director of Finance, dated July 4, 2017
- b) Amendment of Policy C-FIN-27, Fees and Charges Schedule
  - Report from Director of Finance, dated July 5, 2017

4. **Municipal**

- a) Chief Administrative Officer’s Report
  - Report from Chief Administrative Officer, dated July 6, 2017
  - Administration Call Log
  - Enhanced Policing Report

F. CORRESPONDENCE

1. **For Action**

- a) Stars of Alberta Volunteer Awards
  - Letter from Alberta Culture and Tourism, dated June 28, 2017
- b) Road Maintenance
  - Email from Helen and Clarence Cyr, dated June 22, 2017
  - Email from Geoff Hoover, dated June 27, 2017
- c) CPR Holiday Train
  - Email from Robyn Dowson, dated July 4, 2017

- d) Beaver Mines Water and Wastewater
  - Letter from Cornell Van Ryk, received July 5, 2017
- e) Secondary Road to the Landfill
  - Email from Karen Clymer, dated July 5, 2017
- f) Well within Road Allowance
  - Letter from Barbara Amos, dated July 5, 2017

2. **For Information**

- a) Wind Energy
  - Received, June 22, 2017

G. COMMITTEE REPORTS / DIVISIONAL CONCERNS

Councillor Quentin Stevick – Division 1

Councillor Fred Schoening – Division 2

Councillor Garry Marchuk – Division 3

Reeve Brian Hammond - Division 4

Councillor Terry Yagos – Division 5

H. IN-CAMERA

- 1. Legal
- 2. Personnel

I. NEW BUSINESS

J. ADJOURNMENT

**MINUTES**  
**PUBLIC HEARING**  
**Bylaw No. 1275-17 – Land Use Bylaw Amendment – Wind Farm Industrial**  
**Tuesday, June 27, 2017**  
**MD of Pincher Creek Council Chambers**

In order to receive public input on proposed Bylaw No. 1275-17, a Public Hearing conducted by the Council of the Municipal District of Pincher Creek No. 9, was held on Tuesday, June 27, 2017, in the Council Chambers of the Administration Building.

In attendance:

Council: Reeve Brian Hammond, Councillors Terry Yagos, Garry Marchuk, Fred Schoening, and Quentin Stevick

Staff: Chief Administrative Officer Wendy Kay, Director of Development and Community Services Roland Milligan, Director of Finance Janene Felker, Public Works Superintendent Stu Weber, and Executive Assistant Tara Cryderman

1. Call Public Hearing to Order

The Public Hearing was called to order, the time being 1:00 pm.

2. Advertising Requirement

This Public Hearing has been advertised in accordance with Section 606 of the MGA. This Public Hearing was advertised in the *Pincher Creek Echo* on June 14, 2017 and June 21, 2017 as well as the MD of Pincher Creek website and bulletin board.

3. Purpose of Public Hearing

The purpose of this Public Hearing is to receive public input on proposed Bylaw No. 1275-17.

The purpose of Bylaw No. 1275-17 is to amend Land Use Bylaw 1140-08, and amend the land use designation of lands legally described as:

SE 17 7-1 W5M  
 NE 8 7-1 W5M  
 SE 8 7-1 W5M  
 SW 9 7-1 W5M  
 NW 4 7-1 W5M  
 NE 4 7-1 W5M

from “Agricultural” to “Wind Farm Industrial”.

This change of land use is necessary to allow for Category 3 Wind Energy Conversion System use.

4. Overview of Bylaw No. 1275-17

Roland Milligan gave a brief overview of Bylaw 1275-17.

5. Presentations

Reeve Brian Hammond asked if anyone present in the audience wished to make a statement.

Mr. Anderson indicated he would like to speak to Council. No other member of the audience indicated they wished to speak.

Mr. Anderson spoke at this time:

- Spoke to the need for an environmental assessment of the lands
- Spoke to the species of risk in the area
- Spoke to the environmental study by Mistakas
- Spoke to the endangered species in the area
- Spoke to the development restrictions adjacent to areas with species at risk
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a. Written

The preliminary layout, dated June 12, 2017 was provided as information. No other written submissions were received.

6. Closing Comments / Further Questions

There were no further enquiries from the public.

7. Adjournment

Councillor Terry Yagos moved to adjourn the Public Hearing, the time being 1:08 pm.

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Brian Hammond  
Reeve

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Wendy Kay  
Chief Administrative Officer

**MINUTES**  
**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9**  
**COUNCIL MEETING**  
**JUNE 27, 2017**

8825

The Regular Meeting of Council of the Municipal District of Pincher Creek No. 9 was held on Tuesday, June 27, 2017, in the Council Chambers of the Municipal District Building, Pincher Creek, Alberta.

**PRESENT** Reeve Brian Hammond, Councillors Garry Marchuk, Fred Schoening, Quentin Stevick and Terry Yagos

**STAFF** Chief Administrative Officer Wendy Kay, Director of Development and Community Services Roland Milligan, Director of Finance Janene Felker, Public Works Superintendent Stu Weber, and Executive Assistant Tara Cryderman

Reeve Brian Hammond called the Council Meeting to order, the time being 1:09 pm.

**A. ADOPTION OF AGENDA**

Councillor Quentin Stevick 17/292

Moved that the Council Agenda for June 27, 2017, be approved as presented.

Carried

**B. DELEGATIONS**

**C. MINUTES**

1. Council Meeting Minutes

Councillor Quentin Stevick 17/293

Moved that the Council Meeting Minutes of June 13, 2017, be approved as presented.

Carried

**D. UNFINISHED BUSINESS**

1. Lundbreck Skate Park

Councillor Garry Marchuk 17/294

Moved that the letter from the Snider family, dated June 6, 2017, regarding the Lundbreck Skate Park, be received as information.

Carried

2. Cold Mix Asphalt Resident Request Project

Councillor Terry Yagos 17/295

Moved that the reports from Director of Operations, dated June 22, 2017 and May 17, 2017, regarding the Cold Mix Asphalt Resident Request Project, be received;

And that Council authorize Administration to contact and arrange for all of the 2.2 kilometers of resident requests for cold mix asphalt to be constructed;

And further that funding of the municipality's portion of the additional 1.2 kms, come from the Public Works Road Construction Reserve (Account No. 6-12-0-757-6740).

Carried

E. CHIEF ADMINISTRATOR OFFICER'S (CAO) REPORTS

1. Operations

a) Asphalt Road Repairs

Councillor Fred Schoening 17/296

Moved that the report from the Director of Operations, dated June 22, 2017, regarding Asphalt Road Repairs, be received;

And that Council authorize Administration to contract McNally Contractors Ltd., to do the asphalt repairs, with funding coming from the Public Works Road Construction Reserve (Account No. 6-12-0-757-6740).

Carried

b) Access to Castle Parks Via RR 30-3 and TR 4-1 (Riviere Road)

Councillor Terry Yagos 17/297

Moved that the report from the Director of Operations, dated June 22, 2017, regarding access to Castle Parks, via RR 30-3 and TR 4-1, be received as information.

Carried

c) Beaver Mines Water and Wastewater Project Briefing

Councillor Fred Schoening 17/298

Moved that the briefing report for the Beaver Mines Water and Wastewater Project Briefing, dated June 21, 2017, be received as information.

Carried

d) Operations Report

Councillor Quentin Stevick 17/299

Moved that the Operations report from the Director of Operations, dated June 6, 2017 to June 22, 2017, be received as information.

Carried

2. Planning and Development

a) Bylaw 1279-17 – Road Closure Bylaw Amendment – SE 2-6-1 W5M - Clymer

Councillor Terry Yagos 17/300

Moved that the report from the Director of Development and Community Services, dated June 22, 2017, be received;

And that Bylaw 1279-17, being a bylaw to amend Road Closure Bylaw 1262-15, be given first reading.

Carried

Minutes  
 Regular Council Meeting  
 Municipal District of Pincher Creek  
 June 27, 2017

Councillor Fred Schoening 17/301

Moved that Bylaw 1279-17, being a bylaw to amend Road Closure Bylaw 1262-15, be given second reading.

Carried

Councillor Fred Schoening 17/302

Moved that Bylaw 1279-17, being a bylaw to amend Road Closure Bylaw 1262-15, be presented for third reading.

Carried Unanimously

Councillor Garry Marchuk 17/303

Moved that Bylaw 1279-17, being a bylaw to amend Road Closure Bylaw 1262-15, be given third and final reading.

Carried

3. Finance

a) Statement of Cash Position

Councillor Terry Yagos 17/304

Moved that the Statement of Cash Position for the month of May 2017, be received as information.

Carried

4. Municipal

a) Participation in Pancake Breakfast, Annual Show, August 5 and 6

Councillor Fred Schoening 17/305

Moved that the letter from Heritage Acres, dated June 2, 2017, inviting members of Council to participate in the Pancake Breakfast, be received;

And that any Councillors wishing to participate be authorized to do so.

Carried

b) CAO Report

Councillor Garry Marchuk 17/306

Moved that Council receive for information, the Chief Administrative Officer's report for June 9, 2017 to June 22, 2017, as well as the Administration Call Log.

Carried

F. CORRESPONDENCE

1. Action

a) Application for a Time Extension to Construct the Heritage Wind Energy Centre

Councillor Fred Schoening 17/307

Moved that the notice from Alberta Utility Commission (AUC), received June 15, 2017, regarding the Application for a Time Extension to Construct the Heritage Wind Energy Centre, be received;

And that the MD of Pincher Creek participates in Proceeding 22579 and sends a response to AUC regarding Application 22579-A001.

Carried

b) 2018 or 2019 Southern Alberta Summer Games

Councillor Garry Marchuk 17/308

Moved that the letter from Pincher Creek and District Summer Games Society, dated June 21, 2017, regarding the 2018 or 2019 Southern Alberta Summer Games, be received;

And that the MD of Pincher Creek supports, in principle, the joint bid with the Town of Pincher Creek, to host the 2019 Southern Alberta Summer Games.

Carried

c) Request for Funding – Western Mud Slingers Event

Councillor Quentin Stevick 17/309

Moved that the letter from Western Mud Slingers, received June 21, 2017, requesting funding for their event, be received as information.

Defeated

Councillor Fred Schoening 17/310

Moved that the letter from Western Mud Slingers, received June 21, 2017, requesting funding for their event, be received;

And that \$500 be donated to the event, with funding coming from Grants to Groups and Organizations (Account No. 2-74-0-770-2765).

Carried

d) Request for Grading and Gravel

Councillor Garry Marchuk 17/311

Moved that the email from Pincher Creek & District Agricultural Society, dated June 21, 2017, requesting grading and gravelling, be received;

And that the grading and gravelling request be granted;

And that Administration be directed to request from the Town of Pincher Creek reimbursement for half the costs associated with this request.

Carried



e) Request for Speed Signs

Councillor Garry Marchuk 17/312

Moved that the letter from Hardy family, dated June 9, 2017, requesting speed signs, be received;

And that this item be postponed to a future Council Meeting, pending further information.

Carried

2. **For Information**

Councillor Terry Yagos 17/313

Moved that the following be received as information:

- a) Follow-Up Letter
  - Letter from Alberta Environment and Parks, dated June 1, 2017
- b) 2020 Alberta Summer Games
  - Letter from Alberta Culture and Tourism, dated June 14, 2017
- c) Volunteer Luncheon
  - Letter from Town of Pincher Creek, dated May 26, 2017
- d) Highway 3 – Sentinel to Pincher Station Functional Planning Study
  - Invitation to Open House, received June 16, 2017
- e) Oldman River Regional Services Commission (ORRSC) Shared Services and Member Utilization
  - Letter from ORRSC, dated June 1, 2017
- f) Invitation to Brownlee Barn Burner Stampede Party
  - Email from Brownlee, dated June 13, 2017
- g) Public Involvement in a Proposed Utility Development
  - Letter from Enel Alberta Wind, Inc., dated June 12, 2017

Carried

Councillor Fred Schoening 17/314

Moved that any Councillors wishing to attend the Highway 3 – Sentinel to Pincher Creek Open House, scheduled for June 27, 2017, be authorized to do so.

Carried

G. **COMMITTEE REPORTS**

Councillor Quentin Stevick – Division 1

- Gravel Hauling within division
- Saddle Bronc event winner from Division 1
- Team Canada Swim Rescue member from Division 1
- High School Baseball Tier 2 winners

Councillor Fred Schoening – Division 2

- Family and Community Support Services
  - Draft Minutes of June 19, 2017
- Pincher Creek Foundation

Councillor Garry Marchuk – Division 3

- Pincher Creek Foundation
  - Project is currently over budget
- Beaver Mines Community Association

Minutes  
 Regular Council Meeting  
 Municipal District of Pincher Creek  
 June 27, 2017

Reeve Brian Hammond - Division 4

Councillor Terry Yagos – Division 5

- Airport Committee Meeting
- Emergency Services Commission
- Beaver Mines Community Association
- Castle Mountain Community Association
- Pincher Creek / Crowsnest Landfill

Councillor Fred Schoening 17/314

Moved that the committee reports be received as information.

Carried

H. IN CAMERA

Councillor Terry Yagos 17/315

Moved that Council and Staff move In-Camera, the time being 2:27 pm.

Carried

Councillor Quentin Stevick 17/316

Moved that Council and Staff move out of In-Camera, the time being 4:00 pm.

Carried

I. NEW BUSINESS

a) Fire Bill

Councillor Quentin Stevick 17/317

Moved that the report from the Director of Finance, dated June 15, 2017, be received;

And that the invoice for the fire bill be forwarded to the landowner.

Carried

b) Contracted Services

Councillor Terry Yagos 17/318

Moved that the report from the Director of Finance, dated June 5, 2017, be received;

And that Council approve the contract as discussed In-Camera, for the period of September 1, 2017 to August 31, 2021.

Councillor Garry Marchuk requested a recorded vote.

Councillor Quentin Stevick – Opposed  
 Councillor Garry Marchuk – Opposed  
 Reeve Brian Hammond – In Favour  
 Councillor Fred Schoening – In Favour  
 Councillor Terry Yagos – In Favour  
 Motion Carried

Minutes  
Regular Council Meeting  
Municipal District of Pincher Creek  
June 27, 2017

I. ADJOURNMENT

Councillor Quentin Stevick

17/319

Moved that Council adjourn the meeting, the time being 4:04 pm.

Carried

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REEVE

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CHIEF ADMINISTRATIVE OFFICER

DRAFT

**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
BYLAW NO. 1276-17**

A Bylaw of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, to deal with procedure and the transacting of business by the Council of the Municipal District of Pincher Creek No. 9

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**WHEREAS** the *Municipal Government Act*, being Chapter M-26 Revised Statutes of Alberta, 2000, as amended from time to time, provides for the regulations of the proceedings of Council and Committees thereof, to provide for dealing with petitions, and submissions to Council;

**NOW THEREFORE**, the Council of the Municipal District of Pincher Creek No. 9, duly assembled, ENACTS AS FOLLOWS:

- 1. THIS BYLAW MAY BE CITED AS “THE PROCEDURE BYLAW NO. 1276-17”.**
- 2. DEFINITIONS AND INTERPRETATION:**
  - a. In this Bylaw:
    - (1) “Acting Reeve” means the Councillor selected by the Council, pursuant to the provisions of Section 6, to preside at a regular meeting thereof in the absence or incapacity of both the Reeve and Deputy Reeve;
    - (2) “Agenda” means the agenda for a Regular or Special Meeting of Council, prepared pursuant to Section 7;
    - (3) “Bylaw” means a bylaw of the Municipal District Of Pincher Creek No. 9;
    - (4) “Council” means the Reeve and Councillors of the MD, being elected pursuant to the provisions of the *Municipal Government Act*, whose term is unexpired, who have not resigned and who continue to be eligible to hold office as such under the terms of the *Municipal Government Act*;
    - (5) “Councillors” means a Councillor of Council, duly elected and continue to hold office;
    - (6) “Deputy Reeve” means the Councillor who is elected by Council, pursuant to the provisions of Section 6, to act as Reeve;
    - (7) “MD” means the Corporation of the Municipal District of Pincher Creek No. 9 and where the context so requires, means the area included within the boundaries of the MD;
    - (8) “New Business” means business dealing with a matter which has not been introduced at the same or previous meeting, and of which no notice has been given of the intention to present it;
    - (9) “Quorum” means the majority:
      - (a) of the valid, subsisting Councillors of Council; or
      - (b) in the case of the Committee, Board or other organized and recognized group, unless the bylaw or resolution establishing such a body specifies a different quorum, the majority of members constitutes quorum.
  - b. Wherever this bylaw requires that a motion be made, a bylaw be passed or any other action be taken by a vote of Council, the requirements shall be interpreted as meaning such majority of the Councillors of Council who are present and voting on the matter.

**3. APPLICATION OF BYLAW**

- a. This bylaw applies to:
  - (1) all Regular and Special Meeting of Councils; and
  - (2) the conduct of the meetings of all Committees of Council.

**4. ORGANIZATIONAL MEETING OF COUNCIL**

- a. The Chief Administrative Officer shall fix the time and place for the first Organizational Meeting of Council following the general election. In other years, the Organizational Meeting shall be scheduled in accordance with the *Municipal Government Act*.
- b. At the commencement of the Organizational Meeting, the CAO shall call the meeting to order and shall preside over the meeting until the Council elects a person to be Reeve.
- c. Once elected, the Reeve shall preside over the meeting.
- d. All Committees, Boards and other bodies that Council is entitled to appoint, shall be reviewed annually at the time of the Organizational Meeting, as set by Statute.
- e. The business of Council at the Organizational Meeting shall be limited to the calling of the meeting, the administration of the Oath, and the introduction of new Councillors, the election of Reeve, Deputy Reeve, and the election of Councillors to act on Committees, Commissions, Boards and other bodies, on which Council is entitled to representation, and such other business as required by the *Municipal Government Act*.
- f. All meetings of Council shall be held in the Council Chambers of the MD Administration Building, unless Council directs otherwise.

**5. PLACES, DATES AND TIME OF MEETINGS**

- a. Regular Council Meeting shall be held on the Second and Fourth Tuesday of every month, for all business of Council.
- b. Council may, at any Regular Meeting of Council, direct that:
  - (1) any Council meeting will be held on a day, other than the date on which it would fall due;
  - (2) any meeting of Council may commence at any time other than that set for such meeting in the Section, and;
  - (3) any Council meeting may be cancelled.
- c. Unless otherwise determined, Council meetings shall commence at 1:00 pm.
- d. All matters of business, which appear on the Council's agenda for a meeting and which have not been dealt with, shall be deemed to be postponed until the next regular meeting of Council (when a meeting has been adjourned).
- e. If it appears to the Reeve that any matter included in the agenda for a Council meeting, which were not disposed of by the meeting prior to the adjournment thereof are of an urgent nature, which requires action before the next Regular Meeting he/she shall call, pursuant to the provisions of the *Municipal Government Act*, a Special Meeting of Council to deal with such matters.
- f. A Special Meeting of Council may be called in accordance with the *Municipal Government Act*.

**6. DEPUTY REEVE AND ACTING REEVE**

- a. The Council, at its Organizational Meeting in each year, shall elect one of its' Councillors as Deputy Reeve.
- b. Council, may at any time, appoint one of its Councillors to be Acting Reeve in the absence or inability of the Reeve and the Deputy Reeve to act.
- c. The Deputy Reeve, at the request of the Reeve, may chair any meeting of Council.

**7. AGENDA FOR COUNCIL MEETINGS**

- a. The CAO, shall prepare an agenda which shall:
  - (1) list the items and order of business to be conducted at the meeting, as per Appendix "A", attached to, and forming part of this bylaw;
  - (2) include the minutes of any previous meeting or meetings for approval;
  - (3) list or contain any other matter or thing which Council may from time to time direct.
- b. The agenda shall be prepared digitally and in hard copy and made available, at the Administration Office and electronically by the end of the business day, the Thursday before the meeting for which it is prepared.
- c. Unless Council directs otherwise, no material will be accepted which has not been included in the agenda provided.

**8. COMMENCEMENT OF COUNCIL MEETING**

- a. If there are not sufficient Councillors assembled at any meeting, physically or electronically, to constitute a quorum within half an hour from the time of commencement of the meeting, the CAO shall record the names of all Councillors present at that time, and unless a Special Meeting is duly called in accordance with the *Municipal Government Act* in the meantime, Council shall be deemed to be adjourned until the next regular meeting.
- b. When Council is unable to meet for want of quorum, the agenda delivered for the proposed meeting shall be considered at the next Regular Meeting, prior to the consideration of the agenda for the subsequent meeting, or at a Special Meeting called for that purpose.
- c. If there is a quorum present at the time the meeting should be called to order, and the Reeve and Deputy Reeve are absent, the CAO shall call the meeting to order and shall call for an Acting Reeve to be chosen by resolution of those Councillors present.

**9. CONTROL AND CONDUCT OF COUNCIL MEETINGS**

- a. The Chairperson shall be responsible for the control of the meeting.
- b. When a Councillor or any individual wishes to speak at a Council meeting, he/she shall address the chair.
- c. When a Councillor or any individual is addressing the Council, he/she:
  - (1) shall not speak disrespectfully of Her Majesty the Queen, or her official representative of her government;
  - (2) shall not use offensive words in referring to any Councillor of the Council, any official, any employee of the MD, or public person;

- (3) shall not shout or immoderately raise his/her voice or use profane, vulgar or offensive language;
  - (4) shall not reflect on any past vote of Council except when moving to rescind it and when so doing, shall not reflect on the motives of the Councillors who voted for the motion, and;
  - (5) shall assume personal responsibility for any statement he/she quotes to Council, or upon request of Council, shall give the source of the information.
- d. No Councillor shall leave the Council Chambers after a question is put to vote until the vote is taken.
  - c. The Reeve may direct that any person in the audience who persistently creates a disturbance during a meeting may be removed.

**10. PROCEEDINGS AT MEETINGS**

- a. Subject to the other provisions of this section, the order of business for a meeting shall be contained in the Agenda for the meeting.
- b. The order of business for a Regular Meeting of Council shall be determined with the adoption of the Agenda.
- c. The Reeve and Council, may by resolution, cause the meeting of Council to be recessed.

**11. COMMUNICATIONS AND PETITIONS**

- a. Where a person wishes to bring any matter to the attention of Council, or have any matter considered by Council, the request shall:
  - (1) be written legibly;
  - (2) be signed by the correct name of the writer;
  - (3) contain the full mailing address of the writer;
  - (4) indicate if the writer wishes to address Council on the matter, or to answer questions in relation to the communication.
- b. A group of persons who wish to present to Council a petition on any matter within its jurisdiction may do so in accordance with the *Municipal Government Act*.
- c. When a communication intended for Council is received and a ruling is requested, the CAO shall:
  - (1) include it as an item on the Agenda for the next Regular Meeting of Council.

**12. PERSONS WISHING TO ADDRESS COUNCIL**

- a. Person or persons wishing to address Council may only do so during the Delegation section of the Regular Council Agenda. During this time, Council will hear input and further clarification on a particular agenda item. Council will be provided the opportunity to ask questions of the delegation.
- b. Delegations will be allotted ten (10) minutes to speak to a particular agenda item.
- c. Delegations requiring additional time to that allotted have the opportunity to request further time from Council. Council may agree to provide additional time by way of a resolution, carried by the majority of Council Members present.

**13. MOTIONS**

- a. The Reeve or presiding officer, may not put forth a motion.

- b. Every motion shall be stated clearly by the mover.
- c. After a motion has been moved, it is the property of Council and may not be withdrawn without the consent of the majority of Council.
- d. When a motion has been made and is being considered by Council, no Councillor may make any other motion, except:
  - (1) a motion to amend the main question, or an amendment to it, without changing the main intent;
  - (2) a motion to table the main question, to a time later in the same meeting;
  - (3) a motion to postpone the main question until another meeting date;
  - (4) a motion to adjourn the meeting.

**14. TABLING MOTION**

- a. A Councillor moving a motion to table any matter shall include in the tabling motion:
  - (1) the time at the present meeting in which the matter is to be considered;
  - (2) a reason that the matter is to be tabled.
- b. A motion to table a matter shall not be debated except as to the time when Council will again consider the motion.

**15. POSTPONEMENT MOTION**

- a. A matter which has been postponed to a particular date, shall not be again considered by Council before the date set except on a vote of two-thirds of the Councillors of Council present and voting on it.

**16. AMENDMENTS TO MOTIONS**

- a. No amendment shall be made to the following:
  - (1) a motion to table a question;
  - (2) a motion to postpone;
  - (3) a motion to adjourn a meeting.
- b. While a motion is under discussion by Council, a Councillor may not move:
  - (1) an amendment which does not relate to the subject matter of the main motion;
  - (2) an amendment directly contrary to the main motion.
- c. Where an amendment has been moved to a motion, which is under discussion, an amendment to the amendment may be moved, but no further amendment may be moved to the amendment or to the main motion, until after the amendment to the amendment is voted upon.
- d. A Councillor who moved a motion may not move an amendment to it.
- e. The Reeve or other presiding officer, shall not put the main motion under debate, until all amendments to it have been put forth and voted upon.
- f. When all amendments are voted upon, the Reeve or other presiding officer shall put the main motion incorporating therein any amendments already adopted.



**17. DEBATE ON AGENDA ITEM**

- a. Motions are to be placed on the table, prior to debate on the matter.
- b. The Reeve will determine the order in which Councillors are to speak.
- c. Councillors may speak more than once to any motion or question.

**18. VOTING ON MOTIONS**

- a. When a motion has been put to a vote, no Councillor shall debate further on the question, except to request that the motion be read aloud.
- b. When the Reeve or presiding officer is of the opinion that a motion is unacceptable, or contrary to the rules of procedure and privileges, he shall apprise immediately, the Councillors present.
- c. Unless disqualified from voting by reason of a direct or indirect pecuniary interest, the Reeve, when present, and each Councillor shall vote on every motion before Council.
- d. If a Councillor refuses or fails to vote on an issue, he/she shall be deemed to have voted in the affirmative on the matter and shall be so recorded.
- e. No Councillor who is absent from the Council Chambers when the vote is put is entitled to vote.
- f. If any Councillor of the Council should call for a poll of the Councillors for a recorded vote prior to the vote being taken on a motion, the names of those who voted for and those who voted against the motion, shall be entered into the minutes.

**19. RECONSIDERING AND RESCINDING A MOTION**

- a. When a Councillor wishes to reconsider, alter or rescind any motion already passed when such matter does not appear on the Agenda, he/she shall bring the matter before Council.
- b. Any motion approved by Council may be rescinded by a motion of Council.

**20. MOTION TO ADJOURN**

- a. A Councillor may move a motion to adjourn the meeting at any time, except when:
  - (1) another Councillor is in possession of the floor;
  - (2) the Councillors are voting;
  - (3) a previous motion to adjourn has been defeated and no other intermediate proceedings have taken place.

**21. IN-CAMERA**

- a. Unless otherwise determined by Council, upon the passing of a motion that the Council go into In-Camera, the Reeve shall be the Chairperson thereof and shall:
  - (1) maintain order in the In-Camera meeting.
- b. The rules of order for the conduct of a meeting of Council shall apply to the In-Camera meeting.
- c. The In-Camera meeting has no power to pass any bylaw or resolution apart from the resolution necessary to revert back to an open meeting.

## 22. BYLAWS

- a. The CAO is responsible for the preparation of bylaws. A draft bylaw will be presented for first reading.
- b. Where a bylaw is presented to Council for enactment, the CAO shall cause the number and short title of the bylaw to appear on the Agenda in the appropriate place.
- c. Every bylaw shall have three readings.
- d. A bylaw shall be introduced for first reading by specifying its number and short title.
- e. After a Councillor has made the motion for the first and before third reading of the bylaw, Council may:
  - (1) debate the substance of the bylaw; and
  - (2) propose and consider amendments to the bylaw.
- f. All amendments made to the bylaw are considered approved, once the bylaw receives third reading.
- g. A motion for third reading of a bylaw shall give the number and the short title of the bylaw.
- h. Unless the Councillors at a meeting unanimously agree, that a bylaw may be presented to Council for third reading, at the same meeting at which it has received two readings, the bylaw shall not be given more than two readings at one meeting.
- i. If a Council unanimously agrees that a bylaw may be presented for third reading at a meeting which it has received two readings, the third reading requires no greater majority or affirmative votes to pass the bylaw than if it had received a third reading at a subsequent meeting.
- j. After Council votes affirmatively for a third reading of a bylaw, it:
  - (1) becomes a municipal enactment of the MD; and
  - (2) is effective immediately, unless the bylaw provides otherwise.
- k. After passage, a bylaw shall be signed by the Reeve or Deputy Reeve, and the CAO, or Acting CAO.
- l. Where prescribed by provincial statute requiring a bylaw to be submitted to the electorate for voting, Council shall follow the requirements as set out in the relevant statutes. After it has received its first reading by Council, it shall not again be debated in Council before the electorate has voted on it.

## 23. COMMITTEES

- a. The Reeve is a member of all Council committees and all bodies to which Council has the right to appoint members under the MGA;
- b. The CAO is a non-voting ex-officio member of all Committees.

## 24. OTHER

- a. When any matter relating to proceedings in Council or in the Committees thereof arises, which is not covered by a provision of this bylaw, the matter shall be decided by a reference to the current edition of Robert's Rules of Order.
- b. If there is a conflict or inconsistency between this bylaw or other legislation, the bylaw is of no effect to the extent of the inconsistency. (MGA, Sec 13).

c. Bylaw Nos. 1139-08, 1186-09, 1194-10, and 1212-11 are all repealed at third and final reading of this bylaw

READ A FIRST TIME THIS 23RD DAY OF MAY, 2017.

READ A SECOND TIME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2017

READ A THIRD TIME THIS \_\_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
REEVE

\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

**AGENDA**  
**COUNCIL MEETING**  
**MUNICIPAL DISTRICT OF PINCHER CREEK**  
**Date**  
**Time**

- A. ADOPTION OF AGENDA
- B. DELEGATIONS
  - 1. Name of Organization
    - Correspondence from Organization
- C. MINUTES
  - 1. Council Meeting Minutes
    - Minutes of Council Meeting
- D. UNFINISHED BUSINESS
  - 1. Item
    - Correspondence / Documents / Report
- E. CHIEF ADMINISTRATOR OFFICER'S (CAO) REPORTS
  - 1. **Operations**
    - a) Name of Report
      - Report from Staff Member with date of report
  - 2. **Planning and Development**
    - a) Name of Report
      - Report from Staff Member with date of report
  - 3. **Finance**
    - a) Name of Report
      - Report from Staff Member with date of report
  - 4. **Municipal**
    - a) Name of Report
      - Report from Staff Member with date of report
- F. CORRESPONDENCE
  - 1. **For Action**
    - a) Subject Matter
      - Letter, with date
  - 2. **For Information**
    - a) Subject Matter
      - Letter, with date

Appendix "A"  
Bylaw No. 1276-17 – Procedure Bylaw

G. COMMITTEE REPORTS / DIVISIONAL CONCERNS

Division 1

Division 2

Division 3

Division 4

Division 5

H. IN-CAMERA  
- Legal, Land, Labour

I. NEW BUSINESS

J. ADJOURNMENT

## MD OF PINCHER CREEK

July 5, 2017

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TO: Reeve and Council  
FROM: Roland Milligan  
SUBJECT: **Proposed Bylaw 1272-17 – Animal Control Bylaw Amendment for Chickens**

---

**1. Origin**

- As a result of a letter received from by a landowner, on August of 2016, MD staff and Council discussed the issue of chickens within Hamlets.
- The current MD legislation governing what types and numbers of animals within Hamlets and other land use districts within the MD, is established within Bylaw No. 1198-10, being the Animal Control Bylaw.
- The current Animal Control Bylaw does not take into consideration chickens (also more commonly known as Urban Chickens) within Hamlet residential districts as well as the Grouped Country Residential land use district.
- As Council was amenable to the possibility of allowing chickens within Hamlets and Grouped Country Residential land use districts, a proposed amendment to the Animal Control Bylaw has been prepared for Council's consideration.
- Attached is Bylaw No. 1272-17 (the Bylaw), being a proposed amendment to Bylaw No. 1198-10, the Animal Control Bylaw.
- The bylaw was presented to Council at the March 28, 2017 Council meeting.
- At that meeting Council determined that they should hold a public meeting to gather resident's thoughts and concerns regarding the proposed changes.
- A meeting was advertised and held on May 23, 2017 to gather the desired information.

**2. Background**

- The meeting drew a fairly small audience. Six residents attended the meeting to voice either their concerns or support for the proposed use. Some were also there for education purposes.
- Some of the concerns that were raised were predators, noise, and smell. The largest area of concern was bylaw enforcement.
- There was a suggestion to make the proposed penalties larger to discourage abuse of the bylaw.
- Notifying adjacent landowners to get their approval, as is done in other municipalities, was suggested.
- There was also discussion on requiring proposed urban farmers in taking a mandatory training course on how to raise chickens.
- Annual Licensing requirements were also discussed.

**Recommendation (s)**

- That Council direct administration to make amendments to proposed Bylaw No. 1272-17 to address the concerns raised at the public meeting, to be returned to Council for further consideration.

Respectfully Submitted,



Roland Milligan

Enclosure(s): 1) Bylaw No. 1272-17  
2) Bylaw No. 1198-10, the Animal Control Bylaw

Reviewed by: Wendy Kay, CAO



July 5, 2017

**MUNICIPAL DISTRICT OF PINCHER CREEK  
BYLAW NO. 1272-17**

**A bylaw of the Municipal District of Pincher Creek No. 9, in the Province of Alberta for the purpose of amending Bylaw No. 1198-10, being the Animal Control Bylaw.**

---

WHEREAS the *Municipal Government Act*, R.S.A 2000, Chapter M.26 and amendments thereto, allows a municipality to pass bylaws regulating and controlling wild and domestic animals and activities in relation to them;

AND WHEREAS the *Municipal Government Act*, R.S.A 2000, Chapter M.26 and amendments thereto, allows a municipality to impose fines and penalties for infractions of the bylaws;

NOW THEREFORE the Council of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, duly assembled does hereby enact the following:

1. This Bylaw may be cited as "THE ANIMAL CONTROL BYLAW AMENDMENT BYLAW NO. 1272-17".
2. Amendments per Schedule A attached.
3. This bylaw comes into force and effect upon third and final passing thereof.

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ a third time and finally passed this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

---

*Reeve - Brian Hammond*

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*Chief Administrative Officer - Wendy Kay*



Schedule A

1. Add to Section 3. Definitions, of the Animal Control Bylaw, new definitions as follows:

"Chicken" means a domesticated fowl that is kept for egg or meat production or as a pet, but does not include a turkey, goose, duck, artificially reared grouse, partridge, quail, pheasant or ptarmigan;

"Coop" means a fully enclosed weather proof structure and attached Outdoor Enclosure used for the keeping of Urban Chickens, that is no larger than 10 m<sup>2</sup> (108 ft<sup>2</sup>) in floor area, and no more than 2.4m (8 ft) in height;

"Hen" means a domesticated female chicken;

"Outdoor Enclosure" means a securely enclosed, roofed outdoor area attached to and forming part of a Coop having a bare earth or vegetated floor for Urban Chickens to roam;

"Rooster" means a domesticated male chicken;

"Urban Chicken" means a Hen that is at least 16 weeks of age;

2. Add to Section 6. Restrictions Respecting Land Use to include the following:

**Chickens**

1. Within the boundaries of a Hamlet as defined within this bylaw:
  - (a) A person may keep up to a maximum of four (4) urban chickens upon a parcel of land
  - (b) no person shall:
    - (1) keep a Rooster
    - (2) keep a Hen, other than an Urban Chicken
2. Within a Grouped Country Residential District as defined within the Land Use Bylaw, Chickens may only be kept upon or in any land, house, shelter, room or place, building structure, or other premises in accordance with the following limits:

Residential Parcel Size	Allowable Number of Chickens Per Parcel
1.22 ha – 1.61 ha (3.0 – 3.99 ac)	30
1.62 ha – 2.02 ha (4.0 – 4.99 ac)	45
2.03 ha – 2.42 ha (5.0 – 5.99 ac)	60
2.43 ha – 4.04 ha (6.0 – 9.99 ac)	75
4.05 ha (10 ac)	90

3. Any person who contravenes Sections 1 or 2 is guilty of an offence.

**Keeping of Chickens**

4. A person who keeps one or more Urban Chickens within a Hamlet or Chickens within a Grouped Country Residential District must:
  - (a) provide each Chicken with at least 0.37 m<sup>2</sup> (4 ft<sup>2</sup>) of coop floor area, and at least 0.92 m<sup>2</sup> (10 ft<sup>2</sup>) of roofed outdoor enclosure; with all structures meeting the setback requirements of the land use district in which the parcel is located and as established within the Land Use Bylaw.
  - (b) provide and maintain a floor of any combination of vegetated or bare earth in each outdoor enclosure;

- (c) provide and maintain, in each coop, at least one perch, for each Chicken, that is at least 15 cm (0.5 ft) long, and one nest box;
  - (d) keep each Chicken in the enclosed area at all times;
  - (e) provide each Chicken with food, water, shelter, light, ventilation, veterinary care, and opportunities for essential behaviors such as scratching, dust-bathing, and roosting, all sufficient to maintain the Chicken in good health;
  - (f) maintain each Chicken enclosure in good repair and sanitary condition, and free from vermin and obnoxious smells and substances;
  - (g) construct and maintain each Chicken enclosure to prevent any rodent from harbouring underneath or within it or within its walls, and to prevent entrance by any other animal;
  - (h) keep a food container and water container in each coop;
  - (i) keep each coop locked from sunset to sunrise;
  - (j) remove leftover feed, trash, and manure in a timely manner;
  - (k) store manure within a fully enclosed structure, and store no more than three cubic feet of manure at a time;
  - (l) remove all other manure not used for composting or fertilizing and dispose of same in accordance with Municipal District bylaws;
  - (m) follow biosecurity procedures recommended by the Canadian Food Inspection Agency to reduce potential for disease outbreak; and
  - (n) keep Chickens for personal use only.
5. Any person who keeps Urban Chickens within a Hamlet or Chickens within a Grouped Country Residential District in contravention of Section 4 is guilty of an offence.

## MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9

### BYLAW NO. 1198-10

#### **Being a Bylaw of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, respecting the regulation and control of animals in the Municipal District of Pincher Creek No. 9**

---

WHEREAS the *Municipal Government Act*, R.S.A 2000, Chapter M.26 and amendments thereto, allows a municipality to pass bylaws regulating and controlling wild and domestic animals and activities in relation to them;

AND WHEREAS the *Municipal Government Act*, R.S.A 2000, Chapter M.26 and amendments thereto, allows a municipality to impose fines and penalties for infractions of the bylaws;

NOW THEREFORE the Council of the Municipal District of Pincher Creek No. 9 enacts as follows:

1. This Bylaw may be cited as "Animal Control Bylaw No. 1198-10".
2. This bylaw is for the purpose of controlling animals within the MD of Pincher Creek No. 9, with specific regulations related to Hamlets within the Municipal District of Pincher Creek No. 9.

3. Definitions

In this bylaw unless the content otherwise requires:

- a. "Animal" means a species excluding humans and wildlife, being kept in a domestic situation for the purposes of animal husbandry.
- b. "Animal Care Service, Major" means developments used for the care, treatment, boarding, breeding, or training of animals and livestock within or outside buildings and includes the supplementary sale of associated products. This use includes veterinary offices or hospitals, animal shelters, boarding or breeding kennels, facilities for impounding or quarantining animals and related research or storage facilities.
- c. "Animal Care Service, Minor" means developments for the onsite treatment or grooming of small animals such as household pets, where onsite accommodation is not normally provided and where all care and confinement facilities are enclosed within a building. This use includes off site treatment of animals or livestock of any size and the supplementary sale of associated products. Examples include pet grooming stores, pet clinics and veterinary offices.
- d. "Animal Control Officer" means a Bylaw Enforcement Officer, or Peace Officer having jurisdiction with the MD, or any other person, firm or corporation appointed by Council to carry out the provisions of the bylaw.
- e. "Bylaw Enforcement Officer" means a person appointed by Council pursuant to provisions of the *Municipal Government Act*, R.S.A. 2000, and amendments made thereto.
- f. "Cat" means an altered or unaltered, mature female or male or immature offspring of any domesticated feline species.
- g. "Dangerous Dog or Animal" means any dog or animal:
  - (1) that has chased, injured or bitten any other animal or human;
  - (2) that has damaged or destroyed any public or private property;

- (3) that has threatened or created the reasonable apprehension of a threat to a human or other animal;
  - (4) that in the opinion of a Justice, presents a threat of serious harm to other animals or humans;
  - (5) that has been previously declared as dangerous by way of the *Dangerous Dogs Act* (R.S.A. 2000 Chapter D-3 as amended).
- h. "Day" means a continuous period of twenty-four (24) hours.
- i. "Dog" means an altered or unaltered, mature female or male or immature offspring of any domesticated canine species.
- j. "Feral" means a free-ranging animal, dog, or cat that, having escaped from domestication, is wild and has no identifiable owner.
- k. "Former Owner" means the person, who at the time of impoundment was the owner of an animal which has subsequently been sold or euthanized.
- l. "Hamlet" means the Hamlets of Beaver Mines, Lowland Heights, Lundbreck, Pincher Station and Twin Butte.
- m. "Justice" has the meaning as defined in the *Provincial Offences Procedure Act*, R.S.A. 2000, c P-34, as amended.
- n. "Kennel" means:
- (1) a commercial or sport/hobby operation that boards, breeds, and rears or trains dogs, cats and their offspring;
  - (2) any premises that serves as an animal shelter used primarily for the impoundment of dogs, cats and their offspring, and includes any premises owned or leased by any philanthropic organization serving those purposes, such as the S.P.C.A.;
  - (3) any premises that has a valid Development Permit for the purposes listed in this section, issued pursuant to the Land Use Bylaw.
  - (4) a premise that has a valid Development Permit, issued pursuant to the Land Use Bylaw, for the sole purpose of caring for or treating animals under the supervision of a licenced veterinarian is not a kennel.
- o. "Nuisance" means the keeping of any dogs, cats or other animal that are injurious to the health of an individual, or obnoxious to property or the community at large by reason of:
- (1) the accumulation of animal waste and material contaminated by waste;
  - (2) the disposal of animal waste and material contaminated by waste;
  - (3) the trespass upon property;
  - (4) the threat to public health and/or safety.
- p. "Owner" means any natural person or body corporate:
- (1) who has legal title to the animal;

- (2) who possesses or has custody of the animal, either temporarily or permanently;
  - (3) who harbours the animal or allows or encourages the animal to remain about that person's residence or premises;
  - (4) who is any competent person occupying a residence or premises where an animal is kept, harboured or allowed to remain.
- q. "Premises" means the area of land and any building contained in a legal land description or identified by geo-referenced coordinates (such as latitude and longitude), and is where animals are bred, kept, raised, displayed, assembled or disposed of.
- r. "Running at Large" means an animal that is:
- (1) not under the control of an identifiable owner and is actually upon property other than property in respect of which the owner has a right of occupation, or upon any highway, road, alleyway, or other public place, including playgrounds, school grounds, cemeteries, and sports fields; or
  - (2) apparently under the control of an owner or other person responsible and that causes damage to persons, property or other animals.
- s. "S.P.C.A." means the Society for the Prevention of Cruelty to Animals and includes any premises owned, leased or otherwise held by that organization.

#### 4. Responsibility of Owners

- a. The owner of a dog or cat shall take all reasonable precautions to ensure that the animal:
- (1) Cannot be found running at large either:
    - (a) by securing the animal so that it is unable to leave the owners' premises;
    - (b) by directly controlling the animal whenever the animal is on property other than property in respect of which the owner has a right of occupation, or upon any highway, road, alleyway, or other public place, including playgrounds, school grounds, cemeteries, and sports fields;
    - (c) by placing the animal under the competent supervision of a person who could keep the animal from running at large in the same manner as listed in subsections (a) and (b) above.
  - (2) does not upset any garbage containers or spread domestic garbage;
  - (3) if an animal defecates on any public or private property other than the property of its Owner, the Owner shall remove such feces immediately.
- b. Whenever an animal is found to be running at large, the owner of that animal shall immediately make all reasonable efforts to:
- (1) bring the animal under direct control and secure it on the owners' premises;
  - (2) clean-up garbage, feces or fix any damage otherwise caused by the animal running at large.

- c. Whether a dog and cat or other animal is or was under control in the circumstances is a question of fact to be determined by a Court.

5. Prohibitions, Restrictions and Authorizations

- a. The following animal species are prohibited in all Land Use District within the Municipal District of Pincher Creek No. 9:
  - (1) Wild Boar (*Sus scrofa*)
  - (2) Norway Rat (*Rattus spp*)
  - (3) Venomous Snakes
- b. The following animal species are prohibited in Hamlets:
  - (1) Bees (*Apis mellifera*)

6. Restrictions Respecting Land Use

- a. No person shall have in their possession, custody or control, an animal of any species listed in Appendix "A" on lands or premises within a Hamlet, unless that person or animal:
  - (1) has a valid Development Permit issued pursuant to the Land Use Bylaw for an Animal Care Service, Major or Animal Care Service, Minor; or
  - (2) is participating in a cultural or community-sanctioned event; or
  - (3) is 'in transit' and will be held within the Hamlet for a period not exceeding 6 hours.
- b. No person shall have in their possession, custody or control, any more animals of the species than are authorized in Appendix "A" on lands or premises within the Grouped Country Residential District, unless that person:
  - (1) has a valid Development Permit issued pursuant to the Land Use Bylaw for an Animal Care Service, Major or Animal Care Service, Minor; or
  - (2) is participating in a cultural or community-sanctioned event; or
  - (3) is 'in transit' with the animals and that they will be held within the Grouped Country Residential District for a period not exceeding 48 hours in 3 months.
- c. Owners may have in their possession, custody or control, any animals of any species listed in Appendix "A" or any animal species listed under provincial legislation in any numbers or density up to the limits imposed by the Agricultural Operation Practices Act (R.S.A. 2000, C. A-7) and its regulations and amendments, on lands or premises in every Land Use District except those referred to in S. 6.a. or S.6.b.
- d. No person shall have in their possession, custody or control, any more than three (3) dogs on lands or premises within a Hamlet, within the Grouped Country Residential District, or within the Castle Mountain Resort, unless that person:
  - (1) has a valid Development Permit issued pursuant to the Land Use Bylaw for an Animal Care Service, Major authorizing the custody of four (4) or more dogs within the Land Use District; or

- (2) is participating in a cultural or community-sanctioned event, and the excess dogs remain in their custody and control throughout the event;  
or
  - (3) keeps any number of dogs in excess of three (3) for a period that shall not exceed a cumulative total of 90 days in 12 months.
- e. No person shall have in their possession, custody or control, any more than four (4) dogs on lands or premises in every Land Use District except those referred to in S. 6.d. unless that person:
- (1) has a valid Development Permit issued pursuant to the Land Use Bylaw for an Animal Care Service, Major authorizing the custody of five (5) or more dogs; or
  - (2) keeps any number of dogs in excess of four (4) for a period that shall not exceed a cumulative total of 90 days in 12 months.
- f. The number of each type of animal allowed on a lot or a titled land parcel within a land use district referred to in Section 6.a, or 6.b, is restricted as described in Appendix "A". The number of animals allowed may increase by the amount in column 2, "Number per specified unit of land", for each specified minimum unit area of land within a lot or parcel only to the maximum number stated in column 3 of Appendix "A".

7. Animal Care Services

Persons wishing to provide an Animal Care Service, Major; or an Animal Care Service, Minor, must comply with the provisions as set out in the MD of Pincher Creek No. 9 Land Use Bylaw.

8. Maintenance of Premises

The owner of any premises referred to in S.6. where animals are bred, kept, raised, displayed, assembled or disposed of shall ensure that:

- a. the site is maintained in a clean state;
- b. waste and materials contaminated by waste are disposed of safely and in a timely manner;
- c. waste and materials contaminated by waste are not allowed to accumulate;
- d. waste and materials contaminated by waste are retained on the premises while awaiting disposal.

9. Reportable Disease

An owner of an animal which is suffering from those diseases which require action to control or eradicate because they are a threat to animal or human health, food safety or the economy as directed by Alberta Agriculture and Rural Development:

- a. must comply with the reporting and administration requirements of the *Animal Health Act*, S.A. 2007, c.A-40.2;
- b. may request the assistance of an Animal Control Officer in the Municipal District of Pincher Creek No. 9;
- c. shall not permit the animal to be in any public place;
- d. shall keep the animal in isolation or as directed by a licenced veterinarian;

- e. shall observe proper sanitary practices and exercise precautions to prevent the transfer of the disease to other animals on the premises, or any other premises.

10. Adjudication

- a. Any person who contravenes any part or parts of this bylaw is guilty of an offense. Persons wishing to refute any claims or charges with respect to this bylaw may make application to appeal before the Agricultural Appeal Board, provided the application is received within thirty (30) days of the violation notice being issued.

The Appeal Board will respond within ten (10) days of receipt of the application:

- (1) denying the application with the applicant being advised they have the right to appeal for the Courts;
- (2) granting the applicant an appeal hearing and setting a date for the matter to be heard.

Where a hearing has taken place, the Agricultural Appeal Board will provide a written response to the applicant within fifteen (15) days of the Board's decision being made.

- b. Persons not wishing to make a submission to the Agricultural Appeal Board may make application to the Courts for their matter to be heard.
- c. Any person found guilty and convicted of an offense by the Court Justice in relation to this bylaw, a Court Justice, in addition to imposing a penalty as provided herein, may, if such animal shall have done damage to persons or property, order the owner of such animal to pay any or all damages as the complainant may have sustained and may declare the animal dangerous in respect of the *Dangerous Dogs Act* R.S.A. 2000 c. D-3 or dangerous in respect of this bylaw, and prescribe any measures that may be deemed necessary or that may be required to eliminate the risk of another offence, or may order the owner of the animal to deliver such animal forthwith to an Animal Control Officer to be destroyed.

11. Animal Control Operation – Authority

- a. Subject to the entry notice provisions of the *Municipal Government Act* R.S.A. 2000 c. M-26, an Animal Control Officer is a designated Officer of the Municipal District of Pincher Creek No. 9, bearing proper identification, and may enter a premises to conduct an inspection in order to determine whether or not this bylaw or an order pursuant to this bylaw is being complied with.
- b. Any dog or cat owner, when requested to do so by an Animal Control Officer, shall submit to the Officer a statutory declaration or other acceptable documentation establishing the age and sex of all dog and cats owned or controlled by the owner, for the purposes of establishing if a kennel operation exists.
- c. Only an Animal Control Officer or Peace Officer shall capture and impound an animal, dog or cat in any Land Use Districts referred to in S.6.a., 6.b., or 6.d.:
  - (1) that is found running at large, or with respect to this bylaw for which a complaint has been made about the animal running at large;
  - (2) that has bitten, attacked or injured a person or caused the death of



another animal;

- (3) for which an outcome is pending on an application to a justice to declare the animal to be dangerous or to destroy the animal.

12. Obstruction

No person including the owner of an animal which is being or has been pursued or captured by an Animal Control Officer shall:

- a. Interfere with or attempt to obstruct an Animal Control Officer who is attempting to capture or who has captured an animal which is subject to being impounded pursuant to the provisions of this bylaw.
- b. Unlock or unlatch or open the vehicle used in controlling or transporting a captured animal so as to allow or attempt to allow any animal to escape therefrom.
- c. Give false information to an Animal Control Officer when requested to give information during the course of an investigation.

13. Negligence

No person shall:

- a. Untie, loosen or otherwise release an animal which has been tied or otherwise restrained;
- b. Negligently or wilfully open a gate, door or other opening in a fence or enclosure in which an animal has been secured or confined and thereby allow an animal to run at large.

14. Torment

No person shall tease, torment, annoy, abuse or injure an animal, and any person who does so is guilty of an offence.

15. Licencing – Hamlets

The owner of an animal shall ensure every dog over six (6) months of age, owned by a resident in a Hamlet, shall be licenced. A tag will be issued and must be worn by the dog, on a collar. Fees associated with licencing as per Schedule “B”, attached to and forming part of this bylaw.

16. Notice of Enforcement

- a. If the Animal Control Officer knows or can ascertain the name of the owner of any impounded animal he shall serve the owner with a copy of “Schedule A” either personally or by leaving it, or mailing it to the last known address of the owner by registered mail; and
- b. An owner of an animal to whom a notice is mailed pursuant to the provisions of Subsection 16. a. is deemed to have received a Notice within seven (7) days of the time it is registered as mail.

17. Violation Tag

A person designated by the Council of the MD of Pincher Creek No. 9, to carry out the provisions as set out in this bylaw, shall have the authority to issue a Violation Tag for infractions of this bylaw. The form of Violation Tag shall be as per Appendix “B”, attached to and forming part of this bylaw, or an approved provincial/federal violation ticket.

18. Reclaiming

The owner of any impounded animal may reclaim the animal by paying the Animal Control Officer or other person in authority, the fees as set out in "Schedule B" of this bylaw.

19. Sale or Destruction

- a. The Animal Control Officer shall not sell or destroy an impounded animal:
  - (1) until such time as the dog or cat has been impounded for a period of seventy-two (72) business hours after the owner has received notice or is deemed by Section 16. (b) to have received notice that the dog or cat is impounded;
  - (2) where the owner of the animal has made arrangements with the person in charge for the further retention of the animal.
- b. The Animal Control Officer may retain an animal for a longer period if the circumstances warrant the expense.
- c. Any dog or cat whose owner cannot be located or identified may be turned over to the S.P.C.A. after a period of seventy-two (72) hours.
- d. If a replacement owner can be located for any impounded animal, after the notification period to the identified owner has expired, and a further period of seventy-two (72) hours has lapsed, the animal may be sold to the replacement owner on payment of fees as per "Schedule B" of this bylaw.
- e. When an Animal Control Officer determines that a dog or cat is to be euthanized, the owner if known, shall pay the fees associated for such action.

20. Penalties – Voluntary Payment Tickets

- a. Where an Animal Control Officer or Peace Officer believes that a person has contravened any provision of this bylaw, the Officer may cause a violation ticket to be served upon such person pursuant to the *Provincial Offences Procedure Act* R.S.A. 2000, C P-34.
- b. Service of a violation ticket, or violation, shall be sufficient if it is:
  - (1) personally served;
  - (2) served by mail; or
  - (3) left with a competent person residing with the person alleged to have violated a provision of this bylaw.
- c. Served by mail shall be deemed to have been received seven (7) days from the date of mailing.
- d. The violation shall be in such a form as determined by the Council and shall state the contravention and the amount of the penalty as provided in Schedule "C".
- e. Upon production of a violation issued pursuant to 16., within seven (7) days from the issuance thereof, together with the designated payment, the person to whom the violation was issued shall not be liable to prosecution for the contravention in respect of which the violation was issued.

- f. Notwithstanding the provisions of this Section, a person to whom the violation was issued may exercise their right to defend any charge of committing a contravention of any of the provisions of this bylaw before a Court Justice.

21. Summary Conviction

- a. Any person who contravenes any provision of this bylaw is guilty of an offense and is liable on Summary Conviction to a fine of not more than Two Thousand Five Hundred (\$2,500.00).
- b. The levying and payment of any fine or for imprisonment for any period provided in this bylaw shall not relieve a person from the necessity of paying any fees, charges or penalty costs that he is liable for under the provisions of this bylaw.

22. Severability

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

- 23. Bylaws 4, 31, 52, 114, 344, 1053-01 are hereby repealed.
- 24. Licencing requirements shall come into force and take effect as of January 1, 2012.
- 25. The remainder of this bylaw shall come into force and take effect from the adoption thereof.

READ a first time this 24<sup>th</sup> day of August, 2010

READ a second time this 11<sup>th</sup> day of October, 2011

READ a third time and finally passed this 25<sup>th</sup> day of October 2011

  
\_\_\_\_\_  
REEVE

  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

Attachments



SCHEDULE "A"  
to  
BYLAW NO. 1198-10

As of the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, you are hereby notified  
that an animal known to have been under your control at your lands \_\_\_\_\_

\_\_\_\_\_  
(Name and Location of Last Known Owner)

is being held pursuant to the provisions of Bylaw 1198-10 of the Municipal District of  
Pincher Creek No. 9 and that unless the said animal is claimed and all impoundment  
charges are paid on or before \_\_\_\_\_, the said animal will be  
disposed of pursuant to the said bylaw.

You may be held liable for all boarding, impoundment and or violation incurred by having  
this animal impounded.

Bylaw Enforcement Officer  
Municipal District of Pincher Creek No. 9



SCHEDULE "B"  
to  
BYLAW NO. 1198-10

**FEES AND CHARGES**

1	Reclamation Fee	\$20.00/day impounded
2	Medication Fee (as established by veterinary service)	
3	Dog Licencing Fee – One-time (paid at administration office or other business as specified by Council)	
	Neutered/Spayed Dog	\$15.00
	Non Neutered/Non Spayed Dog	\$30.00
	Replacement Licence	\$10.00
	Service Dog	No Charge



**SCHEDULE "C"**  
to  
**BYLAW NO. 1198-10**

**PENALTIES**

<b>Offence</b>	<b>Penalty</b>
Prohibited Animal	Court Costs
Too Many Dogs	\$100.00
Too Many Animals	\$100.00 per extra animal
Animal Damages Property or Animals	\$100.00 plus damages
Fail to Maintain Premises	Warning/\$100.00 and costs for clean-up
Fail to Provide Documentation	\$100.00
Obstruct or Interfere with Officer	Summary Conviction
Untie, Loosen or Free Restrained Animal	\$500.00
Tease or Annoy a Confined Animal	\$100.00
Animal Running at Large	\$100.00 plus fees The penalty for an animal caught running at large on more than one occasion, during a two-year time period, will continue to double from the previous penalty amount (i.e. First Offence - \$100 plus fees, Second Offence - \$200 plus fees, Third Offence - \$400 plus fees).
Fail to Clean-up Garbage or Feces	\$100.00 plus costs for clean-up



APPENDIX "A"  
to  
BYLAW NO. 1198-10

Type of Animal	Number of Animals Allowed Per Unit of Land	Maximum Number of Animals Allowed Per Parcel
Horse	1 per 0.4 hectares (1 acre)	5
Cattle	1 per 0.4 hectares (1 acre)	5
Swine	1 per 0.4 hectares (1 acre)	5
Donkey or Mule	1 per 0.4 hectares (1 acre)	5
Sheep or Goat	1 per 0.2 hectares (0.5 acre)	10
Llamas or Alpacas	1 per 0.2 hectares (0.5 acre)	10
Rabbits	1 per 0.1 hectares (0.25 acre)	20

All fractional amounts shall be rounded down to the next lowest whole number. Example:  
The number of horses allowed on a 2.47 acre (1 hectare) lot is 2.  
The totals are not accumulative. A lot cannot have 5 horses and 5 mules.

APPENDIX "B"  
to  
Bylaw No. 1198-10

MUNICIPAL DISTRICT  
of  
PINCHER CREEK NO. 9

PO Box 279  
Pincher Creek, Alberta T0K 1W0

**THIS VIOLATION TAG ISSUED FOR BREACH OF ANIMAL  
CONTROL BYLAW NO. 1198-10, AND AMENDMENTS MADE  
THERE TO**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Province: \_\_\_\_\_

Phone: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Offence: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Location where animal picked up: \_\_\_\_\_  
\_\_\_\_\_

Additional Remarks: \_\_\_\_\_  
\_\_\_\_\_

SPECIFIED PENALTY: \_\_\_\_\_

Upon presentation of this Offence Ticket within fourteen (14) days from the date of service of the Offence Ticket, together with voluntary penalty indicated, such payment may be accepted in lieu of prosecution.

**FAILURE TO DO SO WILL RESULT IN PROSECUTION.**

Payment can be made by paying to the Municipal District of Pincher Creek No. 9 during regular office hours. Penalty may be remitted by cash, money order, visa, or cheque. Further information required regarding this violation may be obtained at the District Office.

ISSUER: \_\_\_\_\_ NO. \_\_\_\_\_ XXXX \_\_\_\_\_

DATE: \_\_\_\_\_

CANARY: Officer File    PINK: Municipal Office    WHITE: Violator



## Beaver Mines Water and Wastewater Project Briefing

### July 6, 2017 updates in Bold

The Beaver Mines Water and Wastewater project is broken into three components for tracking and discussion purposes, water supply, water distribution and wastewater collection, and wastewater treatment.

Further capacity study is required following the Provincial Governments announcement of supplying water for Castle Parks and Castle Mountain Resort through the Regional Water System. A meeting was held with Alberta Environment and Parks, Alberta Tourism, Alberta Transportation, MPE Engineering and the MD to discuss some of the technical issues associated with supplying water to Castle Parks and Castle Mountain Resort. A meeting with Castle Mountain Resort staff identified historical use and provided insight into the long term development requirements for water, excluding water for making snow. Note: The water line to the Castle Mountain Resort is not intended to supply water for snow making. Additional meetings are scheduled for July and the **draft** capacity report is due this **week**.

- 1) The water supply project includes water treatment plant upgrades, piping to the Hamlet including a booster pump station along the route, and a reservoir and re-chlorination unit.
  - a. Council has commissioned MPE Engineering to do the detailed design and tender of this project.
  - b. The project is in the detailed design phase in order to prepare a tender to go out in the spring of 2017. A prequalification tender for contractors has been initiated, and will close on June 26, 2017, to be followed by a tender for the pipeline and mechanical components. **15 pipeline contractors and 7 mechanical contractors responded to the prequalification processes.**
  - c. MPE Engineering is doing a detailed survey of the Hamlet to confirm elevations of homes. A letter of introduction from the MD is being supplied to residents requesting the surveyors be allowed onto private property. Ongoing.
  - d. Negotiations with landowners is continuing and we will know in June the pipeline route. Legal documents are being prepared for signatures.
  - e. Confirmation of the reservoir site layout is being finalized.
  - f. Construction for this component of the project is tentatively scheduled for completion in the spring of 2018.
  - g. Location of Booster Pump Station and land purchase negotiation initiated.
  
- 2) The water distribution and wastewater collection component of the project includes the installation of pipes in the Hamlet to connect residents to the water reservoir and to connect to the wastewater treatment force main.
  - a. Council has commissioned MPE Engineering to do the detailed design and tender of this project.
  - b. At project start up meeting with MPE Engineering, options that provided fire flow water capacity and gravity waste water collection for all sites were chosen. These options were also noted as preferred at meetings held with local residents.
  - c. The detailed design phase of the project is expected to take most of 2017 with the tender happening sometime in the winter of 2017/2018.
  - d. It is not expected to be constructed until 2018 or later, as in addition to being able to tie into the reservoir, connection to a wastewater system for residents requires, that a wastewater treatment system is operational as well.

## **Beaver Mines Water and Wastewater Project Briefing**

- e. Where required, easements for utility crossings on private land are being identified.
- 3) The wastewater treatment system component of the project includes a force main to the wastewater treatment lagoon system from the Hamlet.
- a. The Municipal District is awaiting word in the spring of 2017 on a grant application for this component of the project. On May 29, 2017 the Province announced the AMWWP grant funded projects, no grant was received for this project.
  - b. Land negotiations for an easement for a wastewater force main are ongoing.
  - c. Council has yet to commission detailed design of this component of the project.
  - d. Council has requested additional information on the Mill Creek site access.
  - e. Meetings with area residents were held to discuss preliminary details of the project and to listen to their concerns.
  - f. A meeting to discuss access to the Mill Creek site was held with the local landowner and MPE engineering.

## Director of Operations Report July 6, 2017

### **Operations Activity Includes:**

- June 24 to July 4, Holiday;
- July 5, Budget Development meeting;
- July 6, Agricultural Service Board Weed Tour.

### **Agricultural and Environmental Services Activity Includes:**

- June 22, 23, work on SRD Vacant Public Lands starting with Summerview area;
- June 23, North Burmis road intersection seeding tour with local contractor;
- June 23, Oxeye Daisy /Yellow Buttercup /WC in Gladstone Valley;
- June 26-29, Review Environmental Farm Plans;
- June 26 – 28, Leafy Spurge (LS) Biocontrol releases and monitoring;
- June 27, Ag Canada biocontrol crew release and monitoring;
- June 29, Waterton Reservoir SWAC-WMA weed pull;
- July 4, Safety Orientation for summer students;
- July 4, Southern Alberta Grazing School for Women conference call;
- July 5, PW Safety Meeting – deliver presentation;
- July 5, Budget editing/Questica Meeting;
- July 5, Radio tower options meeting;
- July 6, Agricultural Service Board Weed Tour.

### **Public Works Activity Includes:**

- Currently gravelling out of Mcrae Pit then moving to Waldron;
- Dust Control MD crew in Beaver Mines area, Sinnott in central Division 2 heading south;
- Ditch cleanout at Summerview complete;
- Ditch cleanout on 7 gates complete;
- Hamlet maintenance as required;
- Sprinklers in Patton Park are functional;
- Todd Creek culvert complete except a couple minor deficiencies;
- Foothills outhouse on location but not yet functional.

### **Upcoming:**

- July 10, Beaver Mines Water Wastewater Project meeting;
- July 10, Castle Servicing Plan meeting;
- July 11, Council meeting;
- July 12, Health and Safety meeting;
- July 13, Staff meeting;
- July 17, Agricultural and Environmental Services Department meeting;
- July 19 to August 1, Holiday.

**Project Update:**

- Community Resilience Program
  - Regional Water System Intake Relocation – Pipeline to the edge of the reservoir is complete. Confirming system water requirements prior to the intake tender.
  
- Capital Projects
  - Bridge File 468 and 75737 Project is progressing with work at Todd Creek significantly completed on June 22, 2017;
  - Beaver Mines Water Supply, Studying the impact on capacity with providing water to Castle Parks and Castle Mountain Resort. Meeting on draft report scheduled for July 10. Contractor preapproval initiated;
  - Beaver Mines Water Distribution and Waste Water Collection, Community survey ongoing, detailed design started.
  - Patton Park Sprinkler System significantly completed.

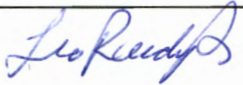
**Call Logs – attached.**

**Recommendation:**

That the Operations report for the period June 22, 2017 to July 6, 2017 be received as information.

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Prepared by: Leo Reedyk



Date: July 6, 2017

Reviewed by: Wendy Kay



Date: July 6, 2017

Submitted to: Council

Date: July 11, 2017



## PUBLIC WORKS

WORK ORDER	DIVISION	LOCATION	CONCERN/REQUEST	ASSIGNED TO	ACTION TAKEN	REQUEST DATE	COMPLETION DATE
535	Beaver Mines		Tennis court upgrade	Stu Weber	Looking at other options	2016-08-29	
538	Division 2	RR29-5	through the wetland/Settlement of soil on the westside has resulted in riprap subsiding and exposed soil will be subject to wave action	Stu Weber	Fall Project	2016-10-04	
563	Division 1	NW32 T3 R29 W5	Culvert too short for the road/drove off the edge and damaged his vehicle	Bob Millar	First Call Placed	2016-11-16	
670	Division 3	SW16 T6 R30 W4	RQ to have approach widened	Stu Weber	When Road Gravelling is Completed	2016-12-14	
674	Division 3	NE17 T6 R30 W4	Site 30332 TWP6-2A/Hole in the culvert	Bob Millar	First Call Placed	2016-12-08	
753	Division 1	TWP 3-0	Snow drifting issues/Some Brushing needs to be done when conditions allow	Stu Weber	Fall Project	2017-01-31	
892	Division 2	SE22 T5 R29 W4	Questioning repairs to RR29-4 south of Turnbulls still a wood stave culvert	Stu Weber	Being Investigated	2017-05-01	
897	Division 3		Culvert crossing/landfill road has dropped/need leveling will need asphalt	Stu Weber	Done	2017-05-02	2017-06-29
906	Division 4	NE10 T8 R1 W5	East side off Snaketrail Would like to put in an approach	Stu Weber	Completed	2017-04-27	2017-07-05
909	Division 3	SW4 T6 R1 W4	Culvert and drainage problem N. Side of road	Stu Weber	Being investigated	2017-05-10	
925	Division 2	SE19 T5 R28 W4	RQ Driveway to be graded	Tony Tuckwood	Completed	2017-06-19	2017-06-21
926	Division 1	NW32 T2 R29 W4	RQ Driveway to be graded	Rod Nelson	Grader Operator to Inspect	2017-06-27	
927		Rodeo Grounds	To gravel and grade the parking lot	Don Jackson	Completed	2017-06-29	2017-07-05
928	Division 2	NW25 T6 R30 W4	Cattle Guard full of dirt	Stu Weber	Being Investigated	2017-06-29	
929	Division 1	St Henry's	RQ water truck/road & parking lot for July 15 celebration	Stu Weber	In Discussion	2017-07-05	
930	Division 2		Not happy with the road maintenance in their area	Tony Tuckwood	Area being Inspected	2017-07-05	
931	Division 4	NE21 T9 R1 W5	Cattle Guard needs a clean out off SnakeTrail/Olin Creek	Stu Weber	Being Investigated	2017-07-05	

## PUBLIC WORKS

WORK ORDER	DIVISION	LOCATION	CONCERN/REQUEST	ASSIGNED TO	ACTION TAKEN	REQUEST DATE	COMPLETION DATE
932	Division 2	SW 26 T6 R30 W4	Called Reeve. Stu to follow up.	Stu Weber	Being Investigated	2017-07-05	
933	Division 3	NE 33 T6 R30 W4	Washboard on Gravel Roads.	Henry Dykstra	Grader Availability ASAP	2017-07-05	

Agricultural Services Call Log

WORK ORDER	DIV. #	LOCATION	CONCERN/REQUEST	ASSIGNED TO	ACTION TAKEN	REQUEST DATE	COMPLETION DATE
1	5	SW 13-7-3	BW	Shane	Sprayed	23-Jun-17	30-Jun-17
2	5	N/A	Broken winch on chute	Shane	Fixed	26-Jun-17	15-Jul-17
3	1	NW 9-4-29	Leafy Spurge	Shane	Spray/Biocontrol	26-Jun-17	15-Jul-17
4	3	NW 22-6-2	BW on road ROW	Crew #2	Spray	26-Jun-17	30-Jun-17
5	2		BW on railway ROW	Crew #3	Spray/pick	27-Jun-17	30-Jun-17
6	5	Willow Valley Area	Field Scabious	Crew #1	Spray	27-Jun-17	30-Jun-17
7	4	SW 30-7-1	Blueweed	Crew #1	Spray	4-Jul-17	8-Jul-17
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Environmental Services

WORK ORDER	DIV. #	LOCATION	CONCERN/REQUEST	ASSIGNED TO	ACTION TAKEN	REQUEST DATE	COMPLETION DATE
1	3	Beaver Mines	Orange Hawkweed - 417 1st Ave and all along 2nd Ave	shane/Crew		19-Jun-17	
2	5	NW21-9-2-W5	Field Scabious along Willow Valley Road	shane/Crew		27-Jun-17	Week of June 26
3	2	Waterton Dam	Spotted Knapweed on north face of Waterton Dam	shane/Crew		29-Jun-17	29-Jun-17
4	5	SE2-09-03-W5	Wanted more info on product being used by crew in Willow Valley	Lindsey	Gave herbicide info - advised her the products we use along the road are not considered harmful to horses/humans	29-Jun-17	29-Jun-17
5	1	SE18-03-30-W4	Entire field of oxeye daisy	shane/Crew	Needs to be discussed with landowner	5-Jul-17	
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## MD OF PINCHER CREEK

July 5, 2017

---

TO: Reeve and Council  
FROM: Roland Milligan  
SUBJECT: **Proposed Bylaw 1275-17 – TransAlta Corporation - Cowley Ridge Rezoning**

---

**1. Origin**

- TransAlta Corporation has submitted an application to amend Land Use Bylaw 1140-08, to allow for wind power development on the decommissioned portion of the Cowley Ridge wind farm site (Enclosure No. 1).
- Council gave first reading to Amending Bylaw No. 1275-17 on May 23, 2017.
- Council held the required Public Hearing for the proposed bylaw on June 27, 2017.

**2. Background**

- At the Public Hearing, concerns were raised by a landowner regarding species at risk on his parcel, 2.7km northwest of the project.
- It should be noted that as part of the required provincial approvals, the project will require a Wildlife Referral (Sign Off) from Alberta Environment and Parks.

**Recommendation (s)**

- Moved that Council give second reading to Bylaw No. 1275-17, being a Bylaw to amend Bylaw No. 1140-08, being the Land Use Bylaw, and further;
- That Council, give third and final reading to Bylaw No. 1275-17, being a Bylaw to amend Bylaw No. 1140-08, being the Land Use Bylaw.

Respectfully Submitted,



Roland Milligan

Enclosure(s): 1) GIS Aerial of Area in Question  
2) Amending Bylaw No. 1275-17

Reviewed by: Wendy Kay, CAO



July 5, 2017



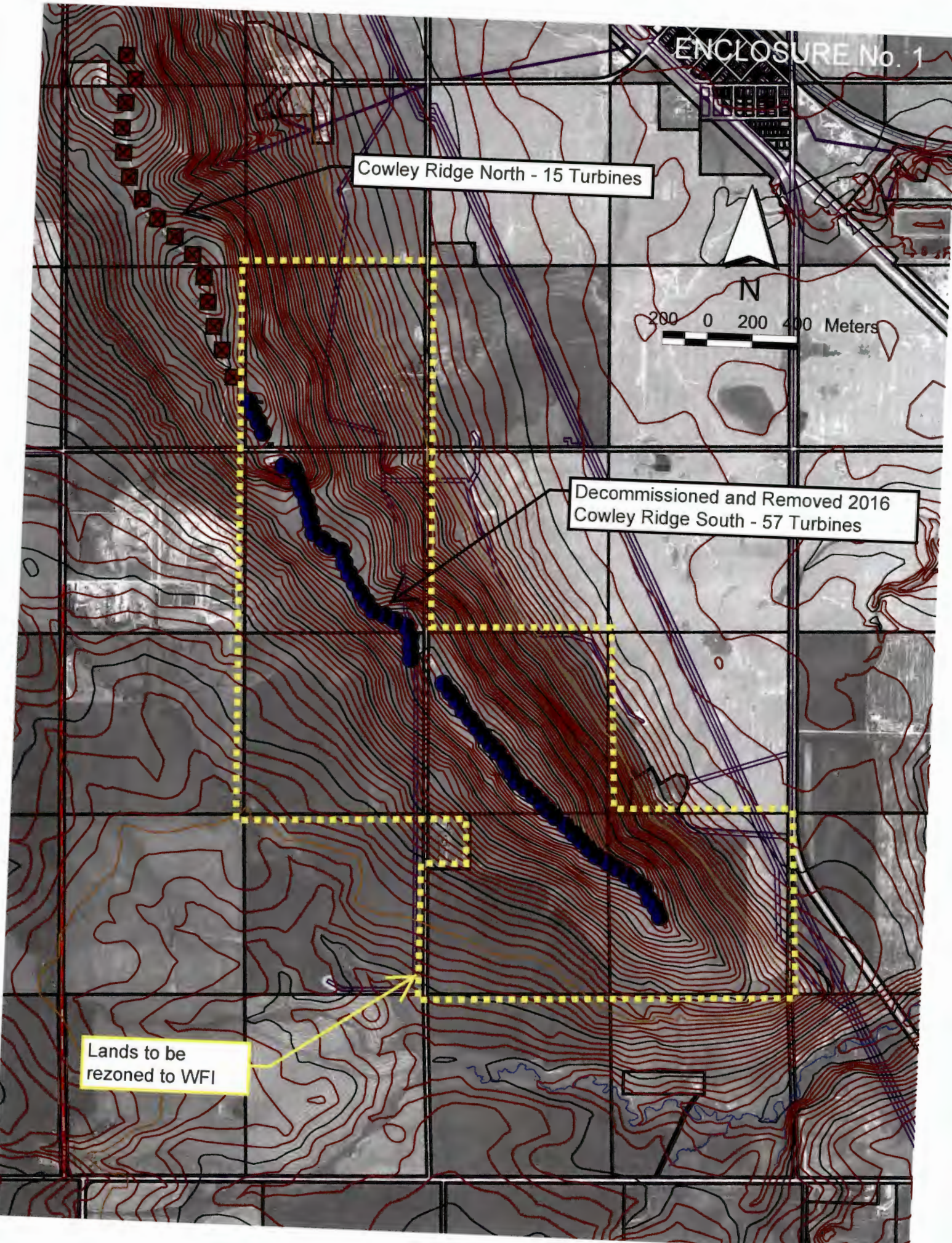
Cowley Ridge North - 15 Turbines



200 0 200 400 Meters

Decommissioned and Removed 2016  
Cowley Ridge South - 57 Turbines

Lands to be  
rezoned to WFI





MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
BYLAW NO. 1275-17

Being a bylaw of the Municipal District of Pincher Creek No. 9 in the Province of Alberta, to amend Bylaw No. 1140-08, being the Land Use Bylaw.

---

**WHEREAS** Section 639 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, provides that a municipality must pass a Land Use Bylaw; and

**WHEREAS** The Municipal District of Pincher Creek No. 9 is in receipt of a request to amend the land use designation of lands legally described as:

- SE 17 7-1 W5M
- NE 8 7-1 W5M
- SE 8 7-1 W5M
- SW 9 7-1 W5M
- NW 4 7-1 W5M
- NE 4 7-1 W5M

And as shown on Schedule 'A' attached hereto, from "Agricultural - A" to "Wind Farm Industrial - WFI"; and

**WHEREAS** Council feels that the "Wind Farm Industrial - WFI" designation is appropriate for lands proposed for the use of wind farm development; and

**WHEREAS** The purpose of the proposed amendment is to allow for Category 3 Wind Energy Conversion System use;

**NOW THEREFORE**, under the authority and subject to the provisions of the *Municipal Government Act*, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Municipal District of Pincher Creek No. 9, in the Province of Alberta, duly assembled does hereby enact the following:

1. This bylaw shall be cited as "Land Use Bylaw Amendment No. 1275-17".
2. Amendments to Land Use Bylaw No. 1140-08 as per "Schedule A" attached.
3. This bylaw shall come into force and effect upon third and final passing thereof.

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

A PUBLIC HEARING was held this \_\_\_\_ day of \_\_\_\_\_, 2017.

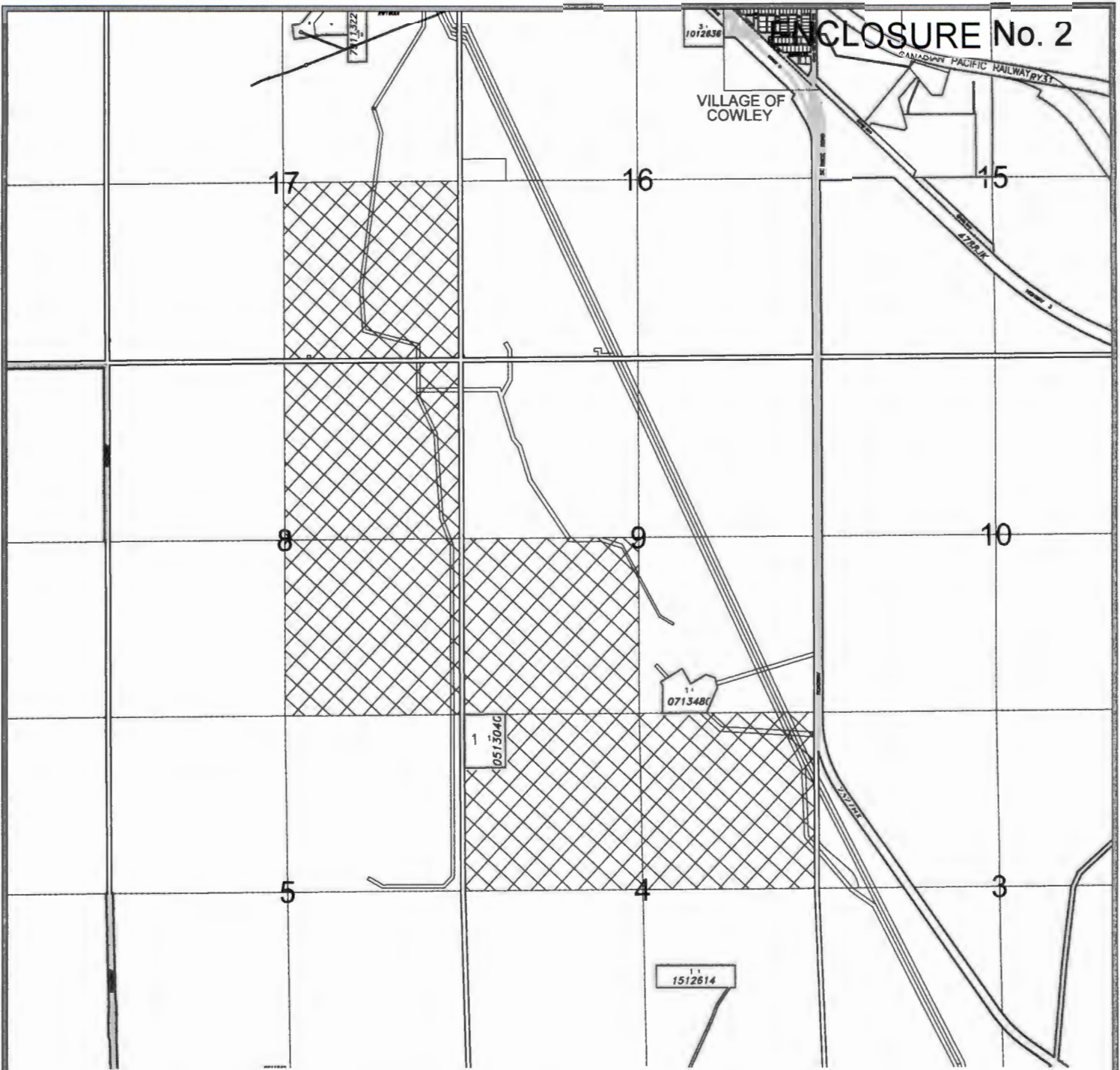
READ a second time this \_\_\_\_ day of \_\_\_\_\_, 2017.

READ a third time and finally PASSED this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
*Reeve – Brian Hammond*

\_\_\_\_\_  
*Chief Administrative Officer - Wendy Kay*

Attachment  
- "Schedule A"



**LAND USE DISTRICT REDESIGNATION  
SCHEDULE 'A'**

Bylaw #: 1275-17  
Date: \_\_\_\_\_



FROM: Agriculture 'A'  
TO: Wind Farm Industrial 'WFI'

N 1/2 SEC 4, SW 1/4 SEC 9, E 1/2 SEC 8 & SE 1/4 SEC 17  
ALL WITHIN TWP 7, RGE 1, W 5 M  
MUNICIPALITY: MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
DATE: APRIL 19, 2017



0 Metres 100 200 300 400  
April 19, 2017 N:\Pincher-Creek-MD\Pincher-Creek-MD LUD & Land Use Redesignations\MD of Pincher Creek - Bylaw No.1275-17 N4, SW9, E8 & SE 17-7-1-5.dwg



MAP PREPARED BY:  
OLDMAN RIVER REGIONAL SERVICES COMMISSION  
3105 16th AVENUE NORTH, LETHBRIDGE, ALBERTA T1H 5E8  
TEL. 403-329-1344

"NOT RESPONSIBLE FOR ERRORS OR OMISSIONS"

## MD OF PINCHER CREEK

July 4, 2017

---

TO: Wendy Kay, CAO  
FROM: Janene Felker, Director of Finance  
SUBJECT: Bylaw 1277-17

---

**1. Origin**

Administration continues to have issues with collecting taxes from mobile homes located within the mobile home park in Lundbreck. This Bylaw would give the MD's assessor the ability to assess the entire property (land and improvements) in the name of the mobile home park's owner rather than individual mobile homes. In turn, the MD would only collect taxes from the park owner.

**2. Background/Comment**

The *Municipal Government Act* provides a specialized section regarding tax recovery related to manufactured homes where a lien can be placed on each unit that is in tax arrears. The MD along with the collection agency Taxervice has been trying to obtain the required information in order to register a lien for over a year. These efforts have not been successful and likely will continue not to be in the future.

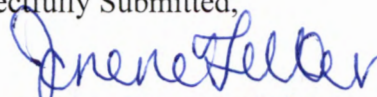
The proposed Bylaw hopes to avoid this situation in the upcoming years by using Section 304(1)(j) in the *Act* that allows the municipality to switch the assessed person for manufactured homes within a manufactured home community from the owner of the manufactured home to the owner of the manufactured home community. The Bylaw would come into effect December 31, 2017 in order to be in place for 2018 property tax notices.

**3. Recommendation**

That the report from the Director of Finance, dated July 4, 2017, regarding the Taxation of Mobile Units in Manufactured Home Parks Bylaw 1277-17 be received;

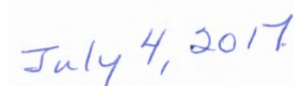
And that Council gives Taxation of Mobile Units in Manufactured Home Parks Bylaw 1277-17 1<sup>st</sup> reading.

Respectfully Submitted,

  
Janene Felker, Director of Finance

Reviewed By: Wendy Kay, CAO



Date: 

**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9  
BYLAW NO. 1277-17**

A BYLAW OF THE MUNICIPAL DISTRICT OF PINCHER CREEK NO.9, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ASSESSMENT AND TAXATION OF MOBILE UNITS LOCATED IN THE MANUFACTURED HOME PARKS TO THE OWNERS OF THE MANUFACTURED HOME PARKS.

---

WHEREAS, Section 304(1)(j)(ii) of the *Municipal Government Act*, permits a Council of a municipality may pass a Bylaw authorizing assessing the owner of a manufactured home park for all designated manufactured homes in a given park;

AND WHEREAS, the Municipal District must prepare annually an assessment roll for assessed property in the Municipal District and the name of the assessed person is the person liable to pay property tax;

AND WHEREAS, certain properties designated as manufactured home parks are situated in the Municipal District upon which more than three (3) designated manufactured homes and which are subject to assessment by the Municipal District for the purposes of property taxation.

NOW THEREFORE under the authority of the *Municipal Government Act*, the Council of the Municipal District of Pincher Creek No. 9, in the Province of Alberta, ENACTS AS FOLLOWS:

**Bylaw Title**

1. This Bylaw may be cited as “Taxation of Mobile Units in Manufactured Home Parks Bylaw”.

**Definitions**

2. The terms “manufactured home community,” “manufactured home park,” “designated manufactured home,” “assessed property” and “improvement” shall have the meaning as defined in Part 9 of the *Municipal Government Act (Act)* and all other terms shall be interpreted with reference to the *Act*.

**Interpretation**

3. When the Municipal District assesses a designated manufactured home and any other improvements on a site in a manufactured home park within the Municipal District, the registered owner of the manufactured home park shall be the assessed person with respect to each designated manufactured home within the particular manufactured home park and that owner shall be responsible for payment of taxes as the assessed person.

**Effective Date**

4. This Bylaw shall come into force on December 31<sup>st</sup>, 2017.

READ a first time on this \_\_\_ day of \_\_\_\_\_, 2017.

READ a second time on this \_\_\_ day of \_\_\_\_\_, 2017.

READ a third and final time on this \_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Chief Administrative Officer



July 5, 2017

TO: Wendy Kay, CAO

FROM: Janene Felker, Director of Finance

**SUBJECT: Amendment of Policy C-FIN-27, Fees and Charges Schedule**

**1. Origin**

Policy C-FIN-27 Schedule 1 needs to be amended for an item that was missed during the policy restructuring process.

**2. Background/Comment**

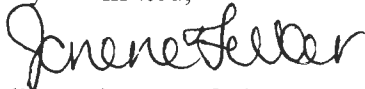
During the financial policy restructuring, the fee for the issuance of a utility permit was missed. It is proposed that the previous rate of \$25 per permit is still reasonable. This is the only proposed amendment to the fees and charges schedule.

**3. Recommendation**

That the report from the Director of Finance, dated July 5, 2017, regarding the Amendment of Policy C-FIN-27, Fees and Charges Schedule be received;

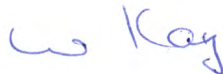
And that the amended Corporate Policy C-FIN-27, Fees and Charges Schedule be approved.

Respectfully Submitted,



Janene Felker, Director of Finance

Reviewed By: Wendy Kay, CAO



Date: July 5, 2017



CORPORATE POLICY

FEEES AND CHARGES

SCHEDULE 1

All Items GST Extra Except  
 \* GST Included  
 \*\* GST Exempt

Approved by Council  
 Revised by Council  
 Revised by Council  
 Revised by Council

Date: August 25, 2015  
 Date: October 11, 2016  
 Date: January 10, 2017  
 Date:

**Administration**

**Assessment**

Appeals	Commercial	\$50.00 Parcel	**
	Farmland	\$20.00 Parcel	**
	Industrial	\$500.00 Parcel	**
	Residential	\$20.00 Parcel	**
Assessment Details	Taxpayer or Agent	No Charge	
	Non Taxpayer	\$10.00 per Parcel	**
Assessment Roll Viewing	Taxpayer or Agent	No Charge	
	Non Taxpayer	\$10.00 per Parcel	**

**G.I.S.**

Aerial Photography	8 ½" X 11"	Taxpayer or Agent	\$2.50 each
		Non Taxpayer	\$5.00 each
	11" X 17"	Taxpayer or Agent	\$5.00 each
		Non Taxpayer	\$10.00 each
Greater than 11" X 17"	Taxpayer or Agent	\$25.00 each	
	Non Taxpayer	\$50.00 each	
Digital	Taxpayer or Agent	\$5.00 per Section Plus \$30.00 per Hour Admin. Costs plus Media Costs	
		Non Taxpayer	\$10.00 per Section plus \$30.00 per Hour Admin. Costs plus Media Costs

Administration Cont'd Next Page

CORPORATE POLICY

FEEES AND CHARGES

SCHEDULE 1

All Items GST Extra Except  
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 Revised by Council  
 Revised by Council  
 Revised by Council

Date: August 25, 2015  
 Date: October 11, 2016  
 Date: January 10, 2017  
 Date:

	Custom G.I.S. Work	Taxpayer or Agent	\$50.00 plus \$30.00 per Hour plus Media Costs
		Non Taxpayer	\$100.00 plus \$30.00 per Hour plus Media Costs
<b>Information Requests</b>	Less than 15 Minutes of Staff Time	Taxpayer or Agent Non Taxpayer	No Charge \$25.00
	Greater than 15 Minutes of Staff Time	Taxpayer or Agent  Non Taxpayer	\$25.00 plus \$25.00 per Hour After First Hour  \$50.00 plus \$25.00 per Hour After First Hour
<b>Leases M.D. Property</b>		By Agreement	Varies
	Road Allowance	for Each ½ Mile or Less	\$20.00 year *
<b>Maps</b>	Paper Map	Museum Picked Up Folded and Mailed Rolled and Mailed	\$9.00 each * \$10.00 each * \$12.50 each * \$25.00 each *
	Laminated Map	Picked Up Rolled and Mailed	\$20.00 each * \$35.00 each *
	Map Books	Picked Up Mailed	\$20.00 each * \$30.00 each *

Administration Cont'd Next Page

M.D. OF PINCHER CREEK NO. 9

CORPORATE POLICY

C-FIN-27

FEES AND CHARGES

SCHEDULE 1

All Items GST Extra Except  
 \* GST Included  
 \*\* GST Exempt

Approved by Council  
 Revised by Council  
 Revised by Council  
 Revised by Council

Date: August 25, 2015  
 Date: October 11, 2016  
 Date: January 10, 2017  
 Date:

	Digital		\$10.00 plus Media Costs
<b>Photocopies</b>			
	Non-Profit Organizations	at CAO's Discretion	No Charge
	M.D. Bylaws		\$0.25 per Page **
	Council/Committee Minutes	Up to 6 Months Old One Set	No Charge
		More than One Set	\$0.50 per Page **
		Minutes Older than 6 Months	\$0.50 per Page **
	Miscellaneous Information		\$0.25 per page **
	Complete Agenda Packages	Current	\$10.00 per Package **
		Previous	\$15.00 per Package **
<b>Promotional Merchandise</b>		Lapel Pins	\$2.00 each
		Caps	\$20.00 each
	Miscellaneous Merchandise	Promotional Material	Cost plus 20%
<b>Taxes</b>	Tax Certificates		\$25.00 Parcel **
	Tax Notification	Registration	\$25.00 Parcel ** Applied to Tax Account
	Tax Receipts	Current Year	Taxpayer or Agent No Charge
		Prior Years	Non Taxpayer Not for Sale
			Taxpayer or Agent \$2.00 each **
			Non Taxpayer Not for Sale
	Tax Sale	Fees and Charges	Cost Recovery Plus \$25.00 Parcel ** Applied to Tax Account

CORPORATE POLICY

FEES AND CHARGES

SCHEDULE 1

All Items GST Extra Except  
 \* GST Included  
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Approved by Council  
 Revised by Council  
 Revised by Council  
 Revised by Council

Date: August 25, 2015  
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 Date:

**Agricultural and Environmental Services**

**Products**

Herbicide	Premix 2,4D/Banvel	\$10.00 10L Jug *
	Roundup	\$10.00 10L Jug *

**Rentals**

Live Skunk Traps	Returned Within a Month	No Charge
	Returned After One Month	\$60.00 each

Livestock Equipment	Weekend Considered as One Day		
	Electronic Scale	\$40.00 day Plus \$20.00 Damage Deposit **	
	Hoof Trimming Table	\$40.00 day Plus \$20.00 Damage Deposit **	
	Loading Chute	\$40.00 day Plus \$20.00 Damage Deposit **	
	Panels	\$40.00 day Plus \$20.00 Damage Deposit **	
	Squeeze	\$40.00 day Plus \$20.00 Damage Deposit **	
	Solar Watering System	Demo Unit	\$150.00 Damage Deposit Only **

CORPORATE POLICY

FEEES AND CHARGES

SCHEDULE 1

All Items GST Extra Except  
 \* GST Included  
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 Revised by Council  
 Revised by Council  
 Revised by Council

Date: August 25, 2015  
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 Date: January 10, 2017  
 Date:

<b>Services</b>	Weed Spraying Equipment	Mule (side by side UTV)	\$100.00 per Hour
		Quad (ATV)	\$75.00 per Hour
		Roadside Sprayer	\$150.00 per Hour
		Small Boom Truck	\$125.00 per Hour
		Truck and Spot Sprayer	\$125.00 per Hour

**Planning and Development**

**Publications**

Area Structure Plans	Burmis Lundbreck	\$20.00 each	**
	Castle Mountain Resort	\$20.00 each	**
	Oldman River Reservoir	\$20.00 each	**
	Intermunicipal		
	Development Plan	\$15.00 each	**
	Land Use Bylaw	\$30.00 each	**
Municipal Development Plan	\$15.00 each	**	

**Services**

Amendments	Area Structure Plans	\$600.00 each	**
	Intermunicipal Dev. Plan	\$600.00 each	**
	Land Use Bylaw	\$600.00 each	**
	Municipal Dev. Plan	\$600.00 each	**
Appeal Fees	Development	\$600.00 each	**
	Subdivision	\$600.00 each	**
Cash in Lieu of Land	Subdivision	Market Value of Land	

Planning and Development Cont'd Next Page

M.D. OF PINCHER CREEK NO. 9

CORPORATE POLICY

C-FIN-27

FEEES AND CHARGES

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Compliance Certificates		\$50.00 each **
Development Permits	Permitted Use	\$100.00 each **
	Discretionary Use	\$150.00 each **
	WECS Category 1	\$100.00 per Titled Parcel **
	WECS Category 2	\$200.00 per Titled Parcel **
	WECS Category 3	\$500.00 per Titled Parcel **
	MET Towers	\$100.00 each **
	After Development Commences	Double Regular Fee **
<i>Utility Permits</i>		\$25.00 **
Rezoning/Redesignation	Fee	\$600.00 each **
Road Closures	Application	\$600.00 each **

**Public Works**

<b>Services</b>	Grader Work	Roads and Driveways Alberta Road Builders	
			Rate plus 20% **
Oil, Gas and Seismic Activities		Approaches	\$200.00 each **
		Pipeline Crossings	\$200.00 each
		Seismic Approvals	\$200.00 each
		Rig Moves – Pre Inspec.	\$450.00 each
		Rig Moves – Post Inspec.	\$450.00 each
Snow Plowing		Up To 15 minutes	\$80.00 **
		Up To 30 minutes	\$160.00 **
		Full Hour	Alberta Road Builders Rate plus 20% **

Public Works Cont'd Next Page

M.D. OF PINCHER CREEK NO. 9

CORPORATE POLICY

C-FIN-27

FEEES AND CHARGES

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Revised by Council

Date: October 11, 2016

Revised by Council

Date: January 10, 2017

Revised by Council

Date:

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	Overweight / Over Dimension Permit Fee		\$22.50
	Land/ Crop Disturbance		\$250/ acre**
<b>Products</b>	Dust Control	Individual Taxpayers Commercial	\$250.00 per 100 Meters ** \$600.00 per 100 Meters **
	¾" Crushed Gravel	Taxpayer or Agent Non Taxpayer	Cost Plus 20% Plus \$0.50 Yard if MD Loaded Council Resolution
	Pit Run Gravel	Taxpayer or Agent Non Taxpayer	Cost Plus 20% Plus \$0.50 Yard if MD Loaded Council Resolution
	Water Standpipe	Cowley Pincher Creek	\$1.00 100 gallons ** \$1.00 100 gallons **

## CHIEF ADMINISTRATIVE OFFICER'S REPORT

June 23, 2017 to July 6, 2017

**DISCUSSION:**

- June 27, 2017 Policies and Plans
- June 27, 2017 Regular Council
- June 27, 2017 Public Hearing
- July 4, 2017 Municipal Planning Commission
- July 5, 2017 Commence Budget Discussions
- July 6, 2017 Public Works Construction Meeting

**UPCOMING:**

- July 10, 2017 Joint Castle Plan Meeting – Staff
- July 11, 2017 Policies and Plans
- July 11, 2017 Regular Council
- July 11, 2017 Public Hearing
- July 12 – August 21 Meetings Cancelled
- July 27, 2017 Emergency Services Commission
- August 22, 2017 Policies and Plans
- August 22, 2017 Regular Council

**OTHER****RECOMMENDATION:**

That Council receive for information, the Chief Administrative Officer's report for the period of June 23, 2017 to July 6, 2017.

---

Prepared by: CAO, Wendy Kay Date: July 6, 2017

Presented to: Council Date: July 11, 2017



**Administration Call Log**

	<b>Division</b>	<b>Location</b>	<b>Concern / Request</b>	<b>Assigned To</b>	<b>Action Taken</b>	<b>Request Date</b>	<b>Completion Date</b>
76	3	NW 13-05-01-W5	Inquiring regarding permits for outdoor storage.	Roland	In discussions. Letter being sent to property owner. Registered letter was sent to the landowner. Received a letter from the landowner on February 14, 2017 with some enquiries. In the process of responding to the landowner's enquiries.	November 17, 2016	
79		NW 35-05-30-W5	Industrial use of building. Blowing Materials	Roland	An email was sent to the President of the company that is utilizing the building, enquiring as to the current use.	May 19, 2017	
80	5	SW 18-07-02-W5	RV's/Trailers Permanently located on PTN. Of SW 18-07-02 W5 Entrance to Villa Vega. Questions on Restrictive and use of Land.	Roland	A letter has been sent to the landowner.	May 19, 2017	
81							
82							
83							
84							
85							

**MD OF PINCHER CREEK ENHANCED POLICING  
MONTHLY REPORT JUNE 2017**

Cst. Annie Starzynski  
RCMP Pincher Creek

Shifts worked :14

**Monthly Traffic Ticket Summary**

**MD Hamlet Patrols**

Speeding	57
Stop Sign Violations	3
Administrative Violations	
Equipment Violations	
Other	1-Driver licence sent for review
Warnings Given	23

Beaver Mines: 5  
Lundbreck:8  
Castle Mountain & provincial Parks: 2  
Twin Butte: 3

**Monthly Total:**

**Distance Driven: 2425 km**

**Number of Violation Tickets Issued: 60**

**Violation ticket location:**

Beaver Mines:3  
Hwy 3/6/507:16  
Hwy 22: 41

**Public Meetings/Events/Training:**

Junior citizen of the year ceremony in Lundbreck ( Red Serge)  
Skate Board ceremony in Lundbreck  
AGM women shelter  
Organised appreciation BBQ for citizen on Patrol at the Pincher Creek Detachment  
Patrolled Provincial Parks, and snake trails area.  
Patrolled Beauvais campground  
Patrol / speed enforcement on the Maycroft bridge construction area.

Council  
Corresp F1a



ALBERTA  
CULTURE AND TOURISM

Office of the Minister  
MLA, Calgary-Cross

RECEIVED

JUL - 4 2017

M.D. OF PINCHER CREEK

June 28, 2017

Dear Reeve:

Each year, thousands of Alberta volunteers dedicate their time and talents to making this province a great place to live, visit, and raise a family. Thanks to their dedication, Albertans have access to the cultural, recreational, and social programs that are cornerstones for building strong communities and promising futures for all Albertans.

The Government of Alberta values the commitment of Alberta volunteers. The Stars of Alberta Volunteer Awards were established as a way to recognize the outstanding contributions of volunteers in helping to make life better for their family, friends, and neighbours.

You can help recognize the remarkable volunteers in your community by encouraging local organizations and individuals to submit nominations for the 2017 Stars of Alberta Volunteer Awards. I also ask that you and your council colleagues share your own stories of how volunteers have made a difference in your life and the life of your community.

Six awards, two in each category of youth, adult, and senior, are presented annually on International Volunteer Day, December 5, at Government House in Edmonton. Albertans whose volunteer efforts have contributed to the well-being of their community are eligible to be nominated.

Full information, including nominations forms and a downloadable promotional poster suitable for printing or placement on your community website, can be found on our website at [www.culturetourism.alberta.ca/stars](http://www.culturetourism.alberta.ca/stars). Deadline for nominations is September 15, 2017.

Thank you for your support of Alberta volunteers and the Stars of Alberta Volunteer Awards!

Best Regards,

Ricardo Miranda  
Minister

cc: Honourable Shaye Anderson, Minister of Municipal Affairs

**MDInfo**

---

**From:** [REDACTED]  
**Sent:** Thursday, June 22, 2017 7:11 PM  
**To:** MDInfo  
**Cc:** MDInfo  
**Subject:** Road Maintenance

Attention-Wendy Kay and Council

It has been a number of years since we have brought the condition of Rnge Rd. 30-3 and Twp Rd. 5-0 to the attention of Public Works Supervisor Stu Weber. I, Helen, have driven this road with him for the last 4 years talking about and agreeing on possible mitigations.

Every year we have been promised a fix with at least two culverts and simple ditching to eliminate the road washouts and some regular gravelling. It has not been done to date and with the heavy snow pack this winter and subsequent washing from snow melt and rains, a very dangerous road has resulted.

We feel the liability to the MD as a result of years of neglect is imminent. This also results in a higher cost to fix the problems which falls back to a lack of fiscal responsibility to us, the rate payers.

We would like to bring this serious problem to your attention and would like some answers soon-for the safety of all the users on this road.

Thanking you for your prompt attention and response-

Helen and Clarence Cyr

Sent from Mail for Windows 10

## Tara Cryderman

---

**From:** Wendy Kay  
**Sent:** Tuesday, June 27, 2017 9:39 AM  
**To:** Tara Cryderman  
**Subject:** FW: Road Maintenance

Next Council – part of Helen’s email

**From:** MDInfo  
**Sent:** June 27, 2017 9:38 AM  
**To:** Wendy Kay <wkay@mdpincercreek.ab.ca>  
**Subject:** FW: Road Maintenance

**From:** Geoff Hoover [REDACTED]  
**Sent:** Tuesday, June 27, 2017 9:19 AM  
**To:** MDInfo <MDInfo@mdpincercreek.ab.ca>  
**Subject:** Road Maintenance

Hello Pincher Creek Council,

I have included an e-mail below that was sent to and read in council in 2013. Since that time there has been very little action taken beyond scraping a few spots that were obviously impeding the safety requirements for the Shell ESD site.

It's come to my attention that this matter is again being looked at by council and I would like to add my concerns again, as laid out in 2013.

Thank you for your attention to this matter,  
Geoff Hoover

Wed 2013-06-19, 1:44PM

**Att:** Wendy Kay  
Terry Ostrom  
MD Pincher Creek Council

**Re:** Un-improved road maintenance on Township Rd 5-0 West of Range Road 30-3 through to Pincher Creek Gate.

Pincher Creek Council,

My Name is Geoff Hoover and my family owns two quarters located at [REDACTED] We have a recreation cabin located on the property and have owned this property since 2005. Over the last several years we have



become increasingly concerned with the state of the road west of RR 30-3, commonly known as the "four corners".

This road has become increasingly eroded with each passing year and is now at the point that unless a person is driving a pick up truck, access down that road is severely limited. After the last few years of snow melt and rain the road has significant ruts throughout it much like you would find on a quad trail.

This degradation is due obviously to the poor maintenance and improper grading over the years that this road has received. I understand that it is designated as un-improved and is not regularly maintained. However, over the last few years the efforts made by the MD to fix problem spots along the road have failed and have made the problem of erosion worst. This road needs a ditch and to be crowned. The reality is that over the years of simple "spot fixing" with the wrong equipment, this road has collection mounds on the shoulders and is concaved causing any water to pool and run down the center creating significant ruts.

There are about 13 landowners that use this road for various reasons as well as countless recreation users who access Pincher Creek. Furthermore, there are the oil and gas companies who access the pipeline and Enmax who accesses the utility lines as well. Needless to say, all of this use by taxpayers, recreationalists as well as oil and utility companies is far too much for a road that isn't maintained more appropriately. Again, I understand that it is designated as un-improved but if the foundation of the road is eroded to the point that it is now, this un-improved road will soon find itself designated as a quad trail.

I have been advised that the solution to this problem is a simple one. Re-contour the road with the appropriate grading and ditches to allow for drainage. Although time consuming for this 4 km stretch of road, it would prevent years of "spot fixing" and band aid solutions that do not address the issue that road is misshapen and no amount of "running a blade" will fix it at this point.

I believe the taxpayers that use this road on a regular basis should have their interests represented by the MD. The wear and tear on vehicles and danger to livestock being moved down this road is an unacceptable consequence for using this tax funded public road. I'm sure I speak for the other resident users in stating that there is not an expectation for a gravel road similar to the quality of road east of RR 30-3; simply an un-improved road that has been shaped right from the beginning that, with every passing rainstorm or winter, doesn't erode to the point of becoming a quad trail.

The oil and gas companies as well as Enmax should be consulted to see if cost sharing to fix this problem would be an option. Failing that, it would be a one-time venture for the MD to "start over" and have an un-improved road that is functional and serves the taxpayers and users in the area appropriately.

Thank you for your time and consideration to this matter,

Geoff Hoover

[REDACTED]  
[REDACTED]

**Tara Cryderman**

---

**From:** Wendy Kay  
**Sent:** Tuesday, July 4, 2017 1:20 PM  
**To:** Tara Cryderman  
**Subject:** FW: CP HOLIDAY TRAIN

Council Correspondence - Action

---

**From:** [REDACTED]  
**Sent:** July 4, 2017 12:35 PM  
**To:** Wendy Kay <wkay@mdpincercreek.ab.ca>  
**Subject:** CP HOLIDAY TRAIN

Hi Wendy:

I've contacted CPR asking if it would be possible for the Holiday train to stop in Lundbreck when it goes through.

The response was that the Town Council would have to put in an official request to:  
[community\\_connect@cpr.ca](mailto:community_connect@cpr.ca)

Not sure if the Lundbreck Citizens Council would fall under the Town Council category.

Do you think the MD would send in this request?

Thanks!

Robyn

**FREE Animations for Your Email!**

**Click Here!**



JUL - 5 2017

M.D. OF PINCHER CREEK

Wendy Kay &amp; M.D. Council

MD Council and Administration is to be commended for publishing the Briefing Notes which are intended "To provide ongoing communication with the residents of the Hamlet of Beaver Mines, and other interested MD residents, with updates on the Beaver Mines Water and Wastewater Project".

Unfortunately, the content of the published notes leaves one with more questions than answers regarding this project. The notes are strong in detailing activities (meetings, engineering and design etc.) but are weak in terms of direction and strategy. Council also seems reluctant to speak openly regarding this project at the regular meetings.

I offer some questions that I, and others, have regarding this project:

1. Council was aware of the probability of extending the water supply to the Castle Mtn. Resort well before the Provincial announcement, yet they chose to commission detailed engineering and design on the pipeline to Beaver Mines only. The engineering and design must now be redone to incorporate the water supply to the Resort. Why? How much money was wasted on this rework?
2. The project is moving ahead without the clear support of the residents of Beaver Mines. When will residents be made aware of their costs (connection, utility and property tax implications) so they can make an informed decision? Will the residents be given the opportunity to vote on this project before construction begins? Will individual residents have the ability to opt out?
3. Council has been presented with some potential technical issues with the wastewater lagoon at Mill Creek and with an alternative which MAY save \$3-5 million in capital expenses. They have chosen to ignore these issues and to not investigate in detail the alternatives. Why?
4. Alberta Environment requires an approved wastewater treatment system before they will allow potable water to be supplied to Beaver Mines. The MD has not received funding for the wastewater system this year and the next round of grant approval is June 2018. There is no guarantee that grant approval will come in 2018. Approval of the Mill Creek lagoon may require various studies (Environmental impact, species at risk, archeological, etc.) which may delay construction for several years. Yet, without funding or approvals in place for the wastewater system, we are moving ahead with the water pipeline at this time. Why? Is Council prepared to finance the wastewater system without Provincial support?

Cornell Van Ryk



**MDInfo**

---

**From:** info@mdpincercreek.ab.ca  
**Sent:** Wednesday, July 5, 2017 2:45 PM  
**To:** MDInfo  
**Subject:** Contact Form

Site: mdpincercreek.ab.ca

Name: Karen Clymer

Subject: Contact Form

Text: Hello. I have been a resident of the MD for the last 4 years. I live off the corner airport road and landfill road. I have 2 questions for the MD and council. 1. Has this road ever been considered to be paved or paved in front of houses for dust control being a busy, secondary road to the landfill? 2. Is there any bylaw enforcing people to cover their materials while hauling to the landfill? I ask these questions because over the last 4 years have noticed numerous amounts of garbage in the ditches i.e. building materials, sheets of metal, cardboard, other materials I find in barbwire fencing and kitchen tools. I understand that garage comes from neighboring properties but have seen lots of my drives in and out of town, even being left in the middle of the road which is extremely dangerous! I feel that the landfill road is very busy also used as a secondary road to the landfill and surrounding areas. Maybe paving the road or partially paving the road in front of houses could save the MD money in the long run instead of putting down oil from the corner of the highway past our house, stopping at our neighbors property. I would appreciate any contact from the MD in answering my questions. Thank you.

Reason: Question

From: [REDACTED]

Phone: 4 [REDACTED]

RECEIVED  
F1f

JUL - 5 2017

M.D. OF PINCHER CREEK

M.D. of Pincher Creek No. 9  
PO Box 279, Pincher Creek, AB T0K 1W0  
Ph: 403.627.3130 Fx: 403.627.5070

Wednesday July 5<sup>th</sup> 2017

RE Letter of September 2016 re well located on a road allowance for MD 3032

Last September council requested that we relocate our water source from the road allowance onto the property for MD 3032.

We would like to make an official request to Council to have the water source remain on the road allowance. We would like to upgrade the current access. There are costs associated with this effort. We are willing to cover these costs but will need reassurance from council that this is will be an appropriate effort.

After receiving the request from council last September, we talked with Sheldon of Dolman Wells (October 2016) and on his advice, began a search for a surface source. Our neighbour, Vince Anderson came over in April and dug six holes about 15-20 feet deep. One looked promising so we left it open but it has since dried up and not shown any flow. It was filled in late June. Drilling is going to be a prohibitive cost for us.

We would like to explore the possibility of maintaining the current water source on the road allowance. We would like to do this properly and think we can estimate that cost with more accuracy than drilling. We have talked with our neighbour, Norm Cervos, who shares the road allowance. The concern that he expressed was that any water source upgrades on the road allowance be done properly, by professionals, which seems reasonable.

The water source on the road allowance has been the water for this property since we bought in 2004 and on record for the past 30 years and longer, likely dating back prior to the 1950's. Until last fall, the road allowance was grassland. This changed when our neighbour needed access to a house that was being located along the road allowance. At this time the MD requested that we relocate our water source from the road allowance onto the property. We have tried, unsuccessfully for surface water. The cost of drilling is worrisome and frustrating when there has been a good prior source of water.

We hope that council will reconsider this issue and advise us regarding the appropriate process, contracts and procedures.

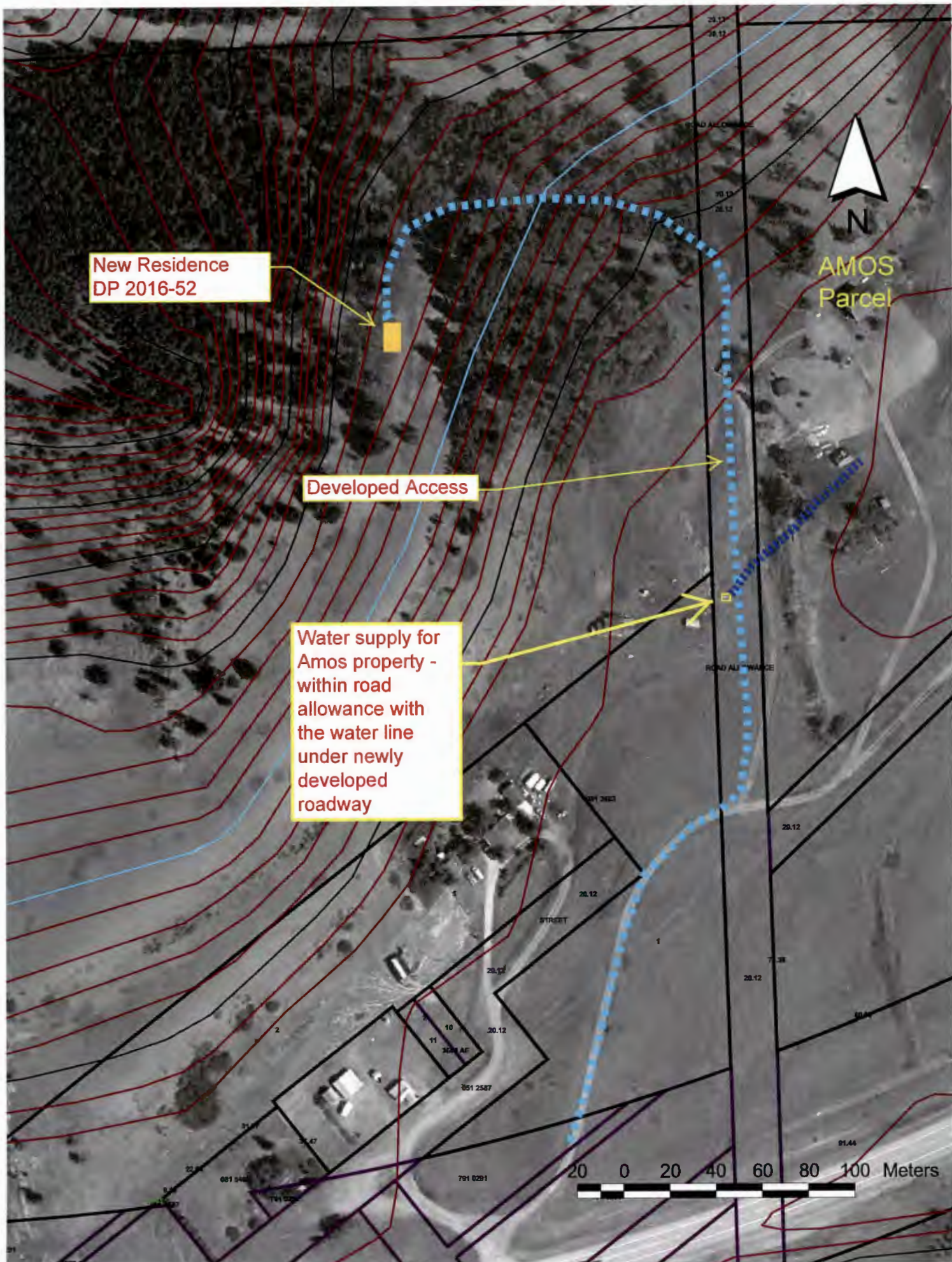
Regards,



Barbara Amos  
(and on behalf of Wayne Murphy)







New Residence  
DP 2016-52

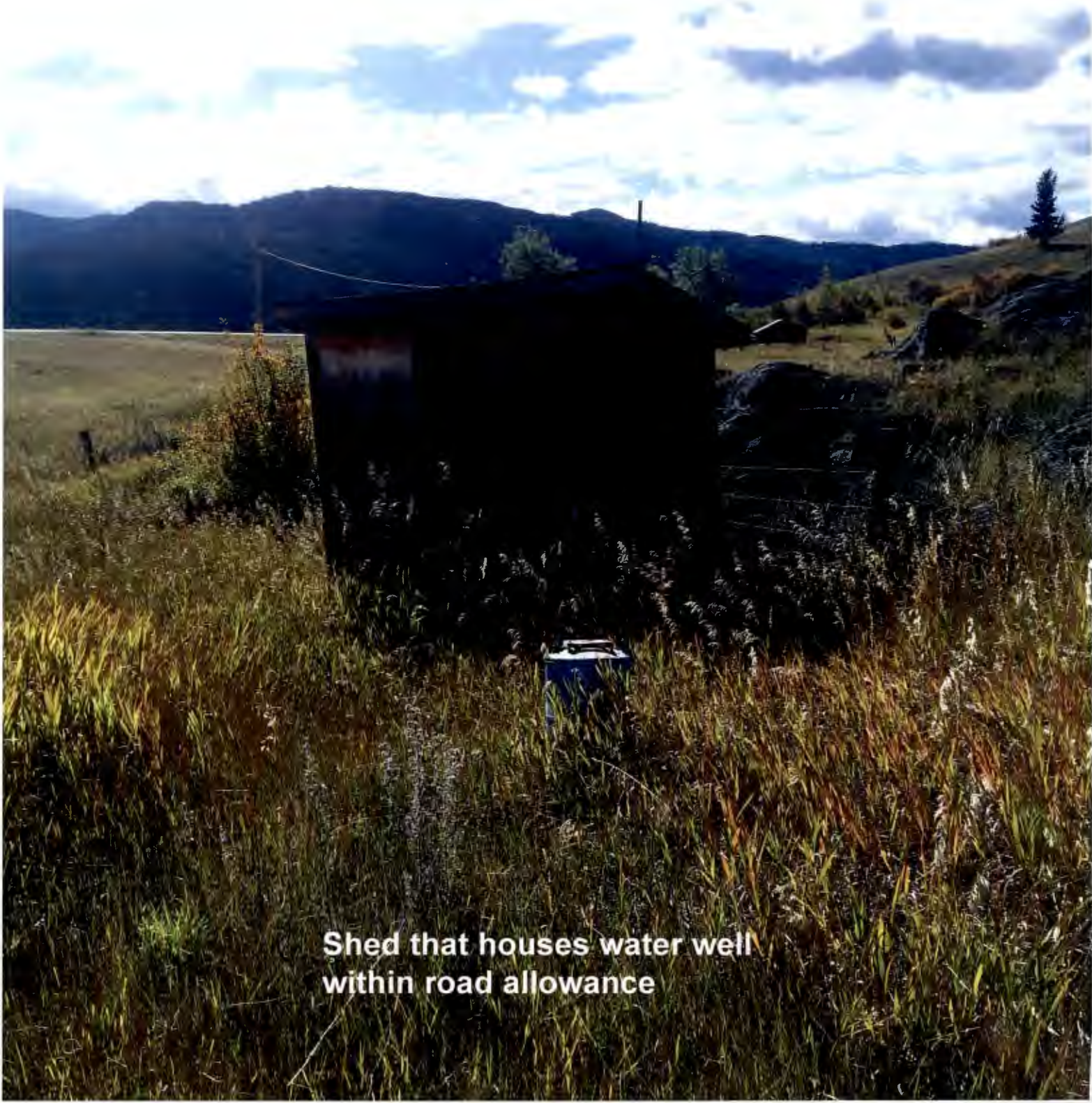
Developed Access

Water supply for  
Amos property -  
within road  
allowance with  
the water line  
under newly  
developed  
roadway

AMOS  
Parcel

20 0 20 40 60 80 100 Meters





**Shed that houses water well  
within road allowance**



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October 14, 2016

Barbara Amos and Wayne Murphy



Dear Landowners,

**Reference: Water Source and Waterline within Statutory Road Allowance  
W/SW 13-7-3 W5M**

The Council of the Municipal District of Pincher Creek No. 9 (the MD) received a request from a landowner adjacent to your property to develop a portion of statutory road allowance (the Road). At the September 27, 2016 Council meeting, Council approved the request to develop a portion of the road between the SE 14-7-3 W5M and the SW 13-7-3 W5M. It is to be developed to a minimum standard and used as an access and driveway to a permitted use development proposed on the said parcel.

As a result of this request, it was brought to the attention of Council that your well and waterline are within the road in question. Council is also aware that work being done in the road could negatively affect the water supply. Accordingly, the applicant has entered into a Development Agreement with the MD for the development of the road. There is a provision in said agreement that states that the development of the road does not impact the existing well and waterline located within the road allowance.

According to the Water Act, every landowner has the right to use for household purposes, ground water that is located under their property without requiring a license from the Province. Unfortunately, the well/water supply currently being used for your household is within a statutory road allowance under the care and control of the MD.

It is the desire of the MD to have wells located within the landowner's property and not within the road.

At the September 27, 2016 Council meeting the following resolution was passed:

Moved that the landowner of the Portion SW 13-7-3 W5M be advised to remove the existing well and waterline, from the road allowance, within one year.

The MD is requiring that after one year from the date of this letter, that you remove the well from the MD road allowance.

Should you have any questions or concerns please feel free to contact us.

Regards,

A handwritten signature in black ink, appearing to read 'Roland Milligan', with a long horizontal flourish extending to the right.

Roland Milligan  
Director of Development and Community Services



## Members of Council

It is concerning that members of Council would approve this for mailing.

It is apparent the intent is to get support for more wind energy development.

### **“Based on a 2006 questionnaire wind energy development had a 90% approval rating among MD citizens”**

What about the opinions of the members of Livingston Landowners Group, members of KALUA and a very large number of the taxpayers in Division 1 & 2 who signed documents, handed to council, opposing wind development on their lands? Not relevant?

Members of Council, you are entrusted with the care and preservation of some of the most beautiful views and pristine lands and lakes anywhere in the world; as stated by many world travellers.

Make responsible decisions and do everything in your power to preserve and protect the environment, the people and the beauty of this amazing place that will be forever destroyed by developing more turbines and power lines.

Wind energy development will be replaced with far more efficient forms of energy or there will be a reduction in energy consumption and this Municipality will be left with millions of tons of debris as is the case in many parts of the world already. Why develop this MD into a turbine dump?

Hundreds of Municipalities manage their operations effectively without wind energy development and a Shell Waterton gas plant.

Develop tourism, we have the best there is to offer! Develop community business ventures that would support local families and the community and encourage growth.