

**TOWN OF REDCLIFF  
BYLAW NO. 1193/99**

A Bylaw of the Town of Redcliff in the Province of Alberta to establish and provide for effective citizen participation with respect to the encouragement and development of recreation/leisure, and further education programs and facilities in and for the Town of Redcliff.

Under the provisions of Section 1 (1) f and Section 145 of the Municipal Government Act RSA 1994 Chapter M-26.1 the **Council** of the Town of Redcliff in the Province of Alberta duly assembled hereby establishes an advisory **Board** to be known as **The Redcliff and District Recreation Services Board**.

**1. SHORT TITLE**

- 1.1 This Bylaw shall be known as **the Redcliff and District Recreation Services Board Bylaw**.

**2. ENACTMENT**

- 2.1 THE COUNCIL OF THE TOWN OF REDCLIFF IN THE PROVINCE OF ALBERTA DULY ASSEMBLED HEREBY ENACTS AS FOLLOWS:

**3. INTERPRETATION**

- 3.1 In this Bylaw the following terms (unless the context specifically requires otherwise) shall have the following meanings.
- 3.1.1 **"Alternate"** shall mean a duly appointed member of the Redcliff and District Recreation Services Board that is specifically named and titled as an alternate. Such alternate shall assume all duties and rights of full time members should any full time Council member be unable to attend.
- 3.1.2 **"Board"** shall mean the Redcliff and District Recreation Services Board.
- 3.1.3 **"Board Member"** shall mean a duly appointed member of the Redcliff and District Recreation Services Board.
- 3.1.4 **"C.E.O."** shall mean the Chief Elected Official and shall commonly refer to the Mayor of the Town of Redcliff.
- 3.1.5 **"Community at large"** shall mean the persons residing within the corporate boundaries of the Town of Redcliff.
- 3.1.6 **"Community Service(s)"** shall mean services relating to the social well being of the community and shall incorporate those services benefiting both the communities physical and social needs.
- 3.1.7 **"Council"** shall mean the Municipal Council of the Town of Redcliff.

- 3.1.8 "**Council Member**" shall refer to a Board Member who is a Councillor, and is appointed by Council to the Board.
- 3.1.9 "**County**" shall mean the Municipal Corporation of Cypress County.
- 3.1.10 "**Director**" means the Director of **Community Services** for the Town of Redcliff.
- 3.1.11 "**Recreation Service(s)**" shall mean services relating to the recreation well being of the community and shall incorporate those services benefiting the community's recreation and physical needs.
- 3.1.12 "**Town**" shall mean the Municipal Corporation of the Town of Redcliff.
- 3.2 In this Bylaw all references to gender will remain unbiased and generic (where applicable read female for male and vice versa as deemed necessary).

#### 4. BOARD RESPONSIBILITIES

- 4.1 The **Board** shall review and consider all submissions and representations from the **Community at large** and from residents of the **County** with respect to **Recreation Services** and facilities, and make recommendations to **Council** on any items that they deem to be in the general interest of the **Community at large** and the surrounding residents of the **County**.
- 4.2 In the interest of well balanced coordinated **Recreation service** programs and facilities the **Board** shall co-operate with and encourage all organizations, public, private, civic, social, and religious within its jurisdiction.
- 4.3 To give input into current **Recreation service** programs and facilities.
- 4.4 To work towards the development of sound **Recreation service** policy as it relates to **Recreation service** programs and facilities by:
- (i) acting as liaison between individual and community groups in new policy development.
  - (ii) evaluating existing policies.
  - (iii) making recommendations on policy to **Council**.
- 4.5 To conduct an annual review and five year re-assessment of the Redcliff Recreation Master Plan in addition to a review of all programs offered under the umbrella of **Community Services**.
- 4.6 To facilitate co-operation and joint planing with related community groups, agencies, committees, or surrounding communities to better co-ordinate **Recreation service** programs and facility planning.

- 4.7 To review and make recommendations to **Council** on fee and charge policy for **Recreation service** related facilities and programs.
- 4.8 To solicit input, formulate policy and make recommendations on relevant topics and issues when requested by **Council**.
- 4.9 To make recommendations to **Council** to provide project funding for new or extended programs and facilities.
- 4.10 The **Board** shall develop and maintain a **Board** policy and procedural manual which shall be kept and maintained in duplicate, one copy to be maintained in the office of the Municipal Secretary of the **Town**, the other in the offices of the **Director**. This manual shall be available to all **Board Members, Council**, and Administration. Any policy or procedure of the **Board** shall be confirmed by motion of the **Board** and any such approved policy shall not add to the powers, nor retract from the limitations of the **Board** as stated herein. Topics of **Board** policy and procedure may include, however are not restricted to mission statements, organizational meeting procedure, **Board** priorities and a variety of other policy and procedural matters.
- 4.11 In regard to related issues the **Board** may make recommendations on various budget items relating to programs and facilities, however the **Board** is not responsible for detailed budget preparation or preliminary approval process.

In regard to **Recreational Services** the **Board** shall develop the initial budget submission (within the directives issued by **Council**) in consultation with the **Director**. The **Director** will then follow through the budget process for the entire **Community Services** function of the **Town** in the normal manner. That being through consultation with the Municipal Manager, the applicable Committee of **Council**, and finally **Council** for approval.

The **Board** may make recommendations to **Council** as to the feasibility of **Recreational Services**, funding for new programs, as well as for the extensions of existing programs.

## 5. LIMITATIONS

- 5.1 The **Board** shall have no power to spend money, to make any purchases on behalf of the **Town**, or to obligate or bind the **Town** in any manner whatsoever.
- 5.2 Recommendations made by the **Board** shall be dealt with by the **Council**.
- 5.3 The **Board** shall have no power in matters concerning selection, rates of pay, fringe benefits or other matters pertaining to the welfare of staff.

## 6. COMMUNICATIONS

- 6.1 The **Board** shall provide a copy of meeting minutes to the **Council** on a regular basis.

- 6.2 The **Board** shall be accountable to the **Council**, and if requested by **Council** shall make presentations to **Council** regarding important issues and/or a year end report of the years activities.
- 6.3 The **Board** shall ensure that original minutes and correspondence of **Board** and sub-committee meetings are kept safe at the **Town's** municipal office.
- 6.4 The **Council** shall advise the **Board** of any proposal to lease, sell or in any other way dispose of, or of its intention to purchase or in any other way obtain, park or recreational property. The purpose being, for the **Board** to be able to forward its comments and recommendations to the **Council** on any such proposal for lease, purchase or disposal.

## 7. CONFIDENTIALITY

- 7.1 The **Board** shall withhold the following information, within the possession of the **Town** unless its disclosure is required by this or any other enactment or by an order of the court or its disclosure is consented to by the person to whom the information relates:
- 7.1.1 commercial information, the disclosure of which would:
- i) likely prejudice the commercial position of the person who supplied it,
  - ii) reveal a trade secret
  - iii) likely prejudice the **Town's** ability to carry out its activities or negotiations, or
  - iv) allow the information to be used for improper gain or advantage;
- 7.1.2 information that is subject to obligations of confidence, the disclosure of which would:
- i) likely prejudice the future supply of similar information or advice,
  - ii) likely prejudice the **Town's** ability to carry out its activities or negotiations,
  - iii) place **Board members**, Councillors, or employees of the **Town** at risk of improper pressure or harassment,
  - iv) breach legal professional privilege, or
  - v) prejudice measures protecting health and safety;
- 7.1.3 personal information, including personnel information, unless its disclosure:
- i) is for the purpose for which the information was obtained or for a consistent purpose,
  - ii) is required so that the **Town** can carry out its duties and functions, or
  - iii) is in a statistical or other form so that the name of persons are not revealed or made identifiable;
- 7.1.4 information of a deliberative kind and draft reports that are likely to be released to the public in a final form in due course except when the information or draft report is placed before a meeting held in public;
- 7.1.5 information the disclosure of which could prejudice security and the maintenance of the law;
- 7.1.6 information about assessments and taxes, except as provided in this or any other enactment;

- 7.1.7 information placed before a meeting that is closed to the public, except when the information is later placed before a meeting held public;
- 7.1.8 information that is prohibited from being released by this or any other enactment.

## 8. ESTABLISHMENT AND COMPOSITION

- 8.1 With exception of Sub (i) and (ii) the **Board** shall consist of a minimum of 3 members and a maximum of 5 members comprised of 1 **Council** member and 1 alternate **Council** member and the balance of members from the **Community at large** (which may include residents employed by the Town of Redcliff),
- (i) The **C.E.O.** is, by virtue of his office, a member of the **Board** and the **C.E.O.** when in attendance, possesses all the rights, privileges, powers and duties of other members.
- (ii) The member representative appointed by the **County** is by virtue of that appointment a member of the board and may, when in attendance possess all the rights, privileges, powers and duties of other members.
- 8.2 Applicants selected for appointment to the **Board** shall be appointed by resolution of **Council** or in the case of the **County** member, by the **Council** of the **County**.

Such appointments should be made before the month of December to be effective the first day of January next, following the appointment, unless the appointing resolution provides for an alternate date.

Appointments shall be for a specified term, not exceeding three (3) years.

- 8.3 A member of the **Board** may be reappointed following the expiration of his term of office.

## 9. REMUNERATION

- 9.1 Members of the **Board** shall hold office without remuneration.
- 9.2 A **Board Member** may make submissions to **Council** or as established by policy of **Council** for **Board** development expenses.

## 10. TERMINATION OF APPOINTMENTS

- 10.1 Subject to Section (ii) below, the rules of conduct relating pecuniary interest contained in the Municipal Government Act, as amended from time to time, shall be deemed to apply mutatis mutandis to members of the **Board**.
- 10.2 **Council** may by resolution terminate the appointment of any member of the **Board** if:
- (i) the member is absent from more than three (3) consecutive meetings of the **Board**;
- (ii) the member violates the rules of conduct referred to in Section 10(1) above;

- (iii) the member uses information gained through his position as a member of the **Board** to gain a pecuniary benefit in respect of any matter in which he has a pecuniary interest, or;
- (iv) the member otherwise conducts himself in a manner that **Council** considers to be improper.

10.3 A member of the **Board's** appointment shall automatically terminate if the member ceases to be a member of the **Community at large**. (With exception of the member appointed by the **County**)

10.4 The appointment of a member of the **Board** may at any time be revoked by resolution of **Council**

### 11. APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN

11.1 The **Board** shall at its first regular meeting held in the month of January in each year, elect, by a majority vote of the members present, one member for the office of Chairman and one member for the office Vice-Chairman. **Council Members** may not hold the office of Chairperson.

11.2 The Vice-Chairman shall preside over any business before the **Board** in the event of the absence or inability to act of the Chairman.

11.3 In the event of the absence or inability to act of the Chairman and Vice- Chairman at a meeting of the **Board**, the members present shall elect, by a majority vote, a member to act as Chairman at that meeting.

11.4 A Chairman or Vice-Chairman may be re-elected for successive terms of office.

### 12. QUORUM

12.1 A majority of the appointed members (which excludes the ex-officio members) shall constitute a quorum at any meeting of the **Board**.

### 13. MEETINGS

13.1 The **Board** may, at any meeting which all members are present decide by motion to hold regular meetings. That motion shall state the day, hour and place of every such meeting and no notice of any such meeting is necessary.

13.2 Special meetings of the **Board** may be called by the Chairman any time if:

- (i) The Chairman gives notice in writing that state the day, hour and place of the special meeting. The notice must state clearly the business that is to be transacted.

- (ii) At least 2/3 of the members of the **Board** give written consent to holding the special meeting.
- (iii) No business other than that stated in the notice shall be transacted at any special meeting.

13.3 The **Board** shall meet at regular intervals to undertake the duties assigned to it by **Council** under this Bylaw and any resolution of **Council** pursuant to this Bylaw.

13.4 The conduct of the meetings shall be determined by the Chairman who may:

- (i) set procedural rules from time to time;
- (ii) permit delegations to appear before the **Board**;
- (iii) rule on any other matter as deemed fit.

In every case the Chairman shall first obtain a majority vote from the members present.

13.5 The **Board** may consult or obtain information from any person, advisor or consultant who is not a member thereof. It may request such person, advisor or consultant to attend its meeting or meetings.

13.6 The meetings of the **Board** shall be held in public. The **Board** may, when discussing issues involving matters it deems confidential as outlined in this Bylaw, hold a meeting of the Committee of the whole **Board** to discuss such matters.

13.7 The **Board** shall consider and decide upon all matters in public.

#### 14. DECISIONS

14.1 The **Board** may make its decisions, recommendations and issue notices with or without conditions in accordance with this Bylaw.

14.2 The Chairman when present, and every **Board Member** present shall vote on every matter.

- (i) Unless, in a specific case the Chairman or **Board Member** is excused by resolution of the **Board** from voting, or
- (ii) Unless disqualified from voting by reason of pecuniary interest.

14.3 The decisions of the **Board** shall be by simple majority vote of the members present. No seconder is required to make a motion of the **Board**.

14.4 Any resolution in which there is an equality of votes shall be deemed to be decided in the negative.

- 14.5 The secretary shall, whenever a recorded vote is demanded (in advance of the vote) by a member of the **Board**, record in the minutes the name of each **Board Member** present and whether the member voted for or against the matter.
- 14.6 Minutes of each meeting shall be confirmed at each subsequent meeting of the **Board**. The last page of the minutes of each meeting shall be signed by the Chairman or presiding **Board Member** and the Secretary.
- 14.7 The Chairman or such other person authorized by the **Board** for the purpose shall sign all notices of decisions, correspondence on recommendations and other documents on behalf of the **Board** relating to any responsibilities of the **Board**.
- 14.8 Any document that has been signed by the Chairman or the authorized person shall be deemed to have been signed on behalf of and with the approval of the **Board**.

#### 15. SECRETARY

- 15.1 The office of the **Director** shall provide the services of a Secretary to the **Board**.
- 15.2 The Director shall attend all meetings of the **Board** and shall keep all minutes, documents and records of the **Board** in his/her custody and control.
- 15.3 The **Director** shall prepare an agenda for each meeting of the **Board in consultation with the Board Chairman** and at least two (2) calendar days prior to each meeting, shall arrange to deliver a copy of the agenda to each member of the **Board**.
- 15.4 The Director shall conduct the correspondence of the **Board** and provide it with such secretarial services as the Board may require.

#### 16. REPEAL

- 16.1 Bylaw Number 1144/97 is hereby repealed upon this Bylaw coming into effect.

Read a first time this 8<sup>th</sup> day of February A.D., 1999.

Read a second time this 8<sup>th</sup> day of February A.D., 1999.

Read a third time this 8<sup>th</sup> day of February A.D., 1999.

Signed and passed this 10<sup>th</sup> day of February, 1999

  
\_\_\_\_\_

MAYOR

  
\_\_\_\_\_

MUNICIPAL SECRETARY