



Town of Hanna
Municipal Accountability Review Report

March 12, 2019



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Disclaimer: The Municipal Accountability Program is intended as a program of support and collaboration for municipal Chief Administrative Officers to either confirm compliance with requirements of municipal legislation or to identify concerns and develop corrective solutions where needed. The scope of this report is limited to confirming the compliance or lack of compliance with mandatory legislative requirements. The content of the report does not constitute an opinion on the legal effectiveness of any documents or actions of the municipality, which should be determined in consultation with independent legal advice.

Section 1: Introduction

1.1 Our Commitment

Alberta Municipal Affairs is committed to helping to ensure Albertans live in viable municipalities with well-managed, collaborative, accountable local governments. To achieve this, Municipal Affairs plays an important role in assisting and supporting municipalities in Alberta through various programs that aim to build capacity.

The *Municipal Government Act (MGA)*, which provides the legislative framework for local government in Alberta, has numerous mandatory requirements that may at times seem overwhelming and difficult to manage for municipalities. Municipalities are also bound by other statutes and corresponding regulations that fall under the purview of Municipal Affairs. Compliance with these statutes and regulations is essential to good governance, the successful operation of a municipality and the viability, safety and well-being of a community. The Municipal Accountability Program is designed to help municipal officials successfully meet the challenges involved in responding to this wide range of legislative needs.

1.2 The Municipal Accountability Program

With a focus on promoting an environment supportive of accountable, well-managed local governments, the purpose of this program is to:

- assist municipalities in strengthening their knowledge of mandatory legislative requirements with a primary focus on the *MGA*;
- aid municipalities in achieving legislative compliance;
- support municipalities in being accountable and well-managed; and
- provide a collaborative partnership between Municipal Affairs and municipalities to address legislative discrepancies that may exist.

The Municipal Accountability Program consists of multi-year cycle reviews, ordered by the Minister under Section 571 of the *MGA*. While this program is available to all municipalities, upon the request of a council and with the approval of the Minister, municipalities with populations of 5,000 or less are automatically scheduled for a visit once every four years. The Town of Hanna was randomly selected for a municipal accountability review in 2019.

Working with the chief administrative officer (CAO), support is provided to mitigate any minor legislative gaps that may be identified. Ministry staff work with CAOs to validate compliance, identify gaps, provide resource information, and develop corrective solutions where needed. The outcome of this program will be strong, well-managed municipalities and a strong collaborative relationship between the CAOs and the ministry.

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The results of the Town of Hanna review, contained in this report, are offered to support the municipality's efforts in achieving its goals for ongoing legislative compliance with the MGA and its associated regulations, as well as other legislation under the responsibility of Alberta Municipal Affairs.

Section 2: Executive Summary

2.1 Site Visit

On March 12, 2019 Municipal Affairs staff met with town administration to complete the on-site portion of the Municipal Accountability Program review, and to observe a council meeting for procedures that are required in the MGA.

The Town of Hanna is commended for their cooperation and assistance throughout the review. As well as the time commitment during the site visit, municipal staff promptly responded to questions and provided documentation as requested. Ministry staff appreciate this additional time and effort and recognizes the commitment to the well-being and success of the municipality demonstrated by town administration.

2.2 Strengths

Overall the review findings are positive. Some of the general areas in which the municipality is meeting mandatory legislative requirements include:

- chief administrator officer evaluation;
- provision of information;
- signing of municipal documents;
- public presence at meetings;
- special meetings;
- authority to act;
- code of conduct bylaw;
- establishment of the chief administrative officer position;
- passing bylaws;
- public participation policy;
- operating and capital budget;
- auditor, audited financial statements, auditor report;
- subdivision and applications;
- development applications;
- municipal development plan;
- ballot account;
- municipal library board; and
- systems library board.



2.3 Legislative Gaps

Specific areas where the municipality is required to take action to achieve compliance are included below along with the page numbers which detail the legislative requirements and the gaps to be addressed:

- closed meetings ([page 17](#));
- council meeting minutes ([page 26](#));
- designated officers ([page 29](#));
- property tax bylaw ([page 31](#));
- assessment review board bylaw ([page 33](#));
- procedural bylaw ([page 35](#));
- utility bylaw ([page 36](#));
- council committee bylaw ([page 37](#));
- bylaw revisions and amendments ([page 39](#));
- municipal accounts ([page 44](#));
- content of tax notices ([page 53](#));
- certify date of mailing ([page 54](#));
- tax arrears list ([page 55](#));
- subdivision and development appeal board ([page 59](#));
- listing and publishing policies related to planning decisions ([page 70](#));
- joint elections ([page 71](#)); and
- municipal library board ([page 82](#)).

2.4 Next Steps

This report contains a complete summary of the Municipal Accountability Program review including legislative requirements, comments and observations, recommendations for actions, as well as links to resources to assist the municipality.

A response by the municipality is required that includes a plan detailing the actions to be taken to rectify the legislative gaps identified in this report. This response must be submitted to Municipal Affairs within eight weeks of receiving this report. For your municipality's convenience, this report has been formatted to provide space in each section for responses to the findings on each particular area of non-compliance. However, your municipality is not required to use this report to provide its responses, and may prefer instead to develop a customized document for the responses and implementation plan.

Ministry staff are available to provide support and additional resources to guide the municipality through the development of the plan and to successfully address the legislative gaps identified. The review will formally conclude upon receipt of documentation confirming that all items have been addressed.

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Section 3: Municipal Accountability Review Findings

3.1 General

1. Municipal Office

LEGISLATIVE REQUIREMENTS: MGA 204

1. Has council named a place as its municipal office?

COMMENTS/OBSERVATIONS: On October 9, 2012, council authorized the purchase of 302-2nd Avenue West to be the new municipal office for the town, by resolution 168-2012.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

2. Orientation Training

LEGISLATIVE REQUIREMENTS: MGA 201.1

1. How was orientation training offered to the elected officials following the 2017 general election and any subsequent byelections?
2. Were the following topics covered:
 - role of municipalities in Alberta;
 - municipal organization and functions;
 - key municipal plans, policies and projects;
 - roles and responsibilities of council, councillors, the CAO, and staff;
 - code of conduct;
 - budgeting and financial administration; and
 - public participation?

COMMENTS/OBSERVATIONS: Members of council attended the Munis 101 workshop, as documented in councillor reports from the regular council meeting on December 12, 2017.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

3. Chief Administrative Officer Evaluation

LEGISLATIVE REQUIREMENTS: MGA 205.1

1. Has council provided the CAO with an annual written performance evaluation?

COMMENTS/OBSERVATIONS: Council is completing formal CAO evaluations annually.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ ACTION ITEMS: No action required.

RESOURCES: Not applicable.



4. Provision of Information

LEGISLATIVE REQUIREMENTS: *MGA 153.1*

1. When information regarding the operation or administration of the municipality is requested by a councillor, how does the CAO provide information to all of council as soon as practical?

COMMENTS/OBSERVATIONS: The CAO is aware of the *MGA* requirements, and provides information to all members of council by email. In addition, council was provided with an agenda package in advance of the March 12, 2019 council meeting. The CAO provided a written report to council that was supplemented with additional verbal updates.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

5. Signing of Municipal Documents

LEGISLATIVE REQUIREMENTS: MGA 213

1. Are the minutes of council meetings signed by:
 - the person presiding at the meeting; and
 - a designated officer?
2. Are the bylaws of a municipality signed by:
 - the chief elected official; and
 - a designated officer?
3. Are agreements, cheques, and other negotiable instruments signed by:
 - the chief elected official or another person authorized by council, and by a designated officer; or
 - by a designated officer acting alone if so authorized by council?

COMMENTS/OBSERVATIONS: The presiding officer and CAO initial each page, and sign council meeting minutes. The Mayor and CAO initial every page, and sign all bylaws. Two designated signing authorities sign agreements, cheques, and other instruments, unless express authorization is provided to the CAO to sign an agreement by a council resolution.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.



6. Repair of Roads, Public Places, and Public Works (For discussion only)

LEGISLATIVE REQUIREMENTS: MGA 532

Each municipality must ensure that every road or other public place that is subject to the direction, control and management of the municipality, including all public works in, on or above the roads or public place put there by the municipality or by any other person with the permission of the municipality, are kept in a reasonable state of repair by the municipality, having regard to:

- the character of the road, public place or public work; and
- the area of the municipality in which it is located.

1. Is the municipality aware of this section?
2. What does the municipality do to support this requirement?
3. Is the above supported through the annual budget?
4. Is the municipality aware of the level of risk and liability if the municipality fails to perform its duty outlined in section 532?

COMMENTS/OBSERVATIONS: The CAO is aware of the responsibilities under section 532 of the MGA, and advised that the town has policies and plans in place, which are reflected in the annual budget. Any municipal policies and practices discussed, were not reviewed. In the event the policies and practices establish specific service levels, it may be appropriate to review the service levels and seek the necessary advice to ensure that the service levels are appropriate, and are being followed.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.



3.2 Meetings

1. Public Presence at Meetings

LEGISLATIVE REQUIREMENTS: MGA 197 (1)

1. Are council and council committee meetings held in public?

COMMENTS/OBSERVATIONS: Meetings of council, including regular council meetings, strategic planning, and budget meetings, are advertised to the public and open for members of the public to attend.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.



2. Closed Meetings

LEGISLATIVE REQUIREMENTS: MGA 197

1. Before closing all or a part of a meeting to the public:
 - Is a resolution passed to indicate what part of the meeting is to be closed?
 - Does the resolution identify what exception to disclosure under the *Freedom of Information and Protection of Privacy Act (FOIPP)* applies to the part of the meeting that is to be closed?
 - Are members of the public notified once the closed portion of the meeting is concluded?
2. Do the council meeting minutes record the names of those who attended the closed meeting and the reason for their attendance?

COMMENTS/OBSERVATIONS: Council meeting minutes record when meetings are closed; however, reference to closed meetings is termed as “in-camera”. With the last amendments to the *MGA*, portions of meetings held without the public in attendance are referred to as “closed session”. While the minutes reviewed reflect the correct procedure for moving into a closed session, at the March 12, 2019 meeting that was observed, council made a motion to go in-camera, and the motion stated at the meeting did not include the exception to disclosure applicable under the *Freedom of Information and Protection of Privacy Act (FOIPP)*.

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ACTION ITEMS: Exceptions to disclosure must always be cited as part of the council resolution before moving into closed session. In addition, “closed session” should be used instead of “in-camera” to reflect terminology used in the *MGA*.

RESOURCES: Municipal Affairs has developed an online resource for municipalities regarding closed meetings: [Closed Meetings of Council \(Municipal Affairs\)](#)

MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

3. Organizational Meeting

LEGISLATIVE REQUIREMENTS: MGA 152, 192

1. Is an Organizational Meeting held annually?
2. Is a chief elected officer (CEO) appointed (not a requirement if the CEO is elected at large or it is included in the procedural bylaw)?
3. Is a Deputy CEO appointed?

COMMENTS/OBSERVATIONS: Council held their last organizational meeting on October 9, 2018, within two weeks of the third Monday in October as required by section 192 of the MGA. The Mayor is elected at large. The Deputy Mayor position rotates among members of council in accordance with the schedule passed by council at the November 14, 2017 regular council meeting.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.



4. Special Meetings

LEGISLATIVE REQUIREMENTS: MGA 194

1. Has a special council meeting been held?
2. Was the proper notification provided to the public?
3. If less than 24 hours was provided as notification, was the appropriate documentation signed by two-thirds of council?
4. Was there a need to change the agenda for the special meeting?
5. If the agenda was modified, was all of council present at the meeting to approve the change?

COMMENTS/OBSERVATIONS: The last special council meeting was held on December 5, 2018. Notification was provided to the public in the municipal newsletter. The special meeting was not held within 24 hours; therefore, additional documentation was not required. There were no changes made to the agenda.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

5. Meetings Through Electronic Communications

LEGISLATIVE REQUIREMENTS: MGA 199

1. Has notice been provided to the public, including the way in which the meeting is to be conducted?
2. Do the facilities enable the public to watch or listen to the meeting?
3. Was a designated officer in attendance at the facility?
4. Do the facilities enable the meeting's participants to watch or hear each other?

COMMENTS/OBSERVATIONS: Members of council do not participate in meetings by way of electronic communication.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

6. Regular Meeting Change Notice

LEGISLATIVE REQUIREMENTS: MGA 193

1. Has the date, time or place of a regularly scheduled meeting been changed?
2. Was at least 24 hours' notice of the change provided to any councillors not present at the meeting at which the change was made, and to the public?

COMMENTS/OBSERVATIONS: The town has not changed the date, time or place of a regular council meeting.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

3.3 Meeting Procedures

1. Authority to Act

LEGISLATIVE REQUIREMENTS: MGA 180-181

1. Are resolutions or bylaws passed in an open public meeting?

COMMENTS/OBSERVATIONS: At the March 12, 2019 meeting of council, motions were made for all actions requested of administration, and council acted only by resolution or bylaw.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

2. Quorum

LEGISLATIVE REQUIREMENTS: MGA 167

1. Is a majority of council present at the meeting to exercise their authority to act under sections 180 and 181?

COMMENTS/OBSERVATIONS: Town council consists of seven elected officials. The minutes that were reviewed, and the council meeting that was observed met the quorum requirements.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

3. Voting

LEGISLATIVE REQUIREMENTS: MGA 182-185

1. Does each councillor participate in voting (unless an abstention is required or permitted and is noted)?
2. Is an abstention from voting recorded in the minutes?
3. Is the request for a recorded vote done prior to the vote being taken?

COMMENTS/OBSERVATIONS: Each councillor participated in voting at the March 12, 2019 meeting. There were no abstentions, and no requests for recorded votes. The voting documented in the council meeting minutes, and demonstrated in the council meeting, met the legislative requirements.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

4. Pecuniary Interest

LEGISLATIVE REQUIREMENTS: MGA 172

1. When a pecuniary interest is declared:

- is the general nature of the pecuniary interest disclosed;
- has the councillor abstained from voting on any question relating to the matter;
- has the councillor abstained from any discussion on the matter if applicable; and
- has the councillor left the room if applicable?

COMMENTS/OBSERVATIONS: There were no declarations of pecuniary interest at the March 12, 2019 meeting, nor any recorded in observed meeting minutes. A resource is provided below in case a pecuniary interest situation arises in the future.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Municipal Affairs has prepared a document that describes pecuniary interest, exceptions and the procedures for disclosure: [Pecuniary Interest](#)



5. Council Meeting Minutes

LEGISLATIVE REQUIREMENTS: MGA 172, 184, 185, 197, 208, 230

1. Are the minutes recorded in the English language without note or comment?
2. Do the minutes include the names of the councillors present at the council meeting?
3. Are the minutes given to council for adoption at a subsequent council meeting?
4. Are recorded votes documented?
5. Are disclosures of councillor pecuniary interest recorded in the minutes?
6. Are abstentions from public hearings recorded?
7. Are the minutes recorded in accordance with section 230 of the MGA when a public hearing is held?
8. Are the minutes kept safe?

COMMENTS/OBSERVATIONS: The council meeting minutes that were reviewed contained summaries of discussions by those in attendance at the meeting, especially in regards to delegations or public inquiries. Names of councillors present were recorded, and minutes of the previous meeting were reviewed and approved by a resolution of council. A recorded vote was requested during the July 12, 2018 special meeting, which was documented in accordance with legislation. No declarations of pecuniary interest, or abstentions were noted. Minutes of public hearings are in accordance with section 230 of the MGA. Minutes are kept in a safe location at the town office.

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ACTION ITEMS: The minutes are to be documented in accordance with the requirements of section 208(1)(a) of the MGA, without note or comment.

RESOURCES: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2225. Additionally, Municipal Affairs provides the following resource to assist CAOs in the preparation of council meeting minutes: [The Preparation of Meeting Minutes for Council \(Municipal Affairs\)](#)

MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

3.4 Mandatory Bylaws

1. Code of Conduct

LEGISLATIVE REQUIREMENTS: MGA 146.1, Code of Conduct for Elected Officials Regulation 200/2017

1. Is there a code of conduct bylaw?
2. Does the bylaw apply to all councillors equally?
3. Are there sanctions for breaching the code of conduct?
4. Does the bylaw include the following topics:
 - representing the municipality;
 - communicating on behalf of the municipality;
 - respecting the decision-making process;
 - adherence to policies, procedures and bylaws;
 - respectful interactions with councillors, staff, the public and others;
 - confidential information;
 - conflicts of interest;
 - improper use of influence;
 - use of municipal assets and services; and
 - orientation and other training attendance?
5. Has a complaint system been established within the bylaw?
6. Does the complaint system address:
 - who may make a complaint alleging a breach of the code of conduct;
 - the method by which a complaint may be made;
 - the process to be used to determine the validity of a complaint; and
 - the process to be used to determine how sanctions are imposed if a complaint is determined to be valid?
7. Has the code of conduct been reviewed in the last four years? (Not applicable until 2022)

COMMENTS/OBSERVATIONS: Council passed bylaw 994-2018 on May 8, 2018, establishing a code of conduct for members of council. The content met legislative requirements.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

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2. Establishment of the Chief Administrative Officer Position

LEGISLATIVE REQUIREMENTS: MGA 205

1. Is there a bylaw establishing the position of CAO?
2. Is there a council resolution that appoints the current CAO?

COMMENTS/OBSERVATIONS: Council passed bylaw 888-2000 on December 5, 2000, establishing the position of CAO for the town. Council appointed the current CAO by resolution 036-2013, passed on February 12, 2013.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

3. Designated Officers

LEGISLATIVE REQUIREMENTS: MGA 210, 284.2, 456.1, 627.1(3)

1. Are the following designated officer positions established by bylaw:
 - a. municipal assessor;
 - b. assessment review board clerk; and
 - c. subdivision and development appeal board clerk?
2. Are there any other designated officer positions, and is there a bylaw to establish these positions?

COMMENTS/OBSERVATIONS: The town has not established the above noted positions as designated officers.

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ACTION ITEMS: The municipal assessor, assessment review board clerk, and subdivision and development appeal board clerk must be established as designated officers of the municipality in accordance with sections 284.2, 456.1 and 627.1(3) of the MGA. Alternatively, if any of these positions have been delegated as a responsibility of the CAO, this should be noted in the CAO bylaw, or through a formal council resolution.

RESOURCES: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2225.

MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.



4. Borrowing Bylaw(s)

LEGISLATIVE REQUIREMENTS: MGA 251-259, Debt Limit Regulation 255/2000

1. Is there a current borrowing bylaw?
2. Does the borrowing bylaw set out:
 - the amount of money to be borrowed and, in general terms, the purpose for which the money is borrowed;
 - the maximum rate of interest, the term and the terms of repayment of the borrowing; and
 - the source or sources of money to be used to pay the principal and interest owing under the borrowing?
3. Was the borrowing bylaw advertised (if required)?

COMMENTS/OBSERVATIONS: The Town of Hanna has no current borrowing bylaws. A resource is provided below in the event the municipality considers borrowing in the future.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: The Alberta Capital Finance Authority (ACFA) is a not for profit provincial authority that provides local governments with financing for capital projects. Their website provides a variety of tools to assist municipalities with borrowings: <http://www.acfa.gov.ab.ca/nav/about-us.html>

5. Property Tax Bylaw

LEGISLATIVE REQUIREMENTS: MGA 353-359, Matters Relating to Assessment Sub-classes Regulation 202/2017

1. Is a property tax bylaw passed annually?
2. Are the rates in accordance with the:
 - assessment class (section 297);
 - Matters Relating to Assessment Sub-classes Regulation; and
 - municipal assessment sub-class bylaw (if required)?
3. Does the tax rate bylaw maintain a maximum 5:1 tax ratio between residential and non-residential assessment classes?
4. Are the requisitions accounted for?
5. Are the calculations correct?
6. Is there a minimum tax applied as per section 357?

COMMENTS/OBSERVATIONS: Bylaw No. 995-2018 was adopted by council on May 8, 2018, establishing the 2018 rates of taxation for the municipality. Council subsequently amended the 2018 taxation bylaw to include the designated industrial property requisition, by Bylaw No. 999-2018, passed on October 9, 2018. Authorization for amending the 2018 taxation rates was provided by Ministerial Order MSL:067/18.

The assessment values listed for the education requisitions do not match the assessment values listed within the tax rate bylaw. It is unclear how these assessment values were derived, which may result in an over/under levy for these requisitions in 2019. The municipality should consult with their auditor on this matter.

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ACTION ITEMS: Going forward, in order to ensure that tax rates and levies are in accordance with requisition amounts, the municipality should ensure that all relevant assessment information is included, and is accurate in the tax rate bylaw.

RESOURCES: Municipal Affairs Financial Advisors are available to provide financial support by calling toll-free 310-0000 and then 780-427-2225.

Municipal Affairs has created an example tax bylaw to assist municipalities when developing their annual property tax bylaw: [Example Property Tax Bylaw](#).



MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.



6. Assessment Review Boards

LEGISLATIVE REQUIREMENTS: MGA 454-456, Matters Relating to Assessment Complaints Regulation 201/2017

1. Has a local assessment review board been established?
 - Are three members appointed to this board?
 - Is the term of the appointment established?
 - Have the appointed members received the mandatory training?
2. Is a composite assessment review board established?
 - Are two members appointed to this board?
 - Is the term of the appointment established?
 - Have the appointed members received the mandatory training?
 - Is there a current assessment review board clerk appointment?
3. Has a designated officer been appointed as the clerk and received the mandatory training?

COMMENTS/OBSERVATIONS: On May 11, 2010, council passed Bylaw 954-2010 establishing an intermunicipal assessment review board. There are currently no members appointed by any member municipality to the intermunicipal assessment review board, nor has a clerk been appointed.

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ACTION ITEMS: Councils party to the intermunicipal assessment review board agreement must appoint members to the local assessment review board and composite assessment review board. The councils must also appoint a designated officer to the position of clerk to the assessment review boards. Board members and the clerk must complete the mandatory training.

RESOURCES: Municipal Affairs has developed an FAQ to assist municipalities with respect to [Assessment Review Boards](#). In addition, Municipal Affairs Assessment Advisors are available to provide general support by calling toll-free 310-0000 and then 780-422-1377.

MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.



7. Bylaw Enforcement Officers

LEGISLATIVE REQUIREMENTS: MGA 555-556

3. Is there a municipal bylaw enforcement officer appointed?
4. Is there a bylaw to support this?
5. Are the powers and duties established within the bylaw for the bylaw enforcement officer?
6. Does the bylaw include:
 - disciplinary procedures;
 - penalties; and
 - an appeal process?
7. Has the bylaw enforcement officer taken the official oath?

COMMENTS/OBSERVATIONS: Town council passed bylaw 864-97 on December 9, 1997, establishing the powers and duties of bylaw enforcement officers. In accordance with legislation requirements, the bylaw includes provisions regarding disciplinary procedures, penalties, and an appeal process. The bylaw enforcement officer has taken the official oath.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.



3.5 Discretionary Bylaws

Please note: Discretionary bylaws are not required in the *MGA*. The following section includes a random selection of optional bylaws to review that their contents are in compliance with the *MGA*.

1. Procedural Bylaw

LEGISLATIVE REQUIREMENTS: *MGA* 145

1. Does the municipality have a procedural bylaw?

COMMENTS/OBSERVATIONS: Council passed procedural bylaw 998-2017 on November 14, 2017. Section 12 of the bylaw states “nor shall [a member] resist the rules of Council or disobey the decision of the Mayor or the Council...and in case any member should so resist or disobey, he may be ordered by the Council by a majority vote to leave his seat for that meeting”. A member of council has a duty to participate in council meetings in accordance with section 153(c) of the *MGA*. It is the position of Municipal Affairs that section 12 of the town bylaw contravenes the *MGA* because it prevents a councillor from fulfilling their duty under section 153 of the *MGA*.

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ACTION ITEMS: Bylaw 998/2017 must be amended or replaced to ensure compliance with section 153(c) of the *MGA*.

RESOURCES: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2225.

MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.



2. Utility Bylaw

LEGISLATIVE REQUIREMENTS: *MGA 7*

1. Does the municipality have a utility bylaw?

COMMENTS/OBSERVATIONS: Bylaw 952-2010, passed March 9, 2010, is the utilities bylaw for the Town of Hanna. Sections 4.2 and 4.3 of the bylaw require the property owner to pay charges and fees “as set by resolution of Council”. Section 7.1 further states that service charges, late charge penalties and other fees for the utility system “shall be set by resolution of Council”. If the municipality wishes to establish rates and fees for goods and services provided by the municipality, the rates and fees must be established by bylaw, in accordance with sections 7(g) and 180(2) of the *MGA*.

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ACTION ITEMS: Bylaw 952/2010 must be amended or replaced to ensure compliance with sections 7 and 8 of the *MGA*, which requires rates to be established by bylaw, not resolution.

RESOURCES: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2225.

MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

3. Council Committee Bylaw

LEGISLATIVE REQUIREMENTS: MGA 145

1. Does the municipality have a council committee bylaw?

COMMENTS/OBSERVATIONS: In the October 9, 2018 organizational meeting minutes, council set dates and times for “regular information meetings” over the course of the year. Given these dates are not deemed council meetings, it appears a committee of council is meeting for these purposes. This committee of council has not been established by bylaw in accordance with section 145(1) of the MGA.

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ACTION ITEMS: Committees of council, including a committee-of-the-whole, must be established by bylaw in accordance with section 145(1) of the MGA.

RESOURCES: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-427-2225.

MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.



3.6 Bylaw Procedures

1. Passing Bylaws

LEGISLATIVE REQUIREMENTS: MGA 187-189

1. Are bylaws given three distinct and separate readings?
2. If all readings are conducted at one council meeting, is there a resolution passed that gives unanimous consent for this?

COMMENTS/OBSERVATIONS: A review of a selection of past council minutes indicates the proper process of three readings of bylaws, including a resolution passed unanimously giving consent before proceeding to third reading, has occurred (e.g., resolution 229-2018, passed on October 9, 2018).

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.



2. Bylaw Revisions and Amendments

LEGISLATIVE REQUIREMENTS: **MGA 63-69, 191, and 692**

1. Are revision bylaws limited to:
 - consolidation of two or more bylaws;
 - altering citation; and
 - changes that do not materially affect a bylaw (clerical, technical, grammatical, or typographical)?
2. Does the title of the bylaw indicate that it is a revision bylaw?
3. Has the CAO certified the revision prior to the first reading?
4. How are schedules to bylaws amended (e.g., fees charges or rate schedules)?
5. Have there been amendments to a bylaw that initially required advertising?
6. Was the amending bylaw advertised?
7. Are bylaws amended or repealed in the same way as the original bylaw was enacted?

COMMENTS/OBSERVATIONS: The town does not use revision bylaws. Bylaws are either amended or repealed and replaced. The town has passed amendments to their land use bylaw, which were passed in the same manner as the original bylaw, including advertising and public hearing requirements. It was noted that amendments to the land use bylaw have been consolidated into a single document by administration; however, a bylaw authorizing the CAO or a designated officer to consolidate bylaws has not been passed by council.

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ACTION ITEMS: Bylaws may only be consolidated by a designated officer when authorized by council by bylaw, in accordance with section 69(1) of the MGA.

RESOURCES: Municipal Affairs has created a handbook that includes the procedures to pass, amend and revise bylaws: [Basic Principles of Bylaws](#).

MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

3.7 Mandatory Policies

1. Public Participation Policy

LEGISLATIVE REQUIREMENTS: MGA 216.1, Public Participation Policy Regulation 193/2017

1. Has a public participation policy been passed?
2. Does the policy identify:
 - types or categories of approaches the municipality will use to engage the public; and
 - types and categories of circumstances in which the municipality will engage with the public?
3. Is the public participation policy available for public inspection?
4. Has the public participation policy been reviewed by council in the last four years? (Not applicable until summer of 2022.)

COMMENTS/OBSERVATIONS: The town passed a public participation policy (#2018-04) on July 10, 2018, by council resolution 143-2018. The policy includes the required information, and is available on the town website.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ ACTION ITEMS: No action required.

RESOURCES: Not applicable.



3.8 Finance

1. Operating Budget

LEGISLATIVE REQUIREMENTS: MGA 242, 243, 244, 248.1

1. Has an operating budget been adopted for each calendar year?
2. Does the operating budget include the estimated amount of each of the following expenditures and transfers:
 - the amount needed to provide for the council's policies and programs;
 - the amount needed to pay the debt obligations in respect of borrowings made to acquire, construct, remove or improve capital property;
 - the amount of expenditures and transfers needed to meet the municipality's obligations as a member of a growth management board, or its obligations for services funded under an intermunicipal collaboration framework (not applicable until April 1, 2020);
 - the amount needed to meet the requisitions or other amounts that the municipality is required to pay under an enactment;
 - if necessary, the amount needed to provide for a depreciation or depletion allowance, or both, for its municipal public utilities as defined in section 28;
 - the amount to be transferred to reserves;
 - the amount to be transferred to the capital budget; and
 - the amount needed to recover any shortfall as required under section 244?
3. Does the operating budget include estimated amounts of each source of revenue (taxes, grants, service fees)?
4. Are the estimated revenues and transfers sufficient to pay the estimated expenditures?
5. Does the budget align with the property tax rate bylaw?

COMMENTS/OBSERVATIONS: The 2019 operating budget was adopted by council resolution 275-2018, on December 11, 2018. The contents of the operating budget met legislative requirements.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

2. Capital Budget

LEGISLATIVE REQUIREMENTS: MGA 245, 246, 248.1

1. Has a capital budget for each calendar year been adopted?
2. Does the capital budget include the estimated amount for the following:
 - the amount needed to acquire, construct, remove or improve capital property;
 - the anticipated sources and amounts of money to pay the costs to acquire, construct, remove or improve capital property; and
 - the amount to be transferred from the operating budget?

COMMENTS/OBSERVATIONS: The 2019 capital budget was adopted by council resolution 275-2018, on December 11, 2018. The contents of the capital budget met the legislative requirements.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

3. Financial Records and Receipts

LEGISLATIVE REQUIREMENTS: MGA 268.1

1. Are accurate records and accounts kept of the municipality's financial affairs?
2. Are actual revenues and expenditures of the municipality, compared with the estimates, reported to council?
3. Are revenues of the municipality collected and controlled, and receipts issued in the manner directed by council?

COMMENTS/OBSERVATIONS: The town uses MAIS as the municipal software for accounting processes. Council is provided with variance, accounts payable, and budget overview reports on a monthly basis. Revenues are collected at the municipal office, as well as seasonally at various locations within town. Financial policies and procedures are in place. The legislative requirements were met.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.



4. Municipal Accounts

LEGISLATIVE REQUIREMENTS: MGA 270

1. Is all money belonging to or held by the municipality deposited into a financial institution designated by council?

COMMENTS/OBSERVATIONS: The town has accounts with RBC Financial, as well as investment accounts with BMO-Nesbitt Burns, which were confirmed by bank records. Resolutions designating these financial institutions have expired (RBC Financial), or could not be located (BMO-Nesbitt Burns).

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ ACTION ITEMS: The municipality is required to designate the town's financial institutions by a resolution of council.

RESOURCES: Municipal Affairs Financial Advisors are available to provide general financial support by calling toll-free 310-0000 and then 780-427-2225.

MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

5. Fidelity Bond

LEGISLATIVE REQUIREMENTS: MGA 212.1

1. Does the municipality annually obtain a fidelity bond or equivalent insurance?
2. Does the bond or insurance cover:
 - the CAO of the municipality;
 - the designated officers of the municipality; and
 - other employees of the municipality?

COMMENTS/OBSERVATIONS: The town has insurance through AMSC Insurance Services Ltd., and based on information provided, proper insurance policies were in place.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.



6. Auditor, Audited Financial Statements, Auditor Report

LEGISLATIVE REQUIREMENTS: MGA 276, 280, 281

1. Has one or more auditors for the municipality been appointed?
2. Are annual financial statements of the municipality prepared for the immediately preceding year?
3. Do the financial statements include:
 - the municipality's debt limit; and
 - the amount of the municipality's debt as defined in the regulations under section 271?
4. Are the financial statements, or a summary of them, and the auditor's report on the financial statements available to the public in the manner the council considers appropriate by May 1 of the year following the year for which the financial statements have been prepared?
5. Has council received the auditor's report on the annual financial statements and financial information return of the municipality?

COMMENTS/OBSERVATIONS: The auditor was appointed until the end of the 2017 fiscal year, by resolution 130-2015. The 2017 audited financial statements include information on the municipality's debt and debt limit, as required by legislation. The financial statements were adopted by council resolution 066-2018, passed on April 10, 2018, and were submitted to the Ministry, and provided to the public on the town website prior to the May 1 deadline. The municipality will need to appoint an auditor for the 2018 fiscal year.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

7. Salary and Benefits

LEGISLATIVE REQUIREMENTS: MGA 217, Supplementary Accounting Principles and Standards Regulation 313/2000

1. Has information been provided on the salaries of councillors, the chief administrative officer and all designated officers (including the assessor, SDAB clerk and assessment review board clerk) of the municipality?

COMMENTS/OBSERVATIONS: The town has not established any additional positions as designated officers other than the CAO.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ ACTION ITEMS: No action required.

RESOURCES: Not applicable.

8. Management Letter

LEGISLATIVE REQUIREMENTS: MGA 281(3)

1. Has council received a separate auditor's report on any improper or unauthorized transaction or non-compliance with this or another enactment or a bylaw that is noted during the course of an audit?

COMMENTS/OBSERVATIONS: The town received confidential recommendations from the auditor.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ ACTION ITEMS: No action required.

RESOURCES: Not applicable.



9. Three-Year Operating Plan and Five-Year Capital Plan (for discussion only)

LEGISLATIVE REQUIREMENTS: MGA 283.1, Municipal Corporate Planning Regulation 192/2017

1. Each municipality must prepare a written plan respecting its anticipated financial operations over a period of at least the next three financial years. Also, each municipality must prepare a written plan respecting its anticipated capital property additions over a period of at least the next five financial years. The first financial plans will need to be prepared by the end of 2019 and cover the 2020 to 2022 financial, or 2020 to 2024 capital period.

COMMENTS/OBSERVATIONS: The municipality is aware that written plans for financial operations and capital plans are a new legislative requirement. The municipality must prepare a three-year written plan for financial operations and a five-year written plan for capital property, and these plans must be in place by 2020. The town is currently preparing three-year operating and capital plans. A resource is provided below to assist the municipality.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: Three-year operating and five-year capital plans must be in place by the 2020 deadline.

RESOURCES: Municipal Affairs has created a guide to assist municipalities getting started with multi-year financial planning: [New Legislative Requirements for Municipal Financial & Capital Plans](#).

3.9 Assessment and Taxation

1. Assessment Roll

LEGISLATIVE REQUIREMENTS: MGA 284.2(1), 307

1. Has a person who has the qualifications as set out in the Municipal Assessor Regulation 347/2009 been appointed to the position of designated officer to carry out the functions of a municipal assessor?
2. Is the assessment roll available for inspection?
3. Is there a fee for this?
4. Does the municipality have a bylaw to establish this fee?

COMMENTS/OBSERVATIONS: Council appointed a qualified assessor for the municipality as part of the organizational meeting held October 9, 2018. The assessment roll is available on the municipal website and no fee is charged.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ ACTION ITEMS: No action required.

RESOURCES: Not applicable.



2. Tax Roll

LEGISLATIVE REQUIREMENTS: MGA 327, 329

1. Has an annual tax roll been prepared for the municipality?
2. Does the tax roll include the following:
 - a description sufficient to identify the location of the property or business;
 - name and mailing address of the taxpayer;
 - the assessment;
 - the name, tax rate, and amount of each tax imposed in respect of the property or business;
 - the total amount of all taxes imposed in respect of the property or business;
 - the amount of tax arrears; and
 - if the property is subject to an agreement between the taxpayer and the municipality (section 347 or 364)?

COMMENTS/OBSERVATIONS: An annual tax roll has been completed and contains the required legislated content.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

3. Prepare Tax Notices

LEGISLATIVE REQUIREMENTS: MGA 333

1. Are tax notices prepared annually for all taxable property and businesses shown on the tax roll of the municipality?
2. Are the tax notices sent to the taxpayers?

COMMENTS/OBSERVATIONS: Tax notices were sent to property owners in accordance with legislative requirements. As previously noted in this report, the municipality revised their tax rate bylaw on October 9, 2018. Revised tax notices were sent to affected property owners prior to December 31, 2018, the deadline provided for in Ministerial Order MSL:067/18.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ ACTION ITEMS: No action required.

RESOURCES: Not applicable.



4. Content of Tax Notices

LEGISLATIVE REQUIREMENTS: MGA 334, 460

1. Does the municipality provide for a combined property assessment and tax notice?
2. Does the municipal property tax notice show the following:
 - the same information that is required to be shown on the tax roll;
 - the date the tax notice is sent to the taxpayer;
 - the amount of the requisitions, any one or more of which may be shown separately or as part of a combined total;
 - except when the tax is a property tax, the date by which a complaint must be made, which date must not be less than 30 days after the tax notice is sent to the taxpayer;
 - the name and address of the designated officer with whom a complaint must be filed;
 - the dates on which penalties may be imposed if the taxes are not paid; and
 - information on how to request a receipt for taxes paid?

COMMENTS/OBSERVATIONS: The town does not provide for a combined tax and assessment notice. However, the property tax notice does not contain information on how to request a receipt for taxes paid.

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ACTION ITEMS: Moving forward, the contents of the tax notice need to be updated to include all legislated content, including information on how to request a receipt for taxes paid in accordance with section 334 of the MGA.

RESOURCES: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-422-1377.

MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

5. Certify Date of Mailing

LEGISLATIVE REQUIREMENTS: MGA 335, 336

1. Has a designated officer certified the date the tax notices were sent?
2. Have the tax notices been sent before the end of the year in which the taxes were imposed?

COMMENTS/OBSERVATIONS: Tax notices were sent in accordance with legislation; however, a designated officer did not certify the date tax notices were sent.

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ACTION ITEMS: A designated officer must certify the date tax notices were sent in accordance with section 336(1) of the MGA.

RESOURCES: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-422-1377.

MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

6. Tax Arrears List

LEGISLATIVE REQUIREMENTS: MGA 412, 436.03

1. Has a tax arrears list been prepared showing the parcels of land in the municipality in respect of which there are tax arrears?
2. Has the list been sent to the Registrar and to the Minister responsible for the *Unclaimed Personal Property and Vested Property Act*?
3. Has the list been posted in a place that is accessible to the public during regular business hours?
4. Were persons notified who are liable to pay the tax arrears that a tax arrears list has been prepared and sent to the Registrar?

COMMENTS/OBSERVATIONS: The town prepared the tax arrears list, and submitted it to the registrar in advance of the March 31 due date. Proper notifications to persons liable to pay were made. The tax arrears list is not posted in an accessible location to the public.

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ACTION ITEMS: The tax arrears list must be posted in a place accessible to the public during normal business hours, in accordance with section 412 of the MGA.

RESOURCES: Municipal Affairs Advisors are available to provide general support by calling toll-free 310-0000 and then 780-422-1377.

MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.

7. Tax Sale

LEGISLATIVE REQUIREMENTS: MGA 418, 436.08

1. Have those properties appearing on the tax arrears list been offered for sale within the time frame provided?

COMMENTS/OBSERVATIONS: The town's last tax sale was held in September, 2018. The property tax recovery process met legislative requirements including notification, sending a letter to the registrar, council setting reserve bids, and advertising the auction.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ ACTION ITEMS: No action required.

RESOURCES: Not applicable.

3.10 Planning

1. Subdivision Authority

LEGISLATIVE REQUIREMENTS: MGA 623, 625-626

1. Is there a bylaw providing for the subdivision authority for the municipality?
2. Does the structure of the subdivision authority comply with section 623(2) which specifies that it may include one or more of the following:
 - any or all members of council;
 - a designated officer;
 - a municipal planning commission;
 - any other person or organization?

COMMENTS/OBSERVATIONS: Council passed bylaw 840-95 on August 8, 1995, delegating the subdivision authority to the Palliser Regional Municipal Services, in accordance with section 625 of the MGA.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

2. Development Authority

LEGISLATIVE REQUIREMENTS: MGA 624, 625 - 626

1. Is there a bylaw establishing the development authority for the municipality?
2. Does the structure of the development authority comply with section 624(2) which specifies that it may include one or more of the following:
 - a designated officer;
 - a municipal planning commission;
 - any other person or organization?

COMMENTS/OBSERVATIONS: Bylaw 841-95, passed September 26, 1995, establishes the development authority for the town as a development officer appointed by council, and the municipal planning commission (MPC). The bylaw also establishes the MPC. Council appoints the development officer as well as MPC members at the annual organizational meeting.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

3. Subdivision and Development Appeal Board (SDAB)

LEGISLATIVE REQUIREMENTS: MGA 627, 628, Subdivision and Development Regulation 43/2002, Subdivision and Development Appeal Board Regulation 195/2017

1. Is a subdivision and development appeal board bylaw or intermunicipal agreement established?
2. Do the SDAB members exclude those who are:
 - municipal employees;
 - members of the municipal planning commission; and
 - individuals who can carry out subdivision and development powers on behalf of the municipality?
3. Is there no more than one councillor appointed as a member to the appeal board?
 - If more than one, is there Ministerial approval for the additional councillors to sit on the panel?
4. Are the active members of the SDAB trained?
5. Is there a clerk appointed to the SDAB, and is that person a designated officer?
6. Has the clerk received SDAB training?
7. Has the clerk kept a record of the hearings?

COMMENTS/OBSERVATIONS: Bylaw 842-95, passed September 26, 1995, establishes the SDAB for the municipality. The bylaw excludes members of the municipal planning commission and the development officer; however, the bylaw does not exclude municipal employees from appointment to the SDAB. Members have not been appointed to the SDAB, nor has a clerk been appointed.

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ACTION ITEMS: Bylaw 842-95 should be amended to exclude municipal employees from the SDAB. A clerk must be appointed, and established as a designated officer (as indicated in section 3.4.3 of this report), in accordance with section 627.1 (1) and (3) of the MGA, and must be trained in accordance with section 627.1(4). Active members should be appointed by council, and must have the required training in accordance with section 627.2 of the MGA.

RESOURCES: Municipal Affairs has developed an SDAB training guidebook and several fact sheets to assist municipalities, which can be found at the [SDAB website](#). In addition, Municipal Affairs Planning Advisors are available to discuss these topics further by calling toll-free 310-0000 and then 780-427-2225.



MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.



4. Subdivision Applications and Decision

LEGISLATIVE REQUIREMENTS: MGA 653, 653.1, 679, Subdivision and Development Regulation 43/2002, Subdivision and Development Appeal Board Regulation 195/2017

1. Are the forms set out in schedules 1 and 2 of the Subdivision and Development Regulation used for all subdivision application and deferred reserve caveat decisions?
2. If required, were written referrals sent according to legislation?
3. Have all the mandatory requirements in section 653 and 653.1 of the MGA been met?
4. If there have been appeals, did the SDAB clerk give five days' notice of the hearing to the appropriate stakeholders?

COMMENTS/OBSERVATIONS: Subdivision file #11/200 utilized the correct forms, as required by regulation. Written referrals were sent appropriately to the required third parties. Legislative requirements were met, and there was no appeal of the subdivision.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.



5. Development Applications

LEGISLATIVE REQUIREMENTS: MGA 683.1, 686, 687

1. Did the development authority review the application within 20 days to determine if it was complete?
2. If deemed complete, did the applicant get a notification that the application is complete, or if deemed incomplete, did the applicant get a notification from the development authority that the application is incomplete?
3. If the development permit application is refused, was a notice issued to the applicant?
4. Are appeal hearings held within 30 days after the receipt of a notice of appeal by the SDAB?
5. Does the SDAB give at least five days notice in writing of the hearing:
 - to the appellant;
 - to the development authority; and
 - to the owners as required under the land use bylaw?
6. Did the board make materials related to the appeal available for public inspection?

COMMENTS/OBSERVATIONS: Development application and decision DP 002-19 was reviewed. The application was determined to be complete; therefore, no further notification to the applicant was required, and a decision was made within the 20 day deadline.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

6. Alberta Land Stewardship Act (ALSA) Regional Plan or Land Use Policies

LEGISLATIVE REQUIREMENTS: MGA 622, 630.2 and ALSA 20

1. Is there an ALSA Regional Plan in effect in your area?
2. If yes, which plan?
3. Has a statutory declaration been filed with the Land Use Secretariat indicating compliance with the regional plan? (Note: due within five years of an ALSA regional plan coming into force.)

COMMENTS/OBSERVATIONS: There is no ALSA regional plan in effect for the Town of Hanna.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

7. Growth Management Board

LEGISLATIVE REQUIREMENTS: MGA 708.23

1. Is the municipality a member of a growth management board?
2. Has the growth management board established by bylaw an appeal mechanism or dispute resolution mechanism, or both, for the purposes of resolving disputes arising from actions taken or decisions made by the growth management board?

COMMENTS/OBSERVATIONS: The town is not a member of a growth management board.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.



8. Land Use Bylaw

LEGISLATIVE REQUIREMENTS: MGA 230, 606, 639, 640, 642 (1), 692 (4), Subdivision and Development Regulation 43/2002

1. Is there a Land Use Bylaw?
2. Does the Land Use Bylaw:
 - divide the municipality into districts (zones);
 - establish a method of making decisions on development permit applications, including provisions for:
 - the types of development permits that may be issued;
 - processing an application for, or issuing, canceling, suspending or refusing to issue development permits;
 - the conditions that development permits may be subject to;
 - how long development permits remain in effect;
 - the discretion the development authority may exercise with respect to development permits;
 - provide for how and to whom notice of the issuance of development permits is to be given;
 - establish the number of dwelling units permitted on a parcel of land; and
 - identify permitted and discretionary uses?
3. Does the public notice of application to rezone properties include:
 - the municipal address/legal address of the parcel of land;
 - a map showing the location of the parcel of land;
 - written notice to the assessed owner of that parcel of land; and
 - written notice to the assessed owner of the adjacent parcel of land?
4. Does the notice of a public hearing on land use bylaw related issues include:
 - the municipal address/legal address of the parcel of land;
 - a map showing the location of the parcel of land;
 - the general purpose of the bylaw and public hearing;
 - the address where the proposed bylaw, and any document related to the bylaw or public hearing can be inspected; and
 - the date, time and place of the public hearing?

COMMENTS/OBSERVATIONS: Bylaw 967-2012 is the land use bylaw for the town. The bylaw has been consolidated (see section 3.6.2 of this report) with amendments up to July 10, 2018. As noted previously in this report, a consolidation of a bylaw and its amendments may only be made when authorized by council by bylaw in accordance with section 69(1) of the MGA. The land use bylaw includes the content required by legislation. Bylaw 1000-2019 amended the land use bylaw to rezone a parcel of land. The notice of public hearing contained the required content.

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MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.



9. Municipal Development Plan (MDP)

LEGISLATIVE REQUIREMENTS: MGA 230, 606, 632, 641, 692

1. Is there a Municipal Development Plan?
 - Does the population of the municipality exceed 3,500?
 - If the population of the municipality is less than 3,500, does the Land Use Bylaw for the municipality contain 'Direct Control' districting as per section 641(1)?
2. Does the MDP address/include:
 - future land use;
 - future development;
 - coordination of land use, growth patterns and infrastructure with adjacent municipalities (if there is no intermunicipal development plan);
 - transportation systems; and
 - municipal services and facilities?
3. Has the MDP been amended?
4. Was the amendment to the MDP advertised?
5. Was a public hearing held for the amendment to the MDP?

COMMENTS/OBSERVATIONS: Council passed bylaw 968-2013 on March 12, 2013, to establish the Municipal Development Plan for the town. The bylaw addresses the matters required by legislation, and has not been amended since its adoption.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.



10. Intermunicipal Development Plan (IDP)

LEGISLATIVE REQUIREMENTS: MGA 230, 606, 631, 636, 692, 708.28, 708.3

1. Is there an Intermunicipal Development Plan?
2. Does the IDP address/include within the IDP area:
 - future land use;
 - future development;
 - transportation;
 - coordination of intermunicipal programs (physical, social and economic development);
 - environmental matters;
 - dispute resolution processes;
 - plan repeal/amendment procedures; and
 - plan administration provisions?
3. Has the IDP been amended?
4. Was the amendment to the IDP advertised?
5. Was there a public hearing for the amendment of the IDP?

COMMENTS/OBSERVATIONS: The town is currently working towards an IDP with the special areas board.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: Municipalities are required to adopt intermunicipal development plans by April 1, 2020.

RESOURCES: Not applicable.

11. Intermunicipal Collaboration Frameworks (ICF)

LEGISLATIVE REQUIREMENTS: MGA 708.33, Intermunicipal Collaboration Framework Regulation 191/2017

1. Has an ICF been adopted with each municipality that shares a common border? (Not applicable until April 1, 2020.)

COMMENTS/OBSERVATIONS: The town is currently working with the special areas board towards the development of an ICF. A resource is provided below to assist the municipality.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: Municipalities are required to adopt intermunicipal collaboration frameworks by April 1, 2020 that specify what and how services are funded and delivered.

RESOURCES: Information on ICF requirements, contents and dates can be located online at: [Intermunicipal Collaboration Frameworks](#)



12. Listing and Publishing Policies Related to Planning Decisions

LEGISLATIVE REQUIREMENTS: MGA 638.2

1. Are the following published on the municipal website:
 - an up-to-date list of council approved policies (by bylaw or resolution) used to make planning/development decisions;
 - a summary of these policies and their relationship to each other and to statutory plans and bylaws passed under Part 17 of the MGA; and
 - documents incorporated by reference in any bylaws passed under Part 17?

COMMENTS/OBSERVATIONS: The town's website includes the current bylaws applicable to planning decisions on the municipal website; however, the website does not include a summary of the bylaws and policies, and how they relate to each other and statutory plans.

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ACTION ITEMS: The town website should be updated to include a comprehensive list and summary of all planning policies and their relationships with other planning documentation and decisions in accordance with section 638.2 of the MGA.

RESOURCES: Municipal Affairs Planning Advisors are available to provide planning and development support by calling toll-free 310-0000 and then 780-427-2225.

MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.



3.11 Local Authorities Election Act (LAEA)

1. Joint Elections

LEGISLATIVE REQUIREMENTS: *Local Authorities Election Act (LAEA) 2-3*

1. Is there an agreement to hold an election in conjunction with another local authority?
2. Does the agreement include:
 - which elected authority is responsible for the conduct of the election; and
 - the appointment of a returning officer for each local authority?

COMMENTS/OBSERVATIONS: The Town of Hanna and the Prairie Land Regional Division #25 conducted a joint election during the 2017 general election. The town and the school division drew up a memorandum of understanding (MOU) for the conduct of a joint election; however, the MOU is not executed by the parties, and no further agreement was located.

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ ACTION ITEMS: Moving forward, should the town wish to conduct an election with another local authority, a resolution must be passed to enter into an agreement for the conduct of a joint election in accordance with section 3 of the *Local Authorities Election Act*.

RESOURCES: Municipal Affairs Advisors are available to provide elections support by calling toll-free 310-0000 and then 780-427-2225.

MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.



2. Oath/Statement

LEGISLATIVE REQUIREMENTS: LAEA 16, Local Authorities Election Forms Regulation 106/2007

1. Did the Returning Officer, and all deputy returning officers take the oath/statement as per the Local Authorities Election Forms Regulation for the most recent election?

COMMENTS/OBSERVATIONS: Prior to the October 2017 general election, each election officer took the appropriate oath.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ ACTION ITEMS: No action required.

RESOURCES: Not applicable.

3. Substitute Returning Officer

LEGISLATIVE REQUIREMENTS: LAEA 13(2.1)

1. Has a substitute returning officer been appointed in the resolution or bylaw that fixes the date for the by-election?

COMMENTS/OBSERVATIONS: The municipality is aware of the new legislative requirements should a by-election be required in the future.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ ACTION ITEMS: No action required.

RESOURCES: Not applicable.



4. Nomination Forms

LEGISLATIVE REQUIREMENTS: LAEA 27, 28.1, 34, 97

1. Is there a bylaw requiring a deposit upon the submission of a nomination form?
2. Were the nomination papers signed by at least five residents of the municipality?
3. Have all nomination papers that were filed prior to the most recent election been retained?
4. Were copies of the prescribed form for the identification of an official agent, campaign workers and scrutineers for the purposes of identification under section 52 made available to the candidates?
5. Does the municipality ensure that the Deputy Minister is forwarded a signed statement showing the name of each nominated candidate, election results, and any information about the candidate that the candidate has consented to being disclosed (for general elections and by-elections)?

COMMENTS/OBSERVATIONS: The town does not take a deposit; therefore, no bylaw is required. Nomination papers were signed, filed, and the Deputy Minister received the required information in accordance with the LAEA. The nomination papers have been retained by the municipality.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ ACTION ITEMS: No action required.

RESOURCES: Not applicable.



5. Proof of Elector Eligibility

LEGISLATIVE REQUIREMENTS: LAEA 53, 53.1

1. Is there a bylaw to require additional pieces of identification to prove elector eligibility?
2. If so, was the bylaw advertised?
3. Did the notice of the bylaw include:
 - a statement of the general purpose of the bylaw and the proposed requirements for the number and types of identification that must be produced to verify elector name, current address and, if applicable, age;
 - the address where a copy of the proposed bylaw may be inspected; and
 - an outline of the procedure to be followed by anyone wishing to file a petition in respect of the proposed bylaw, as provided for in the MGA?

COMMENTS/OBSERVATIONS: The town does not have a bylaw requiring additional pieces of identification to prove elector eligibility.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ ACTION ITEMS: No action required.

RESOURCES: Not applicable.



6. Vote by Special Ballot

LEGISLATIVE REQUIREMENTS: LAEA 77.1, 77.2, 77.3

1. If the municipality provided for special ballots, was the Minister notified?

COMMENTS/OBSERVATIONS: The town does not provide for special ballots.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ ACTION ITEMS: No action required.

RESOURCES: Not applicable.



7. Ballot Account

LEGISLATIVE REQUIREMENTS: LAEA 88, 89, 94, 100

1. Has a copy of the ballot account been retained?

COMMENTS/OBSERVATIONS: A copy of the 2017 general election ballot account has been retained.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ ACTION ITEMS: No action required.

RESOURCES: Not applicable.

8. Disposition of Election Material

LEGISLATIVE REQUIREMENTS: *LAEA 101*

1. Were the election materials disposed of in accordance with section 101?
2. Is there a copy of the affidavits of destruction of the ballot box contents sworn or affirmed by the two witnesses?

COMMENTS/OBSERVATIONS: The town disposed of the 2017 general election materials on January 17, 2018, in accordance with section 101 of the *LAEA*.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ ACTION ITEMS: No action required.

RESOURCES: Not applicable.



9. Campaign Disclosure Statements

LEGISLATIVE REQUIREMENTS: LAEA 147.4

1. Did all campaign disclosure statements include:
 - the total amount of all campaign contributions received during the campaign period that did not exceed \$100 in the aggregate from any single contributor;
 - the total amount contributed, together with the contributor's name and address, for each contributor whose contributions during the campaign period exceeded \$100 in the aggregate;
 - the total amount of money paid by the candidate out of the candidate's own funds;
 - the total amount of any campaign surplus, including any surplus from previous campaigns; and
 - a financial statement setting out the total amount of revenue and expenses?
2. Are all documents filed under this section available to the public during regular business hours?

COMMENTS/OBSERVATIONS: No campaign contributions were collected by town candidates.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ ACTION ITEMS: No action required.

RESOURCES: Not applicable.

3.12 Emergency Management

1. Municipal Emergency Organization/Agency/Advisory Committee

LEGISLATIVE REQUIREMENTS: *Emergency Management Act (EMA)* 11, 11.1, 11.2

1. Has an emergency advisory committee been appointed consisting of a member or members of council to advise on the development of emergency plans and programs?
2. Is an emergency management agency established to act as the agent of the local authority in exercising the local authority's powers and duties under the EMA?
3. Has a director of the emergency management agency been appointed?
4. Are there prepared and approved emergency plans and programs?

COMMENTS/OBSERVATIONS: Council passed bylaw 931-2007 on January 9, 2007, establishing the emergency management agency and emergency management committee. The membership of the emergency management agency is established by bylaw, and members of council are appointed to the emergency management committee at the annual organizational meeting. An approved municipal emergency plan is in place, and a director of emergency management has been appointed.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

2. Municipal Emergency Organization/Agency/Advisory Committee (for discussion only)

LEGISLATIVE REQUIREMENTS: *Local Authority Emergency Management Regulation*

1. Is the municipality aware that as of January 1, 2020:
 - Emergency advisory committees and emergency management agencies must be appointed by bylaw;
 - The Managing Director of AEMA will prescribe a command, control and coordination system that must be used by emergency management agencies;
 - If a local authority has delegated some or all of their powers under the Emergency Management Act to a regional services commission or joint committee, the local authority must establish a bylaw setting out the powers and duties which have been delegated;
 - If the local authority has delegated powers to a regional services commission, their bylaw must indicate whether the local authority will maintain an independent emergency management agency;
 - When summer villages delegate powers and duties under the Emergency Management Act to another local authority, the local authority accepting the delegation of the summer village may delegate the powers to a council committee;
 - When a summer village delegates powers and duties under the Emergency Management Act to another local authority, the summer village and the local authority must establish in bylaw which powers and duties have been delegated and accepted;
 - Training will be prescribed by the Managing Director and will include:
 - Mandatory elected officials training within 90 days of taking oath
 - DEMs must take courses within 18 months of being appointed
 - Municipal staff responsible for implementing emergency plan must take prescribed courses within six months of taking on role
 - Emergency management agencies must review the emergency plan at least once per year and make it available to AEMA for review and comment annually.

COMMENTS/OBSERVATIONS: The town is aware of the upcoming legislative requirements.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: The Alberta Emergency Management Agency (AEMA) has developed a number of online tools at www.aema.alberta.ca to assist municipalities which include resources to develop emergency plans, and training workshops. For questions and additional support pertaining to emergency management, contact the Alberta Emergency Management Agency at 310-0000 then 780-422-9000.

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3.13 Libraries

1. Municipal Library Board

LEGISLATIVE REQUIREMENTS: *Libraries Act* 3-5

1. Is a municipal library board established?
2. How many councillors have been appointed to the board?
3. Are there alternate members?
4. In the case of an intermunicipal library board, have the councils establishing the board appointed the members?
5. Does the membership appointment term exceed three years?
6. Does any member's number of terms exceed three terms? If so, did two-thirds of council approve?

COMMENTS/OBSERVATIONS: Bylaw 407 was passed on April 28, 1971, establishing the municipal library board for the town. One member of council has been appointed to the board, as well as one alternate member at each annual organizational meeting. No members have been appointed for more than three terms.

MEETS LEGISLATIVE REQUIREMENTS: No

RECOMMENDATIONS/ACTION ITEMS: Library board appointments must align with section 4 of the *Libraries Act*, which does not provide for the appointment of an alternate member.

RESOURCES: Municipal Affairs Library Consultants are available to provide library support by calling the Public Library Services Branch (PLSB) toll-free 310-0000 and then 780-427-4871 or by email at librairies@gov.ab.ca. Information is also available on the PLSB website at www.albertalibraries.ca.

MUNICIPAL RESPONSE: Response to the findings, or comments, status or action to be taken including key milestones and deadlines. Where resolutions of council are required please provide the date of approval and resolutions of council and/or bylaw numbers.



2. System Library Board

LEGISLATIVE REQUIREMENTS: *Libraries Act 16*, Libraries Regulation 141/1998

1. Is a system library board established?
2. Have councils that have signed the agreement appointed the members of the board?
3. Does the membership appointment term exceed three years?
4. Does any member's total years of service exceed nine consecutive years? If so, did two-thirds of council approve?
5. Are there alternate members?

COMMENTS/OBSERVATIONS: The town is a part of the Marigold Regional Library System. Council appoints one member and one alternate annually at the organizational meeting. Legislative requirements were met.

MEETS LEGISLATIVE REQUIREMENTS: Yes

RECOMMENDATIONS/ACTION ITEMS: No action required.

RESOURCES: Not applicable.

Section 4: Conclusion

Your participation and cooperation during the 2019 Municipal Accountability Program review are appreciated. This report is intended to help the Town of Hanna reach full mandatory legislative compliance.

No confidential information is contained within this report; therefore, the report in its entirety should be shared with council to strengthen awareness of the diversity and magnitude of municipal responsibilities, the significant tasks and work involved, and achievements in compliance. The report can be used as a planning tool for addressing the compliance gaps identified and for future training purposes. To demonstrate transparency and accountability to citizens, it is strongly encouraged that the review results are shared during an open public meeting.

The ministry is committed to maintaining a strong collaborative working relationship. We welcome your feedback on our review process as we work together to ensure Albertans live in viable municipalities with well-managed local governments.