

MOUNTAIN VIEW COUNTY

BYLAW NO. 56/05

Establishing Procedure and Conduct of Public Hearings

Consolidated June 14, 2017

NOTE:

All persons making use of the consolidation are reminded that it has no legislative sanction, that the amendments have been embodied for convenience of reference only, and that the original Acts should be consulted for all purposes of interpreting and applying the bylaw.

**Mountain View County
Province of Alberta**

Bylaw No. 56/05

**A BYLAW OF MOUNTAIN VIEW COUNTY IN THE PROVINCE OF ALBERTA REGARDING THE
PROCEDURE AND CONDUCT OF PUBLIC HEARINGS.**

Section 191 (1) of the Municipal Government Act, Chapter M-26 Statutes of Alberta 2000, authorizes a municipality by bylaw to revise bylaws within the municipality.

SECTION 1 – PUBLIC HEARINGS

- 1.01 Public Hearings shall be held during regular meetings of Council in the Council Chamber, Mountain View County Office Building
- 1.02 A maximum of six (6) Public Hearings will be held at each regularly scheduled meeting of Council. (Bylaw 03/10)
- 1.03 In the event that the number of Hearings required cannot be accommodated at a regular Council Meeting, Council may, by resolution, establish a Special Meeting to accommodate the excess hearings.
- 1.04 Public Hearings shall be included on the Agenda of the regularly scheduled Council Meeting as per Bylaw No. 21/07, The Procedure and Conduct of Council Meetings. (Bylaw 03/10)
- 1.05 Public Hearings shall allow input on facts and opinions from the public, and are not intended to be question and answer sessions. (Bylaw 12/17)

SECTION 2 – CONDUCT OF MEETINGS

- 2.01 Any person who claims that he/she will be affected by the subject matter of the Public Hearing shall be afforded the opportunity to be heard by Council either by themselves or by their agents.
- 2.02 Every delegate to the Public Hearing and each member of Council shall address their questions and comments to the Chair but shall not speak until recognized by the Chair.
- 2.03 Any person wishing to file a written submission to the Public Hearing shall file their submission with the Planning Department a minimum of two day's prior to the date of the Public Hearing so that written material can be included in the revised agenda (Bylaw 12/17)
- 2.04 Unless authorized by a motion of Council written material will not be accepted by Council after the close of the revised agenda deadline and members of the public wishing to provide input into the hearing must do so verbally. (Bylaw 12/17)

- 2.05 Written submissions must:
 - (a) be legible
 - (b) identify the writer, the writer's address and preferably telephone number
 - (c) not be libelous, impertinent or improper
- 2.06 The CAO is authorized to summarize the contents of the communications when there are a number of letters and the contents are the same. In all instances "CAO" means the CAO or their designate. The letters will be provided to Council in their Agenda Packages.
- 2.07 Questions by council members shall be limited to questions to determine the suitability of the property for the land use being requested.

SECTION 3 – MEETING PROCEDURE

- 3.01 The Chair shall open the Public Hearing and introduce the subject of the Hearing.
- 3.02 Subject of the Bylaw will be read into the Public Hearing. (Bylaw 03/10)
- 3.03 The Chair will request that the Application be introduced by the CAO.
- 3.04 Repealed June 14, 2017 (Bylaw 12/17)
- 3.05 Persons addressing Council shall give their name, location of their property in relation to the applicant's property, an indication as to whether they are speaking on their own behalf or for another person or a group, and address the Chair when responding to questions or providing information.
- 3.06 Following the applicant's presentation, and after identifying themselves, any person wishing to speak in favor or opposition of the application may address Council. All presenters will be allowed five (5) minutes unless an extension is approved by the Chair. (Bylaw 12/17)
- 3.07 Individuals who have submitted a letter shall only address Council on new non-repetitious information not contained in the letter.
- 3.08 Repealed June 14, 2017 (Bylaw 12/17)
- 3.09 Repealed June 14, 2017 (Bylaw 12/17)
- 3.10 Repealed June 14, 2017 (Bylaw 12/17)
- 3.11 The use of power point, slides, maps, videos and written submissions are permitted but they shall become the property of the County as exhibits to the Hearing. (Bylaw 12/17)
- 3.12 Council is provided the opportunity to ask questions. The questions asked shall be limited to questions concerning the subject of the Public Hearing.
- 3.13 The CAO is given the opportunity to provide closing remarks. (Bylaw 12/17)

- 3.14 Applicant is given the opportunity to provide closing remarks. The applicant may speak in rebuttal to those in opposition during closing comments providing no new information is provided. (Bylaw 12/17)
- 3.15 Council is asked whether they have any final questions, Council members may not debate the issues before the Hearing is closed.
- 3.16 Council may choose to recess a Public Hearing to another time, date or place. However once the Hearing has been closed no new information may be provided to Council. Council may receive updated information for clarification on subjects discussed as part of the public hearing providing new information is not introduced that would create an unfair approval process by restricting the public's ability to provide input. (Bylaw 12/17)
- 3.17 Chair closes the Public Hearing.
- 3.18 Council will proceed to consider the Bylaw in accordance with section 230 (5) of the Municipal Government Act. (Bylaw 12/17)

Read the first time this 14th day of December, 2005

Read the second time this 14th day of December, 2005

Read the third time this 14th day of December, 2005.



Reeve



Chief Administrative Officer

05 Jan 2006
Date of Signing