

MUNICIPALITY OF CROWSNEST PASS

BY-LAW NO. 888, 2014

A BY-LAW OF THE MUNICIPALITY OF THE CROWSNEST PASS, IN THE PROVINCE OF ALBERTA, ESTABLISHING THE CROWSNEST PASS PARKS AND RECREATION AUTHORITY AND TO SET FORTH THE DUTIES AND RESPONSIBILITIES THEREFOR.

NOWHEREFORE, The Council of the Municipality of Crowsnest Pass, duly assembled, does hereby enact as follows:

1. DEFINITIONS

- a) “**Board**” means the Crowsnest Pass Parks and Recreation Authority Board.
- b) “**Council**” means the duly elected officers of the Municipality of Crowsnest Pass.
- c) “**Director**” means the Director of the Municipality’s Community Services Department, or the employee(s) designated by the Director.
- d) “**Municipality**” means the Municipality of Crowsnest Pass

2. EFFECTIVE DATE

Bylaw 888, 2014 comes into full force and effect upon the final passing thereof.

3. ESTABLISHMENT

A) NAME

- i) There is hereby established and constituted the Crowsnest Pass Parks and Recreation Authority to exercise the duties, powers, and functions as prescribed by this By-Law.

B) BOARD MEMBERSHIP

- i) The Board shall consist of up to nine (9) members, all of which shall be appointed by Council. These nine (9) members will be comprised of two (2) Municipal Councillors and seven (7) members-at-large.
- ii) Each member of the Board shall hold office for a term. The following terms of appointment shall apply: seven (7) members-at-large shall hold positions for three (3) year term, and the two (2) Municipal Councillors shall hold office for a one (1) year term. These terms will commence on January 1st of the appropriate year, except where a member appointment has been made to fill a vacancy for the balance of a term. In such instances the term will commence immediately upon member appointment.

C) MEMBER RESIGNATION

- i) Any member of the Board may resign at any time by forwarding written notice to that effect to the Chairperson and/or Director.

D) MEMBER DISQUALIFICATION

- i) A member ceases to be a member of the Board when he or she:
 - 1. Fails to attend three (3) consecutive regular meetings of the Board, unless such absence is authorized by resolution of the Board;
 - 2. In the case of members-at-large appointed from the Municipality, ceases to be a resident of the Municipality;
 - 3. Is hired as an employee of the Municipality;
 - 4. In the case of the Municipal Councillor, ceases to be a member of Council.

E) BOARD VACANCIES

- i) The Board shall advise the Director when a mid-term vacancy occurs on the Board.
- ii) The Municipality will advertise any current and impending vacancies of the Board, and applicants shall be forwarded to Council for appointment. The outgoing Board Members are entitled to reapply.

F) BOARD OFFICES

- i) At its first meeting of the Board in each calendar year, a Chairperson and Vice-Chairperson shall be chosen by majority vote of the Board for a term of Office for one (1) year.
- ii) Should a Chairperson or Vice-Chairperson position become vacant prior to the expiry of his/her one (1) year term of Office, another member shall be appointed to the applicable Office by majority vote of the Board at the next meeting of the Board.
- iii) The Chairperson is the Chief Officer of the Board and shall preside at all meetings of the Board when present. He/She will be responsible for supervising the conduct of the Board members in the performance of their duties and bring such matters to the attention of the Board as warranted. In addition, the Chair is the spokesperson for the Parks and Recreation Authority, especially on matters that come before Council or matters that are contentious in nature.
- iv) The Vice-Chairperson shall perform the duties of the Chairperson in his/her absence, as well as such other duties as directed by the Board.

G) DUTIES AND AUTHORITIES

- i) The mandate of the Board is to oversee the operation of, and advise Council on the capital and long term development related to, all Municipal Parks and Recreation programming, services, and amenities, excepting those operated in conjunction with the Crowsnest Pass Swimming Pool and Pass Powderkeg Ski Hill. The Board mandate shall include facilities such as arenas, community centres, halls, parks, playgrounds, sports fields, and trails.
- ii) Unless authorized by Council herein, or explicitly, the Board or any member thereof shall not have the power to pledge the credit of the Municipality, authorize expenditures, or expend public monies.
- iii) The duties of the Board shall be as follows:
 - 1. **Annual Budget** – In accordance with the Municipal budget development and approval timelines, recommend to Council a Parks and Recreation annual budget that incorporates Parks and Recreation services, service levels, and priorities. If and when they occur, the Board will also review and recommend to Council any Parks and Recreation expenditure above and beyond the scope of the approved Parks and Recreation budget.
 - 2. **Finances** – Review Parks and Recreation quarterly variance reports and work with the Director to ensure the Parks and Recreation budget is adhered to.
 - 3. **Planning** – Establish priorities, objectives, and plans for the provision and future development of Parks and Recreation facilities and services. Such planning shall take into consideration Municipal and Provincial strategic plans in areas related to Parks and Recreation. Further, the Board shall assist Parks and Recreation staff with the planning and implementation of Parks and Recreation events and functions.
 - 4. **Rules & Policies** – Establish and approve rules and policies governing Parks and Recreation operations and services.
 - 5. **Reporting** – The Board shall provide reports and recommendations to Council on relevant issues upon Council request. The Board shall provide reports and recommendations to Council on matters such as strategic plans, progress reports, and substantive changes to Parks and Recreation service levels.
 - 6. **Evaluation** – Evaluate the performance of Parks and Recreation plans, budgets, services, programs, events, and initiatives.
- iv) The duties of the members of the Board in carrying out Board responsibilities and functions are as follows:
 - 1. Unless specifically provided for herein, comply with the Municipal Procedural Bylaw.
 - 2. Comply with Board policies and procedures.
 - 3. Comply with the Municipal Government Act of Alberta and other applicable provincial legislation.

4. Build and maintain a positive working relationship with the Director, Parks and Recreation staff, Council, and the community.

H) REMUNERATION

- i) All members-at-large of the Board shall hold their positions on the Board, and attend Board meetings, without remuneration.
- ii) Upon pre-approval of the Board, members may be reimbursed expenses to attend other relevant regional meetings and conferences. Such reimbursements shall be consistent with Municipal policy.

I) PERSONAL CONFLICT

- i) Personal Conflict means that the matter being voted on:
 1. Could monetarily affect the Board Member or an employee of the Board Member, or;
 2. The Board Member knows or should know that the matter could monetarily affect the Board Member's family.
- ii) A Board Member is monetarily affected by a matter if the matter monetarily affects:
 1. The Board Member directly;
 2. A corporation, other than a distributing corporation, in which the Board Member is a shareholder, director or officer;
 3. A distributing corporation in which the person beneficially owns voting shares carrying at least ten percent (10%) of the voting rights shares of the corporation or of which the person is a director or officer; or
 4. A partnership or firm of which the person is a member.
- iii) A Board Member does not have a Personal Conflict by reason of only:
 1. That the Board Member may have with respect to any allowance, honorarium, remuneration, or benefit to which the Board Member may be entitled to by being a Board Member;
 2. That the Board Member or a member of the Board Member's family may have by being employed by the Government of Canada, the Government of Alberta or a federal or provincial Crown Corporation or agency, except with respect to a matter directly affecting the department, corporation or agency of which the Board Member or a member of the Board Member's family is an employee;
 3. That a member of the Board Members family may have by having an employer, other than the Municipality, that is monetarily affected by the decision of the Board;
 4. That the Board Member or member of the Boards Member's family may have by being a member or director or a non-profit organization or a service club; or
 5. That is so remote or insignificant that it cannot reasonably be regarded as likely to influence the Board Member.

4. MEETINGS

A) REGULAR MEETINGS

- i) Regular meetings shall be held every month unless otherwise decided by resolution of the Board, provided that a minimum of ten (10) regular meetings are held each year. Meetings shall take place at a time and place so designated by the Board.

B) SPECIAL MEETINGS

- i) Special Meetings of the Board may be called by the Chairperson or any three (3) members of the Board by giving at least twenty-four (24) hours notice prior to such meetings, and stating the time, place, and date of the meeting, as well as outlining the nature of the business to be transacted.

C) NOTICE OF MEETINGS

- i) Notice for meetings of the Board will be advertised, at a minimum, on the Municipal website.

D) VOTING

- ii) All Board Members shall vote on all questions before the Board, except for Board members that abstain due to a personal conflict.
- iii) A simple majority vote of present Board members shall determine the outcome of motions. In the event of a tie vote, the motion shall be defeated.

E) QUORUM

- i) A quorum of the Board shall be four members of the Board, one of which must be a Municipal Councillor, for all matters. A meeting shall not be cancelled due to a lack of quorum until 15 minutes after the scheduled time of the meeting has elapsed.

F) STANDING COMMITTEES

- i) The Board may appoint Standing Committees from its members to perform specified functions of the Board, and the Chairperson or Board may appoint such other Special Committees consisting of members or non-members to perform such duties as may be determined for advisory purposes.

G) RECORDS/MINUTES

- i) A minute book shall be kept, and the minutes of all regular and special meetings of the Board shall be recorded therein.

Read a first time this 20th day of May, 2014.

CARRIED

Read a second time this 3rd day of June, 2014.

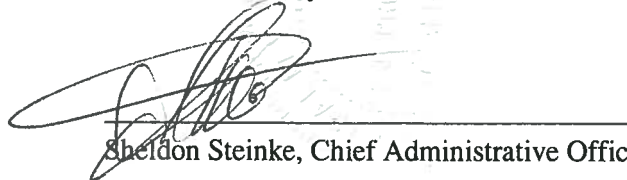
CARRIED

Read a third and final time, this 3rd day of June, 2014.

CARRIED



Blair Painter, Mayor



Sheldon Steinke, Chief Administrative Officer