

**CITY OF LACOMBE  
BYLAW 397**

**Consolidated November 9, 2015**

**A Bylaw of the City of Lacombe, in the Province of Alberta, to establish a Committee of Council to manage the City's historic resources.**

**WHEREAS** pursuant to section 145 of the Municipal Government Act, R.S.A. 2000, c.M-26, Council may pass bylaws in relation to the establishment, functions, procedure and conduct of council committees;

**WHEREAS** pursuant to section 203 of the Municipal Government Act, R.S.A. 2000, c M-26, Council may by bylaw delegate any of its powers, duties or functions under this or any other enactment or a bylaw to a council committee, unless this or any other enactment or bylaw provides otherwise;

**WHEREAS** the Council of the City of Lacombe approved the Heritage Resource Plan on May 27, 2013 to manage the City's Municipal Historic Resources and desires that a Committee be created to oversee the plan;

**NOW THEREFORE**, the Council of the City of Lacombe enacts as follows:

SHORT TITLE

1.0 This bylaw is called "**The Heritage Resources Committee Bylaw**".

DEFINITIONS

2.0 In this bylaw, unless the context otherwise requires:

- (1) "CAO" means the Chief Administrative Officer or designate,
- (2) "City" means the Municipal Corporation of the City of Lacombe
- (3) "Committee" means the Heritage Resources Committee.
- (4) "Council" means the Municipal Council of the City of Lacombe,
- (5) "Fund" means the Heritage Resources Fund.
- (6) "Municipal Historic Resource" means a building or structure within the City of Lacombe which has been designated as a Municipal Historic Resource by Council.

ESTABLISHMENT

3.0 The Council of the City of Lacombe hereby establishes the Heritage Resources Committee.

PURPOSE & FUNCTION

4.0 The Committee shall be governed in accordance with the Terms of Reference and Mandate as presented in "Schedule A" and "Schedule D", attached hereto and forming part of this bylaw. (397.1, 11/09/15)

HERITAGE RESOURCES FUND

5.0

- (1) The Heritage Resources Fund is hereby established in accordance with the terms and conditions outlined in "Schedule B", attached hereto and forming part of this bylaw.
- (2) The Committee is authorized to award grant funding to Municipal Historic Resources for Restoration, Improvement and Maintenance from the Heritage Resources Fund.

- (3) Grants issued by the Committee shall be in conformance to the rules and guidelines identified in "Schedule C", attached hereto and forming part of this bylaw.

#### BUDGET & RESOURCES

- 6.0 (1) A budget for expenses, arising from the operation of the Committee in the administration of this bylaw, will be submitted to Council for approval.
  - (2) The budget shall be prepared and presented to Council by the CAO and/or designate, in consultation with the Committee.
  - (3) The Committee's budget will be administered by the CAO and/or designate.
- 7.0 On behalf of the City, and with the approval of the Chief Administrative Officer, the Committee may apply for and receive grants from foundations and other orders of government to carry out specific projects.
- 8.0 (1) Professional, technical and administrative support to the Committee, as determined in consultation with the Committee, will be provided by the CAO or designate.
  - (2) The CAO or designate will act as advisor and resource to the Committee.

#### GENERAL

- 9.0 This Bylaw shall come into effect upon final passage thereof.

INTRODUCED AND GIVEN FIRST READING this 26th day of October, 2015

GIVEN SECOND READING this 26th day of October, 2015

GIVEN THIRD AND FINAL READING this 9th day of November, 2015

\_\_\_\_\_ (Original Signed)\_\_\_\_\_  
Mayor

\_\_\_\_\_ (Original Signed)\_\_\_\_\_  
Chief Administrative Officer

## **Schedule A**

### **Terms of Reference and Mandate for the Heritage Resources Committee**

#### MANDATE

1.0 The objective of the Committee is to advise the City of Lacombe's Staff and Council on any matter related to the heritage significance of any building, structure or landscape feature located within city limits. The Committee is also responsible for the management of the Heritage Resource Fund for the City of Lacombe.

#### SCOPE OF WORK

- 2.0 To achieve this objective, the Committee may consult with City Staff and make recommendations to Council respecting applications which may have an impact upon a building, structure, or landscape feature having possible heritage significance to the city, including but not limited to:
- (1) Incentives for Municipal Historic Resources
  - (2) Municipal Heritage Designation of real property, in whole or in part;
  - (3) Heritage Alteration Permits as established in the Heritage Management Plan; and
  - (4) Applications for demolition of buildings or structures that are aged 50 years or older or having possible heritage significance to the city as defined by the Historic District Area Overlay in the Land Use Bylaw.
- 3.0 The Committee is also responsible for the administration and management of the Lacombe Heritage Resource Fund including but not limited to:
- (1) Administration of grants to building owners
  - (2) Celebration and interpretation of heritage resources in community
  - (3) Heritage awards or plaque programs
- 4.0 The Committee may undertake or provide support for city approved initiatives related to heritage management, heritage planning, and implementation of heritage policies and actions aimed at increasing public awareness of the social and economic benefits of heritage conservation.
- 5.0 The Committee shall advise Council on any matter referred to it by Council.

#### MEMBERSHIP

- 6.0 The membership of the Committee shall be as follows:
- (1) one member from City Council (voting)
  - (2) one representative from the Lacombe & District Historical Society (voting)
  - (3) up to five (5) members at large (with a preference for individuals with a background in planning/design, trades, real estate, accounting, lawyer) (voting)
  - (4) one Staff representative (for administrative support – non-voting)
- 7.0 Members shall be appointed by Council based on the following terms:
- (1) Council member is by Council on annual basis.
  - (2) Lacombe & District Historical Society member appointed for a four (4) year term by Council.
  - (3) Other five (5) positions of the Heritage Resource Committee must be staggered (1-3 year terms) to avoid the entire committee being replaced all at once. New member applications are forwarded to the Mayor's office for review and approval, forwarded to the Heritage

Resources Committee for information, then submitted to Council for ratification and appointment. (397.1, 11/09/15)

- 8.0 Council may, at any time, remove any member of the Committee and any member of the Committee may resign at any time upon sending written notice to the Chair of the Committee.
- 9.0 Committee members who are absent for three consecutive meetings shall forfeit their appointment, unless such absence is authorized by resolution of the Committee.
- 10.0 Committee members may stand for re-appointment at the conclusion of their term for one additional term.
  - (1) At the end of the second term, should a replacement Committee member not be appointed, a Committee member may stand for an additional year, on a yearly appointment, until a new Committee member is appointed.
- 11.0 Members of the Committee shall serve without remuneration.
- 12.0 In the event of a vacancy occurring during a regular term of office, the vacancy may be filled for the remainder of that term upon resolution of Council. (397.1, 11/09/15)
- 13.0 The Committee may appoint sub-Committees to deal with any special matters coming within the scope and jurisdiction of the Committee.

#### CHAIR

- 14.0 The Committee shall elect a Chair and Vice-Chair at its first meeting each year. In the absence of the Chair or Vice Chair, the Committee may elect an Acting Chair from those members present at an individual meeting.

#### MEETING PROCEDURES

- 15.0 The Chair shall call meetings of the Committee on a regular basis.
- 16.0 All meetings will be held in open session and in a location accessible to the public.
- 17.0 Unless otherwise authorized by the Committee, the public shall only address the Committee when they are a scheduled delegation on the Committee meeting agenda.
- 18.0 A majority of the Committee shall represent a quorum (four (4) members are required for quorum).
- 19.0 The order of business is to be as sent out in an agenda package by the City Staff representative to the Committee members three (3) days in advance of the meeting date.
- 20.0 Minutes of the meetings will be prepared and then signed by the Committee Chair. Originals of the minutes will be forwarded to the city for safekeeping.
- 21.0 Committee members have a responsibility to make decisions based on the best interests of the city. Committee members must abide by the conflict of interest provisions of the *Municipal Government Act*. Members who have a direct or indirect pecuniary interest in a matter under discussion are not permitted to participate in the discussion of the matter or to vote on a question in respect of the matter. They must declare their conflict and state

the general nature of their conflict, and then leave the meeting or that part of the meeting where the matter is under discussion. The member's declaration must be recorded in the minutes, and the Committee member must not attempt in any way, whether before, during or after the meeting to influence the voting on any question in respect of the matter.

#### VOTING

- 22.0 All members of a Committee, including the chair, vote on every question unless they have declared a conflict and left the meeting.
- 23.0 Any member who does not indicate how they vote, or has left the meeting without declaring a conflict, is counted as having voted for the question.
- 24.0 If the votes are equal for and against, the question is defeated.

#### COMMITTEE COMMUNICATION

- 25.0 The Committee Chair or its designate shall represent the Committee. When speaking in public or to the media on an issue, the Chair or designate must distinguish whether they are speaking as a member, or as a representative of another agency or community group, or as an individual. The Committee Chair or designate must convey the public interest and remember that they represent the City. This means they must be consistent with the City's position on specific issues.

#### REPORTING TO COUNCIL

- 26.0 Recommendations of the Committee must be adopted by Committee resolution and shall be forwarded to city staff who shall include the Committee's recommendation in their report to Council. Committee activities and recommendations will be reported to Council via City of Lacombe Administrative staff reports
- 27.0 The Committee Chair or his/her designate will report to City Council on behalf of the Committee via minutes to be included in Council's meeting packages. The City of Lacombe staff representative on the Committee will prepare the meeting minutes.
- 28.0 The Committee will prepare and submit an annual proposed budget for Council as part of the City's budget processes. Council will review and consider the annual budget as part of the City budget process.

**Schedule B**  
**Establishment of the Heritage Resources Fund**

- 1.0 The Heritage Resources Fund is established to provide a secure and long term funding source to support heritage conservation and education work.
- 2.0 Funding will include:
  - (1) Unspent funding from previous years under the Heritage Resources Grant Program.
  - (2) Amounts identified in the Committee's annual budget specifically earmarked to the Fund
  - (3) Any funds raised by the Heritage Resources Committee through fundraising initiatives.
  - (4) Funds received as part of any fee payment for the work undertaken by the Heritage Resources Committee
  - (5) Other funding sources including grants as they become available.
- 3.0 The Fund will be used to offset the cost for the following initiatives:
  - (1) The Heritage Resources Grant Program
    - 3.1.1 To grant funding to Municipally Designated Resources, as per the funding streams identified in the adopted Heritage Management Plan
  - (2) Specific initiatives approved and undertaken by the Committee which relate to promoting heritage initiatives and programs as part of implementing the Heritage Management Program

**Schedule C**  
**Establishment of the Heritage Resources Grant Program**

- 1.0 The Heritage Resources Committee is authorized to award Grants to Municipal Historic Resources for the purpose of conservation work.
  
- 2.0 The following structure will be established:
  - (1) Total grant funding for each year will be identified in the Committee's annual budget.
  - (2) The Grant applications will be accepted starting January 1 of each calendar year. (397.1, 11/09/15)
  - (3) The grants will be awarded on a first come, first serve basis, if the applicant meets the overall requirements of the application process.
  - (4) The Heritage Resources Committee may choose not to award a Municipal Historic Resource with a grant.
  - (5) The grant may cover up to 50% of the total project costs for restoration of character-defining elements (as defined in the Heritage Management Plan).
  - (6) Grant amounts will be established by the Heritage Resource Committee in the budget for each year.
  - (7) All works must be completed by year-end. Should works not complete by year-end, the Committee may approve an extension date to enable works to be completed.
  - (8) Copies of receipts and photographic proof of work must be provided in order to receive the full grant monies from the Committee.

**Schedule D**  
**For Applicants**

Purpose

Monitor, preserve, and celebrate Lacombe's heritage resources. Tasks would be processing applications for designation, alteration and demolition and approving and monitoring grant funding.

Role of Councillor

The committee shall include one council member who represents councils' interest in heritage resources.

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