

BYLAW NO. 25-11
TOWN OF FALHER

A BYLAW OF THE TOWN OF FALHER IN THE PROVINCE OF ALBERTA, ESTABLISHING PROCEDURE AND CONDUCT OF PUBLIC HEARINGS BY ELECTRONIC MEANS FOR PLANNING AND DEVELOPMENT MATTERS

WHEREAS Pursuant to Section 216.4 (3) of the Municipal Government Act, Chapter M-26 Statutes of Alberta 2000, authorizes a municipality by bylaw to establish procedures for Public Hearings.

NOW THEREFORE, the Council of the Town of Falher, in the Province of Alberta duly assembled, hereby enacts this bylaw to be cited as "Procedure and Conduct of Public Hearings by Electronic Means".

Title

1. This bylaw may be cited as "Procedure and Conduct of Public Hearings by Electronic Means".

Definitions

2. In this Bylaw, unless the context otherwise required or as defined by the Act:
 - a. "Act" means the Municipal Government Act, R.S.A... 2000, c. M-26, and its associated regulations, as amended from time to time;
 - b. "Administration" means the administrative and operational staff of the Town of Falher;
 - c. "Agenda" means the list of items and order of business for any Meeting.
 - d. "Chief Administrative Officer" or "CAO" means the individual appointed by the Council to the position of Chief Administrative Officer under section 205 of the Municipal Government Act and pursuant to the Chief Administrative Bylaw or their authorized designate;
 - e. "Closed Session" means a portion of a meeting closed to the public if a matter to be discussed is within one of the exceptions to disclosure in Division 2 of Part 1 of the Access to Information Act;
 - f. "Council" means all members of the Town of Falher duly elected and currently holding office;
 - g. "Electronic Means" means a communication method that enables all persons attending the hearing to virtually hear and communicate with others during the course of the hearing and includes electronic (audio/video through Microsoft Teams or a platform approved by the Town of Falher) or by telephone (audio only) or by other means as technology advances ;
 - h. "Municipality" means the Town of Falher;
 - i. "Public Hearing" means a meeting of council, or a dedicated portion of a meeting, for the purpose of complying with the Act, section 216.4.

Public Hearings Procedure Conducted By Electronic Means

3. The Municipal Government Act provisions require that Public Hearings under Part 17 to be conducted by electronic means.
4. Except in the case of a meeting that is closed to the public in accordance with Section 197 of the Act, members of the public may access the hearing and make submissions by means included in the Notice of Public Hearing as advertised by the Municipality in accordance with the Municipality's Public Notification Bylaw:
 - a. As an example, typical (but not exclusive or exhaustive) methods of submission to a public hearing include: via email, mail, in person written correspondence, or through attendance (through electronic means and in-person) for presentation.
 - b. As an example, typical (but not exclusive or exhaustive) methods of accessing a public hearing via electronic means include: via Microsoft Teams, or by telephone.
5. If a provision of the Act requires information in respect of the meeting to be made publicly available, methods for making the information publicly available before and during the meeting shall be included in the Notice of Public Hearing as advertised by the Municipality in accordance with the Municipality's Public Notification Bylaw.
 - a. As an example, typical (but not exclusive or exhaustive) information methods include: through digital access via the Municipality's website, and in person via the Municipality's administration office.
6. The Chief Administrative Officer shall provide notice to the public that the Public Hearing is to be conducted by electronic means and provide for the method in which the public can view the meeting if requested.
 - a. Individuals will be encouraged to join the meeting via video conference in order to view the presentation provided to Council or any materials submitted in addition to those included in the Council Agenda;

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- b. Individuals that are unable to join the meeting via video conference are invited to participate via teleconference but will be unable to view the presentation provided to Council or any materials submitted in addition to those included in the Council Agenda.
7. Individuals are encouraged to pre-register to speak to provide for hearing efficiency by submitting their contact information and file number of the hearing they will be participating into the Municipality by 4:00 pm on the business day before the Public Hearing.
 - a. Individuals will be required to provide their contact information to be used in the event that they are disconnected from the Public Hearing and to identify them in the hearing proceedings. The Municipality will make a reasonable attempt to reconnect with any preregistered speaker in the event that they are disconnected but reserves the right to proceed with the Public Hearing at their discretion.
8. During the Public Hearing Process, all individuals will be requested to mute their microphones until they are granted the opportunity to speak by the Chair.
9. The Mayor, Deputy Mayor or Presiding Officer shall announce to those in attendance at the meeting that a Council member is attending the meeting by means of electronic communications if a Councillor attends via Electronic Means.
10. The Chair shall open the Public Hearing and introduce the subject of the Hearing by reading the subject of the Bylaw.
11. The Chair shall request that the application be read by the Chief Administrative Officer and/or designate.
12. The Applicant shall be invited to provide new or additional information for Council's consideration.
13. After the Applicant's presentation, Individuals that would like to speak in the Public Hearing, and that have pre-registered to speak, will be invited to provide their presentation to Council. They will be provided five (5) minutes for their presentation unless an extension is granted by the Chair.
14. After all pre-registered individuals are provided an opportunity to speak to the proposed Bylaw, the Chair will inquire if there are any further individuals that would like to speak to the proposed Bylaw and determine the order that the additional individuals will speak. They will be provided five (5) minutes for their presentation unless an extension is granted by the Chair.
15. Council is provided the opportunity to ask questions. The questions asked shall be limited to questions concerning the subject of the Public Hearing.
16. The Chief Administrative Officer and/or designate is given the opportunity to provide closing remarks.
17. The Applicant is given the opportunity to provide closing remarks. The applicant may speak in rebuttal to those in opposition during closing comments provided no new information is provided.
18. Council is asked whether they have any final questions, Council members may not debate the issues before the Hearing is closed.
19. 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 provided new information is not introduced that would create an unfair approval process by restricting the public's ability to provide input.
20. Once the Chair is satisfied that all pertinent information has been provided and that Council has no further questions, the Public Hearing will be closed.
21. Council will proceed to consider the Bylaw in accordance with section 216.4 of the Municipal Government Act.

Severability

22. Should any portion of this bylaw be declared invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of the bylaw is deemed valid.

Enactment

23. This is a new Bylaw that solely accommodates and facilitates the conduct of public hearings via electronic (virtual means). Organization and Procedural Bylaw remain in effect.
24. This bylaw shall take effect on the date of third and final reading.



READ a first time this 26th day of NOVEMBER, 2025

READ a second time this 10th day of DECEMBER, 2025

READ a third time and finally passed this 10th day of DECEMBER, 2025



MAYOR



MUNICIPAL ADMINISTRATOR