

Title: Policy and Bylaw Development

Policy No: 1001

Effective Date: Date passed in Council

Motion Number:

Supersedes Policy No: 1001 and AD 06

Department: Legislative Services

Review Date: (3 Years from date approved)



Legal References:

Municipal Government Act, R.S.A 2000, c. M-26:
Part 1: Purposes, Powers and Capacity of
Municipalities; Part 2: Bylaws; Division 7.

Cross References:

Bylaw 21-893 "Council Code of Conduct"
Bylaw 21-884 "Policy Review Committee Bylaw"
Bylaw 21-876 "Procedural Bylaw"
Bylaw 07-548 "Authority of the Chief
Administrative Officer"

Purpose: The purpose of this policy is to establish and outline the standards and process for Bylaw and Policy development. Council Policies and Administrative Policies are created by Greenview to set out a standard of performance or to address a discretionary duty Greenview will or will not meet. They address recurrent issues to provide broad guidelines setting out the level and manner of service Greenview will perform to. Greenview Bylaws are enforceable laws that aim to be understandable, enforceable and accomplish Council's goals.

1. DEFINITIONS

- 1.1. **Administration** means the Chief Administrative Officer or any employee of Greenview who is accountable to the CAO.
- 1.2. **Administrative Policy** means a policy that focuses on Greenview's internal operations. These policies:
 - A) Are internal in nature;
 - B) Deal strictly with administrative matters;
 - C) Relate directly to the operations of Greenview; and
 - D) Generally only impact Greenview employees.
- 1.3. **Bylaw** means a law made by Greenview in accordance with the powers conferred or delegated to it under a statute.
- 1.4. **Chief Administrative Office (CAO)** means the Chief Administrative Officer of Greenview.
- 1.5. **Council Policy** means a policy that focuses on Greenview residents, business or the public and their relation to Greenview, Greenview facilities or the standards Council sets for themselves. These policies:
 - A) Outline services and/or programs performed by Greenview;
 - B) Relate to areas of governance;
 - C) Provide strategic direction; and
 - D) Generally impact Greenview as a whole.

- 1.6. **Policy** means a document which dictates a specific position and related course of action for Greenview to follow. Policies provide a framework for the delegation of decision-making authority, and provides a clear direction and consistent approach. Greenview has two types of policies, Council Policies and Administrative Policies.
- 1.7. **Policy Review Committee (PRC)** means that committee which is established by Council to review policies prior to their coming to Council.
- 1.8. **Greenview** means the Municipal District of Greenview No. 16.
- 1.9. **Senior Leadership Team (SLT)** means that group composed of Directors and the Chief Administrative Officer of Greenview.

2. POLICY PRINCIPLES

- 2.1. Principle 1: Policy informs decision making and contributes to achievement of the outcomes sought from the Council and Greenview's Strategic Plan:
 - A) Policy is directly aligned to the achievement of an identified benefit or outcome, and informs decision making accordingly. It will reflect good governance practices and accord with legal, environmental, social and financial requirements.
- 2.2. Principle 2: Policy is evidence-based:
 - A) Policy is directly aligned to the achievement of an identified benefit or outcome, and informs decision making accordingly. It will reflect good governance practices and accord with legal, environmental, social and financial requirements.
- 2.3. Principle 3: Policy is developed in consultation with key stakeholders:
 - A) The contribution of stakeholders in the policy initiation, development and review processes broadens input, adds rigour, and helps build greater acceptance of the proposed policy. Stakeholders may include residents, councillors, business, or Administration.
- 2.4. Principle 4: Decision-making is undertaken in line with policy, and exceptions are formally approved:
 - A) Decision-making must occur in accordance with endorsed policy, which in turn reflects established strategic outcomes. Where exceptions are made, they are formally endorsed as such with a clear indication of whether the exception is for that matter only, or is to be ongoing and require an amendment to redress the policy. Amendments to Council Policy must be made by Council resolution, and amendments to Administrative Policies must be approved by the CAO.
- 2.5. Principle 5: Policy is readily translated into operating guidelines:
 - A) Policy objectives fully address the identified problem and are written with clarity so that they are easily translated into operating guidelines. In doing so, it ensures effective implementation of the policy's prescription. Administration can request that a Council policy be revised or reviewed where its translation into operating guidelines is found to be difficult or inadequate. Council may initiate policy development or review at any time through resolution of Council.
- 2.6. Principle 6: Policy outcomes are measurable:

- A) Measures are developed and supported which enables assessment of the efficacy of a policy and its contribution to the outcomes and benefits sought. Where possible these measures should relate to the Strategic Plan outcomes.

2.7. Principle 7: Policy is readily accessible:

- A) Policy is accessible to Council, the public and the Administration. The accessibility of policy documents will assist with compliance, consistency, and transparency in decision-making and permit the public to understand Council's policy position.

3. GENERAL POLICY GUIDELINES

3.1. All Policies shall include:

- A) Title;
- B) Policy numbering;
- C) The date passed by Council resolution where the policy becomes active;
- D) Motion number;
- E) Any policy which is now superseded by the new policy;
- F) Review date, 3 (three) years after becoming active;
- G) Legal reference, if any;
- H) Cross reference, if any;
- I) Responsible department;
- J) Definitions;
- K) Policy purpose statement;
- L) Definitions; and
- M) The body of the policy, which shall include:
 - i. General principles of the policy;
 - ii. Application of the policy; to whom the policy applies or actors which are excluded;
 - iii. Relevant information regarding the implementation process, application or submission requirements, or levels of service.

3.2. A policy number will be assigned to each policy based on the following business areas:

- A) 1000-1999 – Council and General Government Services.
- B) 2000-2999 – Human Resources.
- C) 3000-3999 – Protective Services.
- D) 4000-4999 – Infrastructure Services.
- E) 5000-5999 – Health and Social Welfare Services.
- F) 6000-6299 – Planning and Development Services.
- G) 6300-6999 – Agricultural Services.
- H) 7000-7999 – Economic Development and Communications.
- I) 8000-8999 – Recreation and Community Services.
- J) 9000-9999 – Finance, Procurement and Asset Management.

4. GENERAL BYLAW GUIDELINES

4.1. A bylaw may be created where a statute has conferred or delegated the ability to intervene in a given area.

4.2. There are three (3) types of bylaws:

- A) Main Bylaws establish rules and regulations which become law;
- B) Amending Bylaws significantly alter a bylaw in principle or substance; and
- C) Revised Bylaws make limited types of changes to a Bylaw and must be made in accordance with section 63 of the Municipal Government Act.

4.3. A bylaw may include offenses for contravening its provisions.

4.4. If the intent of a bylaw is changed after it has been given first reading, a new bylaw number will be issued and the bylaw will be dealt with on a 'first-seen' basis.

A) Minor typing error corrections are not deemed as changing of intent, and therefore may be presented for second and third readings with such corrections in place.

4.5. A draft bylaw which has received 1 (one) or more but less than 3 (three) readings becomes null and void if not passed within 2 (two) years.

4.6. A bylaw shall include the following information:

A) Bylaw number;

B) Preamble;

C) Bylaw name;

D) Definitions;

E) Severability clause;

F) The repeal of any superseded bylaw, if applicable;

G) The date of each reading;

H) The signature of the Reeve and the CAO; and

I) The body of the bylaw, which shall include:

i. The contents of the bylaw;

ii. The application or exemption from the bylaw; and

iii. A schedule outlining penalties for offences, if applicable.

5. COUNCIL RESPONSIBILITIES

5.1. Ensure Council Policies are aligned with Council's direction, strategic plan, goals, and objectives.

5.2. Examine and review bylaws and policies through a political perspective for their potential effects to residents and Greenview as a whole.

5.3. Council may provide direction to Administration for the development or amendment of Bylaws and Council Policies.

6. CHIEF ADMINISTRATIVE OFFICER RESPONSIBILITIES

6.1. Recommend proposed Council Policies, Bylaws, and amendments to Council.

6.2. Ensure all approved Council Policies are communicated to the public.

6.3. Approve Administrative Policies.

6.4. Ensure approved Council Policies, Administrative Policies, and Bylaws are implemented and adhered to by Administration staff.

6.5. Act as the final authority to designate a policy as either a Council Policy or Administrative Policy.

6.6. Ensure Policies are reviewed at least every three (3) years to ensure Policies are relevant, remain current and continue to meet the needs of residents, Council, and Administration.

6.7. Direct the preparation of draft Council Policies, Administrative Policies, and Bylaws.