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**A BYLAW OF THE TOWN OF ONOWAY, IN THE PROVINCE OF ALBERTA, TO  
ESTABLISH AN ENFORCEMENT REVIEW COMMITTEE IN ACCORDANCE WITH  
THE PROVISIONS OF THE MUNICIPAL GOVERNMENT ACT**

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**WHERE AS**, Section 145 of the Municipal Government Act, R.S.A. 2000, requires each municipality to establish Committees of Council by bylaw;

**NOW THEREFORE**, the Council for The Town of Onoway hereby establishes an Enforcement Review Committee in accordance with the following provisions;

1. Establishment and Membership

- a. The Enforcement Review Committee (hereinafter called “the Committee”) of the Town of Onoway is hereby established.
- b. The Committee shall consist of three (3) Town Council members selected on a rotational basis.

2. Secretary

- a. The Chief Administrative Officer for the Town of Onoway shall be the Enforcement Review Committee Secretary (hereinafter called “the Secretary”).
- b. The Chief Administrative Officer for the Town of Onoway may, at their discretion, designate another Town of Onoway employee to fill the role of Secretary.
- c. Any employee who may have any decision-making authority for any matters that may come before the Committee in their day-to-day responsibilities shall not be designated to fill the role of Secretary.
- d. The Secretary shall have responsibilities and duties including the following:
  - i. Receives and processes enforcement review committee requests for consideration by the Committee,
  - ii. Makes and keeps a record of the Committee’s proceedings.
  - iii. Drafts the orders, decisions, approval notices, and other items given by the Committee on its behalf,
  - iv. Ensures statutory notices and decisions of the Committee are provided to such persons as required, and
  - v. Schedules the members that will hear individual reviews.

3. Chairperson

- a. The Committee will elect a Chairperson from among those members of the panel at the meeting, at the beginning of each meeting.
- b. A member may be re-elected to the position of Chairperson.
- c. A Chairperson shall preside at the meeting of the Enforcement Review Committee.
- d. Signs orders, decisions and approval notices issued by the Committee on its behalf.

4. Quorum and Meetings

- a. A quorum of the Committee for a hearing shall be a minimum of three (3) members of the Committee.
- b. The Committee shall meet at such intervals as are necessary to consider and decide review requests filed with it in accordance with the Act and this Bylaw.
- c. The Committee shall have prepared and maintain a file of written minutes of the business transacted at all meetings of the Committee.
- d. A member of the Committee who is for any reason, unable to attend the whole or a part of any hearing of a review shall not participate in the deliberations or decision of the Committee upon that review.
- e. The Committee may establish rules to govern the conduct of its meeting and its business that are consistent with this bylaw, and other Town of Onoway bylaws that govern the conduct of the Committees and the Act.
- f. The decision of the Committee, including reasons for the decision, will be issued within fifteen (15) days of the hearing date.

5. Fees and Expenses

- a. Remuneration, travelling, and other expenses of the members of the Committee shall be established by Council resolution from time to time.
- b. Fees associated with the holding of hearings and meetings of the Committee shall be established by Town bylaw.

6. Order to Remedy Contraventions

- a. The Committee shall hear review requests on orders issued under Section 545 of the Act.
- b. The Committee shall hear requests from any person issued an order by an Enforcement Officer, who appeals within the time limitations and in the manner indicated within this Bylaw.
- c. Requests submitted to the Committee must include the Owner and Occupants name, address and contact phone number, legal land description of property, a copy of the order issued under the relevant section and reasons for the review.
- d. Requests for review must be submitted within fourteen (14) days of the date that the Order was issued.
- e. The Committee shall hold a review hearing respecting any order issued under Section 545 of the Act within thirty (30) days of receipt of a review request, unless an adjournment/postponement is granted by the Committee based on reasonable considerations.
- f. The Committee shall give at least five (5) days' notice in writing of the review hearing to:
  - i. the Owner/Occupant of the property issued the Order; and
  - ii. the Development/Enforcement Authority of the Town of Onoway;
- g. In determining the review, the Committee:
  - i. shall comply with Section 545 of the Act;
  - ii. shall comply with any Bylaws of the Town;
  - iii. shall have regard to but not be bound to the Subdivision and Development Regulations established pursuant to Section 694 of the Act, non-statutory plans and other Town bylaws;
  - iv. may confirm, vary, substitute or cancel the order, or any condition attached as per Section 547 of the Act.
- h. The Committee shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the review hearing.

7. Order to Remedy Dangers and Unsightly Properties

- a. The Committee shall hear review requests on orders issued under Section 546 of the Act.
- b. The Committee shall hear requests from any person issued an order by a Enforcement Officer, who appeals within the time limitations and in the manner indicated within this Bylaw.
- c. Requests submitted to the Committee must include the Owner and Occupants name, address and contact phone number, legal land description of property, a copy of the order issued under the relevant section and reasons for the review.
- d. Requests for review must be submitted within fourteen (14) days of the date that the Order was issued.
- e. The Committee shall hold a review hearing respecting any order issued under Section 546 of the Act within thirty (30) days of receipt of a review request, unless an adjournment/postponement is granted by the Committee based on reasonable considerations.
- f. The Committee shall give at least five (5) days' notice in writing of the review hearing to:
  - i. the Owner/Occupant of the property issued the Order; and
  - ii. the Development/Enforcement Authority of the Town of Onoway;
- g. In determining the review, the Committee:
  - i. shall comply with Section 546 of the Act;
  - ii. shall comply with any Bylaws of the Town;
  - iii. shall have regard to but not be bound to the Subdivision and Development Regulations established pursuant to Section 694 of the Act, non-statutory plans and other Town bylaws;
  - iv. may confirm, vary, substitute or cancel the order, or any condition attached as per Section 547 of the Act.
- h. The Committee shall give its decision in writing together with reasons for the decision within fifteen (15) days of the conclusion of the review hearing.

8. Postponement/Adjournment Requests

- a. Any party can submit a postponement/adjournment request to the Secretary after an established hearing date has been scheduled. The Committee may grant this request based on reasonable considerations. The Committee may determine postponement requests via email based on a majority decision.

9. This Bylaw comes into force and effect on the date of third and final reading.

Read a first time on this 4th day of July, 2019.

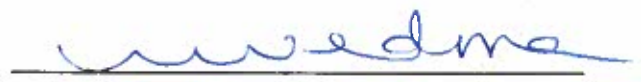
Read a second time on this 4th day of July, 2019.

Unanimous Consent to proceed to third reading on this 4th day of July, 2019.

Read a third and final time on this 4th day of July, 2019.

Signed this 4th day of July, 2019.

  
Mayor, Judy Tracy

  
Chief Administrative Officer  
Wendy Wildman