



## Town of Fort Macleod

### Bylaw 1839

Consolidated May 9, 2016

A Bylaw of the Town of Fort Macleod, in the Province of Alberta, to establish a Committee of Council to manage the town's built 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.

**NOW THEREFORE**, The Council of the Town of Fort Macleod enacts as follows:

#### SHORT TITLE

1. This bylaw is called "**The Built Heritage Advisory Board bylaw**"

#### DEFINITIONS

2. In this bylaw, unless the context otherwise requires
  - 2.1 "CAO" means the chief administration officer or designate.
  - 2.2 "Town" means the municipal corporation of the Town of Fort Macleod
  - 2.3 "Board" means the Built Heritage Advisory Board.
  - 2.4 "Council" means the Town Council for the Town of Fort Macleod.
  - 2.5 "BHA" means Built Heritage Advisor

ESTABLISHMENT

3. The Council of the Town of Fort Macleod hereby establishes the Built Heritage Advisory Board.

PURPOSE & FUNCTION

4. The Board shall be governed in accordance with the Terms of Reference and Mandate as presented in "Schedule A," attached hereto and forming part of this bylaw.

BUDGET & RESOURCES

5.
  - 5.1 A budget for expenses arising from the operation of the Board in the administration of the bylaw, will be submitted to Council for approval.
  - 5.2 The budget shall be prepared and presented to Council by the CAO and/or designate, in consultation with the Board.
  - 5.3 With the approval of the CAO, the Board may apply for and receive grants from foundations and other orders of government to carry out specific tasks.

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- 6.1 Professional, technical and administrative support to the Board, as determined in consultation with the Board, will be provided by the BHA or delegate.
- 6.2 The BHA or designate will act as advisor and resource to the Board.

GENERAL

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

INTRODUCED AND GIVEN FIRST READING this 25<sup>th</sup> day of April 2016.

GIVEN SECOND READING this 9<sup>th</sup> day of May 2016.

GIVEN THIRD AND FINAL READING this 9<sup>th</sup> day of May 2016.



Mayor



Chief Administrative Officer

**SCHEDULE A**  
**Terms of Reference and Mandate for the Built Heritage Advisory Board**

MANDATE

- 1.0 The objective of the Built Heritage Advisory Board is to:
- 1.1 Advise the Town of Fort Macleod's staff and Council on any matter related to the protection and conservation of built historic resources. This includes the protection and conservation of buildings, structures or landscape features of heritage significance located within the Town limits.
  - 1.2 Undertake initiatives and activities to raise awareness and promote the built heritage resources within the community.

SCOPE OF WORK

- 2.0 To achieve this objective, the Board may consult with Town staff and other relevant stakeholders, and make recommendations to Council regarding Built Heritage. Recommendations regarding development applications which may have an impact on any building, structure, or landscape feature with possible historical significance to the Town, include but are not limited to:
- 2.1 Municipal Heritage Resource Designation of real property, in whole or in part.
  - 2.2 Municipal Heritage Resource Designation of cultural landscapes and features having historical significance to the Town.
  - 2.3 Identification and recommendations for buildings or structures worthy of Provincial or National historic designation status.
  - 2.4 Applications for demolition of buildings or structures having possible historical significance to the Town
  - 2.5 Review of development or demolition permit applications which may alter buildings or structures having possible historical significance to the Town; and
  - 2.6 Review of development permits for any building located within the **Fort Macleod Provincial Historic Area**. (*The area also referred to as the Historic District Area overlay identified in the Land Use Bylaw # 1825*)
- 3.0 The Built Heritage Advisory Board replaces the former Design Review Committee of the dissolved Fort Macleod Provincial Historic Area Society. The role of the Board in this capacity (in addition to 2.5 above) will be in ensuring that the heritage integrity and character of the Provincial Historic Area is respected through increased public awareness and the implementation of the Standards and Guidelines for the Conservation of Historic Places in Canada. In addition, the Board will implement the Fort

Macleod Provincial Historic Area Design Guidelines, which include, but are not limited to, building facades, signs, street furniture, public art, and all other relevant design elements and aspects.

- 4.0 The Board may undertake or provide support for Town approved initiatives related to heritage management, heritage planning, and implementation of heritage policies and actions aimed at increased public awareness of the social and economic benefits of heritage conservation. Initiatives will include but are not limited to:
- 4.1 Completion of a built heritage inventory
  - 4.2 Development of a Heritage Management Plan
  - 4.3 Implementation of the National Trust "Main Street" program model
  - 4.4 Production of driving and walking tour guides
  - 4.5 Development of public awareness brochures and posters
  - 4.6 Implementation of a heritage marker program
  - 4.7 Reviving the "Doors Open" public event
- 5.0 The Board shall advise Council on any matter referred to it by Council.

#### MEMBERSHIP

- 6.0 The membership of the committee shall be as follows:
- 6.1 Two members from Town Council (voting)
  - 6.2 One Government of Alberta Department of Culture and Tourism representative (voting)
  - 6.3 One Fort Macleod and District Chamber of Commerce representative (voting)
  - 6.4 One Fort Macleod residential heritage building owner (voting)
  - 6.5 One Fort Macleod commercial heritage building owner (voting)
  - 6.6 One building contractor experienced in heritage buildings (voting)
  - 6.7 One Architect or Designer experienced in heritage conservation (voting)
  - 6.8 Built Heritage Advisor (non-voting)
- 7.0 Members shall be appointed by council based on the following terms:
- 7.1 Council members appointed by Council on an annual basis.
  - 7.2 The Government of Alberta Department of Culture and Tourism representative may be appointed by the Department annually.
  - 7.3 Six positions to be staggered (1-3 year terms) to avoid the entire Board being replaced in one term. Available Board positions will be advertised publicly.  
New member applications are forwarded to the Town Office for review and approval, forwarded to the BHAB for information, then presented to Council for

ratification.

- 8.0 In the event that a Board position cannot be filled by someone possessing the required skills, knowledge, or experience, Council may fill that position with a Community Member-at-Large for the period of one term.
- 9.0 Council may, at any time, remove any member of the Board; and any member of the Board may resign at any time upon sending written notice to the chair of the Board.
- 10.0 Committee members may stand for re-appointment at the conclusion on their term.
- 11.0 Members of the Board 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.
- 13.0 The Board may appoint sub-committees to deal with any special matters coming within the scope and jurisdiction of the committee.

#### CHAIR

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

#### MEETING PROCEDURES

- 14.0 The Chair shall call meetings of the Board on a regular basis.
- 15.0 A majority of the Board will represent Quorum, five (5) members are required for Quorum.
- 16.0 The order of business is to be as sent out in an agenda package by the Town staff representative to the Board members (3) days in advance of the meeting date.
- 17.0 Minutes of the meeting will be prepared and then signed by the Board Chair. Originals of the minutes will be forwarded to the Town for safekeeping, within 30 days of the meeting.

18.0 Committee members have a responsibility to make decisions based on the best interest of the Town. Board 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 Board member must not attempt in any way, whether before, during or after the meeting, to influence the voting on any question in respect to the matter.

#### VOTING

19.0 All members of the Board, including the Chair, vote on every question unless they have declared a conflict and left the meeting.

20.0 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.

21.0 If the votes are equal for and against, the question is defeated.

#### REPORTING TO COUNCIL

22.0 Recommendations of the Board must be adopted by committee resolution and shall be forwarded to Town staff who shall include the Board recommendations in their report to Council. Board activities and communications will be reported to Council via Town of Fort Macleod administrative staff reports.

23.0 The committee will prepare and submit an annual proposed budget for Council as part of the Towns budgeting processes. Council will review and consider the annual budget as part of the Town's budget process.