

REQUEST FOR DECISION

Subject: Proposed Public Notification Bylaw 470

Presented to: Council

Date: February 13, 2023

Submitted by: Jason Darrah,
Director of Communications & Marketing

Item #: 8.3



ADMINISTRATIVE RECOMMENDATION

That Council:

1. Give first reading to proposed Bylaw 470, the Public Notification Bylaw (Attachment); and
2. Direct Administration to schedule a public hearing, in accordance with the *Municipal Government Act*, for proposed Bylaw 470.

BACKGROUND

Reason for Report

The Alberta *Municipal Government Act* (MGA) previously directed that all municipalities must use newspaper advertising, mail or delivery to every affected residence for notices when required by legislation to advertise a bylaw, resolution, meeting, public hearing or other municipal matter.

In 2017, the Alberta Government changed the MGA to allow municipalities to use other methods of giving notice when it is a legislated requirement, such as using websites and social media, for advertising proposed bylaws, resolutions, meetings, public hearings or other things.

To use alternative methods of notice, a municipality must pass a bylaw stating the additional methods that may be used. The method may include electronic advertising such as advertising on the municipal website.

Summary of Issue

In the past, newspaper advertising was a reliable method to provide information to the vast majority of residents of a community. New technologies and evolving social behaviour have added a range of methods that people use to access information that is important to them. Some portions of the population may not use newspapers for their information.

A bylaw would provide the Town with flexibility on notification methods to allow for current and future technologies, and will allow our municipality to adapt promotion methods to meet local needs.

In Banff, with a high proportion of residents living in the community between six months and five years, digital promotion methods are beneficial for reaching wider audiences. In general, the Town uses digital methods to complement most newspaper advertisements, and would maintain newspaper advertising for most legislated requirements. Further, methods such as on-street notification (signs and display posters), radio, partner newsletters, are examples of other effective notification methods in this community.

Best practices in public communications suggest the municipality should use multiple methods to provide community notifications on important topics affecting many people. However, for certain

routine operational topics, or for urgent notification, digital communications can be more effective in delivering information. Digital promotions can occur quicker than placement in weekly editions of a local newspaper due to booking and advertisement production timelines.

With the flexibility the bylaw provides, the Town would be able to provide initial notification by digital means, starting the timing required for some legislated notifications. The Town could follow up with newspaper or other methods of notification to supplement the initial digital notification.

If the proposed Bylaw is passed, the Town of Banff would use one or more of these digital methods to complement or supersede newspaper advertising, depending on the specific case: social media channels, posting on banff.ca or other Town official website, targeted and general subscription-based e-newsletters, and on-street displays.

Section 606.1 of the MGA states that for the Town to enact a bylaw:

Council must be satisfied that the method the bylaw would provide for is likely to bring proposed bylaws, resolutions, meetings, public hearings and other things advertised by that method to the attention of substantially all residents in the area to which the bylaw, resolution or other thing relates or in which the meeting or hearing is to be held.

Under the MGA amendment, a bylaw allowing use of alternate advertising methods must also meet the following requirements:

- a public hearing must be held on the bylaw;
- the notice of this proposed bylaw must be advertised by newspaper, residential mail or website; and
- the bylaws must be made available for public inspection.

Key points about the proposed bylaw

- Adoption of the bylaw would NOT mean that the Town will no longer use newspaper advertising for legislated notification.
- The proposed bylaw would permit the Town to advertise through electronic means and still meet MGA requirements for public notification periods.
- Notifications required by legislation would be assessed on a case-by-case basis to determine the best methods, depending on needs relating to speed of notice, reach, duration of exposure, scope of population affected, impact, cost and other factors.

Response Options

Council may:

- pass first reading of the proposed bylaw, and set a public hearing date;
- direct revisions to the proposed bylaw before committing to first reading; or
- take no further action at this time.

OTHER INFORMATION

Budget

There would not be any cost to implementing the proposed Bylaw. There could be savings in certain budgets if occasionally a required notification for a bylaw, public meeting or other thing is made only through digital means or methods other than newspaper advertising.

Internal Resources

The Municipal Clerk, the Director of Planning & Development, and the Director of Communications collaborated on the development of this Bylaw and would continue to assess optimal notification methods for topics required by legislation.

Communication

The proposed bylaw would be posted on the website and advertised with:

- a statement of the general purpose of the proposed bylaw
- the website address where a copy of the proposed bylaw may be examined, and
- an outline of the procedure to be followed by anyone wishing to file a petition, or speak to council, or submit a representation in respect of the proposed bylaw.

Council Strategic Priorities

One of the four strategic priorities in the 2023-26 Strategic Plan is to Foster Connections – Building Relationships and Partnerships, which includes the area of focus:

- Engage in informed and meaningful two-way communication with our residents on matters that affect them.

Legislation/Policy

Municipal Government Act, Section 606.

ATTACHMENTS

Attachment: Proposed Bylaw 470, Public Notification Bylaw

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