

Amended Bylaw 4315/2011  
Amended Bylaw 4316/2011

TOWN OF HIGH RIVER  
ALBERTA  
BY-LAW NO. 4216/2008

Being a By-law of the Town of High River, in the Province of Alberta, to establish a "High River Arts & Culture Board".

WHEREAS

The Municipal Government Act RSA 2000, Chapter M-26 provides that a Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and for services provided by or on behalf of the municipality and

WHEREAS

The Municipal Government Act also provides that a Council may pass bylaws in relation to the establishment and functions of Council committees and other bodies;

AND WHEREAS

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The Council of the Town of High River, in the Province of Alberta deems it proper and expedient to establish an Arts and Culture Board to be an Advisory Board to the Council on matters of art, cultural and heritage services and operations within the Town of High River. The "High River Arts & Culture Board" will work in cooperation with Boards and private and public interest groups on matters pertaining to arts, culture and heritage.

NOW  
THEREFORE

the Municipal Council of the Town of High River, in the Province of Alberta, duly assembled enacts as follows:

I. That there is hereby established a "High River Arts & Culture Board".

II. DEFINITIONS

In this By-law, unless another meaning is required by the Contract the interpretation set out in the following subsections shall be used:

- (A) "Act" means The Municipal Government Act Revised Statutes of Alberta 2000, Chapter M-26.
- (B) "Arts" means range of activities, creations, and expressions that appeal to the senses or emotions including performing arts, literature and visual art.
- (C) "Board" means the "Town of High River Arts & Culture Board".
- (D) "Council" mean the Municipal Council of the Town of High River in the Province of Alberta.
- (E) "Culture refers to the system of shared beliefs, values, customs, behaviours, and artifacts that the members of society use to cope with their world and with one another, and that are transmitted from generation to generation through learning
- (F) ~~"Heritage" means a collective legacy where the community is responsible to promote and support that which is passed from generation to generation and includes buildings, parks, traditions, archives, farms, landscapes, collections of items, skilled people etc.~~
- (G) "Town" means the Town of High River, in the Province of Alberta.

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III. APPOINTMENT/TERM

1. The Board shall consist of a maximum of nine (9) members appointed as follows:

- (A) One (1) non-voting member from the Council of the Town of High River;
- (B) Eight (8) persons of the public at large residing within the Town of High River Corporate Boundary;
- (C) One (1) member of the public at large residing within the Municipal District of Foothills.

2. The terms of office for the "High River Arts & Culture Board" shall be as follows:

- (A) At the establishment of the Board as nearly as may be possible, fifty (50) per cent of the Members, shall be appointed for a term of one (1) year, fifty (50) per cent for a term of two (2) years;
- (B) Members may be appointed for a maximum of three (3) consecutive terms;

Cont'd III.  
Appointment/Term

- (C) Upon expiry of their term each member shall remain in Office until a successor is appointed by Council;
- (D) Any member of the Board may resign upon sending written notice to the Town. The date the resignation is received by the Town shall be the effective date of the resignation;
- (E) If any member of the Board dies, resigns, ceases to be a member of the Board during the term which he or she is appointed, the vacancy shall be filled as soon as possible thereafter, and such appointment shall be effective only during the remaining term of the person vacating;
- (F) A member of the Board shall be disqualified from holding Office if he or she:
  - (i) ceases to be a resident, within the meaning of the term "resident" of the Town of High River or, in the case of the MD appointee, ceases to be a resident of the MD of Foothills;
  - (ii) is hired in any capacity with the Town of High River;
  - (iii) is removed by a majority vote of the Council;
  - (iv) is absent from three (3) consecutive meeting of the Board, unless such absence be authorized by Resolution of the Board recorded in its minutes.
- (G) Any member of Council who is a member of the Board as the Council representative, who resigns from Council, shall be deemed to have resigned from the Board.
- (H) The Chairperson of the Board may be consulted when an appointment to the Board is considered by Council.

IV. THE EXECUTIVE OF THE "High River Arts & Culture Board" shall be composed as follows:

- (A) The Board shall elect a Chairperson and Vice-Chairperson from its membership at the first meeting each year. Members of Council shall not be elected as the Chairperson or Vice-Chairperson

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~~(B) The Culture Manager shall:~~

- (i) notify all members and advisors of the Board of the arrangements for the holding of each regular and special meeting of the Board;
- (ii) keep proper and accurate minutes of the proceedings of all meetings of the Board, true copies of which shall be filed with the Offices of the Town of High River as soon as possible after each meeting;
- (iii) carry out such other administrative duties as the Board may specify.

V. PROCEDURE/MEETINGS

1. The Board should it deem desirable, may request a person or persons to attend its meetings in an advisory capacity, but such person shall not be members of the Board and shall not have a vote thereon.
2. Only those members of the Board in attendance at a meeting of the Board may vote on any matters then before the Board.
4. The majority of the members of the Board constitute a quorum for the making of any decisions.
5. The decision of the majority of the members present at a meeting duly convened shall be deemed to be the decision of the Whole Board.

Cont'd V.  
Procedures/Meetings

6. Motions put forth must be voted on by all members except motions in which a member has direct or indirect interests. A request to abstain from discussions and voting and the reason for same shall be recorded in the minutes prior to any discussion on the matter.
7. The Board shall hold no less than ten (10) regular meetings each year and it may hold special meetings at the call of the Chairperson upon 24 hours notice.
8. The Board may adopt such rules or procedures as its member may agree upon.
9. Meetings of the Board shall be open to the public.

VI. POWERS & DUTIES

1. The "High River Arts & Culture Board" is established to advise Council in pursuing and implementing Cultural Programs and Services within the Town of High River.
2. The Board shall make recommendations regarding rules and regulations with regards to programming and facilities relative to the Culture section of ~~Community Services~~ *Development Services* as it may deem necessary from time to time.
3. The Board shall act in an advisory capacity to the Council of the Town of High River in relation to all matters relating to the development, maintenance and operation of Cultural Facilities provided or to be provided in the Town of High River.
4. The Board shall be consulted on all matters affecting the development and maintenance of Cultural Facilities.
5. ~~The Board shall act in an advisory capacity to the Council of the Town of High River in relation to all matters relating to the protection and preservation of existing and future Heritage facilities and sites.~~
6. The Board may appoint sub-committees to deal with any special phase of the matters coming within the scope and jurisdiction of the Board as herein set forth.
7. The Board will act as a coordinating body and cooperate with all organizations, supporting, promoting, or working for culture.
8. The Board being cognizant of the cultural community in the Town of High River may hear and consider representations by any individual, organization, or delegations of citizens with respect to Culture and act on such recommendations arising there from as the Board shall deem to be in the general interest of all citizens.
9. Annually, the Board shall review the proposed Budget for Culture to be prepared during the following year, with respect to all matters over which, under the terms of this By-Law, the Board has jurisdiction, and make recommendations to Council.
10. The Board shall annually review existing Cultural programs and recommend plans and priorities concerning Culture, with a view to establishment of the comprehensive programs to suit the assessed needs of the Community.
11. The Board shall annually review and recommend to Town Council appropriate fees and charges based upon a percentage cost recovery formula or some other suitable means as determined by the Board.

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VII. GIFTS

The Board may receive, on behalf of the Town and the M.D. of Foothills, gifts or bequests of money or other personal property or any donation to be applied principal or income, for either temporary or permanent use for Cultural ~~or Heritage~~ Facilities.

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VIII. LIMITATION OF POWERS

1. Neither the said Board nor any member thereof shall have power to pledge the credit of the Town, in connection with any matters whatsoever, nor shall the said Board nor any member thereof have any power to authorize any expenditure to be charged against the Town of High River.
2. No members thereof shall issue or purport to issue any order, direction or instruction to any member of the Town staff.
3. The normal day to day operations and activities of the Culture Division are under the direction of the ~~Culture Manager~~ and/or Director of ~~Community Services~~, who report to the ~~Town Manager~~.  
*Chief Administrative Officer*
4. Where a conflict arises between the Board (indicating a majority of Board members) and the Director of ~~Community Services~~, which cannot be amiably and expeditiously resolved, then the ~~Town Manager~~, at Council's discretion, will have the authority to resolve the conflict with the least possible interruption of service to the public.  
*Development  
Chief Administrative Officer*

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IX. BY-LAW NO. 3415/82 IS HEREBY REPEALED.

X. THIS BY-LAW SHALL COME INTO FORCE AND EFFECT UPON Third and Final reading.

Read a First time this 27 day of October A.D., 2008

  
MAYOR/DEPUTY MAYOR

  
TOWN MANAGER/  
DIRECTOR OF CORPORATE SERVICES

Read a Second time this 27 day of October A.D., 2008

  
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