

Town of Bon Accord
AGENDA
Regular Council Meeting
April 21, 2020 8:30 am
virtual meeting
live streamed on Bon Accord YouTube Channel

- 1. CALL TO ORDER**
- 2. ADOPTION OF AGENDA**
- 3. PUBLIC HEARING**
 - 3.1.** Public Hearing – MDP Bylaw #2020-11; 8:30 a.m.
 - 3.2.** Public Hearing – LUB Bylaw #2020-12
- 4. ADOPTION OF MINUTES**
 - 4.1.** Special Meeting of Council; April 7, 2020 (enclosure)
- 5. DEPARTMENT REPORTS**
 - 5.1.** Finance (enclosure)
 - 5.2.** Community Services (enclosure)
 - 5.3.** Operations (PW) (enclosure)
 - 5.4.** Planning and Economic Development (enclosure)
 - 5.5.** Chief Administrative Officer (CAO) (enclosure)
- 6. UNFINISHED BUSINESS**

NONE
- 7. NEW BUSINESS**
 - 7.1.** Bon Accord 2020 Beautification Plan – (enclosure)
 - 7.2.** Cancellation of Summer Camps (enclosure)
 - 7.3.** Postponement Seniors Week events (enclosure)
 - 7.4.** Chief Elected Official Bylaw Public Hearing, Postponement (enclosure)
- 8. BYLAWS/POLICIES/AGREEMENTS**

BYLAWS

 - 8.1.** Taxation Bylaw; Bylaw #2020-14 – 3rd reading (enclosure)
 - 8.2.** Light Efficient Community Standards Bylaw #2020-18 – 1st reading (enclosure)
 - 8.3.** Parental Leave for Council Bylaw #2020-05 – 2nd and 3rd readings (enclosure)
- 9. WORKSHOPS/MEETINGS/CONFERENCES**
 - 9.1.** Sturgeon County Mayor’s Golf Tournament Cancelled
- 10. COUNCIL REPORTS**
 - 10.1.** Mayor Hutton (enclosure)
 - 10.2.** Deputy Mayor Bidney (enclosure)
 - 10.3.** Councillor May (enclosure)
 - 10.4.** Councillor Laing (enclosure)

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- 10.5. Councillor Holden (enclosure)

- 11. **CORRESPONDENCE**
 - 11.1. Lieutenant Governor of Alberta; COVID-19
 - 11.2. City of Fort Saskatchewan (ACRWC letter) (enclosure)

- 12. **CLOSED SESSION**
 - 12.1 COVID-19; *FOIP Act 21(1)(b) – Disclosure harmful to intergovernmental relations*

- 13. **ADJOURNMENT**

Town of Bon Accord
Special Meeting of Council Minutes
April 7, 2020
8:30 a.m.

PRESENT

COUNCIL

Mayor David Hutton
Deputy Mayor Lynn Bidney
Councillor Tanya May
Councillor Lacey Laing
Councillor Brian Holden

ADMINISTRATION

Joyce Pierce, Chief Administrative Officer
Dianne Allen, Planning and Economic Development Manager
Jenny Larson, Community Services Coordinator
Falon Fayant, Corporate Finance Officer

All attendees participated in the meeting electronically and the meeting was streamed live on the Town of Bon Accord Youtube channel.

CALL TO ORDER

Mayor Hutton called the meeting to order at 8:31 a.m.

ADOPTION OF AGENDA

COUNCILLOR HOLDEN MOVED THAT the agenda for the April 7, 2020 Special Meeting of Council be adopted as presented.

CARRIED RESOLUTION 20-135

ADOPTION OF MINUTES

Regular Meeting of Council Minutes – March 31, 2020

COUNCILLOR MAY MOVED THAT the minutes of the March 31, 2020 Regular Meeting of Council be accepted, as presented.

CARRIED RESOLUTION 20-136

UNFINISHED BUSINESS

Bon Accord Volunteer Appreciation Night, Postponement

COUNCILLOR LAING MOVED THAT Council accepts this RFD as information.

CARRIED RESOLUTION 20-137

NEW BUSINESS

2019 Audited Financial Statements

DEPUTY MAYOR BIDNEY MOVED THAT Council approve the 2019 audited financial statements as presented at the regular meeting of Council on March 17, 2020.

CARRIED RESOLUTION 20-138

Town of Bon Accord
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8:30 a.m.



COVID-19 Pandemic Financial Report

COUNCILLOR HOLDEN MOVED THAT Council receive the COVID-19 Implications and Financial update report for information.

CARRIED RESOLUTION 20-139

Off Leash Dog Park

COUNCILLOR HOLDEN MOVED THAT Council accept the Off Leash Dog Park information and for discussion purposes.

CARRIED RESOLUTION 20-140

At 9:00 a.m. Deputy Mayor Bidney experienced technical difficulties and left the meeting. Deputy Mayor Bidney returned at 9:01 a.m.

BYLAWS | POLICIES | AGREEMENTS

BYLAWS

Cancellation of Residential Utility Penalties for COVID-19 Bylaw; Bylaw #2020-17

DEPUTY MAYOR BIDNEY MOVED THAT Council give 1st reading of Cancellation of Utility Penalties for COVID-19 Bylaw; Bylaw #2020-17, as amended.

CARRIED RESOLUTION 20-141

COUNCILLOR MAY MOVED THAT Council give 2nd reading of Cancellation of Utility Penalties for COVID-19 Bylaw; Bylaw #2020-17, as presented.

CARRIED RESOLUTION 20-142

COUNCILLOR HOLDEN MOVED THAT Council give unanimous consent to consider three readings of Cancellation of Utility Penalties for COVID-19 Bylaw; Bylaw #2020-17 in one meeting.

CARRIED RESOLUTION 20-143

COUNCILLOR LAING MOVED THAT Council give 3rd and final reading of Cancellation of Utility Penalties for COVID-19 Bylaw; Bylaw #2020-17

CARRIED RESOLUTION 20-144

2020 Tax Penalty Bylaw Amendment for COVID-19 Bylaw; Bylaw #2020-16

COUNCILLOR MAY MOVED THAT Council give 1st reading of 2020 Tax Penalty Bylaw Amendment for COVID-19 Bylaw; Bylaw #2020-16, as presented.

CARRIED RESOLUTION 20-145

DEPUTY MAYOR BIDNEY MOVED THAT Council give 2nd reading of 2020 Tax Penalty Bylaw Amendment for COVID-19 Bylaw; Bylaw #2020-16, as presented.

CARRIED RESOLUTION 20-146

COUNCILLOR HOLDEN MOVED THAT Council give unanimous consent to consider three readings of 2020 Tax Penalty Bylaw Amendment for COVID-19 Bylaw; Bylaw #2020-16 in one meeting.

CARRIED RESOLUTION 20-147

**Town of Bon Accord
Special Meeting of Council Minutes
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8:30 a.m.**

COUNCILLOR LAING MOVED THAT Council give 3rd reading of 2020 Tax Penalty Bylaw Amendment for COVID-19 Bylaw; Bylaw #2020-16, as presented.

CARRIED RESOLUTION 20-148

Taxation Bylaw; Bylaw #2020-14

DEPUTY MAYOR BIDNEY MOVED THAT Council give 2nd reading of Taxation Bylaw; Bylaw #2020-14, as amended.

CARRIED RESOLUTION 20-149

Records Retention and Disposition Bylaw; Bylaw #2020-08

COUNCILLOR HOLDEN MOVED THAT Council give 1st reading of Records Retention and Disposition Bylaw; Bylaw #2020-08, as presented.

CARRIED RESOLUTION 20-150

DEPUTY MAYOR BIDNEY MOVED THAT Council give 2nd reading of Records Retention and Disposition Bylaw; Bylaw #2020-08, as presented.

CARRIED RESOLUTION 20-151

COUNCILLOR LAING MOVED THAT Council give unanimous consent to consider three readings of Records Retention and Disposition Bylaw; Bylaw #2020-08 in one meeting.

CARRIED RESOLUTION 20-152

DEPUTY MAYOR BIDNEY MOVED THAT Council give 3rd and final reading of Records Retention and Disposition Bylaw; Bylaw #2020-08, as presented.

CARRIED RESOLUTION 20-153

WORKSHOPS | MEETINGS | CONFERENCES

None

CORRESPONDENCE

None

CLOSED SESSION

None

ADJOURNMENT

COUNCILLOR HOLDEN MOVED THAT the April 7, 2020 Special Meeting of Council adjourn at 9:50 a.m.

Mayor David Hutton

Joyce Pierce, CAO

Council Report

Date: April 21, 2020

Department: Finance

Submitted by: Falon Fayant

GENERAL MUNICIPAL

General municipal revenue collected to date includes penalties on outstanding taxes and franchise fees. Cash flow is currently stable.

PUBLIC WORKS

Roads are projected to be in line with budget. Budgeted revenue includes a portion of MSI operating funds not yet received. Snow removal expenses are \$5,410 to date within the \$10,000 budget for the year. Water, sewer, and garbage sales and expenses are projected to be in line with budget for the year.

PROTECTIVE SERVICES

The fire hall rental/grant payment has been received from Sturgeon County, slightly higher than budgeted (\$263 higher). Fire services support payment to Sturgeon County has been paid \$27K.

ADMINISTRATION

Administration is currently working on the application for the debenture for the Solar Farm project. A separate account has been created to track COVID-19 related expenditures/items. To date this account has \$1,596 and contains lost revenue from ice sale refunds due to early closure of the arena. The 2019 audit is now complete, and the invoice has been paid.

COMMUNITY SERVICES

FCSS grant payments are being received monthly versus quarterly.

PARKS & RECREATION

The Government of Canada announced changes to the Canada Summer Jobs (CSJ) Grant where up to 100% of summer staff salaries will be covered within the program. The Town has applied for two parks and rec summer student staff under this grant. These positions were initially within the 2020 budget for the portion not covered by the CSJ grant.

ARENA

The arena is closed for the 2019-2020 operating season. Refunds were issued for lost ice time for early closure due to COVID-19. (\$1,596).

ECONOMIC DEVELOPMENT

Work is underway on the updated website. Expenses have not been received yet.

CAPITAL

Sources of capital revenue will be MSI, GTF, debenture, and reserves.

Current Projects:

48th Avenue & 49A Street: Ongoing; Expenses to date = \$19,619

Solar Farm: Ongoing; Expenses to date = \$377,820

Town of Bon Accord

Year-to-Date Variance Report (*Unaudited*)
for the month ending March 31, 2020

Department	2020 YTD Revenue		2020 YTD Revenue	2020 YTD Expense		2020 YTD Expense	2020 YTD Net	2020 YTD Net	2020 YTD Net	% Variance
	Actual	Budget	Variance	Actual	Budget	Variance	Actual	Budget	Variance	
General Municipal	93,890	555,131	-461,241	0	103,444	103,444	93,890	451,687	-357,797	79%
	93,890	555,131	-461,241	0	103,444	103,444	93,890	451,687	-357,797	
Public Works - Roads	0	6,921	-6,921	80,582	105,007	-24,425	-80,582	-98,086	17,504	18%
Storm Sewer & Drain	0	0	0	4,827	4,434	393	-4,827	-4,434	-393	9%
Water	83,439	90,291	-6,852	90,808	155,617	-64,809	-7,369	-65,326	57,957	89%
Sewer	46,041	51,767	-5,726	42,451	77,300	-34,849	3,590	-25,533	29,123	114%
Garbage	24,356	23,867	489	28,365	42,315	-13,950	-4,009	-18,448	14,439	78%
Cemetery	2,800	1,375	1,425	1,898	2,408	-510	902	-1,033	1,935	187%
	156,636	174,220	-17,584	248,931	387,080	-138,149	-92,295	-212,859	120,564	
Fire Department	9,015	8,752	263	32,535	47,623	-15,088	-23,520	-38,871	15,351	39%
Emergency Services	0	0	0	4,818	4,679	139	-4,818	-4,679	-139	3%
Bylaw	1,355	9,809	-8,454	10,182	15,295	-5,113	-8,827	-5,486	-3,341	61%
	10,370	18,561	-8,191	47,535	67,597	-20,062	-37,165	-49,036	11,871	
Administration	1,494	875	619	117,311	110,316	6,995	-115,817	-109,441	-6,376	6%
Election	0	0	0	0	1,250	-1,250	0	-1,250	1,250	100%
Library	0	2,620	-2,620	30,478	14,510	15,969	-30,478	-11,890	-18,589	156%
Council	0	0	0	26,229	26,254	-25	-26,229	-26,254	25	0%
	1,494	3,495	-2,001	174,018	152,329	21,689	-172,524	-148,834	-23,690	
Community Services	11,071	10,870	201	21,776	24,534	-2,758	-10,705	-13,664	2,959	22%
Recreation Programs	230	2,171	-1,941	14,030	21,243	-7,213	-13,800	-19,072	5,272	28%
Parks & Recreation	0	5,105	-5,105	23,753	38,266	-14,513	-23,753	-33,161	9,408	28%
Arena	35,170	54,719	-19,549	64,129	61,855	2,274	-28,959	-7,136	-21,823	306%
Municipal Planning	3,508	1,425	2,083	23,417	51,363	-27,946	-19,909	-49,938	30,029	60%
Economic Development	0	0	0	21,195	29,706	-8,511	-21,195	-29,706	8,511	29%
	49,979	74,290	-24,311	168,300	226,967	-58,667	-118,321	-152,677	34,356	
TOTAL	218,479	270,567	-52,088	638,784	833,973	-195,189	-420,305	-563,406	143,101	
TOTAL (incl. Gen Mun.)	312,369	825,697	-513,328	638,784	937,417	-91,745	-326,415	-111,719	-214,696	

** Please note new formatting: budget values are comprised of the current time period, not the entire year.

Council Report

Date: April 14, 2020

Department: Community Services

Submitted by: Jenny Larson

COMMUNITY SERVICES

Events Cancelled and/or Postponed

- Pickleball
- Shredding Event
- Volunteer Appreciate Night
- Bike Rodeo
- Seniors Week (BBQ and Tea)
- Summer Camp Programs

Community Services Advisory Board (CSAB)

We are currently looking for members to join our CSAB committee. Posters have been added to our Facebook page and our website. I have had 3 inquires regarding the board, and all 3 have been invited to join the next CSAB meeting on June 8. Requests for new board members will be brought forward to Council for approval.

Feed the Families Food Drive

I spoke with the Food Bank and their supply and demand is stable. The volunteers have requested that we continue with the food drive as scheduled on May 29. An RFD will be brought forward to Council to see who would be available to help.

SREMP ESS Response to COVID-19

The ESS SREMP group have been working together to create a regional plan on how to assist residents during the pandemic.

Photo Scavenger Hunt

I put together a Photo Scavenger Hunt to provide entertainment for our youth and families. We had 2 families participate in the first week. No one participated in the 2nd week; therefore, the program was cancelled.

Family Resource Network Funding

It was announced that Fort Saskatchewan Families First Society was selected to be one of the hubs in our region. They will work alongside of Fort Saskatchewan Boys and Girls clubs and the Creating Hope Society. Bon Accord and Families First have been working together for several years, and we hope to continue that relationship in the future.

Canada Day Celebrations

At this time, preparations for Canada Day will continue. I will ensure that any entertainment and/or rentals booked will offer full refunds in the chance that the social distancing has not been lifted by July.

Upcoming Meetings/Events

SREMP Functional Exercise (cancelled)

Weekly Management Meetings (held remotely via TEAMS)

Sturgeon Community Resource Network & Early Childhood Development Initiative Farewell (cancelled)

SASEY EC Mapping Meeting (cancelled)

FCSS Spring Directors Conference (cancelled)

Council Report

Date: March 2020 – April 2020

Department: Public Works

Submitted by: Operations Manager

PUBLIC WORKS

- Received tenders for 48th Ave project.
- Thawed storm sewers and opened ditches along 54th Ave
- Received permit approval from Alberta Transportation for Solar Farm. We are still waiting for Fortis to provide a cost for the connection between the Solar Farm and the Fortis Transmission line.

ROADS

- Cleared arterials one more time.
- Paving project is dependant on Atco moving some gas lines. The start date depends on the completion of their work.

EQUIPMENT/VEHICLES

- Regular maintenance continues on equipment and vehicles when necessary.
- Truck and Box may arrive sooner than expected.

CEMETERY

WATER

- Monthly water reads occurred on April 1 /20.
- Completed 4 Alberta 1st Calls in March.
- PLC reprogramming for pumps to be completed by end of April.
- One water leak was detected at 4936 – 52 Ave. The leak was on the residents side of the CC.

SEWER

ARENA/PARKS & RECREATION

- Maintenance and painting in the Arena is ongoing.
- Ice was removed

SAFETY/TRAINING

- Staff have been split in to 2 shifts with 3 staff on each crew. This is an attempt to keep staff available to operate the facilities in the event of someone testing positive for Covid 19.
- Depending on the length of the Social Distancing directions decisions will need to be made on maintenance schedules. Some programs may not have their full scope completed.

Ken Reil
Operations Manager
Public Works/Utilities/Recreation

Council Report

Date: March 12/20 – April 16/20
Department: Economic Development | Planning
Submitted by: Dianne Allen, Manager

ECONOMIC DEVELOPMENT

Sturgeon County - Solar Project

Sturgeon County has installed its first solar array at Protective Services Headquarters building with the assistance of \$86,649 in grant funding from the Municipal Climate Change Action Centre (MCCAC). The local solar project includes 312 panels that will harness the sun's energy and help to reduce the County's environment footprint. The MCCAC was integral in providing funds to support the projects engineering and construction of the 255 X 385W modules on the roof and the 57 X 210W modules on the building exterior.

It is anticipated that the new infrastructure will produce 113,300 kWh per year and significantly reduce greenhouse gas emissions. The energy production gain associated with the building's solar panels is equivalent to supply electricity to 14.5 average Alberta households for a year or to powering an average electric vehicle that could drive across Canada 10 times (566,500 KM). Anticipation GHG emissions will be reduced by 64.5 tons per year.

Economic Recovery Council

Premier Jason Kenney has announced the membership of the Economic Recovery Council, created to provide advice to guide Alberta through the downturn that comes as a result of COVID-19 and the energy price crash.

The Council is made up of policy and industry experts who will provide insight and expert advice on how to protect jobs during the economic crisis and collapse in energy prices. The council will also focus on strategies for long-term recovery from the crisis, including efforts to accelerate diversification of the Alberta economy.

Premiers Economic Recovery Council consists of the following members:

Jack Mintz - Chair

Clive Beddoe – Former Chair, President and CEO, WestJet

Robert Blakely

Brent Belzberg – Founder and Senior Managing Partner, TorQuest Partners

Bob Dhillon – Founder, President and CEO, Mainstreet Equity Corporation

Chris Fowler – President and CEO, Canadian Western Bank

Rt. Hon. Stephen Harper – Canada's 22nd Prime Minister

Peter Kiss – Owner and President, Morgan Construction and Environmental

Zainul Mawji – President, Telus Home Solutions

Nancy Southern – Chair and CEO, ATCO Ltd.

Kevin Uebelein – CEO, AIMCo

Mac Van Wielingen – Founder, ARC Financial

Inspections Group

The Town of Bon Accord has a contractual agreement with the Inspections Group to provide services for Building Permits on development occurring in the Town. The value and service received from personnel within this company has been outstanding. The service received goes beyond issuing permits and inspections performed on work being done. The education component has been extremely helpful to manage building permits effectively.

Connecting with Business – COVID19

In the initial stages of the COVID-19 pandemic, a personal phone call was made to all businesses holding a valid business license with the Town of Bon Accord. The intent was to check-in on how businesses were coping with the new norm and if there were any major concerns that the Town should be aware of. Reaction of business was that of appreciation and the importance of business to the community. In the next upcoming weeks, the impact will be much greater on small business and residents, with recovery being top of mind.

Ministerial Order – Subdivision and Development

On Wednesday, March 25/20 the Minister of Municipal Affairs signed a Ministerial Order MDD 022/20 (the order) which amends and increases the legislative timeframes for planning approvals, appeal processes and enforcement procedures to October 1/20. The order has significant impacts on municipalities and developers and may in effect put a complete hold on a majority of development until after October 1/20.

These concerns and issues have been brought forward to the attention of Municipal Affairs, with the understanding that additional direction or guidance be forthcoming from the Ministers Office. There has been communication from AUMA stating revisions will be taken into consideration to continue with development time frames that were in effect prior to the order. Hopefully these revisions will take place within 14 days.

Conference Cancellations

Conferences scheduled for the first, second and third quarters have been cancelled. Economic Development Alberta has postponed the Annual EDA Conference to the end of November 2020.

Website

Information is being prepared to populate new website.

PLANNING AND DEVELOPMENT

Development / Investment

- Inquiry on available commercial lands

Business and Development Inquiries

- Commercial Business

Complaints

Complaints received and investigated for this reporting period include:

- No complaints reported for this reporting period

- Ongoing monitoring of residential property (unsightly)

Business Inquiries	Compliance Certificates	Development Permits	Building Permits (Gas, Plumbing, Electrical)	Business Licenses	Bylaw Complaints	
1	1	0	4	17	0	This Period
5	4	0	7	30	0	YTD

Meetings/Events Attended/Education

- Manager Meetings – internal exchange of information & updates of Council
- Council Meetings - virtual
- Municipal Planning Services – discuss / review permits / compliance certificates
- Resident Meetings – development questions and inquiries

Respectfully Submitted – Dianne Allen

Council Report

Date April 2020

Department: Administration

Submitted: Joyce Pierce, CAO

Administration

Held management meetings in April which has included discussion and planning for the upcoming spring thaw, taxation planning, business continuity planning in light of the COVID 19 virus, ICF/IDP meetings, Public open houses and public hearings on the Micro cultivation project, solar farm project.

Training

Most training has been cancelled until a later date unless it could be held virtually. Some staff have been working on webinar training, such as the new ICity programs, taxation primarily at the current time.

RMA

Rural Municipalities Association meeting was held virtually on April 20, 2020. The RMA is facing the same concerns and efforts as the AUMA at this unprecedented time of COVID-19.

AUMA Town Hall Meeting

Mayor Hutton and I attended the Town Hall teleconference on Apr 15, 2020. President, Barry Morishita spoke about the advocacy work that the Board is doing for municipalities at this time.

1. One item that is of importance is the deferral of development permits, and how this will affect our municipalities in getting our capital projects moving forward. An appeal has been made to the Province and the understanding is within 14 days this item will be changed back to the original process.
2. To assist in the cash flow concerns we have in the municipalities, an extended borrowing period was discussed.
3. Possible increases to the MSI funding is being discussed as a better way to assist municipalities rather than an increase in infrastructure funding, as it would then go to each municipality rather than on a first come first serve basis, with possibly only a few gaining any relief from this effort.
4. FCM is working on a request for an increase in the Gas Tax Fund that would help also.
5. Advocating to have the Police funding expense delayed for another year.
6. More efforts in the energy services aggregate purchasing for municipalities and insurance reform to assist municipalities in the utility payment deferrals many muni's have implemented.

Many good questions were asked by urban municipalities across the province and answers that were available were made, with further information coming in future meetings. Some concerns included worry that with the Borrowing Bylaw's having a 2 week appeal process for residents to stop the process, is there any consideration for putting in amendments to disallow this process. Should receive a response to this by Friday Apr 17,2020.

Discussion on good ideas that could be shared by the AUMA to other municipalities about how deferrals and recovery processes will be handled in various places was agreed upon.

COVID-19 Recovery Task Forces are being set up in other municipalities and was considered a good idea by many moving forward.

SREMP Agency Meeting

The SREMP agency has been having virtual meetings on a weekly basis to share and discuss how we are managing our municipalities during this pandemic. It has been a very good sharing and discussion on all the municipalities positions during these trying times.

ICF/IDP

An update from today's meetings provided information regarding the ICF/IDP bylaws and how the region is proceeding with them. Sturgeon County wishes to delay the process until after they have a better understanding of how impacts of the pandemic will affect the finances of Sturgeon County. The majority of the regional partners disagree with this plan, as it is felt that completing the Intermunicipal Collaboration Framework does not mean that the agreements cannot be held until a time that all municipalities have a better understanding of the outcomes of this current environment.

Administration continues to work with the regional member administration and consultant to move toward getting approval and details worked out prior to the deadline.

Meetings Virtually Attended

Management Mtg

Regular Meeting Council

SREMP Mtg

Provincial Town Hall Mtg

AEMA Mtg

Regional CAO Mtg

As you can see, we have hit the ground running in the new year and are looking forward to many new programs and developments coming forward in 2020. The second month of the new year has not slowed down at all and we are excited about our future. Here we are in the third month of the year starting to wrap up a couple of projects and heading into the beginning of some very exciting and new projects for spring. Trying to address the COVID-19 pandemic in a manner that will reduce the risk of the spread of the virus and still be able to maintain operation of the organization to the very best of our abilities. The fourth month comes with the promise of spring, (maybe) and all efforts to control the spread of the virus. Hats off to all the frontline staff in the community, first responders, municipal staff and Council. The task load has increased immensely, but the spirit and positivity has increased along with that and should not go without being commended.

**TOWN OF BON ACCORD
Request for Decision (RFD)**

MEETING: Regular Council Meeting

MEETING DATE: April 21, 2020

AGENDA ITEM: Bon Accord's Beautification Plan for 2020

RECOMMENDATION: THAT ... Council provides their recommendation for the 2020 beautification plan.

BACKGROUND:

Every summer, flowers are ordered by Community Services, then planted, and maintained by Parks & Rec staff, including their summer staff. (No summer staff has been hired at this time.)

Administration has discussed ways to beautify the Town during the COVID-19 pandemic. We want to ensure we can offer the residents something to enjoy while being fiscally responsible.

Here is a breakdown of manpower and hours it takes to maintain the flowerbeds and baskets:

Planning & ordering: 2 people x 2 hours

Prepare planters: 2 people x 6 hours

Pick-up & planting: 2 people x 16 hours

Watering: 1 person x 12 hours per week (minimum 13 weeks)

Plant removal 1 person x 8 hours

The use of a truck and the water pump, plus fuel for both, water, and fertilizer are extra costs, over and above the cost of flowers.

To order the same number of flowers and plants that were purchased last year, it will cost roughly \$963.11 plus GST.

Administration is waiting for confirmation on our Canada Summer Jobs grant application, which was applied for in early February. Changes to the funding model has been recently implemented. All funded employers will be eligible to receive a wage subsidy reimbursement of up to 100% of the provincial or territorial minimum hourly wage. Previously, private and public sector employers were only eligible to receive up to 50% of the provincial or territorial minimum wage.

Here are some of the ideas discussed to help reduce maintenance and manpower:

1. Only purchase hanging baskets
2. Ask residents to plant and maintain flowers in Town flowerbeds
3. Add flowerbeds or plant Saskatoon berry bushes to the community garden
4. Or just simply enjoy CiB flowerbeds and continue to support them with, watering and grant funding

FINANCIAL IMPLICATIONS:

\$963.11 + gst for purchase of flowers (plus water and manpower)

\$300 + gst for hanging baskets (plus water and manpower)

LEGAL IMPLICATIONS: *N/A*

LEGISLATIVE HISTORY: *N/A*

ALTERNATIVES:

1. Council recommends that the original beautification plan is carried out, and the entire flower order is placed
2. Council recommends that only hanging baskets are ordered

Prepared and Submitted By: Jenny Larson Community Services

Reviewed By:

Date: April 16, 2020

**TOWN OF BON ACCORD
Request for Decision (RFD)**

MEETING: Regular Council Meeting

MEETING DATE: April 21, 2020

AGENDA ITEM: Cancellation of Summer Camps Programs

RECOMMENDATION: THAT ... Council accepts this RFD as information.

BACKGROUND:

Due to the COVID-19 pandemic and the project timelines provided by Alberta Health Services and the provincial government- Summer Camp Programs for 2020 will be canceled.

The provincial government has projected that the Alberta COVID-19 peak will take place in the middle of May, and restrictions will most likely be in place until the end of June. The gradual lifting of restrictions will most likely take place after that. Usually, interviews are conducted in March, and the Recreation Program Coordinator begins in mid-May. The Recreation Program Coordinator begins the planning and advertising of programs and would deliver pamphlets to schools early to mid-June. Programming would begin in the first week of July.

Community Services will not be hiring Leaders in Training volunteers for 2020.

FINANCIAL IMPLICATIONS: N/A

LEGAL IMPLICATIONS: N/A

LEGISLATIVE HISTORY: N/A

ALTERNATIVES:

1. Council accepts this RFD as information
2. Council directs the Community Services Coordinator to hire a Recreation Program Coordinator and plan summer camps for 2020.

Prepared and Submitted By: Jenny Larson, Community Services

Reviewed By:

Date: April 9, 2020

**TOWN OF BON ACCORD
Request for Decision (RFD)**

MEETING: Regular Council Meeting	
MEETING DATE: April 21, 2020	
AGENDA ITEM: Postponement of Senior's Week Events	
RECOMMENDATION: THAT ... Council accepts this RFD as information.	
BACKGROUND: Due to the Covid-19 pandemic, Seniors Week events will be postponed until later in the year. Recognition of our seniors will be placed in the utility newsletter and on our community event sign. Additional information will be provided in our utility newsletter for June, specifically for seniors. Information will include information around scams, and seniors supports. Plans to host the Seniors Week events will be looked at once the self-distancing protocol has been lifted. Seniors week is June 1-7.	
FINANCIAL IMPLICATIONS: N/A	
LEGAL IMPLICATIONS: N/A	
LEGISLATIVE HISTORY: N/A	
ALTERNATIVES:	
Prepared and Submitted By: Jenny Larson Community Services	Reviewed By: Date: April 9, 2020

**TOWN OF BON ACCORD
Request for Decision (RFD)**

MEETING: Regular Council Meeting

MEETING DATE: April 21, 2020

AGENDA ITEM: Chief Elected Official Bylaw – Public Hearing

RECOMMENDATION: THAT ... Council postpone the Public Hearing for the Chief Elected Official Bylaw until December 1, 2020.

BACKGROUND:

On February 4, 2020 Council gave 1st reading to the Chief Elected Official Bylaw; Bylaw #2020-09 and resolved that a public hearing be scheduled for March 3, 2020 regarding this bylaw.

On February 18, 2020 Council resolved to reschedule the public hearing for the Chief Elected Official Bylaw, Bylaw #2020-09 to May 5, 2020.

Due to the COVID-19 pandemic, and the non-urgent nature of this bylaw, Administration is recommending that the public hearing, along with the consideration of 2nd and 3rd readings of this bylaw be postponed to a later date.

The Chief Elected Official bylaw must be passed by December 31 of the year before the general election at which it is to take effect.

Administration is recommending consideration of 2nd and 3rd readings of this bylaw on December 15, 2020, with a Public Hearing being scheduled for December 1, 2020. Advertising of the Public Hearing would take place for two (2) consecutive weeks (November 17 and 24) prior to the public hearing.

FINANCIAL IMPLICATIONS: N/A

LEGAL IMPLICATIONS: N/A

LEGISLATIVE HISTORY: MGA Section 150

Election or appointment of chief elected official

150(1) The chief elected official of a city or town is to be elected by a vote of the electors of the municipality unless the council passes a bylaw

(a) requiring council to appoint the chief elected official from among the councillors,

(b) specifying when the appointment is to start, and

(c) specifying the term of the appointment.

Passing bylaw

151(1) A bylaw under section 150 must be passed by December 31 of the year before the general election at which it is to take effect.

ALTERNATIVES:

1. **THAT** ... Council postpone the Public Hearing for the Chief Elected Official Bylaw; Bylaw #2020-09 to December 1, 2020.
2. **THAT** ... Council postpone the Public Hearing for the Chief Elected Official Bylaw; Bylaw #2020-09 to May 19, 2020 to allow time for advertising.
3. **THAT** ... Council does not proceed with the Chief Elected Official Bylaw; Bylaw #2020-09.

Prepared and Submitted By: Julia Miller

Reviewed By: Joyce Pierce

Date: April 16, 2020

TOWN OF BON ACCORD

Request for Decision (RFD)

MEETING: *Regular Meeting of Council*

MEETING DATE: **April 21, 2020**

AGENDA ITEM: **Taxation Bylaw # 2020-14**

RECOMMENDATION:

THAT ... the Taxation Bylaw – Bylaw #2020-14 be given 3rd reading, as presented.

BACKGROUND:

Overall assessments for 2020 have decreased by 1% from 2019, however due to increased costs and the new policing framework model, the amount of revenue required from municipal taxes has increased by 1%. The tax rates presented within this bylaw represent a slight increase of 2.5% for each tax assessment area.

The Government of Alberta will maintain the Alberta School Foundation Fund Requisition values at last years' (2019) rates. In addition, the government announced plans to defer the non-residential portion of the requisition for six months in order to maintain liquidity and help keep businesses viable. The ASFF requisition includes an under-levy from 2019. At the time of passing the 2019 Taxation Bylaw the ASFF requisition for 2019 had not been released and therefore values from 2018 were used and collected from ratepayers. When the school foundation released their information in October 2019, they increased their requisition value and collected more funds, thereby resulting in an under-levy for the year of \$10,616.

The Homeland Housing requisition value has increased slightly for 2020. In 2019, the requisition was \$14,393 and is \$14,418 for 2020.

The designated industrial property requisition, an amount due and payable directly to the Government of Alberta, has decreased slightly for 2020. In 2019, the requisition was \$136.53 and is \$132.31 for 2020.

Currently, Sturgeon County is still deliberating their taxation rates for the 2020 taxation year, as such the rates in the calculation for the annexed properties reflect 2019 rates. Section 2 of the Taxation Bylaw 2020-14 states that these rates are subject to change once Sturgeon County rates have been passed. Administration will mail Assessment Notices and an explanatory letter to the affected annexed properties, and then process their Tax Notice once Sturgeon County has passed their Taxation Bylaw.

FINANCIAL IMPLICATIONS: N/A

LEGISLATIVE HISTORY

Property Tax Bylaw Sec 353 *MGA*

- (1) Each Council must pass a property tax bylaw annually.
- (2) The property tax bylaw authorizes the Council to impose a tax in respect of property in the municipality to raise revenue to be used toward the payment of
 - (a) the expenditures and transfers set out in the budget of the municipality, and
 - (b) the requisition

ALTERNATIVES:

- 1. That...Council gives 3rd reading to Taxation Bylaw 2020-14 as presented.
- 2. That...Council declines 3rd reading of Taxation Bylaw 2020-14 and directs administration to...

Prepared and Submitted By: Falon Fayant

Reviewed By: Joyce Pierce

Date: April 15, 2020

**TOWN OF BON ACCORD
2020 RATES OF TAXATION BYLAW
BYLAW 2020-14**

A BYLAW TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF BON ACCORD FOR THE 2020 TAXATION YEAR.

WHEREAS, the Town of Bon Accord has prepared and adopted detailed estimates of the municipal revenue and expenditures as required, at the council meeting held December 17, 2019; and

WHEREAS, the estimated municipal expenditures and transfers set out in the budget for the Town of Bon Accord for 2020 total \$5,084,046 and

WHEREAS, the estimated municipal revenues and transfers from all sources other than taxation is estimated at \$3,084,276 and \$1,552,696 is to be raised by general municipal taxation; and

WHEREAS, the requisitions are:

Alberta School Foundation Fund (ASFF)		
Residential/Farmland		\$383,752
Non-residential		\$24,495
Homeland Housing		\$14,418
Designated Industrial Property (Including M&E)		\$132.31

WHEREAS, the Council of the Town of Bon Accord is required each year to levy on the assessed value of all property, tax rates sufficient to meet the estimated expenditures and requisitions; and

WHEREAS, the Council is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000 and

WHEREAS, the assessed value of all taxable property in the Town of Bon Accord as shown on the assessment roll is:

	<u>Assessment</u>
Residential	\$137,329,900
Farmland	\$63,000
Non-residential vacant	\$300,600
Machinery & Equipment	\$45,640
Non-residential	\$5,982,610
Residential – Annexed	\$1,311,710
Farmland – Annexed	\$99,100
Machinery & Equipment - Annexed	\$39,030
	<u>\$145,171,590</u>

**TOWN OF BON ACCORD
2020 RATES OF TAXATION BYLAW
BYLAW 2020-14**

NOW THEREFORE, under the authority of the Municipal Government Act, the Council of the Town of Bon Accord, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Bon Accord.

	TAX LEVY	ASSESSMENT	TAX RATE
<u>General Municipal</u>			
Non-Residential (including M&E)	\$114,787	\$6,028,250	.01904147
Residential	\$1,418,277	\$137,329,900	.01032752
Farmland	\$3,118	\$63,000	.04948654
Non-Residential Vacant	\$10,393	\$300,600	.03457485
Annexed Non-Residential/M&E	\$401	\$39,030	.01028080
Annexed Residential	\$4,781	\$1,311,710	.00364490
Annexed Farmland	\$938	\$99,100	.00947000
	\$1,552,696	\$145,171,590	
<u>Education</u>			
Residential/Farmland	\$383,752	\$138,803,710	.00276471
Non-residential	\$24,495	\$6,367,880	.00384665
	\$408,247	\$145,171,590	
<u>Homeland Housing</u>	\$14,418	\$145,171,590	.00009932
<u>Designated Industrial Property (Including M&E)</u>	\$132.31	\$1,740,730	.00007600

2. That levy values for annexed properties are subject to change based on Section 5(2) of Order in Council 032/2018 that states annexed land and assessable improvements must be assessed and levied as if they had remained in Sturgeon County. Therefore, those assessed properties will be subject to Sturgeon County taxation bylaw rates, once passed.
3. The minimum amount payable as property tax for general municipal purposes shall be \$300.
4. The rates in this Bylaw shall also apply to the assessed value of all designated industrial property.
5. That this Bylaw shall come into force and take effect upon the date of third reading.

**TOWN OF BON ACCORD
2020 RATES OF TAXATION BYLAW
BYLAW 2020-14**

READ A FIRST TIME THIS 17th DAY OF March 2020.

Mayor David Hutton

Chief Administrative Officer Joyce Pierce

READ A SECOND TIME THIS 7th DAY OF April 2020.

Mayor David Hutton

Chief Administrative Officer Joyce Pierce

READ A THIRD TIME THIS 21st DAY OF April 2020.

Mayor David Hutton

Chief Administrative Officer Joyce Pierce

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

TOWN OF BON ACCORD
Request for Decision (RFD)

MEETING: *Regular Meeting of Council*

MEETING DATE: **April 21, 2020**

AGENDA ITEM: **Light Efficient Community Standards Bylaw # 2020-18**

RECOMMENDATION:

THAT.... Council approves first reading of the Light Efficient Community Standards Bylaw #2020-18.

BACKGROUND:

The purpose of this *Bylaw* was to provide regulations for outdoor lighting in the Town of Bon Accord in accordance with an international standard. This lighting includes, but not limited to all lighting that is provided by the Town of Bon Accord for purposes of public safety and public information, as well as lighting on private property that encompasses commercial development, single family dwellings and property which has more than one resident on it. As a result of adopting this *Bylaw*, goals aligning with Bon Accords "*Building of Tomorrow*" strategy would be achieved, reducing adverse environmental impacts of outdoor lighting in two categories: carbon footprint (energy used in the life of a lighting product) and obtrusive light. The bylaw is based on and adopted from the Model Lighting Ordinance created by the Illuminating Engineering Society and the International Dark Sky Association.

Section 11-Existing Lighting states: Amortization allows existing lighting to gradually and gracefully come into compliance. Substantial changes or additions to existing properties are considered the same as new construction and must comply. Most outdoor lighting can be fully depreciated once it is fully amortized, usually not longer than 10 years, if not sooner, from the date of initial installation. Bon Accord administration may require compliance sooner for "easy fixes" such as re-aiming or lowering lumen output of lamps. Where lighting is judged to be a safety hazard, immediate compliance shall be required. Lighting installed prior to the effective date of the Bylaw shall comply with the following:

11.1 Amortization on or before January 1, 2023, all outdoor light shall comply with this Code.

The Light Efficient Community Standards Bylaw was established for good intentions of the day, to fulfill the International DarkSky Association Designation (IDA) mandate. Councils Strategic Plan does not identify the IDA as priority, but identifies a framework focusing on:

- Economy - steady, positive growth
- Community - safe, attractive community
- Infrastructure – maintaining and improving in a fiscally responsible manner
- Identity – strong, positive, recognizable
- Collaboration – sustainable relationships

In the best interests of the Towns residents, it would be unreasonable to mandate that all existing lighting must comply on or before January 1, 2023. Eliminating the date, would ultimately allow the resident the choice if they so desire to continue with this bylaw or impart. The other component is the enforcement cost of those who do not comply. Administration is recommending deleting 11.1 stating: Amortization on or before January 1, 2023, all out door light shall comply with this code.

FINANCIAL IMPLICATIONS:

Increased enforcement and legal costs for the Town; additional expense for the residents of the Town.

LEGISLATIVE HISTORY: N/A**ALTERNATIVES:**

1. Council approves first reading to the amendment of Light Efficient Community Standards Bylaw 2020-18.
2. Council does not approve the amendment to the Light Efficient Community Standards Bylaw 2020-18.

Prepared and Submitted By: Dianne Allen
Planning & Development

Reviewed By: Joyce Pierce

Date: April 21, 2020

**TOWN OF BON ACCORD
BYLAW 2020-18
LIGHT EFFICIENT COMMUNITY STANDARDS BYLAW**

A BYLAW OF THE TOWN OF BON ACCORD, IN THE PROVINCE OF ALBERTA TO ESTABLISH TERMS FOR REDUCING LIGHT POLLUTION AND GLARE; ENHANCING THE WELL-BEING OF THE COMMUNITY THROUGH ENVIRONMENTAL ACTION

WHEREAS, pursuant to section 7 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, a council may pass bylaws for municipal purposes respecting, inter alia, the following matters:

- a) the safety, health and welfare of people and the protection of people and property;
- b) nuisances, including unsightly property;
- c) businesses, business activities and persons engaged in business;
- d) the enforcement of bylaws made under this or any other enactment; and

WHEREAS, pursuant to section 8 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, a council may, in a bylaw, inter alia:

- a) regulate or prohibit;
- b) provide for a system of licenses, permits or approvals; and

WHEREAS, pursuant to section 640 (4) of the *Municipal Government Act*, R.S.A. 2000, c. M-26, a Council may prohibit or regulate and control the use and development of land and buildings, inter alia:

- a) the design, character and appearance of buildings;
- b) the lighting of land, buildings or other things; and

WHEREAS, the safety and welfare of motorists, pedestrians, and cyclists depend upon the reduction of glare and the establishment of consistent and well-defined levels of lighting; and

WHEREAS, proper direction and use of light will minimize energy wasted on unnecessary and indiscriminate illumination; and

WHEREAS, the Town of Bon Accord recognizes the need to preserve the rural character, aesthetic value, and the unique quality of life of Bon Accord residents by preserving and enhancing the ability to view the night sky; and

WHEREAS, establishing a predetermined standard for outdoor illumination will provide residents, business owners, and developers with a clear set of guidelines by which to follow; and

WHEREAS, a clear set of guidelines for outdoor lighting will eliminate the need for commercial establishments to compete for visual attention by escalating outdoor lighting levels; and

WHEREAS, excessive illumination is harmful.

NOW THEREFORE, THE COUNCIL OF THE TOWN OF BON ACCORD, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

**TOWN OF BON ACCORD
BYLAW 2020-18
LIGHT EFFICIENT COMMUNITY STANDARDS BYLAW**

SECTION 1 – SHORT TITLE

- 1.1. This Bylaw may be referred to as "The Light Efficient Community Standards Bylaw".

SECTION 2 - DEFINITIONS

- 2.1. **"Absolute photometry"** is a photometric measurement (usually of a solid-state luminaire) that directly measures the footprint of the luminaire. Reference Standard IES LM-79.
- 2.2. **"Astronomic Time Switch"** is an automatic lighting control device that switches outdoor lighting relative to time of solar day with time of year correction.
- 2.3. **"Backlight"** is a reference to an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.
- 2.4. **"BUG"** is luminaire classification system that classifies backlight (B), uplight (U) and glare (G).
- 2.5. **"Canopy"** is a covered, unconditioned structure with at least one side open for pedestrian and/or vehicular access. (An unconditioned structure is one that may be open to the elements and has no heat or air conditioning.)
- 2.6. **"Common Outdoor Areas"** One or more of the following: a parking lot; a parking structure or covered vehicular entrance; a common entrance or public space shared by all occupants of the domiciles.
- 2.7. **"Correlated Colour Temperature"** or CCT is a measure of light source color appearance defined by the proximity of the light source's chromaticity coordinates to the blackbody locus, as a single number rather than the two required to specify a chromaticity.
- 2.8. **"Development Officer"** is an official of Bon Accord appointed, according to the procedures authorized by Town Council, to act as a development authority according to the *Municipal Government Act*.
- 2.9. **"Emergency Conditions"** is lighting that is only energized during an emergency; lighting fed from a backup power source; or lighting for illuminating the path of egress solely during a fire or other emergency situation; or, lighting for security purposes used solely during an alarm.
- 2.10. **"Footcandle"** The unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one foot square from a distance of one foot. One footcandle is equal to one lumen per square foot or approximately 10.76391 lux.

TOWN OF BON ACCORD
BYLAW 2020-18
LIGHT EFFICIENT COMMUNITY STANDARDS BYLAW

- 2.11. **“Forward Light”** For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the direction of the intended orientation of the luminaire.
- 2.12. **“Fully Shielded Luminaire”** is a luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part.
- 2.13. **“Glare”** is lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.
- 2.14. **“Hardscape”** is permanent landscape improvements to a site including parking lots, drives, entrances, curbs, ramps, stairs, steps, medians, walkways and non-vegetated landscaping that is three (3) metres or less in width. Materials may include concrete, asphalt, stone, gravel, etc.
- 2.15. **“Hardscape Area”** is the area measured in square metres of all hardscape. It is used to calculate the Total Site Lumen Limit in both the Prescriptive Method and Performance Methods. Refer to Hardscape definition.
- 2.16. **“Hardscape Perimeter”** is the perimeter measured in linear metres and is used to calculate the Total Site Lumen Limit in the Performance Method. Refer to Hardscape definition.
- 2.17. **“IDA”** is the International Dark-Sky Association.
- 2.18. **“IESNA”** is the Illuminating Engineering Society of North America.
- 2.19. **“Illuminance”** is the total luminous flux incident on a surface, per unit area. It is a measure of how much the incident light illuminates the surface, correlated with brightness perception.
- 2.20. **“Initial Lumens”** is the amount of light output from a lamp when it is new. For a metal halide lamp, these ratings are averages based on photometry at rated lamp watts after 100 hours of operation.
- 2.21. **“Lamp”** is a generic term for a source of optical radiation (i.e. “light”), often called a “bulb” or “tube”. Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.
- 2.22. **“Landscape Lighting”** is lighting of trees, shrubs, or other plant material as well as ponds and other landscape features.
- 2.23. **“Light Efficient Community”** is a community that uses lighting responsibly. It uses the most effective and efficient artificial lighting available to minimize energy waste, glare, light

TOWN OF BON ACCORD
BYLAW 2020-18
LIGHT EFFICIENT COMMUNITY STANDARDS BYLAW

trespass and pollution by employing designs, measures, legislation and good lighting practices. By doing so the community is able to reduce energy costs and its carbon footprint while preserving the natural environment and ensuring health, safety, and a high quality of life for all.¹

- 2.24. “Lighting Equipment”** is equipment specifically intended to provide gas or electric illumination, including, but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, or lens(es), and related structures, electrical wiring, and other necessary or auxiliary components.
- 2.25. “Light Pollution”** is excessive, misdirected, or obtrusive artificial light which competes with starlight in the night sky for urban residents. This light has adverse health effects on urban residents by interrupting the circadian rhythm as well as surrounding ecosystems.
- 2.26. “Light Trespass”** means the shining of light produced by a luminaire beyond the boundaries of the desired application or property on which it is located.
- 2.27. “Lighting Zone”** is an overlay zoning system establishing legal limits for lighting of particular parcels, areas, or districts in a community.
- 2.28. “Low Voltage Lighting”** is lighting powered at less than 15 volts and limited to luminaires having an initial rated luminaire lumen output of 525 lumens or less.
- 2.29. “Lumen”** is the photometric unit of light output and the unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from ‘watt,’ a measure of power consumption).
- 2.30. “Luminaire”** is a complete lighting unit or fixture, consisting of a lamp (bulb), or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to a power supply.
- 2.31. “Luminaire Efficiency”** is a ratio of the light emitted by a luminaire to the light emitted by the lamps inside the luminaire.
- 2.32. “Luminaire Lumens”** is a calculated sum of the initial lamp lumens for all lamps within an individual luminaire, multiplied by luminaire efficiency. If the efficiency is not known for a residential luminaire, it shall be assumed to be 70%. For luminaires with absolute photometry per IES LM-79, it is the total luminaire lumens. The lumen rating of a luminaire assumes the lamp or luminaire is new and has not depreciated in light output.
- 2.33. “Lux”** is the International System of Units (SI) unit of illuminance. One lux is one lumen per metre squared. 1 Lux is a unit of incident illuminance approximately equal 1/10 footcandle.

¹This definition was adopted by Council on 07 February 2012 in Council Meeting-Resolution 12.29.

TOWN OF BON ACCORD
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LIGHT EFFICIENT COMMUNITY STANDARDS BYLAW

- 2.34. “Model Lighting Ordinance (MLO)”** is a sample ordinance created by the International Dark-Sky Association (IDA) and the Illuminating Engineering Society (IES) which establishes ‘best practices’ in the use and applications of outdoor lighting. This ordinance suggests regulating the use of outdoor light to minimum recommended levels for night-time safety, utility, security, productivity, enjoyment and commerce. By achieving this safe minimum level of lighting the goals of reducing adverse offsite lighting such as light trespass, obtrusive light, light pollution, and sky glow are achieved.
- 2.35. “Mounting height”** is the height of the photometric centre of a luminaire above grade level. The horizontal spacing of luminaires is often measured in units of mounting height. For example, the luminaires can be spaced at 4 mounting heights apart.
- 2.36. “New lighting”** is lighting for areas not previously illuminated; newly installed lighting of any type except for replacement lighting or lighting repairs.
- 2.37. “Outdoor Lighting”** is lighting equipment installed within the property line and outside the building envelopes, whether attached to poles, building structures, the earth, or any other location; and any associated lighting control equipment.
- 2.38. “Partially shielded luminaire”** is a luminaire with an opaque top, translucent or perforated sides that is designed to emit most light downward.
- 2.39. “Pedestrian Hardscape”** is stone, brick, concrete, asphalt or other similar finished surfaces intended primarily for walking, such as sidewalks and pathways.
- 2.40. “Photometry”** is the science of the measurement of light, in terms of its perceived brightness to the human eye. In modern photometry, the radiant power at each wavelength is weighted by a luminosity function that models human brightness sensitivity.
- 2.41. “Photoelectric Switch”** is a control device employing a photocell or photodiode to detect daylight and automatically switch lights off when sufficient daylight is available.
- 2.42. “Premise”** is a house or building, together with its land and outbuildings, as legally described in a real property report as signed by a land surveyor in the Province of Alberta.
- 2.43. “Property line”** is the edges of the legally defined extent of privately owned property.
- 2.44. “Relative Photometry”** is photometric measurements made of the lamp plus luminaire, and adjusted to allow for light loss due to reflection or absorption within the luminaire. Reference Standard IES LM-63.
- 2.45. “Repair”** is reconstruction or renewal of any part of an existing luminaire for the purpose of its ongoing operation, other than re-lamping or replacement of components including capacitor, ballast or photocell. Note that retrofitting a luminaire with new lamp and/or ballast technology is not considered a repair and for the purposes of this *Bylaw* the

**TOWN OF BON ACCORD
BYLAW 2020-18
LIGHT EFFICIENT COMMUNITY STANDARDS BYLAW**

luminaire shall be treated as if new. "Repair" does **not** include normal re-lamping or replacement of components including capacitor, ballast or photocell.

- 2.46. "Replacement Lighting"** is lighting installed specifically to replace existing lighting that is sufficiently broken to be beyond repair.
- 2.47. "Shielded Directional Luminaire"** is a luminaire that includes an adjustable mounting device allowing aiming in any direction and contains a shield, louver, or baffle to reduce direct view of the lamp.
- 2.48. "Sign"** is advertising, directional or other outdoor promotional display of art, words and/or pictures.
- 2.49. "Sky Glow"** is the brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Sky glow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.
- 2.50. "Temporary lighting"** is lighting installed and operated for periods not to exceed 60 days, completely removed and not operated again for at least 30 days.
- 2.51. "Time Switch"** is an automatic lighting control device that switches lights according to time of day.
- 2.52. "Unshielded Luminaire"** is a luminaire capable of emitting light in any direction including downwards.
- 2.53. "Uplight"** is a reference to an exterior luminaire, lumens emitted or radiated in the hemisphere at or above the horizontal plane.
- 2.54. "Vertical Illuminance"** is illuminance measured or calculated in a plane perpendicular to the site boundary or property line.
- 2.55. "Watt"** is a derived unit of power. The unit, "W" is defined as joule per second and can be used to express the rate of energy conversion to light with respect to time.

SECTION 3 - PREAMBLE

The problems of light pollution first became an issue in the 1970s when astronomers identified the degradation of the night sky due to the increase in lighting associated with development and growth. As more impacts to the environment by lighting are being identified, an international "dark sky" movement is advocating for the precautionary approach to outdoor lighting design. Many communities have passed anti-light pollution laws and ordinances. However, there is little or no agreement among these laws, and they vary considerably in language, technical quality, and stringency. This leads to ambiguity for designers, engineers, and code officials looking to meet these regulations. The lack of a common basis prevents the development of standards, educational

**TOWN OF BON ACCORD
BYLAW 2020-18
LIGHT EFFICIENT COMMUNITY STANDARDS BYLAW**

programs, and other means of achieving the goal of effective lighting control. The purpose of this *Bylaw* is to provide regulations for outdoor lighting in the Town of Bon Accord in accordance with an international standard. This lighting includes, but is not limited to all lighting that is provided by the Town of Bon Accord for purposes of public safety and public information, as well as lighting on private property that encompasses commercial development, single family dwellings, and property which has more than one residence on it. As a result of adopting this *Bylaw*, goals aligning with Bon Accord's "*Building for Tomorrow*" strategy will be achieved, reducing adverse environmental impacts of outdoor lighting in two categories: carbon footprint (energy used in the life of a lighting product) and obtrusive light. This bylaw is based on and adopted from the Model Lighting Ordinance created by the Illuminating Engineering Society and the International Dark-Sky Association. These regulations will:

- 3.1 Permit the use of outdoor lighting that is consistent with the minimum levels specified in Illuminating Engineering Society of North America (IES) recommended practices for nighttime safety, utility, security, productivity, enjoyment, and commerce (Lighting Zones).
- 3.2 Minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light.
- 3.3 Curtail light pollution, reduce skyglow, and improve the nighttime environment for astronomy.
- 3.4 Help protect the natural environment from the adverse effects of night lighting from gas or electric sources, while conserving energy and resources to the greatest extent possible.

SECTION 4 – LIGHTING ZONES

Lighting zones reflect the base (or ambient) light levels desired in Bon Accord. Lower lighting zone(s) be given preference when establishing zoning criteria. Using lighting zones allows a great deal of flexibility and customization without the burden of excessive regulation. Selection of lighting zone or zones should be based not on existing conditions but rather on the type of lighting environments the Town seeks to achieve. For instance, new development on previously rural or undeveloped land may be zoned as LZ-1. Additionally, the Town may choose to establish vertical lighting zones with the lighting zone at street level at a higher zone than the residential housing on upper levels. The Lighting Zone shall determine the limitations for lighting as specified by this *Bylaw*. Lighting Zones shall be defined as follows:

LZ0: No ambient lighting

Areas where the natural environment will be seriously and adversely affected by lighting. Impacts include disturbing the biological cycles of flora and fauna and/or detracting from human enjoyment and appreciation of the natural environment. Human activity is subordinate in importance to nature. The vision of human residents and users is adapted to the darkness, and they expect to see little or no lighting. When not needed, lighting should be extinguished. This zone typically includes undeveloped areas of open space, wilderness parks and preserves, areas near astronomical observatories, or any other area where the protection of a dark environment is critical. This is the recommended default zone for wilderness areas, parks and preserves, and undeveloped rural areas.

LZ1: Low ambient lighting

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Areas where lighting might adversely affect flora and fauna or disturb the character of the area. The vision of human residents and users is adapted to low light levels. Lighting may be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, most lighting should be extinguished or reduced as activity levels decline. These typically include single and two family residential communities, rural town centers, business parks, and other commercial or industrial/storage areas typically with limited nighttime activity and may also include the developed areas in parks and other natural settings. This is the recommended default zone for rural and low density residential areas.

LZ2: Moderate ambient lighting

Areas of human activity where the vision of human residents and users is adapted to moderate light levels. Lighting may typically be used for safety and convenience but it is not necessarily uniform or continuous. After curfew, lighting may be extinguished or reduced as activity levels decline. This zone pertains to areas with moderate ambient lighting levels. These typically include multifamily residential uses, institutional residential uses, schools, churches, hospitals, hotels/motels, commercial and/or businesses areas with evening activities embedded in predominately residential areas, neighborhood recreational and playing fields and/or mixed use development with a predominance of residential uses. Can be used to accommodate a district of outdoor sales or industry in an area otherwise zoned LZ-1. This is the recommended default zone for light commercial business districts and high density mixed-use residential districts.

LZ3: Moderately high ambient lighting

Areas of human activity where the vision of human residents and users is adapted to moderately high light levels. Lighting is generally desired for safety, security and/or convenience and it is often uniform and/or continuous. After curfew, lighting may be extinguished or reduced in most areas as activity levels decline. These typically include commercial corridors, high intensity suburban commercial areas, town centers, mixed use areas, industrial uses and shipping and rail yards with high night time activity, high use recreational and playing fields, regional shopping malls, car dealerships, gas stations, and other nighttime active exterior retail areas. Recommended default zone for large cities' business districts. It is recommended this zone is not used in Bon Accord.

Tables providing maximum allowable lumens per Lighting Zone are included in this document.

SECTION 5 - CONFORMANCE WITH PROVINCIAL AND FEDERAL CODES

All outdoor lighting shall be installed in conformance with the provisions of this *Bylaw*, applicable Electrical and Energy Codes, and applicable sections of the Building Code.

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SECTION 6 - APPLICABILITY

Except as below, all outdoor lighting installed after the date of adoption of this *Bylaw* shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party.

6.1. Permanent Exemptions

6.1.1. Previously Existing Fixtures: All outdoor luminaires existing and lawfully in place prior to the adoption of this *Bylaw* are exempt from the requirements of *this Bylaw*, except that:

6.1.1.1. When existing luminaires become inoperable, replacement in compliance with this *Bylaw* is required.

6.1.1.2. This exemption shall cease to apply when the parcel is subject to a change in use or ownership.

6.1.1.3. Upon renewal of business license, the required fees can, at the discretion of the appropriate officials be reduced by a percentage of costs incurred to achieve compliance with this *Bylaw*.

6.1.1.4. Lighting exempted under Section 6.1.1 shall comply with Section 11 of this *Bylaw*.

6.1.2. Fossil Fuel Light: All outdoor light fixtures producing light ***directly*** by the consumption of fossil fuels (such as gas lamps, kerosene lanterns, etc.) are exempt from this *Bylaw*.

6.1.3. Federal and Provincial Facilities: Outdoor light fixtures on, in, or in connection with facilities and land owned by the Crown in right of Canada or the Crown in right of Alberta are exempt from this *Bylaw*. Voluntary compliance with the intent of this *Bylaw* is encouraged.

6.1.3.1. Regional or County Airports: Outdoor lighting not regulated by Provincial or Federal agencies or statute, such as lighting for parking lots and pedestrian access shall comply with the *Bylaw*.

6.1.3.2. Correctional Institutions: Outdoor lighting not regulated by Provincial or Federal agencies or statute, such as lighting for parking lots shall be fully shielded.

6.1.4. Emergency Conditions: Under any emergency, real or perceived, by local, provincial or federal authorities, any and all restrictions created by this *Bylaw* shall be, for the

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duration of the emergency, suspended in order that emergency responders and citizens may carry out their duties to the best of their abilities.

6.2. Special Requirements and Other Exemptions.

The following are not regulated by this *Bylaw*:

- 6.2.1. Lighting within the public right-of-way or easement for the principal purpose of illuminating roads and highways required by Provincial or Federal legislation. This exemption **shall not** apply to any street lighting installed under the jurisdiction and authority of Bon Accord, or to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside of the public right of way or easement.
- 6.2.2. Lighting used for public monuments and statuary.
- 6.2.3. Lighting solely for signs (lighting for signs is regulated by **Section 8, Outdoor Signs and Illumination** section of this *Bylaw*).
- 6.2.4. Repairs to existing luminaires not exceeding 25% of total installed luminaires.
- 6.2.5. Temporary lighting for theatrical, television, sports areas, and performance areas, only with permit from the authority and recognizing that steps need to be taken to minimize glare and light trespass, and will utilize sensible curfews, as determined by appropriate Town authorities.
- 6.2.6. Intermittent and seasonal lighting required under Alberta Occupational Health and Safety (OH&S) codes for lighting required on construction sites. While not superseding or supplanting the Provincial OH&S code, all lighting shall be restricted to hours during which work is actively taking place and such lighting must be shrouded or shielded to prevent glare and light trespass outside of the property lines of the construction site.
- 6.2.7. Underwater lighting in swimming pools and other water features.
- 6.2.8. Temporary lighting and seasonal lighting provided that individual lamps are less than ten (10) watts and seventy (70) lumens, for the duration of the holiday season. The holiday season shall be defined as lasting from the first day of December to the end of the second week of January.
- 6.2.9. Lighting specified or identified in a specific use permit, which shall not grant permanent exception to this *Bylaw*.
- 6.2.10. Any other exceptions not covered by the above shall be dealt with by designated Town of Bon Accord officials or their assignees. All exceptions must comply with this *Bylaw*, Section 6.2.9.

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SECTION 7 - LIGHTING CONTROL REQUIREMENTS

Nothing in this section shall be interpreted to provide exemptions to the goals of this *Bylaw*. This section is intended to provide lighting controls which prohibit operation of outdoor lighting when sufficient outdoor lighting is available or such lighting is unnecessary. Additionally, this section will ensure that all outdoor lighting has the capability, either through circuiting, dimming, or alternating sources to guarantee the ability to reduce lighting without necessarily turning all lights off.

7.1. Automatic Switching Requirements. Controls shall be provided that automatically extinguish all outdoor lighting when sufficient daylight is available using a control device or system such as a photoelectric switch, astronomic timer switch or equivalent functions from a programmable lighting controller, building automation system or lighting energy management system, all with batteries or similar backup power or device. If motion sensors are used to comply with this section, the range of the sensor shall not exceed the property line.

7.2. Automatic Lighting Reduction Requirements. The Council or Administration shall establish curfew time(s) for each lighting zone, after which total outdoor lighting lumens shall be reduced by at least 30% or extinguished. The following items are exceptions for which no reduction is required:

7.2.1. Lighting for residential properties including multiple residential properties not having common areas. This exemption shall not apply to landscape lighting, and all such lighting shall comply with all applicable BUG ratings.

7.2.2. When the outdoor lighting consists of only one luminaire. This does not circumvent the requirement that such luminaires will be shielded according to applicable BUG ratings.

7.2.3. Code required lighting for steps, stairs, walkways, and building entrances. All such luminaries installed under this provision shall be in compliance with this *Bylaw* and "Dark-Sky Friendly" and comply with all applicable BUG ratings.

7.2.4. When in the opinion of the Town, lighting levels must be maintained.

7.2.5. Motion activated lighting, where the light is extinguished no more than 5 (five) minutes after illumination.

7.2.6. Lighting governed by a special use permit in which times of operation are specifically identified.

7.2.7. Businesses that operate on a 24-hour basis.

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SECTION 8 - OUTDOOR SIGNS AND ILLUMINATION

This section deals with signs located in the Town, on public or private property. This section will ensure that the number, appearance, and location of signs balances the need for signs and expression, with safety and aesthetics while providing an adequate and flexible means of identification for commercial and industrial enterprises. This will improve the quality of sign design and upkeep, and minimize the adverse effect of signs on nearby property. It is the responsibility of the owner and the occupier of the lands that are subject to this *Bylaw* to ensure that signs conform to this bylaw.

8. All signs shall be maintained in good structural condition at all times so as to ensure that pedestrian and vehicular traffic are not compromised.
- 8.1. All sign copy shall be fastened securely to the sign structure. Where a portion of a copy area has been removed, it shall be replaced within a reasonable timeframe, either with new copy or filled in with material consistent with the sign, as determined by the Development Officer.
- 8.2. All burned out bulbs or damaged panels on a sign shall be replaced within a reasonable timeframe, not exceeding 60 days, or as determined by the Development Officer.
- 8.3. Where a panel is damaged or removed, it shall be replaced with a blank panel until such time as a new panel is installed.
- 8.4. The area within five (5) metres of a Freestanding Sign on private property shall allow access for maintenance. This standard does not exempt any landscaping requirements within this *Bylaw*; however, the landscaping shall allow access for maintenance.
- 8.5. It shall be the responsibility of the landowner to ensure maintenance of a sign is in compliance with the provisions of this *Bylaw*.
- 8.6. A sign with illumination or a sign with an electronic message feature shall not be allowed in agricultural or residential districts.
- 8.7. Any sign located within thirty (30) metres of a residence or a residential district shall not be illuminated between 10:00 p.m. and 6:00 a.m. unless dimmed to no more than 30% of its daytime operation.
- 8.8. Notwithstanding Section 8.8 of this *Bylaw*, a Development Officer may restrict the illumination of any sign, or place conditions on a development permit for a sign that would effectively mitigate any adverse effect as a result of the illumination of the sign on a residential development where, in the opinion of the Development Officer, the sign could cause an adverse effect on a residential development.
- 8.9. Signs that are illuminated shall not:

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- 8.9.1. shine or reflect light directly onto neighboring properties or, in the direction of oncoming traffic;
 - 8.9.2. create hazards for pedestrians or motorists;
 - 8.9.3. be of an intensity or brightness that would interfere with the space, comfort, convenience, and general welfare of residents or occupants of adjacent properties or, with vehicular traffic, in the opinion of the Development Officer.
- 8.10. To prevent “luminance creep,” and in accordance with Section 8.10.3, no sign shall be illuminated with an intensity or brightness greater than 200 lux.
- 8.11. Signs with an electronic message feature shall have automatic timers. These signs shall comply with Section 8.8 of this *Bylaw* and be subject to the same lighting curfew outlined in Section 8.8.
- 8.12. All illuminated signs shall have the capability to be dimmed to the satisfaction of the Development Officer.
- 8.13. Externally illuminated signs shall:
- 8.13.1. use full cut-off or, shielded and screened external light sources; and
 - 8.13.2. be positioned in a manner that directs the light directly onto the sign; and
 - 8.13.3. minimize any glare off-site.
- 8.14. Internal illuminated signs, where permitted, shall have the light source completely shielded from direct view.
- 8.15. Sign lighting shall be designed to prevent light spill into the sky.
- 8.16. Coloured lights shall not be used at a location or in a manner so as to be confused with, or construed as traffic control devices.
- 8.17. Where a sign is allowed with a changeable display feature for frequently changing messages, the message shall not change more than once every six (6) seconds with a one (1) second transition (hold time) between messages; and the messages on the changeable display feature shall relate to:
- 8.17.1. special event; or
 - 8.17.2. a use, business or occupant of the site where the sign is located.
 - 8.17.3. All signs regulated by this section of the *Bylaw* shall have a CCT which does not exceed 2,200° K, as determined by the manufacturer.

SECTION 9 -NON-RESIDENTIAL LIGHTING

This section addresses commercial and non-residential lighting, including multiple-family residences having common spaces, such as outdoor lobbies; internal roadways, walkways, or parking. Its intent is to:

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9. Limit the amount of light that can be used;
 - 9.1. Minimize glare by controlling the amount of light that tends to create glare;
 - 9.2. Minimize sky glow by controlling the amount of uplight; and
 - 9.3. Minimize the amount of off-site impacts or light trespass.

This section, and accompanying tables in this document provide two methods for determining compliance. The *prescriptive method* contains precise and easily verifiable requirements for luminaire light output and fixture design that limit glare, uplight, light trespass, and the amount of light that can be used. The *performance method* allows greater flexibility and creativity in meeting the intent of the *Bylaw*. Note that both the prescriptive and the performance method limit the *amount* of light that can be used, but do not control *how* the lighting is to be used. Most outdoor lighting projects that do not involve a lighting professional will use the prescriptive method, because it is simple and does not require engineering expertise. **Only one of the two outlined methods may be used.**

9.4. *Prescriptive Method*

- 9.4.1. Total Site Lumen Limit. The total installed initial luminaire lumens of all outdoor lighting shall not exceed the total site lumen limit. The total site lumen shall be determined using *either* the Parking Space Method (Table A) or the Hardscape Area Method (Table B). Only one method shall be used per permit application, and for sites with existing lighting, all existing lighting shall be included in the calculation of total installed lumens.

The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.

- 9.4.2. Limits to Offsite Impacts. All luminaires shall be rated and installed according to Table C.
- 9.4.3. Light Shielding for Outdoor Illumination. All outdoor luminaires emitting more than 1000 lumens shall have no light emitted above ninety (90) degrees as illustrated in Figure 1.
- 9.4.4. Exception to this restriction is ornamental lighting permitted by special permit only, and shall meet the requirements of Tables C-1, C-2, and C-3 for Backlight, Uplight, and Glare, respectively, without the need for external, field-added modifications.

- 9.4.4.1. An example for application of the *Prescriptive* method is included in this *Bylaw*.

9.5 *Performance Method*

Total Site Lumen Limit. The total installed initial luminaire lumens of all lighting systems shall not exceed the allowed total initial site lumen. The allowed total initial site lumens shall be determined using Tables D and E. For sites with existing lighting, all existing lighting shall be included in the calculation of total installed lumens.

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9.6 The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.

9.6.1 Limits to Off Site Impacts. All luminaires shall be installed using either Option A or Option B. Only one option may be used per permit application.

Option A: All luminaires shall be rated and installed according to Table C.

Option B: The entire outdoor lighting design shall be analyzed using industry standard lighting software including inter-reflections in the following manner: Input data shall describe the lighting system including luminaire locations, mounting heights, aiming directions, and employing photometric data tested in accordance with IES guidelines. Buildings or other physical objects on the site within three object heights of the property line must be included in the calculations.

9.6.2 Analysis shall utilize an enclosure comprised of calculation planes with zero reflectance values around the perimeter of the site.

The design complies if:

- i. The total lumens on the inside surfaces of the virtual enclosure are less than fifteen (15%) percent of the total site lumen limit; and
- ii. The maximum vertical illuminance on any vertical surface is less than the allowed maximum illuminance per Table F.
 - a. An example application of the *Performance* method is included in this *Bylaw*.

SECTION 10 - RESIDENTIAL LIGHTING

This section applies to single family homes, duplexes, row houses, and low rise multi-family buildings of four (4) dwelling units or less. For residential properties including multiple residential properties not having common areas, all outdoor luminaires shall not exceed the allowed lumen output in Table G, row 2.

The following exceptions shall apply to this section:

10.1 One partly shielded or unshielded luminaire at the main entry, which shall not exceed the allowed lumen output in Table G, row 1;

10.2 Any other partly shielded or unshielded luminaires not exceeding the allowed lumen output in Table G, row 3;

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- 10.3 Low voltage landscape lighting aimed away from adjacent properties and not exceeding the allowed lumen output in Table G, row 4;
- 10.4 Shielded directional flood lighting aimed so that direct glare is not visible from adjacent properties and not exceeding the allowed lumen output in Table G, row 5;
- 10.5 Open flame gas lamps;
- 10.6 Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 5 minutes after the area is vacated;
- 10.7 Lighting controlled by movement or other sensors shall be positioned so the range of their trigger mechanism does not exceed the property line, as determined by the land title of the property;
- 10.8 All Residential Landscape Lighting shall:
 - 10.8.1 Comply with Table G of this *Bylaw*; and
 - 10.8.2 Shall not be aimed into adjacent properties.
- 10.9 Lighting exempt per Section 6 of this *Bylaw*.

An example of the application of this section can be found in this *Bylaw*.

SECTION 11 - EXISTING LIGHTING

Amortization allows existing lighting to gradually and gracefully come into compliance. Substantial changes or additions to existing properties are considered the same as new construction, and must comply. Most outdoor lighting can be fully depreciated once it is fully amortized, usually no longer than 10 years, if not sooner, from the date of initial installation. Bon Accord Administration may require compliance sooner for “easy fixes” such as re-aiming or lowering lumen output of lamps. Where lighting is judged to be a safety hazard, immediate compliance shall be required. Lighting installed prior to the effective date of this *Bylaw* shall comply with the following:

11.1 *New Uses or Structures, or Change of Use*

Whenever there is a new use of a property (zoning or variance change) or the use on the property is changed, all outdoor lighting on the property shall be brought into compliance with this *Bylaw* before the new or changed use commences.

11.2 *Additions or Alterations Major Additions*

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If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions:

- 11.2.2 Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this *Bylaw*.
- 11.2.3 Single or cumulative additions, modification or replacement of 25 percent or more of installed outdoor lighting luminaires existing as of the effective date of this *Bylaw*.
- 11.2.4 Minor Modifications, Additions, or New Lighting Fixtures for Non-residential and Multiple Dwellings:
- 11.2.5 For non-residential and multiple dwellings, all additions, modifications, or replacement of more than 25 percent of outdoor lighting fixtures existing as of the effective date of this *Bylaw* shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting. **Any new lighting shall meet the requirements of this *Bylaw*.**
- 11.2.6 Resumption of Use after Abandonment
 - 11.2.6.1 If a property with non-conforming lighting is abandoned for a period of 180 days or more, then all outdoor lighting shall be brought into compliance with this *Bylaw* before any further use of the property occurs.

SECTION 12 - PROCEDURAL REQUIREMENTS AND PLAN SUBMISSION

For all subdivision, land-development applications, and building permits where outdoor lighting is required or proposed, lighting plans shall be submitted to Town Administration for review and approval. Plan submission for residential renovations is voluntary; however any changes to lighting shall comply with this *Bylaw*. Field verification can be achieved by asking the applicant and/or owner to verify that the luminaire type, lamp type and wattages specified have been used. The applicant shall provide the photometric data for each luminaire, since the initial luminaire lumens and B-U-G ratings are stated on the photometric report. However, if a jurisdiction requires additional on-site verification, it may also request a point-by-point photometric plan. While this will not be a true measure of compliance with the criteria of this *Bylaw*, comparing the actual measured levels on site to the photometric plan can be an indication whether or not the installed lighting varies from the approved design. The minimum requirements for these plans shall include:

- 12.1 A site plan complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), vegetation or landscape features that may interfere with lighting, and all adjacent uses. The site plan shall show, by location, and identify each existing and proposed luminaire and shall specify its installed height, pole foundation details, and mounting methods;

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- 12.2 A summary table identifying the maximum and minimum light levels for all parking entryways, signs, and walkways.
- 12.3 A description of each luminaire identified in the site plan including the manufacturer, model number, a photograph or catalog cut, photometric data verifying compliance requirements specified within this *Bylaw*, light output in initial lumens, shielding or glare reduction devices, lamp type, and on/off control devices.
- 12.3 If a developer or other entity is using the *Performance Method*, as outlined in Section 9, the following shall also be supplied:
- 12.3.1 Iso-footcandle plots illustrating each typical installation for all luminaire types, or 3m by 3m illuminance-grid plots for multi-fixture lighting installations, which demonstrate compliance with all applicable requirements set forth within this *Bylaw*. The plots shall indicate the location of each existing and proposed luminaire, the installed height of said luminaires, and the overall light levels in **foot-candles** on the entire zoned.

SECTION 13 - TABLES AND CALCULATIONS

**Table A
Allowed Total Initial Luminaire Lumens per Site for Nonresidential Outdoor Lighting, Per Parking Space Method**

May only be applied to properties up to 10 parking spaces (including handicapped accessible spaces).

LZ-0	LZ-1	LZ-2	LZ-3
300 lms/space	450 lms/space	630 lms/space	840 lms/space

**Table B
Allowed Total Initial Lumens per Site for Nonresidential Outdoor Lighting, Hardscape Area Method**

May be used for any project. When lighting intersects off site driveways and public streets or roads, a total of 55 square metres for each intersection may be added to the actual site hardscape area to provide for intersection lighting.

LZ-0	LZ-1	LZ-2	LZ-3
Base Allowance			
5.5 lumens per m ² of Hardscape	15 lumens per m ² of Hardscape	26.75 lumens per m ² of Hardscape	55 lumens per m ² of Hardscape

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**Table B-1
Allowed Total Initial Lumens per Site for Nonresidential Outdoor Lighting,
Hardscape Area Method**

Lumen Allowances, in Addition to Base Allowance.

	LZ-0	LZ-1	LZ-2	LZ-3
Additional allowances for sales and service facilities. No more than two additional allowances per site. See accompanying notes.				
Outdoor Sales Lots	0	40 lumens per m ² .	85 lumens per m ² .	170 lumens per m ² .
Outdoor Sales Frontage	0	0	305 per linear metre	450 per linear metre
Drive Up Windows	0	2,000 lumens per drive up window	4,000 lumens per drive up window	8,000 lumens per drive up window
Vehicle Service Station	0	4,000 lumens per pump (based on 5fc horiz)	8,000 lumens per pump (based on 10fc horiz)	16,000 lumens per pump (based on 20fc horiz)

Notes accompanying Table B-1:

Outdoor Sales Lot refers to an allowance in lumens per square metre of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale and may not include driveways, parking or other non-sales areas. To use this allowance, luminaires must be within 2 mounting heights of sales lot area.

Outdoor Sales Frontage refers an allowance for linear metres of sales frontage immediately adjacent to the principle viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sites provided that a different viewing location exists for each side. In order to use this allowance, luminaires must be located between principle viewing location(s) and the frontage outdoor sales area.

Drive Up Windows refers to an allowance which require the luminaires to be within 6 horizontal metres of the centre of the window.

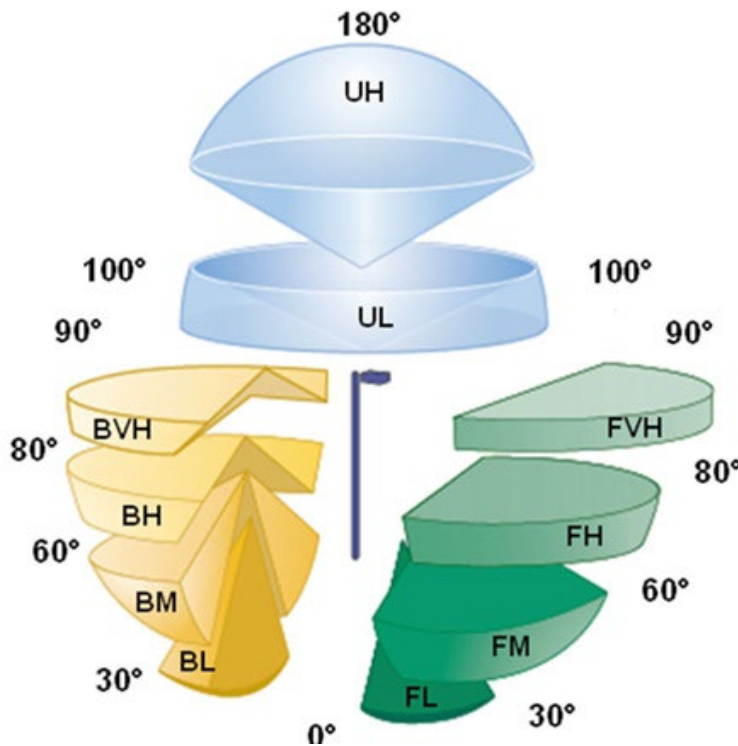
Vehicle Service Station refers to an allowance of lumens per installed pump.

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Tables C1-C3

Maximum Allowable Backlight, Uplight and Glare (BUG) Ratings

May be used for any project. A luminaire may be used if it is rated for the lighting zone of the site or lower in number for all ratings B, U and G. Luminaires equipped with adjustable mounting devices permitting alteration of luminaire aiming in the field shall not be permitted. As this is a relatively new and not yet well-known rating system, more explanation of how the rating system works is provided here. For example, more traditional terms such as “full cutoff” are used in this *Bylaw*. It will be very important that all groups recognize that older terms and concepts are inadequate for the complex tasks of controlling light pollution. It is recommended that the new rating system adopted in TM-15, the *Luminaire Classification System for Outdoor Luminaires*, developed in 2005 by the IES and followed herein by the **Table C**, be used intact and exclusively. BUG requires downlight only with low glare (better than full cut off) in lighting zones (LZ) 0, 1 and 2, but allows a minor amount of uplight in lighting zone 3. In lighting zone 3, the amount of allowed uplight is enough to permit the use of very well shielded luminaires that have a decorative drop lens or chimney so that dark sky friendly lighting can be installed in places that traditional-appearing luminaires are required. BUG typically cannot be used for residential luminaires unless they have been photometrically tested. For non-photometrically tested residential luminaires, shielding description is used instead. The lumen limits established for each



lighting zone apply to all types of lighting within that zone. Lighting installed under **Section 9 and Section 10** shall comply with all necessary BUG ratings described below. This includes, but is not limited to, specialty lighting, façade lighting, security lighting and the front row lighting for auto dealerships. BUG rating limits are defined for each luminaire and are based on the internal and external design of the luminaire, its aiming, and the initial luminaire lumens of the specified luminaires. The BUG rating limits also take into consideration the distance the luminaire is

installed from the property line in multiples of the mounting height (See Table C).

The three components of BUG ratings are based on IES TM-15-07 (revised):

Figure 1

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Backlight, which creates light trespass onto adjacent sites. The B rating takes into account the amount of light in the BL, BM, BH and BVH zones, which are in the direction of the luminaire OPPOSITE from the area intended to be lighted.

Uplight, which causes artificial sky glow. Lower uplight (zone UL) causes the most sky glow and negatively affects both professional and academic astronomy. Upper uplight (UH) not reflected off a surface is mostly energy waste. The U rating defines the amount of light into the upper hemisphere with greater concern for the light at or near the horizontal angles (UL).

Glare, which can be annoying or visually disabling. The G rating takes into account the amount of frontlight in the FH and FVH zones as well as BH and BVH zones. BUG ratings apply to the Lighting Zone of the property under consideration.

Figure 1

Key:

UH=Uplight High	BVH=Backlight Very High	FVH=Forward Light Very High
UL=Uplight Low	BH=Backlight High	FH=Forward Light High
	BM=Backlight Medium	FM=Forward Light Medium
	BL=Backlight Low	FL=Forward Light Low

In general, a higher BUG rating means more light is allowed in solid angles, and the rating increases with the lighting zone. However, a higher B (backlight) rating simply indicates that the luminaire directs a significant portion of light behind the pole, so B ratings are designated based on the location of the luminaire with respect to the property line. A high B rating luminaire maximizes the spread of light, and is effective and efficient when used far from the property line. When luminaires are located near the property line, a lower B rating will prevent unwanted light from interfering with neighboring properties.

At the 90-180 degree ranges:

1. Lighting Zone 0 allows no light above 90 degrees.
2. Lighting Zone 1 allows only 10 lumens in the UH and UL zones, 20 lumens total in the complete upper hemisphere. (This is roughly equivalent to a 5W incandescent lamp).
3. Lighting Zone 2 allows only 50 lumens in the UH and UL zones, 100 lumens total (less than a 25W incandescent lamp).
4. Lighting Zone 3 allows only 500 lumens in the UH and UL zones, 1000 lumens total (about the output of a 75W incandescent bulb).

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**Table C-1
 Maximum Allowable Backlight (BUG) Ratings**

Table C-1	LZ-0	LZ-1	LZ-2	LZ-3
Allowed Backlight Rating*				
Greater than 2 mounting heights from property line	B1	B3	B4	B5
1 to less than 2 mounting heights from property line and ideally oriented.**	B1	B2	B3	B4
0.5 to 1 mounting heights from property line and ideally oriented.**	B0	B1	B2	B3
Less than 0.5 mounting heights to property line and properly oriented.**	B0	B0	B0	B1

* For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered to be 1.5 metres beyond the actual property line for purpose of determining compliance with this section. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the centerline of the public roadway or public transit corridor for the purpose of determining compliance with this section.

NOTE: This adjustment is relative to Table C-1 and C-3 only and shall not be used to increase the lighting area of the site.

** To be considered 'ideally oriented', the luminaire must be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

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**Table C-2
Maximum Allowable Uplight (BUG) Ratings - Continued**

Table C-2	LZ-0	LZ-1	LZ-2	LZ-3
Allowed Uplight Rating	U0	U1	U2	U3
Allowed Percentage (%) light emission above 90° for street or area lighting	0%	0%	0%	0%

**Table C-3
Maximum Allowable Glare (BUG) Ratings - Continued**

Table C-3	LZ-0	LZ-1	LZ-2	LZ-3
Allowed Glare Rating	G0	G1	G2	G3
Any luminaire not ideally oriented*** with 1 to less than 2 mounting heights to any property line of concern	G0	G0	G1	G1
Any luminaire not ideally oriented*** with 0.5 to 1 mounting heights to any property line of concern	G0	G0	G0	G1
Any luminaire not ideally oriented*** with less than 0.5 mounting heights to any property line of concern	G0	G0	G0	G0

***Any luminaire that cannot be mounted with its backlight perpendicular to any property line within 2x the mounting height of the luminaire location shall meet the reduced Allowed Glare Rating in Table C-3.

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Table D

Performance Method Allowed Total Initial Site Lumens

May be used for any project.

Lighting Zone	LZ 0	LZ 1	LZ 2	LZ 3
Allowed Lumens per m ²	5	12	25	50
Allowed Base Lumens per Site	0	3,500	7,000	14,000

Table E

Performance Method Additional Initial Luminaire Lumen Allowances.

All of the following are “use it or lose it” allowances. All area and distance measurements are in plan view unless otherwise noted.

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3
Additional Lumens Allowances for All Buildings except service stations and outdoor sales facilities. A MAXIMUM OF THREE (3) ALLOWANCES ARE PERMITTED.				
Building Entrance or Exits	400	1,000	2,000	4,000
Building Facades	0	0	85/m ²	170/m ²
Sales or Non-sales Canopies	0	30/m ²	60/m ²	130/m ²
Guard Stations	0	60/m ²	130/m ²	255/m ²
Outdoor Dining	0	10/m ²	50/m ²	110/m ²
Drive Up Windows	0	2,000 lumens per window	4,000 lumens per window	8,000 lumens per window
Additional Lumens Allowances for Service Stations only. Service stations may not use any other additional allowances.				
Vehicle Service Station Hardscape	0	40/m ²	85/m ²	170/m ²
Vehicle Service Station Canopies	0	85/m ²	170/m ²	340/m ²
Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.				
Outdoor Sales Lots	0	40/m ²	85/m ²	130/m ²
Outdoor Sales Frontage	0	0	305/linear metre	450/linear metre

Notes accompanying Table E:

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Sales or Non-sales Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to qualify for this allowance, luminaires must be located under the canopy.

Guard Stations. This allowance is lumens per unit area of guardhouse plus 185 m² per vehicle lane. In order to use this allowance, luminaires must be within 2 mounting heights of a vehicle lane or the guardhouse.

Outdoor Dining. This allowance is lumens per unit area for the total illuminated hardscape of outdoor dining. In order to use this allowance, luminaires must be within 2 mounting heights of the hardscape area of outdoor dining.

Drive Up Windows. This allowance is lumens per window. In order to use this allowance, luminaires must be within 1.85 m² of the center of the window.

Vehicle Service Station Hardscape. This allowance is lumens per unit area for the total illuminated hardscape area less area of buildings, area under canopies, area off property, or areas obstructed by signs or structures. In order to use this allowance, luminaires must be illuminating the hardscape area and must not be within a building, below a canopy, beyond property lines, or obstructed by a sign or other structure.

Vehicle Service Station Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to use this allowance, luminaires must be located under the canopy.

Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non-sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.

Outdoor Sales Frontage. This allowance is for lineal metres of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.

The allowable light levels for the uses defined in Table E may be used to set a prescriptive lighting allowance for these uses in each lighting zone. It should be noted that the lighting allowance defined in Table E is only applicable for the area defined for that use and cannot be transferred to another area of the site. For some uses, such as outdoor sales, the jurisdiction is encourages to define a percentage of the total hardscape area that is eligible for the additional lighting allowance. For example, a set percentage of a car dealership's lot

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may be considered a display area and receive the additional lighting allowance where the remainder of the lot would be considered storage, visitor parking, etc. and cannot exceed the base light levels defined in Table A.

**Table F
Maximum Vertical Illuminance at any point in the plane of the property line.**

Lighting Zone 0	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3
0.05 FC or 0.5 LUX	0.1 FC or 1.0 LUX	0.3 FC or 3.0 LUX	0.8 FC or 8.0 LUX

**Table G
Residential Lighting Limits**

Lighting Application	LZ 0	LZ 1	LZ 2	LZ 3
Row 1 Maximum Allowed Luminaire Lumens* for Unshielded Luminaires at one entry only.	Not Allowed	420 lumens	630 lumens	630 lumens
Row 2 Maximum Allowed Luminaire Lumens* for each Fully Shielded Luminaire.	630 lumens	1,260 lumens	1,260 lumens	1,260 lumens
Row 3 Maximum Allowed Luminaire Lumens* for each Unshielded Luminaire excluding main entry.	Not Allowed	315 lumens	315 lumens	315 lumens
Row 4 Maximum Allowed Luminaire Lumens* for each Landscape Lighting.	Not Allowed	Not Allowed	1,050 lumens	2,100 lumens
Row 5 Maximum Allowed Luminaire Lumens* for each Shielded Directional Flood Lighting.	Not Allowed	Not Allowed	1,260 lumens	2,100 lumens
Row 6 Maximum Allowed Luminaire Lumens* for each Low Voltage Landscape Lighting.	Not Allowed	Not Allowed	525 lumens	525 lumens

* Luminaire lumens equals Initial Lamp Lumens for a lamp, multiplied by the number of lamps in the luminaire lot, and at the property lines.

SECTION 14 - EXAMPLE OF THE PRESCRIPTIVE METHOD

For the prescriptive method, the initial luminaire lumen allowances defined in Table A (Parking Space Method) or B (Hardscape Area Method) will provide basic lighting (parking lot and lighting at doors and/or sensitive security areas) that is consistent with the selected lighting zone. The prescriptive method is intended to provide a safe lighting environment while reducing sky glow and other adverse offsite impacts. The Per Parking Space Method is applicable in small rural towns and is a simple method for small retail “mom and pop” operations without drive lane access and where the parking lot is immediately adjacent to the road. The Town may also allow a prescriptive method for classes of sites, such as car dealerships, gas stations, or other common use areas.

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Note that the values are for initial luminaire lumens, not footcandles on the target (parking lot, sidewalk, etc). Variables such as the efficiency of the luminaire, dispersion, and lamp wear can affect the actual amount of light so the lumens per square foot allowance is not equal to footcandles on the site. By specifying initial luminaire lumen values, it is easier for the Development Officer to verify that the requirement is being met. Initial luminaire lumens are available from photometric data. Each initial luminaire lumens calculation should be supplied on the submittal form.

Solid state luminaires, such as LEDs, do not have initial lamp lumens, only initial luminaire lumens (absolute photometry). Other luminaires tested with relative photometry will have initial luminaire lumens which can be calculated by multiplying initial lamp lumens by the luminaire efficiency. In this example, three types of luminaires are used to light a parking area and building entry in a light commercial area. Two of these three luminaires use metal halide lamps: 70 watt wall mounted area lights and 150 watt pole mounted area lights. For these, the Initial Luminaire Lumens is equal to the initial lamp lumens multiplied by the luminaire efficiency. These values are entered into the compliance chart. The lumen value for the building mounted LED luminaires is equal to the lumens exiting the luminaire. Therefore, the value already represents the Initial Luminaire Lumens and no luminaire efficiency is needed. The total Luminaire Lumens for the site is equal to 247,840.

The allowable lumens are based on the lighting zone and the total hardscape area. Referencing Table B, the allowed lumens are 26.75/m² for LZ2. Multiplying this by the total hardscape area gives a value of 248,507.5 lumens allowed. Because this value is greater than the value calculated for the site, the project complies.

In this example, three types of luminaires are used to light a parking area and building entry in a light commercial area. Two of these three luminaires use metal halide lamps: 70 watt wall mounted area lights and 150 watt pole mounted area lights. For these, the Initial Luminaire Lumens is equal to the initial lamp lumens multiplied by the luminaire efficiency. These values are entered into the compliance chart. The lumen value for the building mounted LED luminaires is equal to the lumens exiting the luminaire. Therefore, the value already represents the Initial Luminaire Lumens and no luminaire efficiency is needed. The total Luminaire Lumens for the site is equal to 247,840. The allowable lumens are based on the lighting zone and the total hardscape area. Referencing Table B, the allowed lumens are 2.5/SF for LZ2. Multiplying this by the total hardscape square footage gives a value of 248,507.5 lumens allowed. Because this value is greater than the value calculated for the site, the project complies.

Prescriptive Method			
Lamp Descriptions	Qty	Initial Luminaire Lumens	Total
70 W Metal Halide	8	3,920	31,360
150 W Metal Halide	20	9,600	192,000
18 W LED	24	1,020	24,480
Total Site Initial Luminaire Lumens			247,840
Site Allowed Total Luminaire Lumens*			248,507.5
Project Compliance			Yes

*Listed below is the method of determining the allowed total initial lumens for non-residential outdoor lighting using the hardscape area method (Table B).

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Site Allowed Total Initial Lumens	
Site Description	Light Commercial
Lighting Zone	LZ-2
Hardscape Area (m ²)	9,290
Allowed Lumens per m ² of Hardscape	26.75
Site Allowed Total Initial Lumens (Lumens per m ² x hardscape area)	248,507.5

The prescriptive method of this *Bylaw* restricts uplighting, including upward light emitted by decorative luminaires. The Town of Bon Accord may choose to preserve some types of lighting, including lighting of monuments or historic structures. In this case, the Town shall exempt or otherwise regulate these types of lighting carefully so that it does not inadvertently allow glaring or offensive lighting systems.

Offsite effects of light pollution include glare, light trespass, sky glow, and impacts on the nocturnal environment. All of these are functions of the fixture or luminaire design and installation. This *Bylaw* replaces the previous luminaire classification terminology of full cut-off, semi cut-off, and cut-off because those classifications were not as effective in controlling offsite impacts as with the IESNA luminaire classification system as described in TM-15-07.

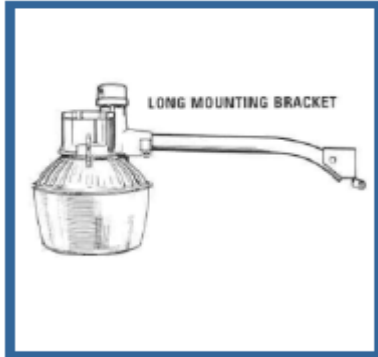
A traditional method of defining light trespass is to identify a maximum light level at or near the property line. However, this method does not address offensive light that is not directed toward the ground, or the intensity of glaring light shining into adjacent windows. The requirements defined in Table C limit the amount of light in all quadrants that is directed toward or above the property line. The Backlight/Uplight/Glare (BUG) rating will help limit both light trespass and glare. (A detailed explanation of the BUG system is provided in this *Bylaw*. Tables C1 - C3 provide further details.) The limits for light distribution established in Table C (for the BUG rating system) prevent or severely limit all direct upward light. A small amount of uplight reflected by snow, light-colored pavement or a luminaire's supporting arms is inevitable and is not limited by the prescriptive method of this *Bylaw*.

A seemingly non-compliant fixture, such as a post-top translucent acorn luminaire, may in certain cases meet the BUG ratings, as long as it has proper interior baffling within the acorn globe. However, the BUG ratings in Table C will limit the use of the following types of luminaires in all lighting zones:

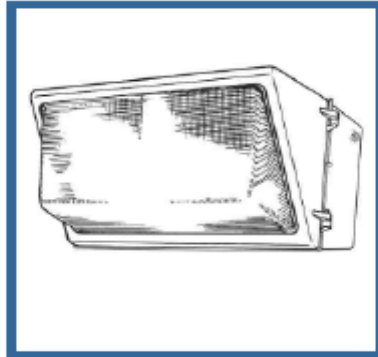
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Figure

2



Barn Lights



**Non-Shielded
Wall Packs**



**Floodlights or
lights not aimed
downward**

DRAFT

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SECTION 15 - EXAMPLE OF THE PERFORMANCE METHOD

The performance method is best for projects with complex lighting requirements or when the applicant wants or needs more flexibility in lighting design. The performance method is also used when any lighting designer plans to aim or direct any light fixture upward (above 90 degrees). An engineer or lighting professional generally will be required to design within the performance method. An adopting jurisdiction may also wish to hire an engineer or lighting professional to review and approve projects using this method and/or incorporate review of the performance method into special review procedures. The performance method is also best for projects where higher lighting levels are required compared to typical area lighting. An example might be a car sales lot where more light might be required on the new cars than would be needed for a standard parking lot. Another example is a gas station canopy requiring more light than a building entrance canopy. The first step in the performance method regulates overlighting by establishing the Total Initial Site Lumens (Table D) that are allowed.

Allowances include the total of the following (Table D):

1. Initial lumen allowance per site
2. Per area (m²) of hardscape

Table E allows additional lumens for unique site conditions. Examples of allowances include:

1. Per building entrance/exit
2. Per length (linear mere) of Outdoor Sales Frontage Perimeter
3. Per area (m²) of Vehicle Service Station Canopy
4. Plus other examples described in Table E.

The Site Total Initial Site Lumens allowed are a combination of allowances from Table D and Table E. The second step in the performance method is to determine if the proposed luminaires are producing off site impacts such as glare, sky glow and light trespass. One may either use Option A which are the Maximum Allowable BUG Ratings in Table C, or Option B through computer lighting calculations show compliance with Maximum Vertical Illuminance at any point in the plane of the property line in Table F. Option B will be required for all non-residential luminaires that:

1. Do not have BUG ratings, or
2. Exceed the BUG ratings,
3. Are not fully shielded, or
4. Have adjustable mountings.

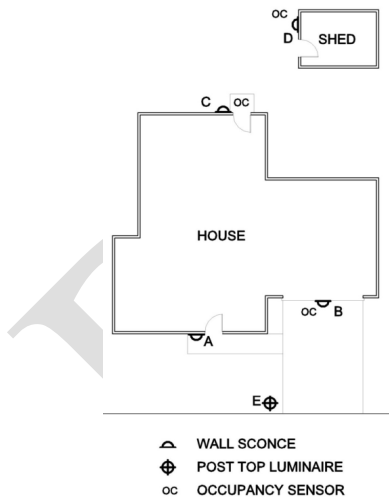
For the performance method, Option B (2) requires photometric calculations for the site perimeter, to a height of no less than 33 feet (10 metres) above the tallest luminaire. Vertical illuminances at eye height (5 feet above grade) will give values that can be used to verify compliance by comparing actual site conditions to the photometric plan submitted during review.

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Note that the MLO specifies 'total initial luminaire lumens' as a measurement in addition to footcandles/lux. The footcandle (lux) is equal to one lumen per square metre. Lux is the metric unit and is equal to one lumen per square metre.

SECTION 16 - EXAMPLE OF THE RESIDENTIAL METHOD

Most residential lighting has traditionally used incandescent lamps which are identified by their wattage. However, since new technologies provide more light for fewer watts, it is no longer possible to regulate residential lighting solely by providing a maximum wattage. Table G, therefore, lists maximum initial luminaire lumens only. In this example, five different luminaires are used on a residential property. Each luminaire must comply to meet the requirements. The site plan following shows luminaire types followed by a tabulation of each luminaire, whether or not it is fully shielded lamp type, and initial luminaire lumens. If the luminaire lumens are not known, multiply the initial lamp lumens by the luminaire efficiency. If the efficiency is not known, multiply the initial lamp lumens by 0.7 as a reasonable assumption. The maximum allowable lumen values come from Table G, based on the shielding classification and location on the site. In this case, each luminaire complies with the requirements of Table G.



Output (Lumens)	Power (Watts)		
	Incan	CFL	LED
500	40	8 - 10	9
850	60	13 - 18	12 - 15
1,200	75	18 - 22	15
1,700	100	23 - 28	18

Luminaire Type	Location	Luminaire Description	Fully Shielded	Lamp Type	Initial Lumen Lumens *	Maximum Allowed Initial Luminaire Lumens	Controls	Compliant
A	Front Entry	Decorative wall sconce	No	9W CFL	420	420	None	Yes
B	Garage	Fully shielded	Yes	23W CFL	1050	1260	Motion	Yes

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	Door	wall pack					Sensor	
C	Back Entry	Decorative wall sconce	No	7W CFL	280	315	Motion Sensor	Yes
D	Shed Entry	Fully shielded wall pack	Yes	40W INC	343	1260	Motion Sensor	Yes
E	Driveway	Fully shielded post top	Yes	13W CFL	1260	1260	None	Yes

*Initial Luminaire Lumens are calculated by multiplying the total initial lamp lumens by the luminaire efficiency. If the luminaire efficiency is not known, assume an efficiency of 70%.

SECTION 17 - CONVERSION OF UNITS

Where a measurement is provided in both imperial and metric units, and the two measurements do not correspond precisely, the metric measurement shall take precedence for purposes of interpretation of this bylaw.

SECTION 18 - COMPLIANCE WITH OTHER LEGISLATION

Compliance with the requirements of this bylaw does not exempt a person, company, or organization from:

1. The requirements of any federal, Provincial, or municipal legislation;
2. Complying with any easement, covenant, agreement, or contract affecting development.

SECTION 19 – EFFECTIVE DATE

This Bylaw comes into force on the final passing thereof.

This Bylaw shall repeal Bylaw 2015-07.

**TOWN OF BON ACCORD
BYLAW 2020-18
LIGHT EFFICIENT COMMUNITY STANDARDS BYLAW**

SCHEDULE A

VIOLATIONS AND PENALTIES

The purpose of this *Bylaw* is educational, not punitive. There are, however, certain practices that will promote compliance with lighting regulations. Education is a key tool in promoting compliance. Proactive enforcement procedures will include providing a copy of the lighting regulations to every contractor at the time they consult the Town of Bon Accord to obtain a building permit. Another effective tool is a requirement that the builder or developer acknowledge in writing that the he or she is familiar with the lighting requirements and shall submit a lighting plan for approval. Submission of the Lighting Plan shall be required as a precondition to approval of any development undertaken in the Town's corporate limits or authority. The submitted Lighting Plan shall include the location and BUG rating for each luminaire, specify whether compliance is by the performance or prescriptive method, and a worksheet to show that the luminaires and their BUG ratings are compliant. The following penalties shall apply to all non-compliant landowners:

1. The first disciplinary action shall be a verbal warning by the Development Officer or any of their assignees, along with suggested methods to bring the offending luminaire(s) into compliance with this *Bylaw*.
2. A written warning outlining the non-compliant luminaire as well as methods to bring the luminaire into compliance.
3. If the land owner does not take measure to bring the offending luminaire(s) into compliance with this *Bylaw* within thirty (30) days after issue of written warning by the Development Officer or their assignees, a fine of two hundred and fifty dollars (\$250) shall be issued to each non-compliant premise under the authority of by-law enforcement of the Town of Bon Accord.
4. If the offending luminaire(s) are not replaced or modified to comply with this *Bylaw* thirty (30) days after the issuance of the monetary fine outlined in Section 3. above, the Town of Bon Accord shall be entitled to deactivate the luminaire(s) or replace them at the cost of the holder of the land deed in addition to the monetary fine issued in Section 3.

**TOWN OF BON ACCORD
BYLAW 2020-18
LIGHT EFFICIENT COMMUNITY STANDARDS BYLAW**

READ A FIRST TIME THIS 21st DAY OF APRIL, 2020.

Mayor David Hutton

Chief Administrative Officer Joyce Pierce

READ A SECOND TIME THIS ___ DAY OF _____, 2020.

Mayor David Hutton

Chief Administrative Officer Joyce Pierce

READ A THIRD TIME THIS ___ DAY OF _____, 2020.

Mayor David Hutton

Chief Administrative Officer Joyce Pierce

TOWN OF BON ACCORD

Request for Decision (RFD)

MEETING: Regular Council Meeting

MEETING DATE: April 21, 2020

AGENDA ITEM: Parental Leave for Council Bylaw #2020-05

RECOMMENDATION:

THAT.... Council approve 2nd reading of Parental Leave for Council Bylaw #2020-05, as presented.

THAT.... Council approve 3rd reading of Parental Leave for Council Bylaw #2020-05, as presented.

BACKGROUND:

The Parental Leave for Council Bylaw #2020-05 has been created in accordance with the Municipal Government Act as follows:

144.1(1) A council of a municipality may, by bylaw, having regard to the need to balance councillors' roles as parents with their responsibilities as representatives of residents, establish whether councillors are entitled to take leave prior to or after the birth or adoption of their child.

144.1(2) If a bylaw under subsection (1) entitles councillors to take leave, the bylaw must contain provisions

(a) respecting the length of the leave and other terms and conditions of the leave entitlement, and

(b) addressing how the municipality will continue to be represented during periods of leave.

and the Employment Standards Code Division 7.

The ability for Council to pass a bylaw with regards to parental leave came into effect October 26, 2017.

First reading was heard at regular meeting of Council on February 4, 2020. Revisions were made before bringing back for second and third readings. Further discussion was held as per the resolution of Council from the regular meeting of Council Feb 18, 2020 to discuss the Bylaw at an Admin Briefing meeting. Administration has done the review and has brought back the Bylaw with changes/amendments for further Council review.

FINANCIAL IMPLICATIONS: N/A

LEGAL IMPLICATIONS: N/A

LEGISLATIVE HISTORY:

MGA RSA2000, Chapter M-26 as amended or repealed and replaced from time to time, authorizes council to pass such a Bylaw.

ALTERNATIVES:

1. Council approve 2nd and 3rd readings of Parental Leave for Council Bylaw #2020-05, as presented.
2. Council gives Parental Leave for Council Bylaw #2020-05 2nd reading and directs administration to amend, bringing back to Council for 3rd reading.

Prepared and Submitted By: Jessica Caines

Reviewed By: Joyce Pierce

Date: February 27, 2020

**TOWN OF BON ACCORD
THE PARENTAL LEAVE FOR COUNCIL BYLAW
BYLAW 2020-05**

A BYLAW OF THE TOWN OF BON ACCORD TO ESTABLISH TERMS AND CONDITIONS FOR A COUNCILLOR TO TAKE PARENTAL LEAVE.

WHEREAS, the Council of the Town of Bon Accord considers it desirable to establish terms and conditions for a Councillor to take parental leave prior to or after the birth or adoption of their child;

WHEREAS, the Municipal Government Act, Chapter M-26, R.S.A 2000, as repealed and amended from time to time, allows Council to pass such a bylaw; and

WHEREAS, the Employment Standards Code, Chapter E-9, R.S.A. 2000, as repealed and amended from time to time, allows parental leave for employees in the Province of Alberta;

NOW THEREFORE, the Council of the Town of Bon Accord, in the Province of Alberta, duly enacts as follows:

This bylaw shall be cited as the **“Parental Leave for Council Bylaw”** of the Town of Bon Accord.

1. DEFINITIONS

- 1.1 “Councillor” means a member of Council including the Mayor elected pursuant to the provisions of the Local Authorities Act.
- 1.2 “Council” means the Town’s council.
- 1.3 “CAO” means the Chief Administrative Officer or his/her delegate, for the Municipality.
- 1.4 “Parental Leave” means a period of time during which a Councillor may be absent from all Council, Standing Committee, and Council Committee meetings, and any other duties assigned to the Councillor by Council.
- 1.5 “Remuneration” includes salaries, indemnities, honorariums, and allowances paid to a Councillor.

2. INTERPRETATION

- 2.1 If the Mayor takes parental leave, any references in this bylaw will be deemed to refer to the Deputy Mayor.

3. SEVERABILITY

- 3.1 If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed, and the remainder of the bylaw is deemed valid.

4. PARENTAL LEAVE

- 4.1 Subject to this bylaw, a Councillor may take parental leave prior to or after the birth or adoption of their child.

5. LENGTH OF LEAVE

- 5.1 Parental leave permitted by this bylaw shall not exceed 26 weeks.

TOWN OF BON ACCORD
THE PARENTAL LEAVE FOR COUNCIL BYLAW
BYLAW 2020-05

6. NOTICE OF LEAVE

6.1 Unless exigent circumstances exist, a Councillor must provide 6 weeks written notice to the Mayor and CAO that the Councillor intends to take parental leave.

6.2 The written notice required by subsection 6.1 must include:

- 6.2.1 the start date of the parental leave;
- 6.2.2 the anticipated length of parental leave; and
- 6.2.3 if the Councillor was unable to provide 6 weeks written notice, the general nature of the exigent circumstances.

7. WRITTEN COMMITMENT

7.1 After providing written notice as required by section 6, and before commencing parental leave, a Councillor must submit a signed written commitment to the Mayor and CAO that includes:

- 7.1.1 The duties, as described in section 12.2 that the Councillor intends to continue to perform and receive remuneration for during all or part of the parental leave; and
- 7.1.2 Any workplace accommodations requested by the Councillor to balance their role as a parent with their responsibilities as a Councillor during or following parental leave.

8. No Councillor, pursuant to section 7, may revise their written commitment during parental leave unless exigent circumstances arise. Any revisions must be resubmitted pursuant to section 7.

9. At any time after a written commitment is given to the Mayor and CAO until the end of a parental leave, any person may request to view the written commitment during regular business hours in the presence of the CAO.

10. The CAO may publish a written commitment received pursuant to this bylaw on the Town's website.

11. REMUNERATION

12.1 During the first 8 weeks of parental leave, a Councillor will receive the full remuneration that the Councillor would have otherwise received.

12.2 For any weeks following the first 8 weeks of parental leave, a Councillor will receive a percentage of the remuneration that the Councillor would have otherwise received as follows:

- 12.2.1 0% if the Councillor does not perform any duties during parental leave;
- 12.2.2 30% if the Councillor prepares for and attends, either in person or using a communication facility, all Council meetings;
- 12.2.3 25% if the Councillor attends constituency events and regularly responds to constituency matters by telephone or electronic mail; and
- 12.2.4 15% if the Councillor prepares for and attends meetings of all Town agencies, boards, or commissions, or Council initiatives, that the Councillor has been assigned to by Council.

12. DELEGATION

**TOWN OF BON ACCORD
THE PARENTAL LEAVE FOR COUNCIL BYLAW
BYLAW 2020-05**

13.1 The CAO may delegate any power, duty, or function under this bylaw.

13. PROVIDING ASSISTANCE

14.1 On request, the CAO will assist a Councillor to prepare the written commitment required by section 7.

14. VERIFICATION

15.1 For the limited purpose of confirming that the Councillor is performing duties in order to receive partial remuneration during all or part of the parental leave, the CAO may make reasonable inquiries of the Councillor during parental leave.

This Bylaw shall come into full force and effect upon the day it receives third and final reading by Council.

Read a first time this 4th day of February 2020.

Read a Second time this 21st day of April 2020.

Read a third and final time this 21st day of April 2020.

Mayor David Hutton

Joyce Pierce, Chief Administrative Officer

TOWN OF BON ACCORD

*Mayor's Report
for the period Mar. 11, 2020 to Apr. 20, 2020*

Mar. 12, 2020	Attended Roseridge Landfill Commission
Mar. 17, 2020	Attended regular meeting of Council
Mar. 27, 2020	Attended Virtual Meeting – Declaring Local State of Emergency by Albert Council (a Legal Law Firm)
Mar. 29, 2020	Attended Provincial Virtual Townhall Meeting
Re: COVID-19	
Mar. 31, 2020	Attended Meeting with CAO Pierce – Sign Documents
Mar. 31, 2020	Attended Virtual Council Meeting and MDP and IDP Public Hearing
Apr. 1, 2020	Attended TEAMS system test
Apr. 7, 2020	Attended Virtual Council Meeting
Apr. 8, 2020	Attended Conference Call: Sub Regional Mayors and CAOs

Notes:

This meeting, sponsored by Alberta Council lawyers, did not use a different direction of explaining the legalities and pitfalls of declaring a Local State of Emergency than was already explained in the Courses we took.

The Provincial Townhall covered the Alberta government's COVID-19 position and direction. The economic recovery is forecast to take a year or more. With the energy sector shutting down because of the price of oil the Provincial budget of a \$6.5 billion deficit going to an estimated \$15 - \$20 billion deficit is estimated to take a lot longer than anticipated. The department of Health will not be affected as much as the rest of Government. Minister Madu re-announced the change to the MGA allowing Municipalities and Commissions to hold meetings electronically with public participation. During the question period it was asked if OPEC oil could be shut down – it was stated that it could not. It was asked if tax deferrals by Municipalities could be Provincially funded but the reply was for Municipalities to use their existing lines of credit.

The Council Meeting of March 31 was terminated because of technical difficulties and was rescheduled to April 7.

David Hutton
Mayor
Town of Bon Accord

TOWN OF BON ACCORD

Deputy Mayor Report – for March 11 – April 14, 2020

- March 17, 2020 Attended Regular Meeting of Council
- March 20, 2020 Attended the Alberta Capital Region Wastewater Commission meeting. We discussed that the bylaw is quite firm about no forgiveness of sewer charges. If there is a need for this a municipality must make a formal request for consideration. In light of the “toilet paper crisis” it is felt that people may be flushing paper towel, wipes, or other substitutes. These all add to costs at the treatment plant.
- March 23, 2020 Attended a virtual Special Meeting of Homeland Housing Board. There have been heightened visitor restrictions placed on our lodges. Westlock has now declared a state of local emergency. Seniors in the housing sites do not appear to be taking the pandemic seriously. The fiscal cost is huge. Heightened cleaning and sanitizing costs and replacing those who are sick or self isolating is contributing to an estimated cost of approximately \$226,000.00 per day. For the duration of 9 weeks that would be \$4,183,520.00. The board resolved to transfer the funds from reserves and hope to recover costs from the government.
- March 24, 2020 Attended the Bon Accord Gibbons food bank to pack 17 hampers! The food bank has its own challenges with Covid 19. We are limited to only 5 volunteers working at one time. Spaces need to be sanitized, extra handwashing etc. all in place. While donations are still being accepted cash is now preferred so as to limit what is brought in.
- March 25, 2020 Attended (virtually) the Sub-regional Mayors meeting
- March 30, 2020 Attended (virtually) Homeland Housing meeting. Many thanks to Raymond Cormie CEO for keeping the board up to date with updates and the evolving situation. Although Premier Kenney has offered to send much needed PPE supplies to Ontario and Quebec, Homeland Housing is concerned that there really isn’t any abundance of these supplies for housing bodies. With so many precautions about anyone entering any seniors housing sites supplies of PPE are only enough for a few days.
- March 31, 2020 Attended the (virtual) Regular Meeting of Council.
- April 6, 2020 Attended the Special Meeting of Council.

We have had several practice virtual meetings and it seems we have ironed out most of wrinkles. This has become a necessary tool to do business these days. Keeping up with emails has helped to occupy more time than usual. Stay safe and healthy all!

**TOWN OF BON ACCORD
Council report**

March 15 – April 15, 2020

March 16	Attended virtual meeting for Municipal Virtual Meeting AUMA.
March 17	Regular Meeting of Council.
March 30	Attended test run for Virtual Council meeting.
March 31	Attended regular meeting of council (virtual).
April 1	Attended test board meeting (virtual).
April 7	Attended regular meeting of council (virtual).

Notes: The COVID has caused the cancellation of many board meetings/conventions. Now that everyone is getting use to going “virtual” I would expect meetings to return as normal.

Councillor
Tanya May
Town of Bon Accord

TOWN OF BON ACCORD

Councillor Report – for period March 13 -April 14, 2020

March 17, 2020	Attended Regular Meeting of Council
March 30, 2020	Attended test run for virtual council meeting.
March 31, 2020	Attended Regular Meeting of Council (broadcast)
April 1, 2020	Test meeting #2 for Teams online meeting
April 7, 2020	Attended Special Meeting of council

Note:

All of my board meetings and events scheduled for the near future have been canceled at this point due to Covid-19

Lacey Laing
Councillor
Town of Bon Accord



TOWN OF BON ACCORD

Councillor Report – for period March 16 – April 16, 2020

March 16, 2020	Attended AUMA Webinar - Emergency Management & Business Continuity for Local Government 101
March 17, 2020	Attended Regular Meeting of Council
March 27, 2020	Attended Alberta Council Virtual Town hall - Declaring a Local State of Emergency
March 31, 2020	Attended virtual LUB Hearing and Regular Meeting of Council. Unfortunately, this meeting was postponed part way through the due to technical issues.
April 7, 2020	Attended Special Meeting of Council
April 16, 2020	Attended Capitol Region Northeast Water Commission Virtual Sub Committee Meeting.

Brian Holden
Councillor
Town of Bon Accord



Alberta Capital Region Wastewater Commission

23262 Township Road 540
Fort Saskatchewan, AB T8L 4A2

Att: Mike Darbyshire

The COVID19 Pandemic has, and will continue to have, a significant impact on the global economy. Those impacts are hitting us hard at the local level. Municipal governments, despite our limited size and financial means, are working to find ways to offer temporary relief to residential and non-residential customers to help them get through this crisis.

On March 23, 2020, Fort Saskatchewan City Council approved the temporary suspension of utility late fees and water disconnections to ensure that our citizens are able to continue to receive those essential services. A number of members of the commission have also passed similar motions.

The City is anticipating a significant increase in the number of utility account holders unable to pay their utility bills in the coming months. As such, this will create a financial hardship for municipalities, who will need to utilize contingency reserves in order to cover the costs associated with unpaid accounts. If this situation persists for several months, this represents a serious threat to the financial standing of member municipalities.

The commission can support this effort by looking at your current rate structures to determine if any temporary rate reductions can be achieved. Doing so will give participating municipalities some financial flexibility to deal with the increase in uncollected utility accounts over the coming months. Such an analysis could include the temporary suspension of reserve contributions or reviewing previous trends in annual financial surpluses with the intention of temporarily adjusting budgets to allow for a rate reduction. The Commission should not undertake any extreme measures that results in the commission being at risk of financial hardship, as the commission provides essential services to our community. The motion approved by Fort Saskatchewan Council on March 26, 2020 was that a request be made to both the water commission and wastewater commission to undertake an immediate review of their current fee structures to allow for temporary reductions in bulk rates charged to municipal customers. Doing so would give participating municipalities some financial flexibility to deal with the increases in uncollected utility accounts over the coming months and help ensure the financial stability of our utility services.

Troy Fleming
City Manager