



Town of Milk River Policy Manual

Policy Description: Public Participation Policy

Department: Administration and Council

Replaces Policy:

Approved: May 14, 2018

Effective: May 15, 2018

Reviewed:

Retired:

Scope: All Town Staff and Council

PURPOSE

This public participation policy has been developed to recognize the value of public participation and create opportunities for meaningful public participation in decisions that directly impact the public, while recognizing that the right to participate is not absolute as it must be balanced with Council's obligation, as the elected authority, to be the decision maker.

POLICY STATEMENTS

Council recognizes that good governance includes engaging municipal stakeholders in public participation by:

- 1) The Town values quality public participation because it leads to stronger decisions and is a critical component of good governance;
- 2) Creating opportunities for Municipal stakeholders who are affected by a decision to influence the decision;
- 3) Promoting sustainable decisions by recognizing various municipal stakeholder interests;
- 4) Providing Municipal stakeholders with the appropriate information and tools to engage in meaningful participation; and
- 5) Recognizing that although Councillors are elected to consider and promote the welfare and interest of the Municipality as a whole and are generally required to vote on matters brought before Council, facilitating Public participation for matters beyond those where public input is statutorily required can enrich the decision-making process.
- 6) Quality public participation requires a shared responsibility and commitment of Council, Administration and the community.
- 7) The Town shall use a variety of public participation approaches and techniques.
- 8) Public participation shall be proportional to the scope of the decision being made.
- 9) In order to ensure public participation opportunities are meaningful, they must:
 - a. Be available for a reasonable time period prior to decision making, and where appropriate, shall be ongoing;
 - b. Engage the appropriate stakeholders who may be impacted by the decision and/or be in a position to provide the most pertinent insights;
 - c. Be authentic, in that they will aim to genuinely engage the public, not persuade the public of a decision that has already been made;
 - d. Be inclusive of diverse viewpoints of the community and reflective of the population; and
 - e. Be accessible to the community members and/or stakeholders whom they seek to engage.
- 10) As per section 216.1(5) of the *Municipal Government Act*, RSA 2000, c M-26, no resolution or bylaw of a council may be challenged on the ground that it was made without complying with a public participation policy established by a resolution of Council.

DEFINITIONS

- 1) "[CAO]" means the chief administrative officer of the Municipality or their delegate.



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- 2) **“Municipal stakeholders”** means the residents of the Municipality, as well as other individuals, organizations or persons that may have an interest in, or are affected by, a decision made by the Municipality.
- 3) **“Public participation”** includes a variety of non-statutory opportunities where Municipal stakeholders receive information and/or provide input to the Municipality.
- 4) **“Public participation tools”** means the tools that may be used, alone or in combination, to create Public participation opportunities including, but not limited to:
 - (a) in-person participation which may include at-the-counter interactions, door-knocking, interviews, meetings, round-tables, town halls, public hearings, open houses and workshops;
 - (b) digital participation which may include the Town website, utilization of the digital signage, social media, radio television advertising, and online polls or surveys;
 - (c) written participation which may include written submissions, email, and mail-in surveys, polls, the monthly newsletter and the newspaper;
 - (d) representative participation which may include being appointed to an advisory committee, ad hoc committee or citizen board; and
 - (e) Any other method determined by the CAO to create a participative environment.

POLICY RESPONSIBILITIES

1) Council Responsibilities

Council shall:

- a) Help identify issues and decisions that may need or could benefit from public participation;
- b) Review staff recommendations on issues requiring public participation and assess the level of participation to be undertaken relative to the nature of the issue and the capacity of the Town;
- c) consider input obtained through Public participation;
- d) review this Policy to ensure the Policy complies with all relevant legislation, municipal policies and the spirit and intent of Public participation;
- e) ensure appropriate resources are available to solicit Public participation in accordance with this Policy;
- f) promote and support Public participation; and
- g) attend and observe public participation events.

2) Administration Responsibilities

The CAO shall:

- a) report the findings of the public participation to Council;
- b) consider timing, resources and engagement when developing and modifying public participation initiatives;
- c) evaluate and communicate the effectiveness of the public participation tools used in a particular circumstance to Council and the public;
- d) evaluate public participation events and techniques for ongoing improvement and effectiveness;
- e) continuously build up skills and experience in public participation to be able to deliver effective and meaningful opportunities and approaches;
- f) establish such procedures, forms, processes and similar materials and tools needed to implement this policy as determined by the CAO;
- g) establish the methods and timelines for the retention of information pertaining to a public participation event and in a manner consistent with the requirements of the *Freedom of Information and Protection of Privacy Act*;
- h) develop the necessary procedures to implement this Policy;
- i) consider the input received through public participation in creating recommendations to Council how to proceed; and
- j) assess this Policy and make recommendations to Council about the public participation and resourcing;



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PUBLIC PARTICIPATION OPPORTUNITIES

The CAO shall develop and implement a public participation plan in the following circumstances:

- a) designing or implementing a new policy, program, project or service;
- a) when existing programs and services are being reviewed;
- b) when identifying Council priorities;
- c) when gathering input or formulating recommendations with respect to budget, operating and capital plans;
- d) when gathering input or formulating recommendations with respect to the Municipality's strategic plans or business plans;
- e) fulfilling a legislated or regulated requirement;
- f) responding to a community-initiated request; and
- g) as otherwise directed by Council.

The following factors shall be considered in determining **if** public participation is required and the level of participation to be used:

- a) council priorities identified in the Strategic Plan;
- b) background and history of the issue;
- c) opportunity for public input to influence the decisions and outcomes;
- d) nature and scope of the potential impact;
- e) previous expressions of concern or interest in the decision or the results;
- f) time sensitivity in terms of when a decision needs to be made;
- g) availability and allocation of resources.

The following items **shall** require public participation:

- a) community sustainability plans;
- b) annual and multi-year operating and capital budgets;
- c) creation or amendment of statutory plans and the land use bylaw as described in the *Municipal Government Act*;
- d) creation and amendment of master plans for Town infrastructure and facilities; and
- e) local improvement tax bylaws and special tax bylaws as described in the *Municipal Government Act*.

The following items **may** require public participation:

- a) bylaw creation, review or amendment;
- b) policy creation, review or amendment;
- c) resolutions dealing with highly impactful matters such as the acquisition or disposal of assets; and
- d) site designs, conceptual plans and detailed plans for Town owned land and facilities.

At the Town's discretion, items not specifically listed above may be subject to the requirement for public participation.

POLICY EXPECTATIONS

1) Legislative and Policy Implications

- a) All Public participation will be undertaken in accordance with the *Municipal Government Act*, the *Freedom of Information and Protection of Privacy Act* and any other applicable legislation.
- b) All Public participation will be undertaken in accordance with all existing municipal policies.
- c) This Policy shall be available for public inspection and may be posted to the Municipality's website.
- d) This Policy will be reviewed at least once every four years.



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- 2) Public participation Standards
 - a) Public participation activities will be conducted in a professional and respectful manner.
 - b) Public participation plans will consider early, ongoing and diverse opportunities to provide input.
 - c) Municipal stakeholders who participate in any manner of Public participation are required to be respectful and constructive in their participation. Municipal stakeholders who are disrespectful, inappropriate or offensive, as determined by Administration, may be excluded from Public participation opportunities.
 - d) The results of Public participation will be made available to Council and Municipal stakeholders in a timely manner in accordance with municipal policies.

PUBLIC PARTICIPATION PLANS

- 1) When so directed by this Policy or Council, the CAO shall develop a Public participation Plan for approval by Council which shall consider the following:
 - a) the nature of the matter for which Public participation is being sought;
 - b) the impact of the matter on Municipal stakeholders;
 - c) the demographics of potential Municipal stakeholders in respect of which Public participation Tools to utilize, level of engagement and time for input;
 - d) the timing of the decision and time required to gather input;
 - e) what information is required, if any, to participate; and available resources and reasonable costs.
- 2) Public participation Plans will, at minimum, include the following:
 - a) a communication plan to inform the public about the Public participation plan and opportunities to provide input;
 - b) identification of which Public participation Tools will be utilized;
 - c) timelines for participation;
 - d) information about how input will be used;
 - e) the location of information required, if any, to inform the specific Public participation.

REPORTING AND EVALUATION

- 1) Information obtained in Public participation will be reviewed by [insert CAO title] and a report shall be provided to Council.
- 2) The report shall include, at minimum, the following:
 - a) an overview of the Public participation Plan and how it was developed;
 - b) an assessment of the effectiveness of the plan based on the level of engagement and the quality of input;
 - c) a summary of the input obtained; and
 - d) may include recommendations for future Public participation Plans.
 - e) Reports shall be provided to Council for review